



EXPLORING ISLAM

Modern Issues and authoritative Responses



General Secretariat for Fatwa Authorities Worldwide



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Introduction

In the name of Allah the Most Merciful, the Most Compassionate Praise be to Allah, Lord of the Worlds and may abundant peace and blessings of Allah be upon our master Muhammad, the seal of prophets and messengers, and upon his fathers, Ibrahim and Isma'il, and his brothers Musa IbnImran, 'Isa Ibn Maryam, the rest of the prophets and messengers, and upon those who have followed their guidance and path.

Today, it is of paramount importance to fulfill our greatest duty as Muslims. Our duty calls us to provide general guidance to all people, disseminate the culture of love and peace among humans, and foster inter-cultural and inter-national communication and understanding, thereby bringing to pass one of the greatest objectives behind the creation of man—mutual understanding and building bridges of love and communication. All of this is in keeping with the words of Allah the Almighty Who says, "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another" [Quran 49: 13].

There is no doubt that intellectual and cultural communication and the creation of avenues for proper undistorted knowledge and understanding of other religions is one of the greatest means of communication and the most beneficial. It is equally important for formal moderate and licensed channels such as the noble Al-Azhar in Egypt, convey religious doctrines and beliefs to religious audiences. The Azhar is the voice of Islam; it gives expression to the tolerance, moderation, honor, and mercy of the Islamic faith by virtue of its authoritative status and universal recognition throughout the Islamic world.

At present, there exists proponents of terrorist ideologies and iniquitous terrorist groups who operate under the guise of Islam in an effort to attain their malicious goals and mundane interests. They misinterpret religion and twist the meaning of religious texts and Quranic verses. They dissect them right out of their



context and meaning to advance their misguided agenda and provide grounds for convincing their followers from among the uninformed youth who have no knowledge of the objectives of religion, its rulings, guidance, and law. Their quest is misguided and they erroneously believe that they are on the right path.

It is most unfortunate that in the West today, religious intolerance and ignorance may propel some to not only tarnish the image of Islam but to even ascribe lies and false claims to most of the rulings of Islam and its goals. They distort the objectives of Islamic law, and the mercy, peace, mutual understanding, promotion of love, and the advancement and saving of lives that are part and parcel of the sealing message of Muhammad and turn all of these sublime meanings into hate, enmity, and injustice.

As a result, it was incumbent upon Egypt's Dar al-Ifta, by virtue of its leading role in disseminating the rulings of Islam and clarifying its law, its place in the hearts of Muslims across the world, and the esteem of international institutions and Western governments and nations, to do its duty in disseminating the true image of Islam. It therefore offers to the world this book, which is actually a message of love and peace and a message of constructive mutual understanding. The book refutes many of the misconceptions and false allegations raised about Islam, especially those concerning the most important issues that are at the forefront of the minds of every sincere person.

The book offers the Islamic perspective on life and the environment, shows the meaning of *ihsan* (excellence and perfection), the relationship between intellect and revelation, and the meanings of freedom and human rights which are both recognized and acknowledged by Islamic law. It identifies the causes of juristic differences and its fruits and what is accepted thereof and what is not, explains the concept of *jihad* and clarifies the confusion and lies that extremist organizations have projected against it. It describes the objectives of Islamic law, the value of coexistence and integration, love for homeland and affilia-



tion to the different cultures and languages and explains how all of these are not only consistent with faith but strengthen and consolidate it. The book also takes up the issue of women's rights, the Islamic perspective on the institution of family, emphasizing the importance of its coherence and unity. The book also explores the manner of dealing with the Prophetic Sunnah and with misconceptions and thorny issues. Being faithful to our trust and duty to disseminate love, peace, and good to the entire world, we chose to present all of this and more in easy language accessible to the reader who is interested in knowledge and who wishes to get to the truth of these important issues.



Valid Ikhtilaf And Its Criteria

Ikhtilaf, diversity, is a universal norm willed by the Creator. Its purpose is variety and disparity and not opposition, it is complementarity and not conflict. This diversity has extended from the realm of persons and objects to the realms of ideas and opinions. The divine will and wisdom decreed that people have different mindsets. The diversity of human languages, complexions, and physical appearances is a sign and proof that Allah exists as is the diversity of man's intellectual production. If a universal agreement on everything were to exist, it would undermine the purpose of creation; Allah the Almighty says, "If thy Lord had so willed, He could have made mankind one people: but they will not cease to dispute. Except those on whom thy Lord hath bestowed His Mercy: and for this did He create them" [Quran 11: 118-19].

Defintion and wisdom of ikhtilaf

Ikhtilaf in Arabic denotes variance and disagreement. In juristic parlance, it means the existence of different juristic opinions with the intention of identifying the sound legal ruling. As evident from the works of numerous scholars, there is no technical difference between the words ikhtilaf and khilaf; linguists, Islamic legal theorists, and jurists all use the words with the same meaning.

The Companions (may Allah be pleased with them all) – the best of the Muslim community – differed with one another on the branches of jurisprudence as did those who came after them from among the Salaf al-Salih and the scholars, and even more so the scholars of the four authoritative schools of jurisprudence. Ikhtilaf on the branches of jurisprudence is justified by the very nature of primary texts, namely the speculative texts that accept more than one interpretation. This feature opened up the possibility for ijihad with the purpose of fulfilling the objectives of the Wise Legislator, creating variance in opinions and perceptions that, in turn, allowed for capaciousness. Ikhtilaf is therefore a mercy for the Muslim community.



It was reported that Imam Ahmad Ibn Hanbal once told a man who had written a book about juristic differences, "Do not title it The Book of Differences, but rather The Book of Capaciousness." Imam Ahmad's remark emphasized the benefit of the diversity of opinions to eliminate any confusion between sanctioned praiseworthy juristic differences and blameworthy differences of opinion that fall within the ambit of principles of jurisprudence. Imam al-Suyuti said, "I know that divergences among the schools of jurisprudence of Islam is a great blessing and an enormous virtue. It includes a subtle wisdom that only the knowledgeable can grasp and to which the ignorant are blind. I even heard some of the ignorant say, 'The Prophet (peace and blessings be upon him) has come with only one law, so from where did the four schools of jurisprudence come from?'"

Valid khilaf and its conditions

Valid or accepted khilaf is supported by valid evidence. Juristic opinions that are non-evidence-based or those based on weak evidences are to be ignored. Scholars have accordingly set the following criteria for the legitimacy of khilaf:

1- The grounds for khilaf should be strong. A weak case i.e. one contradicting primary texts, ijma' (consensus), or clear qiyas (analogical reasoning), carries no weight and should be abandoned. Opinions based on evidences over which there is difference of opinion concerning their authenticity i.e. other than definitive texts, valid qiyas, and ijma', are not tolerated or deemed legitimate except if the evidences themselves are of the category that admit khilaf over their validity such as for instance the Sunnah which has not been transmitted through tawatur (mass transmission).

2- The scholar with a differing opinion should be both qualified and accredited as well as possess a strong ability to scrutinize the evidence in such a way that his assumptions are deemed tantamount to definitive knowledge. The objective is to protect the rulings of Islam from error as much as possible.



3- The dissenting view on any issue should not diverge from the body of existing opinions i.e. it should not give rise to a new opinion. The reason for this is that the stance of the preceding scholars and imams on a certain ruling are confined to two or three rulings. This in itself constitutes an ijma' that the valid opinion is limited to one of these opinions. The premise for this is that the community of Muslims will never agree on an error and so to say that the sound opinion lies beyond the existing opinions and that all the previous mujtahids failed to reach the correct opinion means that they have agreed on an error and this is impossible.

4- Khilaf resolution should not lead to neglecting the confirmed Sunnah or violate any matter that has reached the status of ijma'. Moreover, it must not lead to another khilaf, which in turn, would require resolution by returning to the original opinion and so forth.

Criteria for valid khilaf

Certain criteria regulate the management of valid khilaf and its aforementioned conditions, the most important of which are:

1- Restrain in denouncing dissenting views on controversial issues. This is based on the well known maxim that states, "Objection is not for issues where there is a difference of opinion but is reserved for issues that are agreed upon." In this sense, objection is either commensurate with criticizing the dissenting view, precludes its authoritativeness because it is not in accordance with one's own convictions, or merely voices objection to the juristic stance of an esteemed mujtahid on a controversial issue. Dissensions on the controversial branches of jurisprudence constrain the lives of Muslims, cause hardships, and undermine mercy and capaciousness. Consequently, it is impermissible for a Muslim to denounce the opinion of another and cause dissension between Muslims over differences in the controversial branches of jurisprudence, especially in the existence of supporting opinions of recognized scholars. Muslims must remain



united over matters of collective agreement and they must not allow controversial matters to divide them.

2- Khilaf resolution means acknowledging what has been agreed upon or implementing the differing opinion due to God-consciousness and religious precaution in matters over which there are differences of opinion.

There is a quasi-consensus among Islamic legal jurists and theorists that this method of resolving differences concerning controversial issues is recommended depending on the case in question. A case in point is the recommendation to rinse out the nose and mouth to settle the controversy generated by Hanbali scholars who maintain its obligatoriness.

3- Following the opinion of a mujtahid who maintains permissibility on a certain point of law over which there is a juristic difference of opinion to avoid committing a prohibited act. This affords Muslims with ease and facilitation in matters of religion, lifts hardships and difficulties, and corrects their actions and transactions as much as possible. Additionally, it is far better for a Muslim to perform an action that is deemed permissible by some scholars than to have all the gates closed before him, leaving him no alternative but to commit a sin when there was the capacity to follow the opinion of those who maintain permissibility.

In this context, it is important to note that it is not imperative for the layman who follows an accredited mujtahid to follow his opinions on all legal questions. This is because since the age of Companions (may Allah have mercy on them all) until the emergence of the schools of jurisprudence, people have resorted to soliciting the opinion of different scholars without anyone objecting to this.

Some scholars have mentioned the permissibility of following one school of jurisprudence on a legal question and a different one on another when faced with a matter that presents difficulty and hardship to him. They however stipulated for this three



conditions: the first is to avoid piecing together the opinion of more than one mujtahid in a single action, such as marrying without a bridal dowry, guardian, or witnesses. Second, to believe that the position of the imam he follows is the preferred opinion even if he does not hear it directly from the imam himself. Third, to avoid seeking out the dispensations of imams.

4- Ikhtilaf is resolved by the ruler. The ruling authority or its deputy are tasked with resolving ikhtilaf since the administration of the ruler centers on the interests of his people. Juristic difference resolution by the ruling authority or those in charge of the community affairs establishes a single opinion with which everyone must comply. The ruler's selection thereby elevates the ruling into a law. This law becomes binding upon the people in this world and entails a recompense in the hereafter because obedience to the leader is tantamount to obedience to Allah and His Messenger (peace and blessings be upon him). An example of such matters includes the validity of marriage contracts. If the ruler or judge decides in favor of the validity of a marriage contract, this validity cannot be nullified. The wisdom of resolving differences by the imam, ruler or those who act on their behalf lies in the fact that the very nature of their office, being responsible for the welfare of their subjects, means that they are tasked with preventing dissension and conflict and with resolving differences. This is one of the ruler's high-priority duties without which the legal order of society cannot prevail, giving free reign to unresolved disputes, conflict, and the spread of corruption, all of which are inconsistent with the wisdom for which rulers were invested with authority.

The etiquette of legitimate khilaf

There are certain rules of etiquette concerning khilaf, foremost among which are:

1- Khilaf must not exist per se. The scholars with differing opinions must direct their efforts toward reaching valid opinions without engaging in dispute and argumentation. This not only



entails admitting mistakes and renouncing erroneous opinions but also requires refraining from expressing legal opinions without knowledge. It is therefore necessary to possess thorough knowledge of everything related to the issue in question before denouncing dissenting views. It also requires determining with certainty the veracity of the opinion of a differing mujtahid before attributing it to him. This was the method of the pious Salaf; imam al-Shafi'i reportedly said, "I have never debated with anyone except that I sincerely wished that he came up with the truth."

2- Demonstrate sincerity of intention and fulfill the pledge made to Allah to seek and clarify truth to the people. It is also important to renounce disagreeable qualities such as self-conceit and praise-seeking.

3- Think well of others who have differing opinions. It is important for a mujtahid to believe in the sincere intentions of his contenders as it is important to display graciousness and temperance in debate to avoid strife. The scholars of the early period of Islam engaged in scholarly debate with brotherliness, goodwill, and cordiality.

4- Peer differences must not give rise to any hostilities. In spite of the differences in their juristic opinions, there was never any discord between the founding imams of the four schools of jurisprudence (may Allah have mercy on them) and those who have followed them in righteousness as difference of opinion does not spoil friendship. It was for this reason that these imams did not express fanaticism but pursued their quest for truth and sound opinions, no matter from whatever source it came.

5- Abide by the Islamic moral etiquette by choosing the best standards of speech and avoid hurting, disparaging, and defaming contenders. Allah the Almighty says, "Say to My servants that they should (only) say those things that are best: for Satan doth sow dissensions among them: for Satan is to man an avowed enemy" [Quran 17: 53].



6- Deferring to the truth from whomever it comes. Allah the almighty says, "But no, by the Lord, they can have no (real) faith, until they make thee judge in all disputes between them, and find in their souls no resistance against thy decisions, but accept them with the fullest conviction" [Quran 4: 65]. In this verse, Allah the Almighty declares the faith of those who distrusted the Prophet's judgments to be untrue. In accordance to this, it is important to accept the opinions of the mujtahid imams as this entails soundness in religion. Such deference is only due to the imams' understanding of the law of Allah and is not due to their person or special status. This falls under the rubric of the ignorant conceding to the knowledgeable and the knowledgeable following the more knowledgeable for the sake of demonstrating the virtue of acquiescing to the great scholars, especially the mujtahids among them.

And Allah the Almighty knows best.



The Family Status in Islam

The family is the basic building block of society and of life. It is the family unit that is the primary source of care and nurturance for its members and it is the family that shapes and molds feelings and behaviors. For this reason, Islam pays special attention to the family. This is clearly manifest through a set of legislations and guidelines set forth by Islamic law with a view to protect this small unit that is the foundation of society.

Definition of family

The Arabic lexical definition of family (Ar. usra) means fortified shield. An individual's family is his tribe and the members of his household who help and support him.

At present, the technical meaning of the word 'family' denotes an aggregate of individuals consisting of a man and his dependents i.e. his spouse, ascendants, and descendants. Early Muslim scholars used the words al-al, al-ahl and al-'iyal to refer to family.

At present, the family is defined as the building block of society. It results from the union between a man and a woman through a legal contract (i.e. marriage contract) and comprises a husband and wife and their unmarried children who live together in the same dwelling place.

The family structure in Islam

One of Allah's norms in His universe is that He created everything in pairs, humans being no exception. Allah the Almighty created mankind male and female and created a mutual innate attraction between them. Islam does not suppress man's instinctive sexual desires but enacted legislations to regulate them to prevent chaos from overrunning the world. The marital relationship is therefore the only lawful means for sexual relations. Allah created Adam (peace be upon him) and created for him Eve as his spouse. By bringing them together, Allah established the first



family in the history of humanity.

Marriage is a contract by which a man and woman are lawfully united. The marriage contract renders sexual enjoyment between the spouses licit, resulting in the formation of a family that is the core of society.

Marriage gives rise to certain consequences and benefits that attest to the extent of its importance. Allah, the Wise Law Giver, even called marriage the 'solemn covenant.' The consequences and benefits of marriage include:

1- Fulfillment of sexual desire in a lawful manner. The marriage contract renders intercourse permissible and protects men and women from committing fornication. Because Islam takes a moderate and balanced approach to addressing man's natural instincts, it does not prevent man from fulfilling his instinctive sexual desires but subjects them to certain laws and conditions. Islamic law does not prescribe celibacy nor does it encourage licentiousness and immorality.

2- Procreation and preservation of progeny. Islam encourages marriage because it is the means to achieving one of the most important objectives of Islamic law namely, procreation. This function of marriage guarantees the continuity of the human race as a whole thereby fulfilling the earth's administration and man's vicegeral responsibility of stewardship.

3- Preservation of lineage. It is for this reason, to preserve the family structure, that Islam has been attentive to basing family relations on lawful sexual union. And to maintain genealogical clarity, Islam enjoins marriage as the only means to establish paternity; otherwise, society will become replete with individuals with obscure lineages.

The relationship between family members

In the majority of cases, a family is composed of a husband,



wife, and children. Each family member enjoys certain rights and duties, known in Islamic law as legal obligations (takalif shar'iyya). Each member within the family is therefore required to fulfill his or her responsibilities, reflected in certain prescribed commands and prohibitions, toward the others. They likewise enjoy certain rights that should be respected. In short, the theory of rights within the family is based on love and mercy as Allah the Almighty informs us in His noble Book.

A wife's rights upon her husband

A wife's rights upon her husband are:

- Dowry (mahr). In Islamic law, the dowry is a financial obligation that a man must pay his wife as a token of his appreciation for her and as a manifestation of the status of marriage in Islam.
- The right to expenditure. It is the husband's duty to provide for his wife's needs and it is precisely by this role allocation that Allah the Almighty made men guardians and protectors over women. The Messenger of Allah (peace and blessings be upon him) placed special emphasis on this particular woman's right because a husband's failure to fulfill his role as economic provider has ruinous implications for his dependents. Examples of obligatory expenditure include housing, food, clothes, and other livelihood needs based on the prevailing customs.
- Kind treatment and forbearance of harm. Islamic law exhorts spousal relations based on love, mercy, and good companionship. It also instructs taking precautions to prevent discord within the family. In keeping with the spirit of Islamic law, a husband is required to treat his wife with kindness, respect, mercy, forgiveness, and tolerance. In addition, he is required to overlook and refrain from tracking her mistakes.
- Fulfillment of instinctive sexual desire. Sexual satisfaction is one of the reasons for which marriage is legislated and it is the drive behind marriage. Sexual fulfillment is a mutual right between spouses.



A husband's rights upon his wife

A husband's rights may be summed up in his wife's obedience to him in the general comprehensive sense of the word. A wife is therefore required to obey her husband except in what constitutes disobedience to Allah. She must strive to please him even when she seeks to perform commendable acts of worship. Consequently, it is not permissible for a wife to enter spiritual retreat ('i'tikaf), which is a desirable act of worship, or perform voluntary hajj except with her husband's consent.

It is not lawful for a wife to violate her husband's rights, incur his anger, and hurt his feelings such as by exiting the house without his permission, allowing people he dislikes into his home, and offending or speaking disrespectfully to him.

Islam accords a husband the right to discipline his wife if kind advice is ineffective. However, he should take a gradual approach, starting out with the least form of discipline. The hitting mentioned in the Quran is a warning measure and should be light enough so as not to cause any kind of harm. It is only intended to correct a situation and not to widen the gap of discord between spouses.

A wife must obey her husband by fulfilling his legal right to sexual gratification for it is one of the conditions of the marriage contract. It is therefore impermissible for a wife to refuse her husband's bed without a valid excuse such as menstruation, observing the 3obligatory fast, sickness and the like; otherwise, she commits a major sin.

Children's rights upon their parents

Children are the fruit of marriage. In general, procreation is an important objective of marriage and Islamic law that is necessary for the preservation of progeny. For this reason, Islam pays special attention to children and accords to them various rights on their parents. These rights include:



- Choice of spouse. The recommendation regarding the choice of spouse is not exclusive to men but applies equally to women. Both are enjoined to choose a righteous spouse to be the parent of their children. This choice is dictated by certain characteristics that must be present in a prospective spouse namely faith, religiosity, good morals, righteousness and the absence of any defects or faults that may undermine the upbringing and integrity of future generations.
- Observing the etiquettes of sexual intercourse prescribed by Islamic law. It is important to invoke the name of Allah the Almighty (to say Bismillah) before sexual intercourse as it serves to protect the resulting offspring, should it be conceived, from Satan. It is for this reason that scholars said that mentioning the name of Allah before intercourse is a child's right upon his parents.
- Establishing paternity. It is prohibited for a father to deny paternity of his child without a valid legal excuse.
- Giving children good names, making 'aqiqa for them (sacrificing an animal on the occasion of a child's birth), providing them with the necessary care as newborns such as nursing and the like, and providing them with material and moral needs during the entire time they are in their parents' custody.
- Good education and a righteous upbringing. Parents are duty-bound to teach their children about Allah the Almighty and instill faith in their hearts and souls. Moreover, they are to teach them the fundamentals and rituals of religion, love of Allah the Almighty, His Messenger (peace and blessings be upon him) and the believers, to recite the noble Quran, give them an academic education, and so forth of other things which bring them goodness in this world and in the hereafter.
- Equal and fair treatment. Islamic law calls attention to this right through the instructions and guidelines set forth by the Prophet (peace and blessings be upon him). It is impermissible to favor



male children over female children and vice-versa because giving preference to one gender over another often leads to evil consequences including hatred towards parents and towards siblings which is inconsistent with the Islamic objective of establishing a family.

Fair treatment is not limited to material gifts but extends to the emotional context as well. Parents should consider the feelings of all of their children without discrimination. They should also maintain justice and treat their children equally in all situations. Avoiding parental favoritism precludes evil repercussions and the way before Satan to corrupt family ties.

Parents' rights upon their children

Parents represent the base upon which a family is constructed. As they are responsible for raising future generations, Islamic law accords parents special attention and defines instructions on how to treat them. In His noble Book, Allah the Almighty brackets the command to be kind and dutiful to parents with the command to worship none other than Him.

Parents must be obeyed in everything except in disobeying Allah. Dutifulness to parents is obligatory even if they are non-Muslims in which case it is obligatory to be kind, considerate, and courteous to them.

Dutifulness to parents is not limited to the moral aspects but extends to the material aspects as well. Based on this, it is obligatory to provide parents with financial support if they are unable to support themselves.

Our Messenger (peace and blessings be upon him) taught us that the importance of dutifulness to mothers is even greater than dutifulness to fathers. This is due to the hardships a mother endures during pregnancy, labor, and nursing.

It is important to continue to be dutiful to parents even after



their death by maintaining ties with their relatives and friends, praying for them, paying charity on their behalf, and doing other good deeds on their behalf.

Moral and material forms of dutifulness to parents promote love and affection within the family which cannot be achieved except when all family members respect their rights and duties.

The benefits of fulfilling rights and duties within the family

The extent of attention Islam gives to the family, the core of society, is evident from the above-mentioned set of rights and duties between family members upon which the sound family structure is based. A righteous family contributes towards a good society and vice-versa. The benefits of respecting rights and duties within the family are:

- Cooperation among family members. Fruitful cooperation within the family is attained when every member knows his or her rights and duties; otherwise, the family encounters many hardships. Cooperation plays an important role in the continuation and stability of family life. The division of labor within the family helps family members accomplish tasks more quickly.

- Stability and familial coherence. The family's stability is achieved when love and mercy prevail within the family and when each family member fulfills his or her responsibilities toward one another.

- Prevention of discord within the family. Knowledge of rights and duties prevents discord and problems from occurring within the family while respecting rights and duties promotes love, affection, and mercy among family members.

And Allah the Almighty knows best.

The importance of Muslim unity

Islam attaches great importance to the concept of community and encourages communal cohesion. This is because strong relations and ties link the members of any organized human group. For instance, religious ties is one of the main causes behind power and probity. Therefore, both divine and prophetic instructions call upon believers to cohere to the mainstream of Muslims and commands them not to break rank with it. In addition, numerous injunctions abound that enjoin Muslims to bring this unity to bear upon cooperation in righteousness and piety and forbid them from evil and enmity. The purpose behind these injunctions is to achieve the desired fruit of the unity of Muslims that will prevent them from splitting into parties and falling into division. This unity is the happiness, welfare, and good of Muslims and of the all humanity.

Allah the Almighty has enjoined upon the Muslim community to agree on what is right and forbade Muslims from discord and division. He says in the holy Quran, "And hold firmly to the rope of Allah all together and do not become divided" [3: 103], and "Establish the religion and not be divided therein" [42: 13].

It is a known fact that man is by nature a social creature. The instinct for community is an innate disposition as is evident in all human societies; man has a sense of belonging to several key constituencies – the nation, the family, and speakers of the same language.

The spheres of affiliation are in fact different and numerous. They do not stand in conflict with each other nor does any of them eclipse the others provided a Muslim does not give supremacy to one at the expense of another. An individual's identity develops through the full realization of the various dimensions of allegiances.



Affinity to nation, family, language and the like are lawful and recognized by Islamic law. Some Islamic religious texts even maintain that a person who dies in defense of his homeland and family is a martyr. The Prophet (peace and blessings be upon him) said, "Whoever is killed while defending his wealth is a martyr, whoever is killed while defending his family is a martyr, and whoever is killed while defending his life is a martyr."

Examples of cooperation in goodness includes charities that collect and distribute zakat to eligible recipients and charities that aid orphans, widows, and special needs individuals. Such activities require collaboration between a group of individuals who expend time and effort, each according to his ability, talent, and specialization. Cooperation in goodness is also applicable to Islamic centers and organizations that disseminate Islam and summon non-Muslims to believe in Allah the Almighty and in the Day of Judgment. Because group work has greater positive impact than individual effort in these fields, there is no objection to joining these and similar groups provided they adhere to the principles of mainstream Muslims, *ahl al-sunnah wal jama'ah*, and do not invite the people to pay allegiance to their leaders or to branch away from Muslim orthodoxy. Moreover, since there is no doubt that communal work qualifies under the definition of cooperation, assistance, and benevolence in rightness, this kind of work is both lawful and recommended due to the generality of textual evidences on the excellence of community, agreement and unity, and cooperation. The Prophet (peace and blessings be upon him) said, "A believer to another believer is like a building whose different parts support each other." In demonstration of his words, the Prophet (peace and blessings be upon him) interlaced his fingers. He also said, "The example of the believers in their affection, mercy, and compassion for each other is that of a body. When any limb aches, the whole body reacts with sleeplessness and fever."

Adherence to the community may be geographical i.e. adherence to a group of people living in the same geographic area or it may be moral i.e. having a shared belief in Allah the Almighty and His



Messenger that binds the people into a larger sense of community transcending time and place. It is for this reason that scholars are of the view that the definition of 'adherence to the community of Muslims' means adherence and conformity to their orthodox notions of what is lawful and prohibited. Consequently, whoever follows the path of mainstream Muslims has adhered to their community and whoever deviates from this principle strays from the unity we have been commanded to preserve. This latter group do not consider a shared homeland evidence for community belonging and membership; rather, in their opinion, loyalty and allegiance should be only to Allah the Almighty and His Messenger and they view Islamic law as the only reference for all matters.

The Muslim community and Islamic groups

Over the course of Islamic history, many groups emerged on both sides of the globe that departed from the Muslim community. One of the first of these groups came to the fore during the political and military tensions that existed between 'Ali Ibn Abu Talib (may Allah be pleased with him) and Mu'awiya Ibn Abu Sufyan (may Allah be pleased with him). During this time, many Muslims were divided in their support of Ali and Mu'awiya. Some of Ali's supporters later revolted against him and accused him and those who remained loyal to him of apostasy. This faction became known as the Khawarij, meaning dissenters. The political and military situation continued to deteriorate and eventually led to the assassination of al-Hussain (may Allah be pleased with him). The people of Medina rose in revolt against Yazid who attacked and violated the sanctuary of al-Medina.

Orthodox Muslims take a middle position between these factions. They do not defend Mu'awiya or his followers; rather, they support Mu'awiya and Ali (may Allah be pleased with them both) as both were the Prophet's Companions. Mainstream Muslims love all of the Prophet's Companions and do not belittle or debase any of them. Their stance regarding the political conflicts that occurred between the Companions was to declare that



they strove to seek the truth and the interest of the community. They remain silent on the conflict that occurred between them.

By the beginning of 3 AH, many sects and factions had emerged. The Qadariyyah, Mu'tazalah, and Mujassimah all appeared on the scene while the Shi'ah further split and divided into several groups. The number and differences between these groups had a detrimental impact on the unity and strength of Muslims. As it was only natural that these groups and factions to proselytize their opinions and convictions, enmity and hostilities ensued due to the fanaticism of their members and a desire to promote their ideas.

The emergence of Islamic groups in the modern age

After its collapse, the Islamic empire splintered into small states. Each state was demarcated by geographic boundaries that separated it from the other states. Different Islamist groups, disaffected because the Muslims were not united under a single leader, emerged and promulgated the revival of the institution of the Islamic caliphate. They believed that no one beside themselves is qualified to lead Muslims, claiming for themselves the offices of caliph and emirs.

In our modern setting, it is precisely this belief that precipitated the present day rift and dissension between Muslims. Many groups were formed, each attempting to recruit as many people as possible to join their ranks. Some of these groups established military wings and rebelled against the governments that implemented Islamic law as the primary source of legislation. They even declared these governments and regimes un-Islamic and claimed that they do not rule according to what Allah has revealed.

These groups regard themselves as independent systems with an appointed an imam to whom they pledge allegiance. According to them, the pledge of allegiance to their organizations and rulers is one of the criteria for faith. It is in this manner that they have departed from the mainstream majority of Muslims



to which Allah the Almighty has commanded Muslims to conform.

The deviation of those groups is primarily attributed to their departure from mainstream Muslims as the authoritative reference, steered by the personal desires and interests of their leaders or laypeople ignorant from who or where to take their religion. Throughout history, these groups either separated the people from the sources of religion, the Quran and the Sunnah, or from scholars.

From the above, it becomes clear that in our modern times, the emergence of such groups and factions is nothing more than an attempt to revive the ideology of the Khawarij. This mindset that views itself as uniquely qualified to re-establish and implement religion is utterly delusional. Muslims are instructed not to associate with the advocators of these ideas or to adopt their ideologies because they stand in total contradiction to Islamic law that commands us not separate from the mainstream community of Muslims, and because it is a religious imperative to obey the ruler.

Islamic law therefore enjoins Muslims not to depart from the overwhelming majority of Muslims even when one acts with a benign intention. The principle of unity prevents any act that may lead to schisms, a threat to the unity of Muslims. There is however no objection to the aforementioned relief and welfare organizations that have evolved within the Muslim community because they do not breach the unity of Muslims.

Other groups however subscribe to political and military agendas. They deviate from the majority of Muslims and their members pay allegiance to their group leaders and blindly follow their orders to fight against their fellow Muslims. Joining such groups and pledging loyalty to their leaders and renouncing everything else to their exception is the source of the numerous calamities that have beset the Muslim world. The outcome is nothing less than the spread of terrorism, destruction, and fear among Mus-



lims. Consequently, these groups are the root of evil in Muslim countries and their actions only serve to tarnish the image of Islam across the globe.



Patriotism, Coexistence, and Adhering to Religious Fundamentals

Patriotism in Islam

There is no doubt that patriotism occupies a great status in Islam. It is an innate disposition that Allah instilled in man. The Prophet (peace and blessings be upon him) dearly loved his first home, Mecca, and was deeply grieved when he left it. Had not the polytheists of Mecca forced him to leave, he would have never left it. Mecca was his homeland and the place where he grew up. It was the dearest place to his heart as he himself said.

When the Prophet (peace and blessings be upon him) felt deep longing for his homeland, Allah the Almighty consoled him with the words, "Indeed, [O Muhammad], He who imposed upon you the Quran will take you back to a place of return" [Quran 28: 85].

When the Prophet (peace and blessings be upon him) migrated to Medina, he supplicated to Allah the Almighty to endear it to him as He had endeared Mecca to him and his prayer was answered. Due to his great love for Medina, whenever the Prophet (peace and blessings be upon him) would see the walls of the city when returning from travel, he would hasten the pace of his she-camel, and if he was riding a mount, he would prod it to move faster. On a similar note, whenever Aisha (may Allah be pleased with her) yearned for her homeland after the migration, she would question those who came to Mecca about it.

Love and devotion for homeland is of such significance that Allah the Almighty even made it the operational cause for the difficulties that ensue from travel. He said, "And if We had decreed upon them, "Kill yourselves" or "Leave your homes ..." [Quran 4: 66].

In this verse, Allah the Almighty brackets killing oneself with leaving one's homeland and compares the feeling of nostalgia for homeland to the feeling of the soul leaving the body.



In Islam, the traveler has a supplication that is answered. Scholars explained that leaving one's homeland is a cause of heart-break that, in turn, is one of the greatest reasons for having prayers answered.

Due to this innate love and yearning for homeland and the pain that results from leaving it behind, the virtue and excellence of migrating in the way of Allah is greatly emphasized. This is because migration deprives a person from his property, the people and places that form his memories, and everything he loves.

Citizenship, belonging, and adherence to religious fundamentals
Citizenship refers to a state of belonging and attachment to one's homeland. It presupposes uniform rights and duties for all citizens. This notion is a complex fusion of feelings of moral, spiritual, human, and national implications. It is a perception of belonging to homeland and full membership in society with all associated responsibilities and honor.

Citizenship is a comprehensive concept that puts the people on an equal footing regardless of gender, color, or race and brings them together under a national flag. In Islam, citizenship is not antithetical to belonging to the Muslim community because the dimensions of affinity are numerous; they are not mutually exclusive but are interrelated.

Man prizes his affiliation with humankind which is followed by his affiliation with his homeland and with the people speaking his same language. However, Islamic law set certain criteria to regulate the different dimensions of affiliations so that none of them predominate over each other. Consequently, Islam forbids fanaticism to lineage and taking pride in it and extends equal rights and duties to both Arabs and non-Arabs to prevent the language divide between Muslims from generating hostility among them. Excellence and preference between the people is measured on the basis of piety alone.



Textual evidence from both the Quran and Sunnah underscore the common origin of man. The noble Quran mentions that all people are created from a single soul and according to Prophetic tradition, all humanity descends from Adam, and Adam was created from earth. Islam constantly urges its followers to move towards reconciliation and unity and away from division and partisanship. The Messenger (peace and blessings be upon him) compared the unity of Muslims to the human body in which when one organ is in pain, the rest of the body feels the same pain. Islam determines that the love of a Muslim for his brother is one of the conditions for faith. Moreover, Islam laid down various fundamentals that raise and preserve the status of homelands and which illustrate the conditions of citizenship.

These fundamentals include the following in their order of precedence:

Adhering to and implementing the teachings of the Quran and Sunnah

The Quran is an inclusive error free Book that Allah revealed as a mercy to all people. It contains parables, warnings, exhortations, commands and prohibitions which, if followed, lead to success in this world and in the hereafter. The Prophet's Sunnah serves to explain and clarify what needs to be explained of the Quran. Allah the Almighty commanded us to obey Him and His Prophet (peace and blessings be upon him) while the Prophet commanded us to follow his Sunnah and the example of the rightly guided Caliphs after him. In addition, Allah put to use knowledgeable scholars to preserve the Sunnah which, like the Quran, is a revelation from Allah.

It is a firmly established truth of Muslim belief that the Quran and Sunnah are the primary sources of Islamic law and rulings. It is therefore necessary to consider them the main legislative framework and reference for the enactment of laws. A case in point is the Egyptian constitution that states that the principles of Islamic law are the main source of legislation.



Obeying the ruler

In the Quran, the obligation to obey Allah and His Messenger is followed by the obligation to obey ulu al-amr (those charged with authority). Ulu al-amr refers to the leader of a country and his deputies. It is an obligation to obey the legitimate authority provided this does not constitute disobedience to Allah the Almighty.

Islam commands us to support the ruler for this entails support to the entirety of Muslims. It is also an obligation to give sincere advice to the ruler and warn him against evil intent from others. A Muslim is duty bound to help the ruler and reconcile the Muslims with him as well as to defend him in word and deed for in the strength of the ruler lies the strength to the nation.

Renouncing discord and division

Islam came to take people out of the darkness of ignorance into the light of knowledge and to unite them. It commands the people to hold fast to the religion of Allah and renounce discord after Allah made them brothers in Islam. Islam puts great emphasis on the brotherhood of Muslims. He forbids a Muslim from scorning a fellow Muslim and enjoins him to love for his brother what he loves for himself. Islam further exhorts all Muslims to renounce discord and division due to the great evil they entail.

Preserving the safety of homeland and citizens

The Quran includes general principles that ensure the security of man in this world. It provides principles for the preservation of life, intellect, honor, and property and for salvation from torture in the hereafter. When Prophet Ibrahim (peace be upon him) supplicated Allah for his family and homeland, his wish for peace and security took precedence over his wish for prosperity and the good things of material life. This is because a good life is premised on peace and security and because money is worthless in the absence of these values. Our beloved Prophet Muham-



mad (peace and blessings upon him) mentioned that whoever enjoys good health, security, and possesses provision for his day, it is as if he possesses the entire world.

1-Preserving national assets

Everything that exists in any country – its civilization, monuments and artifacts, institutions, and public buildings belong to all the people. It is therefore obligatory for every citizen to preserve and protect them just as he protects and safeguards his home. Our true religion commands us to preserve public property and whoever neglects this command is considered to betray his homeland.

2-Moderation in treating Muslims and non-Muslims

Allah the Almighty honored the Muslim community and made it a moderate nation and a witness over other nations. He made the Prophet (peace and blessings be upon him) a role model for the whole world. We are therefore to follow his example in word and deed for he is the trustworthy, just, kind, guide, and bearer of glad tidings. It was he who urged his community to practice moderation and prudence with regard to everything whether in food and drink, dress, sleep, words, or actions. He prohibited excessiveness, rudeness, and hardheartedness. It is obligatory to follow his Sunnah and guidance in our treatment of non-Muslims who are our fellow citizens and share the same land with us. Whoever deviates from these teachings is misguided and misleading.

Coexistence and integration

Loyalty and love to one's homeland and its citizens, both Muslims and non-Muslim, is one of the most important obligations. Non-Muslim citizens share with their fellow Muslim citizens the same existence, peace, and security and face the same dangers. However, Islam prohibits Muslims from befriending non-Muslims who are enemies. Islam has set out certain principles establish-



ing peaceful coexistence with non-Muslims. These include:

1- Human unity: Islam acknowledges the fact that people were one nation, created from a single soul, that Adam is the father of man, and that all people are brothers in humanity. Allah the Almighty sent Prophet Muhammad (peace and blessings be upon him) to all mankind and as a mercy to the worlds. Allah is the Lord of all and He created man to administer the earth. Islam also teaches us that Allah made the people into nations and tribes so that they may know each other. It recognizes the religious plurality that existed over the course of human history and acknowledges that all prophets are brothers and that though they came with different legislations, they all call to one religion. If Allah the Almighty honored man regardless of gender, religion, or beliefs, why cannot we coexist on the basis of our common humanity?

2- Freedom of faith: In His Wise Book, Allah the Almighty told us that there is no compulsion in the religion and that religion in the sight of Allah is Islam. He sent messengers to guide mankind and granted us the freedom to choose and decide our religious beliefs. Had Allah so wished, He would have guided all the people to Islam. However, He created afflictions, trials, reward, punishment, paradise and hellfire. Islam prohibits Muslims from insulting the deities worshipped by people of other faiths and their beliefs. It further guarantees non-Muslims the security of their persons, lives, property, and places of worship.

3- The right to life for all: Citizenship and freedom of faith are predicated on the right to life for all citizens without discrimination on the basis of color or religious beliefs. Non-Muslims lived under Muslim rule in peace and safety. They enjoyed security of their persons, lives, offspring, and property. They enjoyed the freedom to observe their faith and practice their religious rites. When the Islamic State was established in Medina during the Prophet's time, he received a delegation of Christians from Najran and allowed them to offer their Easter prayer in his mosque. Likewise, 'Umar Ibn al-Khattab (may Allah be pleased with him)



concluded a covenant with the Christians of Jerusalem granting them security and protection.

4- Justice: Islam established the state of justice, giving everyone the same rights without consideration of religion. Islam forbids Muslims from transgression even against their enemies. Rather, it teaches Muslims that the people of the Book are not alike; they include those who are believers and trustworthy. 'Umar Ibn al-Khattab (may Allah be pleased with him) did not discriminate between Muslims and Jews and his justice extended to everyone alike. Our role model and Prophet (peace and blessing be upon him) gave us the perfect example for justice. When a noble woman from the tribe of Makhzum was convicted of theft, the people of Quraysh were concerned that the Prophet (peace and blessings be upon her) would administer the prescribed punishment on her. They therefore interceded on her behalf and asked him to let her go. However, he reproached them and told them that the people of previous nations were destroyed because they discriminated in their application of penalties on grounds of wealth and social status. He continued saying, "If Fatima, the daughter of Muhammad, stole, I would cut off her hand!" In Islam, all people are entitled to equal rights.



Tajdid In Islamic Thought

Tajdid (renewal), especially in terms of how it relates to Islamic thought and religious discourse, is one of the concepts that needs to be defined with precision and accuracy. This is primarily because of the negative connotations that the term carries and because of its *prima facie* sense of generalization and absoluteness. The argument developed in the following pages attempts to explain the meaning of the word 'tajdid' in Islamic thought and its conditions.

The meaning of tajdid

The lexical meaning of 'tajdid' is the restoration of an object to its original pristine state.

In general, the technical meaning of tajdid corresponds to its lexical meaning though it differs depending on the particular field in which it operates. In Islamic law, 'tajdid' means giving resurgence to the religious features that have been forgotten and disseminating them. Tajdid in this sense may be brought about by purging religion of extraneous influences that have permeated it or through the employment of *ijtihad* (independent reasoning) to unprecedented issues and contemporary challenges.

The meaning of Islamic thought

In Arabic, the word 'fikr' (thought) derives from 'tafakkur' that carries the meaning of contemplation and reflection. It therefore means using our intellectual faculties to think and search for the truth.

The technical meaning of 'fikr' is not markedly divergent from its lexical meaning. It refers to employing conscious cerebration to explore known matters with the aim of arriving at unknown matters.

It is possible to define 'Islamic thought' as the efforts undertaken by Muslims to understand and clarify Islam through its primary sources (the Quran and the Sunnah) in matters related to creed,



legislation, and ethics. This is the meaning developed in this article.

The meaning of employing tajdid to Islamic thought and the need for it

The renewal of Islamic thought means inspecting the Islamic scholarly tradition and revealing its excellence, benefitting from the methodologies and principles it includes, and purging it from invalid opinions. This is followed by exercising ijhtihad to arrive at new and regulated responses to the new developments faced by the Muslim community.

Tajdid in Islamic thought is one of the matters that are closely linked to the specific features of Prophet Muhammad's message and Islamic law in terms of it being the sealing message on the one hand and a universal message on the other. Because the scriptural texts of Islam are limited while life events, conditions, and circumstances are interminable, ijhtihad and tajdid are both inevitable and necessary.

Operative areas for tajdid in Islamic thought

One of the distinctive features of Islam is its inclusion of both constant and mutable elements. The fundamental unchanging elements are the firmly established principles of Islam that must be adhered to at all times and in all places while the changing elements are those matters that change pursuant to temporal, spatial, conditional, and individual changes. This latter aspect reveals the flexible nature of Islam and the consideration it gives to the different life contexts, individuals, time, and place. Tajdid is therefore required in this sphere of mutable factors and not in the sphere of irrefutable fundamentals that represent the identity of Islam.

Islam is made up of 'aqidah (creed), shari'ah (law), and akhlaq (morals). Believing in Allah, His angels, His Books, His Messengers (without differentiating between any of them), the Last Day,



resurrection, paradise and hell-fire are among the fundamental that do not admit change or development. Conversely, the branches of faith such as establishing and studying the beautiful names of Allah, admit both ijihad and tajdid, and gives rise to scholarly differences. There is no objection to this.

There is no compromise however over certain features that deal with legislation, human transactions, and so forth, a case in point being the five universal objectives of Islamic law i.e. the preservation of life, intellect, religion, honor, and property. It is necessary to preserve these five objectives regardless of time and place. Other examples include the legal maxims from which the rest of themaxims are derived. These are also five and include:certainty shall not be removed by doubt, hardship begets ease, harm is to removed, customs have the weight of law, and matters are to be considered in light of their objectives. Other fundamentals of religion include the rulings that are based on definitive proof. There is no scope for ijihad for such rulings, referred to as categorically known as being of religion, and they are not subject to tajdid or change. Examples include the obligation of the five prescribed prayers, zakat, the fast of the month of Ramadan, and hajj for whoever has the means. Other examples include the prohibition of fornication, usury, alcohol, and the obligation of hijab for pubescent females. These are all examples of fixed rulings wherein there is no scope for the exercise of ijihad or change.

However, certain incidental matters may arise in connection with fixed matters and rulings. Islamic law regulates and calls attention to any such developments that may occur and scholars mentioned them in their books and discussed them at length, in an attempt to resolve any difficulties. This is what we may call consideration of exceptional circumstances, necessities, and excuses. Along with the laws and obligations He enjoined, Allah the Almighty enacted legal concessions to afford ease and facilitation to His servants without imposing hardship in religion. Though prayers are to be performed at certain times and in a particular manner, Allah the Almighty took into account



exceptional circumstances created by travel and illness. The same consideration is given to exceptional circumstances that may occur during the fast of Ramadan.

One area in which tajdid is operational in jurisprudence and legislation concerns ijthad to address contemporary challenges facing the people. The real life context of the people is dynamic, evolving with time and place. For this reason, it is necessary for the mujtahid who satisfies all the requisite conditions of ijthad to respond to new conditions in which the principles and injunctions of Islamic law are to be applied and to the demands of evolving circumstances related to the transactional and contractual sphere. Tajdid in this area may not be the responsibility of a particular person but the task of the relevant bodies and institutions such as juristic assemblies, fatwa houses, and research academies. This is what we may refer to as collective ijthad.

When it comes to morals and ethics, certain notions such as sincerity, honesty, generosity, and courage are of universal acceptance by all of those of sane mind let alone the followers of religions. These are moral virtues that can never become vices. Nonetheless, tajdid may be operational in certain areas of morality. There may for instance be a need to revive certain morals and to disseminate them among the people, call attention to their universality and to their authoritative legal reference, and bring them to bear on the landscape of transactions and other areas utilizing modern means of communication and media to consolidate and firmly establish them.

Conditions of tajdid in Islamic thought

It is paramount at this point to set out specific conditions for tajdid to avoid deviating from the required purpose and falling in the trap of breaking off from Islamic tradition instead of reviving it by properly understanding and exploring new mechanisms to present and advance our scholarly legacy.



Proponents of Westernization argue that tajdid means understanding scriptural texts in conformity with the age and in isolation of the tools necessary for its comprehension, and renouncing everything that is old and accepting everything that is new without reservation. This meaning will inevitably give rise to a new value system and new social practices. Tajdid in this sense is unacceptable. Tajdid must be based on a concurrence between the past and the present. It should emanate from within Islam and not from outside it i.e. it should not seek to imitate imported western ideas because the premises and objectives of these ideas differ from those of Islamic thought. As a consequence, it was important to develop new criteria for tajdid, the most important of which are:

1- Relying on reliable transmitted religious texts. The Quran did not undergo distorting changes or alterations because Allah the Almighty promised to preserve it. Great efforts were invested over the history of Islamic civilization to collect, document, and verify hadiths, culminating in the books of Sahihs, Sunan, and Musnads. Tajdid should therefore be based on these texts which have been transmitted to us through verified documentation.

2- Reviving a sound understanding of scriptural texts through scholarly methodologies and the tools and mechanisms that generate sound understanding of these materials. Foremost among these is language which is the key to the meanings of words. Equally important is knowledge of associated matters such as the reasons and context of revelation, abrogating and abrogated verses, general and particular verses, and restricted and unrestricted verses. It is likewise necessary to seek a holistic reading of scriptural texts.

3- Giving due consideration to the conditions of ijtihad. Ijtihad is an important part of tajdid that must in turn be based on a sound premise. The ijtihad that accompanies tajdid is regulated; it is associated with criteria that bring it closer to what is correct and removes it from error. Ijtihad is only valid when a qualified individual who possesses specific scholarly competen-



cies exercise it. Moreover, ijtiḥād must be coupled with legal evidence. Consequently, ijtiḥād that contradicts a Quranic text, the Sunnah of the Prophet (peace and blessings be upon him), or the general objectives of Islamic law is not accepted. It is likewise impermissible to employ ijtiḥād to seek tajdīd by tracking the dispensations afforded by the different juristic schools, the errors made by scholars, or by relying on anomalous opinions. However, there is no objection to seeking facilitation because it is one of the maxims of Islamic law. There is a great difference between facilitation and indulgence.

4- Conformity to Islamic law. Tajdīd should not violate the fundamentals of Islamic law or scriptural texts. Any idea that violates or contradicts the scriptural texts and the objectives of Islamic law is rejected.

5- There is no scope for tajdīd in relation to rejected thought such as that comprising certain ideas found in Islamic tradition which scholars rejected and warned against. No significance is attached to renewing ideas and opinions other than those upheld to be valid by the majority of Sunni Muslims. One such example of a rejected opinion is the Mu'tazilah claim that human reason, independent of revelation, is capable of discovering what is good and what is evil.

Islamic tradition and tajdīd

Tradition refers to whatever an individual leaves behind to his heirs after his death. In the context under consideration, it refers to the oral and written transmitted scholarly output of the Islamic community that has been in place for 100 years.

Islamic tradition is solid; no other community has served its legacy the way Muslims served theirs. In no way does tajdīd suggest forfeiting Islamic tradition and the cultural legacy of Muslims. The relation of tajdīd to Islamic tradition is based first on a profound and accurate understanding of tradition and benefiting from everything it comprises, followed by understanding the



prevailing context. A person who seeks tajdid in Islamic thought must benefit from the methodology of classical Muslim scholars independent of the issues that circumscribed their context.

Tajdid: Stagnation and negligence

Today, we live in a noxious intellectual environment in which we are caught between the grips of rigidity and stagnation on the one hand and the clutches of laxity and negligence on the other. Some of those who have failed to understand tajdid properly maintain its futility, and are of the view that it is a call to destruction. Still others maintain the necessity of tajdid in the sense of forsaking all classical opinions and embracing everything that is new without restriction or reservation. Neither is correct. The former view violates the general meaning of Muhammad's seal message and its universal validity to every time and place while the latter view entails absolute dereliction and unchecked freedom. Based on this, the tajdid we advocate is one that is regulated, and that takes into account the rules of Islamic law and the demands of the age.

And Allah the Almighty knows best.



Coexisting With The Other

Allah the Almighty created all people and made them into different nations and tribes. The purpose of this division is acquaintance and integration and not antipathy, it is co-existence and not mutual hostility. Allah sent messengers and revealed Books to guide the people to all that reforms their affairs in this life and in the next. The sealing message of Prophet Muhammad (peace and blessings be upon him) established principles of co-existence between all peoples for all times and circumstances. It directs Muslims to live in peace and harmony with the world around them and to interact and assimilate with others without forfeiting their Muslim identity or the fundamentals of their religion. It is imperative for Muslims to fully appreciate the models of coexistence inspired by Prophet Muhammad (peace and blessings be upon him) to be able to cultivate relations with others.

Definition of coexistence

‘Al-ta’ayush’ (coexistence) is an Arabic word derived from ‘al-‘aysh’ which means living. The Arabic word for coexistence prevalently used at present bears a number of domain specific meanings. The first of these meanings is political and ideological and refers to the détente that existed between the socialist and capitalist camps. The second meaning is economic and denotes economic cooperation between governments and nations.

The third is religio-cultural and defines religious or cultural coexistence. It refers to the mutual accommodation between the different religious and cultural groups to promote global peace and security, and foster brotherliness and cooperation in good, relying on the forces of good inherent in man. This latter meaning suggests tolerating opposing opinions and behaviors based on the principle of diversity and respecting the freedom, ethos, and religious and political opinions of the other. It is antithetical to tyranny, oppression, violence and unilateralism. This is the meaning under consideration in this discussion.



The Islamic perspective on man as a human being

Before determining the position of Islam toward the issue of co-existence, it is necessary to outline a set of principles from the perspective of Islam on man as a human person regardless of race, color, language, or religion.

1- Islam is a globally oriented religion; it is not exclusive to one race or group. As such, Islamic culture and civilization should be able to access and respond to other cultures and to influence and be influenced by them.

2- Allah honored man above all other creatures and it is precisely due to this honor that the Quran calls for respecting man and his dignity. A Muslim is therefore required to respect others; he is to present his region to non-Muslims through dialogue and persuasive argument without coercion or pressure.

3- Diversity is the will of the Divine and this diversity entitles a non-Muslim to dignity.

4- Islam obligates Muslims to treat all people with grace and consideration because all people, regardless of their faith, are the stewards of Allah on earth.

5- Each person has the right to a peaceful and secure life. Allah created all people alike and gave them life; consequently, there is no distinction between people in the exercise of this right nor is there any distinction on the basis of color, race, or religion. Islam calls upon everyone to do good and to shun evil and corruption.

6- Islam urges Muslims to invite others to Islam with wisdom, discretion, and kindly exhortation, rendering this the best of deeds. A Muslim should moreover not reciprocate abuse and insult in kind but demonstrate clemency.

7- Islam guarantees the right to freedom of religion. The Holy



Quran explicitly declares that there is no room for religious coercion in Islam and no one can be forced to convert to a religion against their will.

A number of principles must be kept at the forefront when discussing coexistence. Islam does not only emphasize man's universal humanity and protection but builds bridges between Muslims and non-Muslims to open the way for mutual understanding by pointing to areas of commonalities. It emphasizes that Muslims believe in all prophets and messengers and affirms the common core of all heavenly revealed faiths.

Manifestations of Islam's call to coexistence

Numerous legislations and directives in Islam emphasize coexistence with the other. These include:

- The permission to eat from the food prepared by the People of the Book (Christians and Jews) and to offer them food prepared by Muslims. This entails the freedom to engage in social intercourse and exchange interests, whether the 'other' lives in a Muslim society or if Muslims live in his. This is one of the factors that contribute to strengthening coexistence.
- The permission to marry Christian or Jewish women. Marriage to Christian or Jewish women promotes mercy, compassion, kinship, and love between Muslims and non-Muslims.
- The permission to console non-Muslims at times of misfortune, follow their funeral processions, visit their ill, and accept their gifts. All of this is considered righteousness, justice, and charity.

The Prophetic guidance to coexistence

Looking into the life of Prophet Muhammad (peace and blessings be upon him) and his interactions with non-Muslims during the different phases of his mission, one cannot fail to notice the examples of coexistence he inspired, whether between non-



Muslims components in Muslim societies or Muslim communities living in non-Muslims societies. These include:

Coexistence in Mecca

It was revealed to Muhammad (peace and blessings be upon him) to call the people to Islam and convey to them the Quran. The revelation did not command him to leave Mecca nor did it permit him or the Muslims to migrate until the Quraysh subjected them to torture, enforced a general boycott on them, and threatened their lives. In spite of the oppression and hostility of the Meccans, the Muslims remained in Mecca. They not sever kinship ties with the people of Mecca until they were forcibly evicted from Mecca due to the persecution of Meccans who spurned the Muslims and broke off all economic and social relations with them.

Coexistence in Abyssinia

After the Muslims were tortured in Mecca and threatened with starvation, the Prophet (peace and blessings be upon him) gave them permission to migrate to Abyssinia in pursuit of justice and security. The Muslims remained in Abyssinia for several years before they migrated to Medina.

Coexistence in Medina

The Prophet (peace and blessings be upon him) emigrated to Medina, a city whose inhabitants were mainly idolaters although it was also home to some Jewish tribes. After his arrival, the Prophet (peace and blessings be upon him) sought to regulate Muslim relations with Jews and non-Muslims by drawing up a social agreement, the Medina Charter, considered the model of coexistence. It was a comprehensive constitution as it addressed social and economic integration, governed the relations of the people of Medina among themselves and with foreigners, and established principles for dealing with events.



Examples of Muslim coexistence with others

Looking into the history of Muslims, one finds striking examples of Muslims living in peaceful coexistence with non-Muslims. This is evident from the actions of governors, caliphs, and emirs.

The first caliph, Abu Bakr al-Siddiq wrote to the Christians of Najran, giving them protection for their lives, land, religion, property, churches, and everything that is in their possession, however great or small.

Christians and Jews, and even idolaters, lived alongside Muslims peacefully in the Islamic State during the reigns of the Four Rightly Guided Caliphs and Umayyad, Abbasid, Mamluk, and Ottoman rule. Muslims and non-Muslims engaged in all kinds of interactions and there was never any incident of killing non-Muslims or expelling them from the Islamic State.

It is evident then that Islam, both as a religion and a civilization, has never at any time in its history nor will it ever preclude coexistence with the other. Quite the contrary, some contemporary cultures which fail to understand the essence of Islam and its objective, stand as obstacles not only in the path of coexistence with the other but constitute an obstacle to the very heart of their coexistence with each other on the one hand and with their cultural values on the other.

Criteria for coexistence

First, there shall be no coercion in religion. This criterion entails full freedom to adopt, observe and practice the religion of one's choice. It is a prerequisite for the validity of coexistence.

Second, maintaining obedience to Allah as regards His commands and prohibitions. Obedience is valid only insofar as it does not constitute disobedience to Allah and if it does not involve any coercion to act contrary to one's wishes. It is a religious duty to obey parents but they must not be obeyed in what constitutes disobedience to Allah. Kindness, good companionship, and so-



cial relations must never be at the expense of Allah's pleasure. Third, it is important to treat a person separately from his beliefs without condoning disbelief. Muslims are required to love and be kind to parents, even if they are non-Muslims. Islam permits a Muslim to love his non-Muslim parents, wife, or child but prohibits acknowledging their disbelief. It likewise permits Muslims to show beneficence, love, and neighborliness to non-Muslims provided they do not fight Muslims. Love for one's child, parents, and good neighbors are among the causes that promote communication, cooperation, and friendly relations and it is precisely for this reason that Islam enjoins upon Muslims to love and respect others. Acknowledging a principle or notion, whether good or evil, is the first step towards acting upon and promoting it; consequently, Allah the Almighty prohibits disobedience, oppression, and disbelief because they are the reasons behind the spread of corruption.

Jihad has acquired meanings that have been filled by the espousers of aberrant destructive ideologies to project misunderstanding and confusion over the term. Consequently, jihad has become closely associated with extremism and extremism synonymous with Islam. Following is a brief exposition of the true countenance of jihad and its expansive meaning in Islam, as well as its conditions and rules.

The meaning of jihad

The word jihad in Arabic denotes exerting the utmost effort and endeavor in word and deed. Jihad, in the lexicon of jurists, means exerting effort in military action in the cause of Allah, either directly through actual participation or indirectly by provisioning the army and providing it with financial assistance, opinions, and so forth.

Other more expansive meanings attached to jihad are found in the books of etiquette and conduct. Broadly speaking, those meanings include the spiritual struggle against one's lower ego and its desires and appetites as well as struggling against Satanic insinuations. The legal premise for this kind of jihad is the well-known tradition whose context is the return of some Muslims from a military foray where the Prophet (peace and blessings be upon him) is reported to have said, "You have returned in the best of ways; you have returned from the lesser jihad to the greater jihad." "What is greater jihad?" they asked. He replied, "The struggle a servant of Allah undertakes against his whimsical desires."

This kind of jihad, mujahadat al-nafs, is a much more difficult feat to accomplish than engaging in physical combat against an enemy. A person cannot undertake armed jihad, forfeiting his life and property, except after he first undertakes the spiritual combat of disciplining his negative traits and overcoming his whimsical desires.



Classical scholars engaged in much discourse affirming this aspect of jihad. Some have differentiated it in various forms and said, “There are three types of jihad: an internal struggle against Satan until you overcome him; an external struggle regarding fulfilling your compulsory duties until you perform them as Allah commanded; and a jihad against Allah’s enemies to bring glory to Islam.”

There is another kind of jihad, the jihad of the word, which has been of primary importance since the beginning of the Islamic call. Allah the Almighty commanded His Prophet (peace and blessings be upon him) with the words, “So do not obey the disbelievers, and strive against them (by preaching) with it (i.e. the Quran), with the utmost endeavor” [Quran 25: 52]. If jihad is the apex of Islam, then this kind of jihad – the jihad of the word – is its heart and soul. Jihad of the word is a prerequisite of armed jihad. Coming directly under jihad of the word is jihad of the pen that includes any written idea, clarification, or refutation of a misconception about Islam. Rigorous Muslims have largely ignored this kind of jihad, giving prominence to armed jihad at the expense of all other kinds.

Organizing jihad

Armed jihad is a communal obligation. It is the prerogative of the ruler and politicians who are invested with authority from Allah over the affairs of the state and its subjects. It is they who bring their knowledgeable of the consequences and political judgment to bear upon such decisive decisions. It is likewise they who determine the extent of the necessity that calls for declaring jihad which ranges from fending off the enemy or resisting tyranny. They give meticulous consideration to all the factors involved in making the decision for jihad and carefully balance benefits and risks. Anyone who declares jihad of his own initiative without the permission of the ruler arrogates the prerogative and supremacy of the ruler. The jihad of such a person may be more detrimental than beneficial and he carries the sin of the ensuing harms.



In some circumstances, jihad is personally obligatory for every Muslim. It is compulsory on those who are already in the battle-front and no one is allowed to desert the army on a mission of jihad. Jihad is likewise obligatory for everyone when the ruler of a Muslim country calls for it in the cause of Allah. Another case that renders jihad personally obligatory is when the enemy occupies a Muslim country. In such a case, it is obligatory upon every citizen of the land to join jihad and defend their country, each according to his means and capacity. Jihad in this case is defensive and does not require obtaining the ruler's permission to fight and repulse the aggressors. In principle, the ruler has sole authority to assess the necessity of jihad. But if conditions preclude obtaining his permission to defend the country, it becomes permissible to forgo this criterion because it rests upon balancing interests and harms.

Jihad becomes an individual obligation in countries where Muslim sanctuaries are attacked by occupying enemy forces though it is merely a communal obligation for those residing outside the territory under attack.

In conclusion, it is necessary to strictly observe the requirements relating to proper authority which delineate legitimate jihad under the banner of a Muslim ruler. Failure to do so leads to blind sedition and lethal conflicts between Muslims. It is a fact – legally, rationally, and factually – that division and separation undermines unity in combat on the one hand and forfeits its noble value and goal on the other.

Objective of Jihad

Classical and later scholars have confirmed the noble purpose of jihad prescribed by Islam, affirming that bloodshed in jihad is not an end in itself. Those scholars hold the view that jihad has been sanctioned for two very noble reasons; first, to repulse aggression and second, to secure the da'wah and establish freedom of religion. However, this is conditional upon first disseminating the call and true message of Islam in a clear and conspicuous man-



ner to those it has not yet reached, allowing them to make an informed choice. After presenting Islam to them, they are free to choose their religion without any form of coercion and falsification, as is often the case at present in many world countries where Islam is protested and its legal code deliberately distorted.

Conditions and rules for jihad

A careful and unbiased consideration of the scriptural texts, whether from the Quran or traditions of the Prophet (peace and blessings be upon him), and of his instructions to his companions and Muslims in general and of his practice specify the following as conditions and rules for legitimate jihad:

1- Nobility of purpose and means, meaning that it should be free of self-serving interests.

2- Fighting should only be directed at combatants and not at defenseless civilians.

3- Fighting must cease when the enemy offers to make peace, as it is only permissible to fight aggressors.

4- Preserving the lives of war captives and treating them humanely.

5- Preserving the environment. This includes the prohibition of killing animals in the absence of a benefit, burning trees, damaging crops, polluting water supplies and wells, or demolishing houses.

6- Preserving religious freedom and protecting places of worship against any harm.

Jihad vs terrorism

Jihad in Islam is a noble action with clearly defined goals, conditions, and criteria. The claims of the cowardly perpetrators of



terrorism who espouse aberrant ideologies and seek to clothe their actions with the cloak of jihad are totally erroneous. Such acts are in diametrical opposition to the Prophet's teachings and instructions.

Terrorism

The term denotes subversion, tumult, and commotion by killing and usurping the property of others under certain claims that include:

- Declaring the ruler, state, or certain groups non-Muslim, and spilling the blood of Muslims under the pretext of exhorting good and forbidding evil.
- Spilling the blood of non-Muslims in their own countries or of those who have entered Muslim lands under the pretext that their countries fight Islam.

It is unlawful to threaten the lives of citizens in Muslim or non-Muslim countries by suicide bomb attacks or any other destructive actions spawned by deviant misguided ideologies. Islamic law not only rejects and deters from such transgressions but also urges Muslims to fight their perpetrators. Invoking the concept of jihad to justify crimes amounts to deception that can only be accepted and believed by gullible minds.

In juristic discourse, murder, acts of terrorization, and destruction of property in Muslim societies is called 'hirabah'. Hirabah, a crime that involves transgression and spreading corruption in the land, deserves an even harsher penalty than theft, murder, or fornication because it is considered organized corruption against society as a whole.

Hirabah committed in non-Muslim countries is unlawful because it involves murdering non-combatants. The existence of international treaties concluded between Muslim and non-Muslim countries to create space for the freedom of Muslims to impart



information and summon non-Muslims to Islam as they do to non-Muslims renders such terror acts even more prohibited and vicious.

The claim that jihad has been suspended

One of the prevailing opinions expressed by the espousers of distorted ideologies to justify their heinous actions is that the duty of jihad has been suspended and that they therefore undertake this duty on behalf of the universal community of Muslims. In truth, the premise of this argument is downright ridiculous and evinces gross misunderstanding on their part. The concept of jihad in Islamic law is not confined to military struggle against an enemy but embraces the meanings of provisioning the Muslim army and protecting borders both of which are a communal obligation in jihad. If these two duties are observed, then it cannot be argued that jihad has been suspended. The fact is, the communal obligation of protecting borders is in effect in varying degrees in many Arab and Islamic countries. Jihad, in this sense, is not suspended but regulated by the ruling authority who, from their appointed positions, are aware of the political and military aspects, able to assess regional considerations and international treaties, and are aware of the balance of international power. All of this requires special considerations and meticulous military and political studies that have exhausted the possibility of peaceful resolution prescribed by Allah in the Quranic verse, "And if they incline to peace, then incline to it and trust in Allah; surely He is the Hearing, the Knowing" [Quran 8: 61].



Human rights in Islam

The honor conferred by Allah on man

When Allah created Adam, the father of mankind, He honored him by breathing life into him of His own spirit. Allah gave Adam a privileged place above the rest of creation by commanding the angels to prostrate before him and gave him the faculties of reason and wisdom. He furthermore conferred upon the progeny of Adam honor by imposing upon them divine obligations and entrusted them with the responsibility of knowing and worshipping their Creator. Ever merciful, Allah sent messengers and prophets to the children of Adam and revealed scriptures and laws to guide them against going astray. He subjugated the entire world to them and conferred on them great blessings from birth until death. Allah the Almighty says, "We have honored the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of Our Creation" [Quran 17: 70].

In order to fulfill his God-given taklif (moral accountability) and exercise stewardship over the earth, and in order to optimally worship Allah and attain spiritual refinement, all of which fulfill the purpose of man's creation, Allah gave man noble rights which generate inner peace and tranquility, good in society, and justice. These God-given rights embody the scales of justice that Allah revealed to rectify the affairs of His servants.

Islam introduced numerous laws that reinforce the dignity of man and protect his rights. These comprise legal commands and prohibitions that serve to preserve man's life, property, honor, progeny, intellect, and other objectives that are discernible in the majority of the rulings.

It is for this reason that religion and heavenly revealed laws were the first to give expression to human rights. Not only that, but they made reward and punishment contingent on the promo-



tion and the safeguard of those rights. Consequently, the Quran promises those who observe those rights with good in this life and happiness and bliss in the afterlife and warns against renouncing and violating them. Allah the Almighty says, "On that account: We ordained for the children of Israel that if anyone slew a person—unless it be for murder or for spreading mischief in the land—it would be as if he slew the whole people" [Quran 5: 32].

Modern-day notions of human rights came to the fore in the aftermath of the Second World War, culminating in the Universal Declaration of Human Rights proclaimed by the General Assembly of the United Nations in 10 December 1948. Following its declaration, there was much discourse on the concept of human rights and duties and on the centrality of human rights and their importance to states and societies.

The core concepts upon which human rights in Islam are established

The philosophy of human rights emanates from a group of objectives and general notions from which each of these rights is derived. These include:

i- Human dignity: The honor Allah accorded to man and the characteristics He gave him that sets him apart from the rest of creation entail a group of rights that preserve man's humanity and distance him from depravity in conduct, feelings, and objectives.

ii- Submission to Allah and His mercy: This implies acknowledging Allah as man's Creator and that he is entrusted with taklif, and that man has rights and duties towards his Lord. It is due to this submission that Allah prohibited suicide. Man's life belongs to Him, its Creator, and so the prohibition to take one's life is premised on Allah's mercifulness. From the manifestations of this mercy is the doctrine that Allah does not burden a soul beyond its capacity and that Islamic law and its provisions came to mitigate hardship. Consequently, the obligations and duties



of a person towards another and towards his Lord, do not command anything that is repulsive to human nature or that imposes hardship without a wisdom behind it. Rather, all the duties imposed on man comprise ease and benefit to him.

iii- Although Islam is concerned with individual human rights, it does not neglect collective rights which it safeguards. We therefore find laws that protect the family from fragmentation, the state from disintegration, and society from depravity. Hence, Allah warns against behavior that is detrimental to the security and wellbeing of society such as fornication, theft, brigandage, and disruption of public order for which He prescribed deterring punishments.

iv- Advancing the interests of man: The acknowledged interests of man are the true interests which emerge from five objectives namely the preservation of religion, life, intellect, progeny, and property. Man's life is contingent on those five values that maintain his dignity and fulfill the purpose of the obligations with which he was charged.

The social human rights in Islam

Non-discrimination on the basis of color, race, ethnicity, or language is one of the most important social rights recognized by Islam. The right to equality finds expression in the general primary texts of Islam wherein Allah says, "Verily the most honored of you in the sight of Allah is (he who is) the most righteous of you" [Quran 49: 13]. The Messenger of Allah (peace and blessings be upon him) taught us that, "An Arab has no superiority over a non-Arab, and a white person has no superiority over a black person except by piety and good action." And to emphasize gender equality, the Messenger (peace and blessings be upon him) also said that "women are the siblings of men."

The social human rights include the fundamental right to freedom of religion and the right not to suffer religious coercion. Faith is a matter of the heart and consequently, no person has



the power to know what lies in the heart of another; we can only know what a person's behavior reveals. Allah the Almighty says, "Let there be no compulsion in religion" [Quran 2: 256] and "Will you then compel mankind, against their will, to believe!" [Quran 10: 99].

The right to self-determination is another fundamental right promoted by Islam. This includes the right not be deprived of free will in the absence of any compelling reason because the necessary condition for obligations is freedom of choice. Moreover, human dignity is based on autonomy. In light of this, Islamic law sought to emancipate slaves in an age when the entire world condoned and firmly established the institution of slavery. In consequence, Islamic law contains numerous provisions that called for the emancipation of slaves. Examples include the expiation for a broken oath that consists of freeing a slave and the provision that designates one of the categories of zakat recipients as those who wish to purchase their freedom from their owners. The Messenger of Allah (peace and blessings be upon him) constantly urged his followers to free slaves for the sake of Allah. He said, "... Three people will earn a double reward: ... the master of a woman-slave who teaches and educates her in the best possible way and then manumits her and marries her; [by this], he will earn a double reward." He also said that, "Whoever frees a slave, Allah will free every organ of his body from hell-fire against every organ of the freed slave."

Political human rights in Islam

In Islam, it is the ummah or Muslim community that holds the authoritative voice. The ummah is invested with the power to elects its rulers, and to correct or depose them when they deviate from justice and reform. The rights of the ruler over his people consists of their obedience to his commands and interdictions in everything that is lawful. It is because of the importance of wilayat al-amr i.e. the supreme governmental or executive and ministerial authority in preserving public order, justice, and security that Islam instituted the office of supreme leadership.



It determined the scope and jurisdiction of the leader's authority as well as the necessary qualifications and duties towards his subjects that include the upholding of religion, establishment of religious rites, promotion of justice, succor of the oppressed from oppressors, and so forth. The Prophet (peace and blessings be upon him) emphasized the importance of this with the words, "Each one of you is a guardian and each one of you is responsible for what is in your care."

The right to counsel and to specialized opinion is another of the political rights in Islam and is enshrined in shura (consultation) governance. It entails participating in decision-making that affects the destiny of a person's community or nation. Prophet Muhammad (peace and blessings be upon him) is the exemplar of this type of governance; Allah the Almighty commanded him to seek counsel from his companions with the words, "... and consult them upon the conduct of affairs" [Quran 3: 159]. Due to its importance, Allah the Almighty elevated the status of shura to be on par with prayers, charity, and the shunning of evil. Allah the Almighty says, "And those who avoid the major sins and immoralities, and when they are angry they forgive, and those who respond to their Lord and perform prayer, who conduct their affairs with consultation among themselves, who spend out of what We have given them" [Quran 42: 37-8].

Economic human rights in Islam

Islam established an economic system that prevents exploitation, deception, and monopoly and helped limit the inflation of wealth through the institutions of zakat, inheritance, bequests, charity, expiations and so forth with the aim of fostering solidarity among believers.

Islam also established principles of economic justice and was conscious of the rights of workers and employees, giving them their due. The value of societal mercy is stated in revelations given to mankind such as the tradition of the Prophet (peace and blessings be upon him) wherein he criticized those who sleep



on a full stomach while their neighbors go hungry. Islam also stipulated stipends from the treasury house for both Muslims and non-Muslims who are unable to earn their livelihood such as the elderly and old women who do not have money of their own or husbands or children to support them.

Islam emphasized the value of private property and strictly prohibited any infringement against it; the Prophet (peace and blessings be upon him) said, "Whosoever takes people's property with the intention of ruining it, Allah will ruin him." It likewise warned against deceit and cheating in finance and trade transactions.

In Islam, nature including its natural resources belongs solely to Allah – it is a gift from Him to His servants. Allah prohibited destroying nature in any way and prohibited the prevention of anyone from enjoying or benefiting from it. Teachings linked to natural wealth can be found in the Sunnah where the Prophet (peace and blessings be upon him) said, "Men are co-owners in three things: water, pasture, and fire." This hadith reinforces the idea that Allah subjugated everything that is on land and in the sky for the public and private benefit of individuals.

Civil rights in Islam

Islam seeks to instill the values of civilization and human dignity in society and to promote justice between the people. It established a system of adjudication to resolve disputes and set strict criteria for the judicial system, testaments, and litigation. It warned against false testimony and wrongful accusations by guaranteeing fair trial to the defendant and upholding the principle of presumption of innocence.

Islam stipulates the presence of four witnesses to prove the guilt of the accused person in certain crimes such as fornication wherein the charge is not proved by the mere presence of a man and a woman in one place. To ensure the administration of justice, it also set special criteria for eyewitness testimony.



Islam likewise warns against arbitration impartiality and manipulation, calls for fairness, and warned against false accusations based on hatred and enmity. Allah the Almighty says, "O you who believe! Stand firmly for the cause of Allah and be just witnesses and let not the enmity and hatred of others make you deviate from justice. Be just, for it is closer to piety and have fear of Allah for Allah is well-acquainted with what you do" [Quran 5: 8].

Islam exalts the value of fraternity between the members of one society and emphasized equality regardless of wealth, color, or gender. It promotes societal justice and lifted oppression on the basis of social class and personal wealth. It demonstrated that class discrimination in terms of rights and privileges is among the causes of the corruption and destruction of societies; consequently, Islam considers all people equal before the law. The Prophet (peace and blessings be upon him) said, "Verily, Allah destroyed those who came before you for they spared anyone of high rank who committed theft and inflicted the prescribed punishment on anyone of low rank who committed the same.

By He in Whose Hand is the life of Muhammad! If Fatima, the daughter of Muhammad, were to steal, I would cut off her hand." Islam exalts the rank of knowledge and scholars and urged believers to seek knowledge. The Quran says, "Allah will exalt those who believe among you, and those who have knowledge, to high ranks." Seeking knowledge and teaching it is an obligation and religious duty and so the Prophet (peace and blessings be upon him) said, "Seeking knowledge is an obligation upon every Muslim male and female." Consequently, it is imperative to provide accessibility to learning and teaching for all.



Women's Rights In Islam

Islam gave women special consideration, elevated their position, and honored them. It moreover conferred upon them great status whether in their capacity as mothers, sisters, wives or daughters and safeguarded their rights without burdening them beyond their capacities. In addition, Islam made allowances for women's physical constitutions by according to them what suits them of rights and duties.

The status of women in Islam

At no time in the history of Muslims was there anything that could be referred to as 'women's issues'. Muslims did not view women as separate individuals but as components of both the family and societal system. It was only when the west, which regards women as separate individuals, exported to Muslims its culture and cognitive paradigm did such issues emerge.

Gender relations

The entire corpus of Islamic legal texts, whether the Holy Quran or Prophetic Sunnah, confirm gender equality in terms of legal obligations, rights and responsibilities, and punishments. Any differences in rights and duties are predicated on the functions and characteristics accorded to each gender. Allah the Almighty is the Creator; He gave men and women distinctive attributes and consequently different roles. Men are physically stronger than women and exhibit greater firmness. It is such defining attributes that qualify men for their role as economic providers and protectors within their families.

Women are naturally disposed to the roles that suit their physiological, emotional, and mental characteristics. They fulfill the role of wives, life partners of their husbands, and take on the duties of motherhood –bearing, nursing, and nurturing their children. These complementary variations demonstrate an integrated system of rights and duties repre-



sented by the family that is the basic building block of society.

It is erroneous to equate equality with equal physical standards. This is both a superficial and limited interpretation and entails forfeiting the distinguishing characteristics of both men and women. Moreover, it will inevitably lead women to undertake masculine roles that do not suit their nature, and this is something that cannot be accepted by those of sound minds, especially the followers of heavenly revealed religions.

The meaning of men's qawama (guardianship) over women

'Qawama' means to look after something, take care of it and protect it. Allah the Almighty made men guardians over women, assigning to them the responsibility of looking after and protecting them. The reasons for this are twofold. First, Allah the Almighty gave men distinctive characteristics that equip them for this responsibility. The second reason is linked to men's fulfillment of material obligations as well as to the payment of mahr (marriage dowry).

It must be noted at this point, that the preference accorded to men in the Quran does in no way indicate the superiority of all men over all women. It merely implies that men were selected to bear the financial responsibilities mentioned above. Otherwise, how would it be possible to explain the numerous instances where women surpass and excel their husbands in terms of knowledge, religion, work, opinion, and so forth?

Women's legal rights

Islamic law established the principle of equality between men and women with respect to legal capacity, thereby ensuring for women the right to conclude contracts and manage their property. Islam extends to women the same equal rights to financial independence and ownership as men. Women are therefore entitled to dispose of their properties in any manner when they reach mental maturity and are competent to handle property.



Additionally, women enjoy the same equal rights as men to all stages of judicial proceedings.

As for the status of women's testimony, it is often claimed that Islam degrades women's competency by making their testimony half the worth of a man's. In answer to this argument, it is necessary to say that gender is not a criterion for accepting or rejecting testimony. Evidence for this can be seen in the fact that the crescent of Ramadan may be established by the testimony of a single woman. Furthermore, the testimony of a single woman is accepted in matters related to women's affairs such as breastfeeding, childbirth, menstruation, idda (waiting period after divorce or the death of a husband) and so forth. Islamic juristic tradition includes scholarly opinions maintaining that the judge may accept the testimony of two men, two women, one man and one woman, one man and two women, one woman and two men, one man, or one woman whenever his conscience is left with a clear and settled conviction with regard to the evidence. The gender of the witness has no bearing on the decision the judge will make based on the evidence put before him.

Women's right to education

Islamic law gave great consideration to education and learning without discriminating between males and females. The scriptural address encouraging and calling upon humankind to acquire knowledge is directed to both genders. Women at the time of the Messenger of Allah (peace and blessings be upon him) attended his lessons and learned from him. He even offered teaching sessions specifically to women.

The Mother of the Believers, 'Aisha (may Allah be pleased with her), issued fatwas in the presence of the Prophet's Companions and acted as a reference in problematic issues. Islamic history is replete with examples of female scholars who engaged in scholarly pursuits and religious instruction, teaching hadith, jurisprudence, and other Islamic legal sciences.



There is no doubt that, at present, neglecting to provide females with an education entails evident harm. It shortchanges females of the opportunity to learn about matters related to their religion and worldly affairs, limits their horizons, negatively impacts their chances at marriage, and hampers their ability to raise good children. There is no doubt that women's intellectual capabilities expand proportionately to match their education and vice versa.

Based on this, education is one of women's rights which they must demand and pursue to enhance their moral and material lives. The government, state, and society are required to give females access to education and support them without any degree of gender discrimination.

Women's right to work

Islam encourages work and maintains its permissibility. Everyone has the right to pursue the career of their choice provided it is lawful in order to cover their expenses and live with dignity. Islamic law does not discriminate between men and women with regard to this right; work is a right that is equally guaranteed to women as it is to men as long as it is lawful, appropriate to their nature, and has no negative impact on their family life. At the same time, work should not interfere with the religious and moral commitments of women and with the security of their person and honor.

In our modern context, economic requirements and increasing education opportunities have helped women to assume roles that go beyond their conventional roles of procreation.

Women's work therefore fulfills the principle of equal opportunity and justice and is considered a true manifestation of the principle of citizenship among the members of society. In addition, it contributes to providing good living conditions for both women and their families.



Women's right to participate in public affairs

Women have a basic right to interact with societal issues, participate in public affairs, and enjoy all public political rights. These may be summarized as follows: the right to vote, the right to participate in public issues, and the right to hold political office in the government or state institutions.

The right to elect a ruler (bay'a) is mentioned generally once in the Quran without gender specification and another time with reference to women. Islamic law therefore establishes women's right to elect their ruler without discrimination.

Islam advances the principle of shura (consultation) in the governance of public affairs without gender discrimination. The Messenger of Allah (peace and blessings be upon him) consulted his wife, Umm Salamah (may Allah be pleased with her) during the crisis at Hudaibiyah and her advice proved to be sound and beneficial to the Muslims.

There is nothing in Islamic law that prevents women from serving in parliament and municipal councils. However, their admission into these arenas is conditional upon three matters: that they be elected, that the work be free of anything that is inconsistent with their nature, and that they maintain the boundaries set by Allah the Almighty.

Many non-prophetic traditions show that during the early years of Islam, women held positions in the executive branch of the government, law enforcement (known in Islamic jurisprudence as 'hisba'). This suggests the permissibility of women holding political positions in the government or state institutions provided they are qualified and competent for the job. In addition, they should be able to balance between their work and their other social and family duties. Women must also observe the Islamic principles of dress and behavior.



Today in most of Islamic and Arab countries, women hold the same positions as men in both politics and science. For years, they have continued to assume leading positions as ministers, ambassadors, university professors, and judges and receive the same treatment as their male counterparts in terms of material and moral remuneration.

Women's social rights

Social rights include:

- Treating mothers kindly. Textual evidences confirm this precept and there is no disagreement about it.
- Maintaining ties of kinship with sisters, paternal and maternal aunts, etc.
- Taking care of widows and divorced women.

Islam promotes all of these women's social rights. However, it is important to focus on women's rights in marriage. Islamic law respects women's right to full and free consent to marriage.

Women's right to be treated with respect and to protection of their dignity and honor

Islamic law prohibits infringement upon people in general out of respect for their humanity and freedom. Based on this, it is impermissible under any circumstances to exploit women in any way. Allah the Almighty warns those who seek to spread corruption among people of a grievous punishment both in this life and in the hereafter. The preservation of dignity is one of the five objectives of Islamic law that must be protected at all times and it is not permissible to forfeit or undermine it in any manner.



The Craft Of Issuing Fatwa

Ifta is a serious and honorable vocation in Islam. The mufti holds the place of the Prophet (peace and blessings be upon him) with respect to clarifying rulings that originally proceed from Allah the Almighty. As much as ifta is an honorable task and entails great reward, it is nonetheless a perilous enterprise and a transgression for those who undertake it without possessing the requisite knowledge. Conscious of the seriousness of ifta, the Companions and scholars of the first generation of Muslims were hesitant to give their legal opinion out of fear of communicating a ruling from Allah without knowledge. And when approached for the legal verdict on a point of law, they would relegate the question to one another until it returned to the one who was consulted first. It is precisely due to the gravity of the matter that Allah the Almighty delegated this task to “the people of knowledge,” proficient experts and scholars; He says, “... Ask those who have knowledge if you do not know” [Quran 16: 43].

Definition and etiquette of ifta

The linguistic Arabic meaning of ‘ifta’ and ‘fatwa’ denote clarification. Accordingly, “aftahu fi `amr” means “he explained and made the matter clear to him.” Technically, the words refer to a non-binding legal pronouncement [pertaining to a specific issue] in response to an inquiry. The words ‘non-binding’ serve to distinguish a fatwa from qada` (arbitrating controversies between litigants), and a mufti from a qadi (judge). A mufti explains and responds to a question brought by inquirers but does not obligate them to follow the ruling he issues. The verdict of a judge, on the other hand, is binding on those to whom it is dealt.

It is, by all means, necessary to observe fatwa etiquette. A fatwa should be made in clear and unambiguous language and it must be comprehensive and cover all aspects of the question. It is not necessary for a mufti to mention the legal premise of his response because the inquirer may not understand it and because it may serve another function.



Just as there are rules of etiquette associated to fatwa issuance there are similarly rules of etiquette associated to the mufti. A mufti should not issue a fatwa when his mind is preoccupied or when he is in a state of mind that prevents him from giving careful consideration to the case before him lest this render his fatwa invalid or deter him from accuracy. Such states include anger, hunger, thirst, intense grief or great joy, drowsiness and sleepiness, boredom, painful illness, or the need to relieve himself.

As for the rules of etiquette concerning the mustafti (the inquirer), these include being polite and respectful with the mufti when posing the question and speaking with him, not asking about the school of jurisprudence he follows, and seeking the appropriate time to solicit a fatwa i.e. he must not ask for a fatwa when the mufti is preoccupied.

Fatwa methodology

It is mandatory for anyone undertaking ifta, whether individuals or fatwa institutions, to follow a methodology based on the order of precedence of legal evidences. When asked about a certain case, a mufti must search for its ruling in the Quran. If there is not a text in the Quran on which to base the ruling, the mufti is to look into the Sunnah. If the Sunnah does not provide a text on the particular issue in question, he is to employ qiyas (analogical reasoning). The ruling issued by the mufti must not contradict ijma' which is the consensus of all scholars of the universal community of Muslims at a certain time on a certain religious issue. These four parameters comprise what is known as the agreed upon bases of inference. Other noncontroversial bases of inference such as the authority of the laws revealed prior to Islam and the opinion of a Companion operate on the basis of the mufti's ijtihad.

A mufti is to reference the opinion of any mujtahid from the four established schools of jurisprudence unless his own ijtihad points to another school. He should formulate his ruling based on a sound understanding of the sources of law as well as on a



profound awareness of the surrounding context. A mufti should rely for his fatwa on the four accredited schools of jurisprudence though he must not exclude recourse to other schools such as the Ja'fariyyah, al-Zaydiyyah, Al-Ibadiyyah, and al-Zahiriyyah which are followed in some parts of the world. Besides, he may sometimes even need to reference them due to the [progressive] needs of the people or to achieve the objectives of Islamic law.

A mufti may look further into the opinions of other great mujtahids such as al-Awza'i, at-Tabari, al-Layth Ibn Sa'd and others who number more than eighty. Their opinions are recognized and preponderated based on the strength of their evidences, the extent of the people's need for them, to serve the interests of the people, or to achieve the objectives of Islamic law. The scholarly community of our times across the globe has approved this methodology in issuing fatwa.

A mufti must abide by the resolutions of the Islamic assemblies especially when it comes to pronouncing a ruling related to unprecedented issues of public concern. Foremost among these bodies are the Al-Azhar Islamic Research Academy; the Islamic Fiqh Academy, subsidiary to the Organization of the Islamic Conference at Jeddah; and The Islamic Fiqh Academy, subsidiary to the Muslim World League at Mecca.

Stages of a fatwa

A fatwa passes through four essential stages before it is issued in the medium received by the petitioner. These are conception, adaptation, determining the ruling, and response.

The first stage: Conception

During this stage, the inquirer gives an objective description of all the particulars of his or her issue of concern. This allows the mufti to give careful legal consideration to the question.



The second stage: Adaptation

During this stage, the mufti correlates the petitioner's case to the relevant branches and cases of fiqh that correspond to it. For instance, an inquiry may be categorized as belonging to the branch of mu'amalat (mutual dealings and transactions) and not 'ibadaat (worship) or to a certain category of transactions or a new contract. This stage paves the way to the response (legal ruling) and requires themeticulous attention of the mufti.

The third stage: Determining the ruling

After the mufti arrives at an accurate understanding of the petitioner's case and classifies it under the relevant fiqhi category, he can then identify the legal ruling to the petitioner's question.

The fourth stage: Ifta

This stage is wherein the mufti applies the ruling he has arrived at to the case before him. It is necessary at this stage to ensure that the ruling does not contradict the objectives of Islamic law, a definitive legal text, ijma', or an established legal maxim in which case the mufti must re-examine his fatwa until he meets all the conditions.

Elements determining a change in the ruling

Change and variance in fatwa occur due to temporal, spatial, individual, and circumstantial changes.

Temporal changes: The customs and conditions of people change from one period to another. Custom-based rulings consequently change in tandem with the dynamic customs and traditions of the people.

Differences of locality: The influence of locality changes and variances, along with the accompanying changes and differences in customs, traditions, and behavior, is another factor that elicits



a change in fatwa. Muslim minorities follow fatwas that are relevant to their non-Muslim context.

Individuals: The rulings that apply to natural persons are different from those that apply to juridical persons such as governments, companies, and legal entities.

Conditions: The Messenger (peace and blessings be upon him) taught us to take new circumstances and conditions into account when formulating a fatwa. This requires changing the ruling if it is based on ijtihad, delaying its implementation, or suspending its effects if it is based on a definitive text. A case in point is the hadith recorded by Abu Dawud waiving the theft penalty during wartime even though it is imposed by a divine injunction.

Changes and variances in the factors effecting a change in fatwa stipulate a corresponding change in the rulings without violating the objectives of Islamic law. In this manner, Islamic jurisprudence strikes a balance between upholding Islamic law and taking into account the consequences of rulings.

Reality and its components

Understanding reality, the importance of which was aforementioned, is part and parcel of the process of ifta. Reality is made up of a group of realms: the realms of objects, persons, events, and ideas while the realm of systems encircles and connects them all. It is necessary to understand and consider all the interrelations between those realms when striving to understand and deal with reality.

People's interests and concerns about the realms around them varies according to their culture. Urban and rural people have different interests and concerns while the interests and concerns of a student who frequents academic institutions and research rooms differs from both. A mufti must thereby scrutinize those realms with their different approaches and interrelations before issuing a ruling. He must also



take into consideration the consequences that would ensue from the concrete pragmatic application of his fatwa.

For instance, a mufti may be asked about the legal ruling for a certain new product or commodity. This commodity belongs to the realm of objects and thereby the mufti needs to have a certain understanding of it to be able to convey the ruling of Allah concerning it. If, for example, the question is about the ruling for apple cider vinegar, he is to ask a specialist in the field about its smell, composition, and effects. He will also need to ask whether it contains porcine fat or alcohol. And if it does contain alcohol, is it ethyl that causes intoxication or methyl? And what is the percentage present in the vinegar? This knowledge lies within the domains of chemistry, physics, nutrition analysis, medicine, and physiology. The mufti may need to consult experts in these fields to know the extent of the health benefits or adverse effects of the components of apple cider vinegar as the validity and accuracy of his fatwa depend on it.

The same applies to the realms of events and ideas. However, it is important to draw attention to an issue of utmost importance. During the process of understanding reality, we must bear in mind the sources and texts of law to be able to synthesize them and find the link that regulates the application of the ruling to the prevailing context. To do this, we must take the following into account:

1- The universal objectives of Islamic law. These are the preservation of life, intellect, religion, honor, and property.

2- Ijma'. The mufti must consider and remain within the confines of the loci of ijma'.

3- The Arabic language and the meaning of Arabic words. The mufti is not to choose or assign meanings to words other than those that were transmitted to us from the Arabs. This is because the sources of Islamic law are Arabic texts.



4- The Islamic cognitive paradigm which is referred to as 'aqida or the universal perspective.

5- The maxims of Islamic jurisprudence or general principles of Islamic law. This is because they form the bridge that connects the sources of Islamic law to understanding of the prevailing context.

Based on the above, understanding reality is an essential pillar of ifta so that a fatwa may not be limited to clarifying the legal ruling independently of reality and the different elements that make it up. It is important to note that the emergence of numerous aberrant and extremist opinions and fatwas are only due to the absence of fiqh al-waqi' (jurisprudence of reality) and the lack of full knowledge of its requisites and consequences.

Ifta is a craft

It may seem strange to use the word 'craft' in relation to 'ifta' and 'fatwa'. Ifta is a complex underlying process that ranges from understanding the sources of law and having a keen understanding and a good grasp of contemporary reality. Additionally, a fatwa goes through several stages of excogitation before the mufti deduces the ruling for the matter in question. Because a craft is a complex task that needs understanding and skill, it was only fitting to so describe ifta so that non-specialists may understand its gravity and refrain from venturing legal opinions, leaving them in the hands of "those who have knowledge."



The Relation of Islam to Other Religions

The objective of divine messages and legislations

God the Almighty created Adam (peace be upon him), the first man and prophet. Adam received teachings and revelations from his Lord and both he and his children genuinely worshipped God the Almighty. At the beginning of time, humankind was one nation that worshipped and believed in God as the only deity. By the passage of time, they fell into disagreement and divided over what constituted truth. As a result, false beliefs emerged and polytheism spread among the people. Eventually, many people turned away from the values that refined their manners and conduct. For this reason, God the Almighty sent prophets and messengers and equipped them with revelations and legislations to guide the people to the straight path. All Divine messages, despite having different legislations and rulings, call upon man to believe in the Oneness of God and to shun all other deities worshipped besides Him. God commanded Adam and his children to believe in Him as the One True God, and to believe in the angels, messengers, the revealed Scriptures, and the Last Day, and to maintain justice, beneficence, ties of kinship, chastity, piety, and show mercy to all creatures. All monotheistic faiths forbid evil, abominations, injustice, and enmity.

Islam, Judaism, and Christianity share many common elements. All three religions call upon the people to worship the One God, prepare for the Day of Judgment, maintain noble manners, refrain from associating partners with God, and shun injustice. God the Almighty says, "He has ordained for you of religion what He enjoined upon Noah and that which We have revealed to you, [O Muhammad], and what We enjoined upon Abraham and Moses and Jesus - to establish the religion and not be divided therein. Difficult for those who associate others with Allah is that to which you invite them" [Quran 42: 13]

The seal of Divine messages and legislations is the message of Prophet Muhammad (peace and blessings be upon him). God



sent down to him the Quran that confirmed the books that were revealed before it. It abrogated all of the previous legislations and rulings because Islam is a universal message that will continue until the Day of Judgment.

Similarities between Islam and other religions

Islam, Judaism, and Christianity have in common many rulings and concepts. These include:

1- Not associating partners with God

Islam is the religion of monotheism. The first pillar of Islam is to testify that there is no deity but God and that Muhammad is God's Messenger. The Holy Quran is replete with verses affirming the Oneness of God the Almighty and that He is the Ever-Living and Eternal. Islam acknowledges any opinion in the other divine religions that affirms the Oneness of God. Like Islam, both the Torah and the Bible prohibit associating partners with God and worshipping other than Him.

In Judaism, the first commandment revealed to Moses (peace be upon him) and the children of Israel prohibits them from making for themselves carved images and statues and worshipping them besides their Lord. In another instance in the Torah, God the Almighty is described as in the Holy Quran, the One God. There was no other god before Him and there will be no other god after Him; He is "the first and the last." Some passages in the Torah describe the uniqueness of God, that no one and nothing is comparable to Him. Another passage confirms that He is the One Who gives and takes life and that He is eternal.

In the Bible, we find Jesus describing God's wonder at those who seek glory and praise from some people and do not seek it from Him, the only God. The Bible also recounts that a Jewish scribe once approached Jesus and asked him to tell him of the commandment he should follow. Jesus told him that the first of all commandments was that the Lord is only One Lord. Chris-



tians acknowledge that no one has ever seen God and that He is eternal and immortal.

2- Messengers

The messengers are servants of God whom He chose from among all humanity and sent as a mercy to humankind to convey His message to them. Islam, Judaism, and Christianity share many of the same stories of some prophets in their holy books. In Islam, Prophet Noah (peace be upon him) is described as one of the grateful believers. The Holy Quran recounts his story and how God the Almighty saved him and those who believed from the flood by taking refuge in the ark that God commanded him to build.

The Quran mentions Moses (peace be upon him) as the prophet whom God chose above all others to speak directly to him without mediation. It also depicts Moses and Aron as among the pious servants of God the Almighty.

The Quran mentions that that God the Almighty instructed John, the son of Zechariah, to hold fast to the Book (God's revelation) with all of his might and that God gave him wisdom even as a youth and that he was kind and dutiful to his parents.

The Holy Quran makes special mention of Mary, the mother of Jesus. It describes her as a chaste and pious worshipper who was constantly prostrate in prayer. God the Almighty chose her and raised her status above that of all other women in the world. The Quran goes on to describe her encounter with the angels who informed her that she is going to be the mother of Jesus, "... O Mary! Allah gives you glad tidings of a Word from Him: his name will be the Messiah, Jesus, the son of Mary." The news alarmed Mary because no man has ever touched her, and so the angel told her that when God decrees a matter, He only says to it, "Be" and it is. This encounter is followed by a visitation by the archangel Gabriel who appears to her in human form. Gabriel describes himself as a messenger from God, sent to an-



nounce to her that she would soon bear a sinless son. When the time of birth arrives, God, in His mercy, inspires her to shake the trunk of a palm tree so that she would eat of its ripe dates.

The Quran speaks of Jesus (peace be upon him) as occupying a place "nearest to God" in the hereafter and that God gave him clear evidences and supported him by the Holy Spirit. He raised the dead, and cured the blind and lepers by the will of God.

The Torah refers to Noah (peace be upon him) as a righteous man. His Lord rescued him and his family by inspiring him to build an ark and take refuge in it during the deluge. It also mentions Moses and describes him as patient, trustworthy, and a prophet with whom God spoke directly without any special mediation. The Jewish Scriptures also prophesied the birth of Immanuel (Jesus, peace be upon him).

The Bible mentions John the Baptist (the son of Zechariah). Biblical accounts report that an angel visited Zechariah and informed him that that God had heard his prayer. He told him that his wife will soon bear him a son who will be great in the sight of his Lord and who will never drink wine or other fermented drink. According to the Bible, it was John who baptized Jesus (peace be upon him) from the water of the Jordan river.

The Bible describes the awe the people felt when Jesus resurrected the dead; "A great prophet has appeared among us," they cried. In several places in the Bible, Jesus is referred to as a servant and messenger of God. The gospel of Matthew records Jesus as God's servant and messenger. Similarly, Peter and John portray Jesus as the servant of his Lord.

3- Ethics and prohibitions

It is possible to draw up comparative similarities and concordance of key ethical concepts and some prohibitions in all three heavenly revealed religions. For instance, both Islam and Judaism prohibit the eating of pork. In the Torah, God tells Moses and



Aron that the pig is unclean and commands them to neither eat its meat nor touch its carcass. Accordingly, whoever eats pork will receive a torturous penalty. The Bible records Jesus as commanding the people to follow and comply with all the teachings of Moses. The gospel of Matthew states, "Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish them but to fulfill them" [Matthew 5: 17].

Islam prohibits alcohol and describes it as defilement from the work of Satan and Muslims are commanded to avoid it. Like the Quran, the Jewish Scripture contains passages that prohibit alcohol. It recounts that God tells Aron not to consume alcohol or any other intoxicant and the Book of Proverbs mentions that alcohol impairs the intellectual faculty. It warns against indulging in wine and strong drink, promising those who disobey this injunction woe, sorrow, and strife and compares wine to the bite of a snake and to the poison of a viper. In a similar vein, the Bible alludes to the offensiveness of wine. It mentions that among the signs of John's purity is that he never consumed alcohol and that drunkards will not inherit the kingdom of God.

Islam commands Muslims to dress modestly, lower their gaze, and guard their private parts because God prohibits all kinds of immorality, both what is apparent of them and what is concealed. The honorable Prophet (peace and blessings be upon him) forbade women from imitating men and vice versa. Similar injunctions are also found in Judaism. The Torah forbids transgender dressing and commands women to dress modestly, with decency and propriety.

All three religions agree on the prohibition of fornication and they all consider sex outside of marriage a crime. Because Islam considers fornication an enormity, the punishment for it consists of stoning until death for the married offender and lashing for the unmarried offender. In Judaism, adultery is punishable by death for both parties to the crime while in Christianity, Jesus said that whoever looks at a woman lustfully commits adultery with her in his heart and that the fornicators shall never inherit the earth.



4- Resurrection and reckoning on the Day of Judgment:

Islam confirms resurrection and the Day of Judgment, maintaining that belief in them is one of the pillars of faith. The Holy Quran contains many passages describing some of the blessings of paradise and the horrors and torture of hellfire. In Judaism, the Day of Judgment is a firmly established theological belief. The Torah says, "Multitudes who sleep in the dust of the earth will awake some to everlasting life, others to shame and everlasting contempt" [Daniel 12: 12]. Christians also believe in resurrection. According to the Bible, Jesus confirmed that on the Day of Judgment people will either have an eternal life in heavenly bliss or an eternal life in fiery torment.

Islam and the People of the Book

Islam is the religion of beneficence and mercy. It exhorts Muslims to treat non-Muslims with absolute kindness and respect and does not forbid Muslims from maintaining good relations with either Jews or Christians. Islam acknowledges the divine messages that were revealed before it. It grants freedom of worship to the People of the Book living in Muslim countries and allows them to practice their religious rites freely. It moreover ensures the safety of their places of worship and sanctuaries and guarantees the safety and protection of their lives and that of their families, and of their honor and property. God the Almighty says, "Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allah loves those who act justly" [Quran 60: 8]. 'Ali Ibn Abu Talib (may God be pleased with him) said, "They (non-Muslims living under Muslim rule) pay the jizyah so that their blood and wealth may become as ours."

Islam permits Muslims to eat from the food of the People of the Book and from the meat of their slaughtered animals. The Holy Quran forbids Muslims from arguing with Christians and Jews over their religion except in the best manner in order not to cre-



ate grudges or breed hatred. God the Almighty says, "And do not argue with the People of the Scripture except in a way that is best, except for those who commit injustice among them, and say, "We believe in that which has been revealed to us and revealed to you. And our God and your God is one; and we are Muslims [in submission] to Him" [Quran 29: 46].

Islam allows Muslim men to marry from the women of the people of the Book; therefore, a Muslim's life partner and mother of his children may be Christian or Jewish.

In Islam, both Muslims and non-Muslims who are unable to work are entitled to social security. Islamic history is replete with precedents of this religious dimension. Once when Umar Ibn al-Khattab was visiting Damascus, he came across some Christian lepers. He was so moved by their plight that he ordered the financial authorities to give them lifelong stipends. The just caliph, Umar Ibn Abdul-Aziz, wrote to one of his governors saying, "Treat the dhimmis [Christians and Jews living under Muslim rule] with kindness and when one of them grows old and has no means of livelihood, provide him with money from the treasury."

The Prophet (peace and blessings be upon him) granted a charter to the Christians of Najran that guaranteed them freedom of worship. The document added that no bishop shall be removed from his church and no monk from his monastery. The caliph, Umar Ibn al-Khattab (may God be pleased with him), entered into a similar pact with the Christians of Jerusalem. He granted them assurance of protection of their lives, property, churches, and crosses. He guaranteed that their churches shall not be occupied [by Muslims] or destroyed and that the churches and the land on which they stand shall not be diminished in size.

One of the most outstanding examples of religious tolerance, despite there being no treaty or contract, was the precedent of Prophet Muhammad (peace and blessings be upon him) who



permitted the Christian delegation of Najran, sixty in number, to enter his holy mosque and pray inside it. When the time of their prayer arrived, they stood and turned to the east in preparation for prayer. Some of Muslims rushed to prevent them from praying inside the mosque, but the Prophet (peace and blessings be upon him) stopped them and allowed the Christians to perform their prayers without interruption.

In all of the above examples, Muslims sought to establish the principle of beneficence and coexistence, and promote peace and justice among people of different religions.



The Value of Ihsan And Dealing With Others

The word ihsan derives from al-husn (good) and al-jamal (beauty). Its meanings fall within the ambit of good, piety, love, and mu-raqabah (observation). In Islam, ihsan is the highest degree a Muslim is required to reach. The Prophet (peace and blessings be upon him) said in the hadith of Jibril (peace be upon him), “[Ihsan] is that you worship Allah as if you see Him, for even if you do not see Him, He sees you.” A person may reach the station of ihsan by doing everything that brings benefit and good for man in all matters and under all circumstances. Ihsan also means having sincerity of intention, ensuring that an act is truly for the sake of Allah alone.

Good deeds, wholehearted devotion and dedication, and superlative perfection in all deeds and actions are praiseworthy efforts. This is the required ihsan. It is what is made manifestly clear by the words of the Prophet (peace and blessings be upon him) in the hadith “... as if you see Him”. These words suggest the importance of being aware at all times that Allah the Almighty is watching every act we perform at the time we are performing it or even after we perform it. It is therefore important to reflect on our actions and their results. This level of awareness, knowing that Allah is watching, can drive a Muslim to perfect and excel in his actions and to act as if he is being judged by Allah at the time he is performing the action. This meaning is likewise evinced by the words of Umar Ibn al-Khattab (may Allah be pleased with him) who said, “Call yourself to account before you are called to account.”

Kinds of ihsan: Love

What is love if not one of the fruits, indeed the greatest fruit, of ihsan? The Arabic word ‘hub’ (love), though in Arabic is composed of only two letters, yet has a range of meanings in Islam. It is one of the fundamentals of religion and among the truths of faith.



Many people restrict the meaning of love to attraction, ascribing to it a physical dimension. In Islam however, it is something much greater. In Islam, love in Islam is reflected in all our interactions with others.

We, as Muslims, are in dire need for love in its refined and noble sense mentioned in the Quran and hadiths. Conversely, hatred and animosity reflect the attitude of those who neglect the value of love in human transactions. This meaning is primarily derived from a principle outlined in the words of Allah the Almighty Who says, "We took their covenant, but they have abandoned a good part of the Message that was sent to them. So We planted amongst them enmity and hatred till the Day of Resurrection" [Quran 5: 14].

Therefore, every shortcoming and disobedience to Allah, and every violation of His methodology is reflected as enmity and hatred between the people whereas fostering brotherliness for the sake of attaining the pleasure of Allah the Almighty is reflected as love that continues to grow and become elevated. Consequently, the power of this tiny word lies in the numerous meanings it carries. It is what drives worshippers to reiterate it, physicians and peacemakers to recommend it, and preachers who call to the way of Allah to seek to establish it. At present, the Islamic world suffers from love deficiency. Because of this, people fail to understand the meaning of their humanity – they live only for themselves or depend on others – this is in no way from *ihsan*.

Love for perfection, kindness, and beauty

Whether we like it or not, we have a mind that apprehends and a heart that is capable of love. Whoever cannot strike a balance between heart and mind, has a serious character flaw that stands in need of being corrected. We experience many emotions. We can feel love, hate, desire, awe, hope, and fear. However, all of these must be regulated by Islamic law. We must love for the sake of Allah, hate for the sake of Allah, simultaneously



fearing Him and seeking His pleasure. All of our heart's deeds and desires must be tied to Allah the Almighty for He is the true source of this love.

A believer lives in harmony with the world around him. There is a good relationship between him and everything around him. A believer can never be an enemy of Allah nor can he cause corruption in the world.

Fostering love for everything in this world is a prerequisite of *ih-san*. Because Allah the Almighty is the Creator of everything, it is important for us to love our fellow humans, plants, and animals. Indeed, it is important to love all of Allah's creation. The following illustrate the many examples that manifest this refined methodology:

a- Man and beauty

Man loves beauty and the source of this feeling is Allah the Almighty. A Prophetic hadith states, "Allah is beautiful and loves beauty."

The beauty that is loved by Allah the Almighty encompasses everything He has made permissible or commanded us to do and not what He forbade. It includes for example beauty of clothes. In one instance in the Quran, Allah the Almighty draws attention to the blessings He bestows upon His servants and says, "O children of Adam! We have given you clothing to cover your private parts and for ornament, but the robe of piety is the best. Thus is the guidance of Allah so that you may take heed" [Quran 7: 26]. In this verse, Allah the Almighty mentions the inner beauty that is piety as well as the outer beauty that is clothing.

In addition, Allah the Almighty loves that the effects of His blessings be made manifest for it is part of the beauty He loves and part of the gratitude for His blessings that form the inner beauty of man.



b- Man and animals

Showing mercy to the animals we have been commanded to kill or slaughter is another example of how to implement the principle of ihsan. This mercy can only come about as a result of love. Accordingly, torture can never ensue from love. Shaddad Ibn Aws narrated that the Prophet (peace and blessings be upon him) said, "Allah has enjoined ihsan in everything [you do]. So, when you kill, then kill in the best manner, and when you slaughter, slaughter in the best manner. Each of you should sharpen his blade and spare suffering to the animal he is slaughtering."

c- Man and his homeland

There is no doubt that love for one's homeland may be classed under ihsan. Ponder the words of the Prophet (peace and blessings be upon him) when he addressed Mecca and said, "What a great city you are! And how dear you are to me! Were it not that my people drove me out from you, I would not have lived anywhere else!" These wonderful words uttered by the Prophet of humanity (peace and blessings be upon him) reveal his profound love and attachment to his homeland, Mecca. It is the land where he was born and lived as a boy and a youth and it is the land where he married. It holds many unforgettable memories for him. A person's homeland is engraved in his memory. It is the home of his friends and loved ones, the home of his parents and ancestors.

People are emotionally attached to their homelands, even if it is a wasteland. The love a person has for his country is a natural instinct in man. He finds comfort and warmth in his homeland and yearns for it when he is away. He defends it when it is attacked and his anger is aroused when someone degrades or insults it. Because of the sorrow and pain caused by living outside one's country, Allah the Almighty associates love for the homeland for love for oneself. He says in the Quran, "Had We commanded them to kill themselves or abandon their homes, only a few of them would have done it" [Quran 4: 66].



Love for homeland is not restricted to feelings but is also manifest in words and deeds, the best of which is praying for the homeland.

One of the manifestations of ihsan in this context is the preservation of public rights. The Prophet (peace and blessings be upon him) demonstrated this meaning by explaining that all the people share certain things and that it is impermissible for anyone to have exclusive control over them. He said, "People are partners in three things: herbage (animal pasture), water, and fire."

National affinity between the people of the same country and adherence to legitimate national rights are other areas where ihsan is manifest. In addition, ihsan to homeland means non-partiality to a certain race, color, or religion with the purpose of dividing the community into rival factions. Evidence in support of this precept is found in the Prophet's words, "Whoever is killed while fighting for an unjust cause, calling to or aiding tribal fanaticism dies in a state of pre-Islamic ignorance." Ihsan to homeland includes establishing justice and equity.

A Muslim loves his country and seeks to do only what is best for it. He devotes himself wholeheartedly to its service and sacrifices his life to defend it. In addition, he has the same sentiments toward the Islamic community. He grieves for its sorrow, is happy for its joy, defends it, and always seeks to preserve its unity.

d- Man and his fellow man

A Muslim must show ihsan to others regardless of their religion. Allah the Almighty says, "Worship Allah and associate nothing with Him. Be kind to your parents, relatives, orphans, the needy, your near and distant neighbors, your companions, wayfarers, and your slaves. Allah does not love the proud and boastful ones" [Quran 4: 36].

There are certain matters that a Muslim must observe to build



harmonious social relations with both Muslims and non-Muslims, all of which come under the meaning of ihsan in the sense of perfection and excellence. These are established by Islamic law and include for instance:

- Ihsan in speech. Allah the Almighty says, " ... you shall speak to good words to the people" [Quran 2: 83].

- Ihsan in listening to others. Allah the Almighty says, "[Those] who listen to speech and follow the best of it. Those are the ones Allah has guided, and those are people of understanding" [Quran 39: 18].

- Ihsan in dialogue. Allah the Almighty says, "... and argue with them in the best manner" [Quran 16: 125].

- Ihsan in greeting. Allah the Almighty says, "When a greeting is offered to you, answer in kinder words, or (at least) of equal courtesy. And Allah takes account of all things" [Quran 4: 86].

Allah has made ihsan to one's neighbors from among the perfection and excellence of faith. Accordingly, any wrong done against a neighbor leads to hell-fire. Abu Hurairah narrated that the Prophet (peace and blessings be upon him) said, "The one whose neighbor is not safe from his evil will not enter paradise." The sphere of ihsan is wide and includes ihsan to non-Muslims who are also our fellow citizens. It was reported that Prophet Muhammad (peace and blessings be upon him) said, "Whosoever wrongs a mu'ahid (one with whom a treaty has been made), humiliates him, burdens him beyond what is in his capacity to bear, or takes something from him without his free consent, I will be his adversary on the Day of Judgment."

The reward for ihsan

It is sufficient for a person to know that the reward for ihsan is in kind. Allah the Almighty loves those who observe ihsan and they will enjoy His Divine Company. He says, "Allah loves those who do good."



The value of 'aql in Islam and its relation to wahy

'Aql and the sources of knowledge

Islam attaches great importance to knowledge. Accordingly, man has been endowed with many characteristics that distinguish him from other creatures, namely his quest for knowledge and learning. It was precisely due to this honor that the first word revealed to Prophet Muhammad (peace and blessings be upon him) was to "Read." This divine injunction emphasizes the pursuit of knowledge and learning as the best means for attaining righteousness, perfection, and guidance in this worldly life.

It is by no means an exaggeration to say that knowledge has shaped man's most important inquiries and concerns. The history of human thought since ancient times until present is replete with a wealth of research on the means of acquiring knowledge. To this end, Muslim scholars were particularly interested in identifying the sources and causes of knowledge and with differentiating between the means leading to definitive knowledge that is free from any doubt and skepticism that is steeped in other kinds of sciences and knowledge.

Muslim scholars and imams have determined and divided the sources of knowledge into three categories, namely, al-hawas al-salima (the sound senses), al-'aql (the intellect), and al-khabar al-sadiq (reliable reports). The first category, al-hawas as-salima, includes explicit and empirical knowledge that comes from sensory experience. The 'aql is governed by the laws of observation and contemplation. Lastly, al-khabar as-sadiq is divided into al-khabar al-mutawatir (a report related by whole groups of individuals from whole groups) and a report related from a single individual supported by a miracle; this wahy (revelation).

The Quran identifies the sources of human knowledge in several places. Allah says, "It is He Who brought you forth from the wombs of your mothers when ye knew nothing; and he gave you hearing and sight and intelligence and affections: that ye



may give thanks (to Allah)" [An-Nahl: 78]. The verse shows that hearing is the means whereby man comes to know al-khabar al-sadiq, 'sight' is a reference to perception, while the word 'hearts' imports 'aql. The latter is the greatest and noblest of these three sources of human knowledge. In many instances, the Quran alludes to the seat of human intelligence with the word 'heart' as in the afore-mentioned verse and the verse where Allah criticizes those who reject His message; He says, "Do they not travel through the land, so that their hearts (and minds) may thus learn wisdom?" [Al-Hajj: 46]. 'Aql is thereby the essence of man whom Allah has favored above all creation.

Balancing 'aql and wahy in Islamic doctrine and law

'Aql is an inborn intangible light through which man is able to perceive what lies beyond his senses. Based on this definition, Muslim scholars have asserted that 'aql begins where sensibilia ends. The blessing of the gift of 'aql comes from it being the primary source through which man understands and comes to know of the existence of his Creator. When a person begins to contemplate the world around him, he explores the pivotal big questions concerning his existence and thought: "Where did I come from and how did this world originate?" "What is my destiny after death?" and "What is the purpose of my existence?" These questions have triggered a search for answers through the agency of man's cognitive abilities. Through investigation and observation, man is able to understand that nothing pre-existed this world and that there is a God and Creator Who created him ex nihilo. He is also able to understand that this God is described with the attributes of beauty, majesty, and perfection by means of which He designed this world and that He is completely different from His creation and transcends it.

However, the 'aql is unable to comprehend some of the truths that occupy man, primarily those related to the unseen, the reality of good and evil, and issues of morality i.e. the human conduct that is necessary to be a good person.



It is from the mercy of Allah that He sent prophets, messengers, revealed laws, and religions to guideman to understand what his mind and senses cannot know or conceive. Hence, Islamic tradition maintains that Allah the Almighty endowed His servants with two means of guidance:

1- Internal i.e. `aql;

2- External i.e. the prophets and messengers.

Benefit from the guidance of the prophets and messengers is predicated on the guidance of 'aql. 'Aql allows man to discern right from wrong and truth from falsehood. It is through 'aql that man is able to prove the existence of his Creator and the necessity of describing Him with the attribute of perfection. Likewise, it is 'aql that allows man to understand the evidentiary signs, proofs, and miracles from Allah that have occurred at the hands of a prophet or messenger. And it is upon the credit of such divinely revealed signs, proofs, and miracles that man believes in the veracity of Allah's prophets and messengers.

Consequently, 'aql takes a back seat and man acquiesces to everything delivered by the prophets about Allah and the Last Day, the laws they have come with, devotional acts, and the conduct by which Muslims should live by. In other words, man accepts and believes what the mind cannot apprehend or even prove to be impossible. When man accepts 'aql at the expense of wahy or vice versa, he slips into ignorance, confusion, and misguidance.

The example of 'aql, according to al-Ghazali, is like the keen eye that sees everything with perfect clarity and the example of wahy is like the sun that shines down on the earth from above, illuminating everything in it. If this is so, how can one who shuts his eyes prosper from the sun's light? And how can one who is not guided by wahy be guided by 'aql alone? How can one see without light? 'Aql and wahy are indeed light upon light!



The influence of 'aql and wahy on building the Muslim ethos

There are three main components to religion: creed, [Islamic] law, and soul purification. Creed serves to chart the religious pathway of a Muslim about his conception and understanding of the universe, existence, the Creator, his destiny after death, and the purpose of his existence. Law directs human action and conducts towards the worship of Allah and towards the rest of creation. Soul purification and morals serve to regulate human sentiments towards both Allah and people, elevating the soul, freeing it of defects, and gradually promoting it to perfection and success.

Because man is the composite of a body, mind, and soul, Islam came to satisfy the different needs of these components, giving each what is essential for man's rectitude. Consequently, creed is dependent on 'aql and the tools of investigation and cerebration because man's intellectual faculty is the part of man that is common to all humans regardless of culture, language, and nationality. And because belief essentially signifies heartfelt unquestioning faith, Islam advanced the principles of freedom of faith with the Quranic verses, "Let there be no compulsion in religion," and "Let him who will believe, and let him who will, reject (it)." The guidance provided by the light of 'aql that leads to belief in Allah and His prophets and messengers, is followed by wahy which completes this knowledge and which can only be imparted by means of al-khabar as-sadiq. Through wahy the believer is informed of matters related to both the life of this world and of the next, and of the recompense consequent upon his faith, disbelief, obedience (to Allah), and any injustices he commits in the life of this world.

Islam has largely merged between the roles of 'aql and wahy concerning matters related to law, the lawful, and the prohibited. It therefore framed 'aql as the precept and cause of devotional obligations and provisions and waived it due to insanity, forgetfulness, and sleep. The reason for this is that the faculty of 'aql does not function in these three states. By reading the verses of



the Quran and the Sunnah of the Prophet (peace and blessings be upon him), the 'aql is able to understand the objectives and wisdom of Islamic law which include preservation of life, religion, intellect, progeny, and property. It is moreover able to render the meaning and grounds of the provisions of Islamic law comprehensible in order to draw analogies from the operating causes from which these provisions emerge. Examples include murder as the rational basis for retaliation (against the murderer), travel as the ratio legis for shortening prayers, and illness as the ratio legis for postponing the fast. In addition to this, Islamic law includes a great number of legal provisions the causes of which cannot be rationally determined.

The source of these provisions, known as ahkam ta'abudiyyah, is wahy alone. The goal of such provisions is to test believers' submission and obedience to the ordinances of Allah such the obligation to observe a certain prescribed number and characteristics of prayer. The synthesis between ahkam ta'abudiyyah and ahkam ma'qulat al-ma'anah (a dictum whose meaning can be arrived at by reason) is of evident import. Both 'aql and wahy play a significant role in Islamic law, in the formulation of its rulings, and in the development of a Muslim ethos capable of understanding the interests promoted by Islamic law and the evils it proscribes. This ultimately leads to submission to Allah and to recognizing one's true value and consequently refraining from oppressing others.

Al-Wahy al-mastur and al-wahy al-mandhur

One of the greatest aspects of integration between 'aql and wahy is that the Quran, the written revelation, which Allah sent as a source of guidance, invites man to make use of his God-given intellectual faculties to contemplate the entire universe as proof to the existence, greatness, dominance, and power of Allah. Allah the Almighty calls us to ponder and reflect upon the creation of the heavens and the earth. This allows us to understand the origin of creation, and of how the laws of nature reflect and bear testimony to the power and might of Allah, and how



the perfection and precision of everything that exists proves His Oneness and all-encompassing knowledge. Consequently, nothing in the Book of Allah or in the Sunnah of His Messenger conflicts with, defies, or spurns the 'aql and sound logic and neither do they conceal or fail to address certain matters. Quite the contrary, the verses of the Quran and prophetic hadiths exhort man to implement and to expand his understanding through 'aql. Both the Quran and Sunnah praise those who are guided by the guidance of 'aql and criticize those who refuse to utilize their faculty of reason under the pretext of tradition, or because of fanaticism, whims, and caprices. Religion has always been a beacon for the guidance of humanity through the two divinely endowed blessings, 'aql and wahy.



How do We Deal with the Prophetic Sunnah?

The status of the Prophetic Sunnah

The venerable Sunnah of the Prophet (peace and blessings be upon him) is the second source of legislation after the Holy Quran and, together, they form one integrated unit. The Quran is a divine text that was revealed by Allah the Almighty. Its recitation is used in acts of worship and is itself considered an act of worship. The Sunnah comprises the sayings and practices of the Prophet (peace and blessings be upon him) that have been transmitted by his companions and wives after his death. It explains and interprets the Quran and establishes a set of legal rulings inferred from the Holy Quran.

Despite the contrasting and overlapping definitions advanced by scholars, there exists a unanimous consensus among them that the Sunnah, whether verbal or practical, is the means by which legal rulings and many doctrinal matters are expounded. The Sunnah is the aggregate of everything, besides the Quran, that Prophet Muhammad promulgated to explain and clarify a point of belief, teach an act of worship, guide to good deeds and moral refinement, redress human transactions, command what is right and forbid what is wrong, curb corruption, and warn against wickedness. Anything that has been promulgated by the Prophet (peace and blessings be upon him) and transmitted in association with all of these dimensions, is a Sunnah and law which people are required to follow.

The importance of the Sunnah lies in that it complements the Quran. It is a well known fact that the Quran comprises many injunctions that are conveyed in ambivalent, general, and absolute terms. It was due to this that one of the duties with which the Prophet (peace and blessings be upon him) was charged besides delivering the message of Islam was to clarify and explain the Quran. The Prophet conveyed his Sunnah by word, deed, and tacit approval. The Sunnah therefore explains what is ambiguous in the Quran and specifies and restricts its general



and absolute content. The Sunnah may, in certain instances, act as the exclusive source of legislation and establishes rules where the Quran is silent. The rulings of the Sunnah are either qat'i al-thubut (of proven authenticity) or dhanni al-thubut (of speculative authenticity) with respect to both transmission and meaning.

There is no doubt that most of the Sunnah falls under the scope of dhanni al-thubut. The texts that fall under this category are nonetheless binding and enforceable when they relate to normative rules. They are also used in ijtiḥad (analogical reasoning) and istinbat (inference). Moreover, a substantial portion of the Sunnah falls under the scope of mutawatir ma'nawi i.e. it meets the criteria of tawatur (mass transmission) though the words used by the narrators and the events that prompted the hadiths are different. Therefore, the Sunnah that establishes the number of obligatory daily prayers, the obligation of making intention in acts of worship, and the prohibition of many of the enormities constitutes conceptual mutawatir. Examples of this kind of mutawatir are of frequent occurrence in the Sunnah and are mainly related to principles of religion and the pillars of Islam.

The benefit a jurist derives from the Sunnah

The main task of the faqih (jurist) is to deduce legal rulings concerning the actions of the mukallaf (legally responsible individuals) with respect to commands, prohibitions, the lawful, and the unlawful. A faqih must also be knowledgeable of the methodology of extracting rulings and legislations from sources such as the Quran, Sunnah, and ijma' (consensus of scholars). Legislative Sunnah (that which does not consist of the range of human activities that are based on culture and tradition and those that proceed from personal preferences concerning for instance types of food, manner of walking, color and type of dress and so forth) is not only considered natural ground for rule deduction, but a fundamental source of legislation. This is primarily because Sunnah-derived legislations are part of religion through which a person worships his Lord. Thus, any action that does



not conform to the legislative Sunnah is rejected. The Messenger of Allah (peace and blessings be upon him) said, "Whoever performs a deed that is not in accordance with our matter (religion), then it will be rejected."

To make this matter clear to the faqih, scholars expended tremendous effort to verify the authenticity of hadiths. The science that developed as a result was *usul al-hadith* or *mustalah al-hadith* (methodology of hadith authentication and validation). *Usul al-hadith* is to hadith what the science of *usul al-fiqh* (principles of jurisprudence) is to fiqh with respect to theoretical *taq'id* (establishing principles) and *ta'sil* (relating a certain law to an original issue that usually exists in the Quran and Sunnah) through which it becomes feasible to determine whether a hadith is accepted or rejected. Based on this, scholars of hadith categorized hadiths as *sahih* (authentic), *hasan* (good) and *da'eef* (weak).

Sahih hadiths occupy the highest level of authenticity with respect to the uprightness of narrators, continuity of the chain of transmission, and precision and accuracy of narrators. *Hasan* hadith possess a lesser degree of precision and accuracy than *sahih* hadiths though both are used for rule derivation. Some scholars apply hadiths declared to be *da'eef* in the absence of other hadiths on the subject in question while others reject them. This is a matter of scholarly controversy. In spite of this, scholars who reject weak hadiths permit their application to encourage virtuous deeds. From this, we realize the importance of the Sunnah in calling to the way of Allah the Almighty and to the fact that some hadiths are used to exhort to good deeds and to discourage evil ones.

How do we regard the Sunnah today?

Some people reject the Sunnah due to the least contradiction, from their own point of view, that exists between one hadith and another, between one hadith and a Quranic verse, or between a hadith and one of the objectives of Islamic law. They hasten to determine that the hadith in question cannot be at-



tributed to the Messenger of Allah (peace and blessings be upon him) even if it is included in one of the authoritative books of hadith collections. Most of these allegations are unfounded; the claimers seem to have forgotten that hadith scholars developed strict standards for the seemingly conflicting narrations. There is in fact no contradiction at all between one authentic hadith and another, and any such contradiction is only apparent.

One of the topics of *usul al-fiqh* is “*al-Ta’adul* or *al-Ta’arud wa al-Tarjih*” (balance and preponderance) in which scholars listed the criteria that make it possible to reconcile between one hadith and another, between a hadith and a Quranic verse, or to give preponderance to one hadith over another. Individuals who are unqualified to study and examine Sunnah texts often fail to inquire into the circumstances that prompted a particular hadith and this only generates confusion. Just as there were *asbab nuzul* (reasons or causes that occasioned the revelation of Quranic verses) that were the focus of the scrutiny of scholars, there were likewise *asbab wurud* (reasons and occasions that prompted the hadiths). By understanding the occasion and reasons behind a particular hadith, one may know the context in which the Prophet (peace and blessings be upon him) uttered it.

This is the methodology that must be implemented if we are to study and understand the Sunnah. It is not possible to develop a general understanding of legislation in which the Sunnah and the Quran are viewed as interdependent without taking into account that the Sunnah admits a scholarly-based methodology of criticism and analysis. However, the question for some is how to develop the best methodology which makes it possible to scrutinize the Sunnah sufficiently without incurring criticism. Scholars of hadith and *usul al-fiqh* both developed a methodology of hadith criticism and their areas of concern sometimes overlapped. For instance *al-khabar al-ahad* (the solitary hadith) was the focus of attention for both groups. If we were to combine the critical work of the two groups of scholars under a general framework, we will generate a common methodology that makes it possible to formulate an innovative vision that is ca-



pable of addressing the prevailing context. This would mean, for instance, developing criteria to understand the hadiths related to tribulations and battles. In view of the complicated political climate of some countries, some individuals may exploit and misinterpret those hadiths to justify their actions. Consequently, we will find that, every now and then, some people emerge and claim to be the promised Mahdi or that some militant groups falsely claim their views to be right merely because they raise black flags which are mentioned in some hadiths.

A comprehensive understanding of the Sunnah requires that we erect divisive barriers between the declarative and imperative content of the Sunnah. Any confusion between the two results in the erroneous understanding and implementation of the Sunnah that we see today.

On a similar note, it is necessary not to confuse between the legislative and non-legislative Sunnah because failing to make distinctions between the different roles and duties of the Prophet (peace and blessings be upon him) ultimately gives rise to difficulties.

In addition, a partial study of the components of the general methodology of the Sunnah without putting it within a general governing framework, known as the "objectives of Islamic law," renders the Sunnah texts seemingly incapable of addressing temporal changes and forebodes of great danger.

As we mentioned earlier, the primary function of the Sunnah is to both confirm and explain the Quran. As such, it logically follows that the Quran and Sunnah form one integrated source from which it is possible to extract the general objectives of legislation – the preservation of life, religion, intellect, honor, and property.

In our present time, when Islam is under fierce attack from the east and the west, it becomes incumbent upon us to develop a clear methodology by which it is possible to deal with the sour-



es of revelation, especially the Prophet'sSunnah. Through this approach, we can proceed to tackle other issues such as the development of nations, self- purification, and the prosperity of the Muslim community.By using this methodology, we will be able to move beyond hadith studies that have been subject to exhaustive research to tackle pivotal issues that are in need of further research. It is furthermore important to subject the Sunnahto thematic categorization and divide it into aspects of concern to the everyday practical life of present day Muslims. Consequently, any person who seeks knowledge, prosperity, and success can quench his thirst from the Prophetic guidance in all his affairs and turn the Sunnahinto a work program by making its objectives conformable to modern technology and to the dynamics of the age.

We are in need to develop a clear strategy to facilitate the study of the Prophet's Sunnah and to identify its objectives not only to Muslims but to non-Muslims as well. It is alsoequally important to clear the misunderstanding that stemsfrom the distorted interpretations of some hadiths in order to keep the image of our religion pure and free of any defective interpretations that only serve to distance between man and Islam.



The Concept Of Freedom In Islam

Freedom is a natural disposition

There is no doubt that man is naturally inclined to love freedom and to have an aversion to restraint and restrictions. When Allah the Almighty created Adam, He honored him above all other creatures and gave him and his wife freedom of choice and taklif (moral accountability). In order to fulfill the meaning of freedom that seeks to refine man's nature, it was necessary to charge man with Divine injunctions and with commands and prohibitions, that he may know that freedom is the source of all rights and the foundation of all duties. Allah therefore imposed upon man and his progeny some obligations and prohibitions that entail either reward or punishment, Allah's pleasure or wrath. How can freedom not be fundamental when mankind was created for the administration and stewardship of the earth? Far be it that Allah creates us for this purpose and then deprive us of free will and freedom!

If man believes that he does not have control over any of his affairs and that he is acting under constraint (mujbar), he may commit all sorts of sins. He may steal or murder and maintain that he was acting according to the dictates of predestination. He would become lazy and neglect to earn his livelihood and fail to consider and utilize the available means. All of this is inconsistent with the purpose of man's creation to administer the earth. Umar Ibn al-Khattab (may Allah be pleased with him) compared the relation of Divine knowledge to human action with the earth that carries us and to the sky that shades us. Just as the earth and sky surround us, Allah has an all-encompassing knowledge of the things we do. And just as the sky and the earth do not force us to commit sins, Allah's prior knowledge does not impact the decisions we make. When Abdullah Ibn Umar (may Allah be pleased with them both) was asked about the condition of the people who commit fornication, drink wine, steal, murder and who claim that Allah has prior knowledge of their actions, he became angry and said, 'Glory be to Allah, the Great! Allah has



prior knowledge of the things they were going to do; He did not compel them to do them.”

Allah’s has an all-encompassing knowledge of everything and this is one of the attributes of perfection. His knowledge of what was, what is, and what will be has no bearing on the actions of man.

In addition, the principle with regard to all things is permissibility. In Islam, everything is lawful and the prohibited things are the exceptions. For instance, Allah the Almighty permits marriage and forbids fornication, He permits all kinds of beverages and drinks and forbids those that intoxicate and diminish mental capacity, and He permits all kinds of foodstuff except carrion, blood, and pork. Allah wants for us only what is good and prohibits only what is evil.

Islam is a religion of freedom. It exalts the dignity of man and places him above all other creatures by virtue of his intellectual faculties and knowledge to free him from the darkness of ignorance and take him into the light. So if every person were to act under constraint without any degree of free will, there would be no justification for Allah to hold them accountable for their actions and there would be no rationale for the existence of paradise and hell-fire.

Definition of freedom

Freedom is the ability to do as one wills or what one has the power to do. Because of his divinely endowed intellectual faculties and abilities, it was necessary for man to have freedom of action and the freedom to utilize what Allah subjugated to him within a framework of divine laws. Just as man knows his rights and employs them freely, he must likewise understand and discharge his duties and responsibilities in a manner that merits the approval of Allah the Almighty.

This definition demonstrates that man has free will over most of his affairs except for those things that are known to all.



Man's actions are borne out of his free will – everyone knows well the difference between the actions they choose to do from their own free will and those that are beyond their control. A person who reaches the bottom of a flight of stairs safely, knows that this is because he walked down carefully. Conversely, the one who accidentally falls off the roof has no power over how he lands. A person does not choose when or where he is born or when and how he will die. In consequence, man is free and responsible for his actions – he eats whatever he likes, marries whomever he wishes, and performs the work of his choice. All the while Allah oversees his actions and rewards him for his choices as long as he is of sane mind.

The most important freedoms in Islam

1- Freedom of religion. Islam pioneered in giving man many rights and freedoms long before the existence of positive law and international declarations of human rights. Foremost among the rights guaranteed by Islam is freedom of religion. Allah revealed Islam and gave man the freedom to accept or reject it. Islam does not force anyone to adopt it and grants each person the right to choose his faith freely. A non-Muslim in a Muslim country is also free to practice his religion however he chooses provided he does not violate public order or transgress against the state religion. Islam calls upon everyone to contemplate and reflect to arrive at and know the god to worship.

Islam gives great prominence to freedom of religion. It commands Muslims whose faith is threatened to flee to a place where the security of their religion is guaranteed and where they can practice their religion with freedom.

2- Political rights. Islam guarantees political freedom among other rights or freedoms and made the holy Quran the source of legislation due to its immutability, perfection, eternality and suitability to every time and place. The Prophetic Sunnah explains and interprets what needs to be explained of the Quran. Islamic politics is grounded in shura (consultation), justice, and



equality. Given this premise, consultation is an obligation – it is both a right and a duty. The practice of shura precludes authoritarian decision-making in matters of public concern. Islam enjoins mutual consultation in matters of concern to the whole community and instructs Muslims to seek the opinion of specialists and experts in every relevant field. It is impermissible for a ruler to take unilateral decisions when there are those who gave greater competency and knowledge than him in the matter in question. Political responsibility is a collective responsibility; all society members are therefore required to participate in the decision-making process, either directly or indirectly.

Islam also enjoins justice as one of the most important pillars of freedom. In Islam, justice is absolute. It admits no exceptions or nepotism and is free of selfish whims. There is no difference between a rich person and a poor person, a Muslim and a non-Muslim, an Arab and a non-Arab, or a white person and a black person. There is no discrimination based on race, ethnicity, lineage, color, language, or religion. All people are equal before the law and every individual enjoys equal right to means of livelihood and to employment opportunity, the only criterion being competency. Man savors the blessings with freedom when shura, justice, and equality prevail.

3- Societal freedom. Independence is paramount for social freedom as imperialism and freedom can never go hand in hand. Islam proclaims the necessity of the independence of countries and societies to ensure people's freedom. It therefore guarantees social freedoms, the most important of which are the right to freedom of opinion and expression, the right to freedom of knowledge and information, the right to housing, the right to marry and so forth of other rights.

Islam calls for cerebration, the employment of our intellectual faculties, and ijtiḥad (individual reasoning). It even made ijtiḥad one of the sources of Islamic legislation, thereby encouraging scholarly research and contemplation. A person who fails to make use of his intellectual faculties is equated with animals.



Islam associates freedom of opinion and expression to piety, sincerity, and wise counsel. It likewise emphasizes the importance and value of scholars and enjoins the seeking of knowledge. Muslims are entitled to have access to the vast sea of knowledge and to enjoy the freedom to pursue the path of knowledge wherever they please.

Islam took the first steps toward the eradication of slavery more than one thousand years before the universal declaration of human rights. It guaranteed rights to slaves and encouraged slaves to purchase their freedom and Muslims to release their slaves without compensation, calling this remission and benevolence and one of the greatest deeds. Islam also made the emancipation of slaves one of the means of atonement from sins and for earning the pleasure of Allah. The manumission of a slave was required as expiation for certain misdeeds such as committing injustice to slaves, beating them, involuntary manslaughter, breaking oaths, and breaking the fast of Ramadan, etc. It likewise designated one of the categories of zakat recipients as those who wish to purchase their freedom. Moreover, a female slave who bears her master a child automatically wins her freedom when her master dies. Prophet Muhammad (peace and blessings be upon him) was the best example on the kind treatment of servants.

Another of the social freedoms guaranteed by Islam is the right to marry. Islam stipulates a woman's full and free consent to marriage, whether she is a virgin or was previously married. She is also free to choose her partner, to continue in a marriage, or to ask for divorce. In Islam, divorce is the prerogative of a husband and khul' is the prerogative of a wife.

4- Economic freedom: Islam guarantees the right to own and dispose of personal property and gives women financial independence. Every adult of sane mind who is financially independent is entitled to engage in trade, buy and sell, and enter into contracts, and partnerships. Islam gives the poor and destitute a due share in the wealth of the rich. It forbids whatever is det-



rimental to the economy byprohibiting usury and the hoarding of jewelry when this proves harmful to the public economy. It moreover gives each partner in a transaction their right, outlining the conditions and pillars of contracts and explains the means of obtaining loans while securing the rights of both creditors and debtors. Islam ensures the freedom to invest one's wealth in any lawful venture.

A Muslim has the right to dispose of his property even after he dies—he has the right to bequeath up to one third of his estate. In Islam, wealth is a means and not an end.



The Objectives of Islamic Law

In light of the present changes and developments occurring in the world with its different realms of objects, persons, events, and ideas, the need for methodology emerges as one of paramount importance. Islam is a religion of science and knowledge and methodology is one of the most important features upon which they are based. One of the most important examples of methodology a Muslim can advance and rely on in today's difficult context is the "Objective-Oriented Paradigm" or the methodology related to the objectives of Islamic Law, *maqasid al-shari'ah*, that scholars have deduced and understood from the corpus of Islamic law by contemplating the Islamic legal texts.

Definition

Maqasid is the plural form of *maqсад*. The word derives from *qasd* meaning 'purpose,' 'direction,' and 'pursuing a method or plan for attaining a particular object.'

Shari'ah is a word that refers to 'religion,' 'religious community/beliefs,' 'way,' 'method,' and 'practice'. The Arabic etymology of the word is traced to 'the clear, well-trodden path to water.'

The *Shari'ah* of Allah refers to the provenience and clear way Allah has shown to the people through which they may acquire religious knowledge and the practical rulings with which they are charged.

The *maqasid* of Islamic law are those matters and objectives for whose actualization and protection Islamic law was established, benefitting mankind in this world and in the next.

How can we understand the objectives of Islamic law?

It is possible for a scholar to gain an understanding of the objectives of Islamic law through his practice of religious knowledge and scrutiny of [legal] rulings. This will eventually generate aptitude and experience that will enable him to determine which



meaning embodies the Legislator's intent that cannot be omitted or which is not.

Hierarchy of the objectives of Islamic law

The objectives of Islamic law are classified into three levels of priority according to their magnitude:

1- Daruriyyat (necessities);

2- Hajiyyat (needs);

3- Tahsiniyyat (comforts).

Daruriyyat

These are the universal higher objectives of Islamic law. Daruriyyat, the highest priority, are those matters considered indispensable for the continuation and preservation of world order. Their omission leads to disruption in human life, disorder, corruption, and ultimately forfeiting life in this world and salvation in the hereafter. There is agreement that the preservation of these daruriyyat, which are necessary to safeguard worldly and religious interests, is the objective behind all heavenly revealed laws. The essential values of the objectives of Islamic law are five namely, the preservation of life, intellect, religion, progeny, and property. Scholars have arrived at these five essentials through induction.

Hajiyyat

Objectives at the level of hajiyyat are less essential than the daruriyyat because their omission does not lead to disruption of human life, the nullification of the five universal values, or to a deficiency in one or more of them. However, failing to fulfill the hajiyyat presents difficulties and hardship in matters related to worship and mutual dealings. It may also cause a degree of disruption to some aspect at the level of daruriyyat. Islamic law seeks to fulfill the objectives at this level, thus lifting hardship. It is precisely for this purpose that Islamic law sanctioned rukhas (dispensations), kaffarat (expiations), fidya (compensation) and other precepts aimed at mitigating hardship. In accordance to



this, tayamum (dry ablution) is prescribed in place of purification when there exists the inability to use water or there is lack of it, joining two prayers or shortening four-cycle prayers when traveling, permitting the ill and travelers to refrain from fasting, and so forth.

Tahsiniyyat

Tahsiniyyat constitute the next level of priorities and pertain to objectives that are less essential than daruriyyat and hajiyyat. Scholars have defined tahsiniyyat as taking what is appropriate from the comforts that affect quality of life and avoiding the detriments that are rejected by virtue of reason. Alternatively, tahsiniyyat is defined as those matters that optimize and enhance the conditions and conduct of people. Examples include dressing well, eating good food, and all good customs.

An exposition of the five values of Islamic law (daruriyyat)

It was previously mentioned that the number of daruriyyat or the universal values are five namely, the preservation of life, intellect, religion, progeny, and property. It is only natural that the daruriyyat follow this order of precedence which is compatible with human nature and in accord with all heavenly revealed religions. Otherwise, how can it be possible to safeguard a person's religion without first safeguarding his life and intellect? Consequently, it is a requirement to first protect and preserve life from anything that threatens it and to protect the power to reason to become eligible for taklif (moral responsibility). Preservation of religion, dignity (honor), and possessions (property) come, in the order of precedence, after the preservation of life and intellect. The logic of this order will be discussed in some detail under a separate title.

The attention afforded by Islamic law to the five universal values Islamic law gave particular attention to the five universal values and afforded them with means for their preservation, this being manifestly clear in the branches of Islamic law. These may be



summed up to include:

- 1- Whatever is required to support and maintain the objectives' bases; this is tantamount to preserving their continuance.
- 2- Whatever is required to remove actual or anticipated deficiency or degradation; this is tantamount to protecting from loss.

The existence of the above means become evident in the following:

1- The preservation of life: This is the first-order objective in the category of *daruriyyat*. Allah the Almighty legislated marriage as the means for procreation that ensures the survival and continuance of life on earth. And to protect life from anything that may threaten it, Allah the Almighty prohibited the killing of an innocent person; sanctioned retribution; and in case of necessity, permitted eating forbidden foods to stay alive.

2- The preservation of the intellect: This is the next objective that follows in importance. It calls for protecting the human mind from whatever may corrupt or harm it by prohibiting alcohol and drugs. And to completely ensure its preservation, Islamic law imposed deterring punishments keep people away from these harms, thereby ensuring sound, active, fertile minds. The preeminence of reason flows from its role as the basis for *taklif* (moral responsibility) and because it is one of the greatest blessings that Allah the Almighty bestowed upon man with which He distinguished him from all other creatures.

3- The preservation of religion: Religion is a group of beliefs, acts of worship, rulings, and laws that Islamic law prescribed to regulate the relationship between a person and his Creator and people with each other. To ensure the preservation of religion, Islamic law obligated belief, the declaration of the two testifications of faith, prayer, zakat, fasting, hajj and so forth of other principles of faith through which the Legislator sought to establish religion and protect it in people's hearts.



Similarly, with a view to protecting religion and safeguarding it from oppression, Islamic law prescribed jihad for the sake of Allah by both the tongue and the sword. With the same end in view and to preserve public order, it prescribed a penalty for apostasy, warned against forcing non-Muslims to embrace Islam, and determined religious tumult and oppression to be worse than slaughter.

4- The preservation of progeny: Allah the Almighty legislated marriage to preserve progeny. Marriage is the inviolable covenant and the strong bond that unites between man and woman in particular, and people in general. Marriage is the only legal means for procreation. To protect lineage Allah the Almighty prohibited sex outside of marriage. Towards this end, Islamic law imposed the penalty of stoning for the married offender and lashing for the unmarried offender to deter people from this sin. Additionally, Islamic law forbade Muslims from accusing others of adultery and imposed a penalty for it. All of this aims to preserve, increase, and strengthen procreation.

5- The preservation of property: Allah the Almighty established many legislations to protect property such the permissibility of bay' (sale) and ijara (lease), hiba (gift giving), 'ariya (lending something for use) and so forth of other transactions. Allah also made it obligatory to work and earn one's living. To protect property, Allah the Almighty prohibited stealing the punishment for which is severing the offender's hand. Usury, misappropriation of people's wealth, deception, treachery, corruption, infringement upon others' property, cheating in weights and measures, extravagance and squandering wealth are all strictly forbidden. Allah also imposed liability for damage.

Arranging the five values at the operational level

When contemplating Islamic tradition, the basic rule is not to allow ourselves to be circumscribed by the issues that occurred at the time of the Salaf nor by the methodology they used. The problems they faced were closely tied to their age and context-



tual reality. Their methodology was concerned primarily with the manner of applying divine revelation to their reality. In other words, it sought to apply the absolute to the relative.

If we wish to follow their methodology and apply it to our own times, it is necessary that we understand it without restricting it to the circumstances and problems they faced and resolved. The Salaf created a hierarchy of objectives that suited their context and was capable of addressing both actual and potential issues.

At present, it is necessary to classify the objectives according to the dynamics of human civilization that have been in operation since the beginning of the last century. By doing so, we will not contravene the methodology of the Salaf in this regard. On the contrary, we will only expand the ideas of earlier scholars without violating them except in terms of [linguistic] diversity and increasing their efficiency to meet the demands of modern society. This modern hierarchy according to the primacy of objectives is preservation of life, intellect, religion, human dignity (formerly known as honor or progeny), and ownership (formerly known as property).

The new order of the objectives does not depart from or violate the hierarchy set in place by classical scholarship but is merely an approach to reform the present state of affairs of the Muslim community. This approach views Islam, Allah's address to humankind, as setting in place commands and prohibitions designed to protect human life, intellect, and relationship with Allah in fulfillment of the primary objective of man's creation – to worship Allah. This is followed by Allah's command to preserve human progeny, rights, and to administer the earth, which in turn, achieves the purpose of administering the earth and worship. The administration of the earth through worship is the basis for life in this world and in the next.



Complementarity of the objectives of Islamic law and its relation to the previous disagreement over their arrangement

It is important to note at this point that the above arrangement is merely theoretical for the sake of increasing the functional efficacy of the objectives even though in reality, it is not easy to keep them distinct. Accordingly, a person cannot be separated from his intellect, religion, offspring, or feelings because he is a composite all of these things. The above discussion of the hierarchy of the objectives should not lead us to presume that they stand in contradiction or conflict with each other. Quite the opposite, the objectives of Islamic law form one lattice with each piece deriving from another. It is necessary for the mujtahid to take into account all the objectives of Islamic law when constructing a fatwa or making da'wah.

It is evident that in numerous instances, more than one objective factors into a single legislation. In addition, whoever looks closely into the branches of Islamic law will not fail to notice that a single branch protects several objectives; there is no harm in this as they all emanate from the same source.

It also becomes apparent that the different classifications do not lead to any conflict between the objectives. Rather, the diversification is essentially predicated upon the principle "the difference borne out by words is contingent on the differences in considerations." Each classification expresses a different perspective. Therefore, whoever gives precedence to the preservation of religion over the other objectives sees religion as comprehensive and entails the rest of the values. Conversely, whoever relegates it to a lesser status, attaches to it only the meaning of ritual worship and deems it subordinate to preservation of life.

And Allah the Almighty knows best.



The Value System

Islam devoted special attention to values and morals and our noble Messenger (peace and blessings be upon him) made them the core of his mission. In his own words, the Prophet (peace and blessings be upon him) defined his message to the people one of "perfecting noble manners." The interest the sealing message of Prophet Muhammad (peace and blessings be upon him) invests in values and morals rests on the fact that they give meaning to life. They refine souls and human conduct that is one of the purposes behind Allah's creation of man. The objective of Allah for which He sent messengers and revealed scriptures may be summarized in worshipping and unifying Allah, administering the earth, and self-purification.

The meaning of a value system

'Nuzum' (systems) in Arabic denotes a coordinated and ordered assemblage of elements. The word 'manzuma' (sing. system) is used in social and human sciences to denote the interrelations that exist between the different parts, components, or elements of a single matter.

'Qiyam' (values) is the plural form of 'qima' (sing. value). The lexical meaning of the word denotes a consistent matter that a person upholds and continues to observe while its technical meaning, whether it is used in the fields of economics; politics; psychology; sociology; or character education, is domain specific. The area of concern in this discussion is character education development.

Character development scholars are of the view that values are the norms in terms of which we make judgments and measure ideas, individuals, objects, actions, issues, and individual and group attitudes with regard to their virtue, worthiness, and the predilection for them or in terms of their offensiveness, unworthiness, or aversion for them.



Islamic scholars define values as a set of rules and principles stemming from basic conceptions about the universe, life, man, and deity as defined by Islam. Personal and societal values develop by means of interaction with events and life experiences. Values are the main drivers behind our goals and directions in life and are expressed through interests and practical behavior either directly or indirectly.

The above definition clearly demonstrates the extent of similarity between values and morals. It may be that the concept of values has broader indications than the concept of morals. The two concepts may very much be viewed as being hardly different considering that both are related to all aspects of life. It is therefore possible to argue that morals are rooted primarily in individual or group behavior while moral conduct is in essence a valuable behavior.

Value are not merely morals, but ideas and concepts we believe in which in turn influence our conduct. A value has three aspects:

- The cognitive aspect. It consists of perceiving and conceptualizing an idea.
- The affective or emotional aspect. It reflects conviction in an idea.
- The behavioral aspect. It centers on how an idea positively influences a person's behavior to perform or refrain from certain actions.

Based on this, it is possible to define a value system as a set of interrelated convictions and ideas that have a positive influence on behavior.

This value system forms a methodology for our relationship with our Creator, fellow humans, and with everything in this world to the advantage of individuals, society, and nations.



The sources of Islamic values

Values in general stem from a number of sources that differ from one society to another. However, there is universal agreement on some matters that are seen as essential sources of values. Examples include:

- Religion. Any religion – its scripture and laws – that is followed by its adherents is considered a primary source for value derivation.
- Human customs. These comprise the customs agreed upon by a group within a particular society. Customs are considered one of the important sources for generating values.
- Human heritage. The entire human heritage is considered one of the sources of values. The ease of the means of communication and transportation between the different parts of the world has expedited cross-cultural transmission of values. Consequently, there is an inflow of values – positive and beneficial or negative and harmful – from sources outside of society.
- Educational and academic curricula. These have an evident impact on the moral and educational aspects.

It is possible to specify the sources of values in Islam to the sources of legislation, the Quran and Sunnah, as well as to customs which is an important matter that comes into consideration in Islamic law.

The Holy Quran is the principal source of Islamic legislation and the source of its entire proofs. Allah the Almighty says, “Nothing is left without a mention in the Book” [Quran 6: 38] i.e. there is nothing of what people may need in the matter of religion or their worldly affairs except that you will find it mentioned either in detail or in brief in the Holy Quran.

The Sunnah comprises all that has been narrated from the



Prophet (peace and blessings be upon him), his acts, his sayings, or whatever he has approved, in addition to the reports which describe his physical attributes and moral character. Muslims are in agreement that the Prophet's Sunnah is considered among the proofs of legal rulings; consequently, it is one of the sources of Islamic values.

Customs refer to the established practices that have become ingrained in people's minds and which find acceptance by sound minds and dispositions, and which are accredited and approved by Islamic law. Customs, in this sense, are likewise considered a source of Islamic values.

Characteristics of Islamic values

Certain features, derived from the characteristics of Islam, distinguish Islamic values and set it apart from other values. These include:

1- Divinity: Islamic values derive from divine sources i.e. from the Quran and Sunnah. They consequently include distinctive attributes of the Islamic conception of man, the universe, and life as they occur in these two primary sources.

2- Comprehensiveness and integration: Islamic values comprise all aspects of man's life – his relationship with his Lord, with himself, with others, or with the world around him – in his privacy, in his house with his family, in his work, or in the society as a whole.

3- Universality: Islamic values are universal; they are extant and valid for all people. They are of benefit for all humans, Muslims and non-Muslims, and to all the components of this world. This feature comes in consequence to the universality of the sealing message of Prophet Muhammad (peace and blessings be upon him).

4- Realism and idealism. An important characteristic of Islamic values is their suitability for all human natures. They do not



charge the people beyond their capacity; rather, they regulate and organize life, rendering it more disciplined.

5- Consistency: Because they are devotional, Islamic values are fixed and constant. By observing values, a person seeks to please his Lord. In this respect, Islamic values are different from other values that revolve around interests and caprices.

Classification of Islamic values

Because values are generally interrelated, it is difficult to distinguish and categorize them with a degree of accuracy. Researchers and specialists therefore classify them based on certain considerations, each according to his point of view. Some classify them under three aspects – rational, aesthetic, and moral while others classify them based on what is material and immaterial, dividing them into material and spiritual values. Still, other scholars take into account three considerations, namely values related to man's relationship with his Lord, values related to man's relationship with himself, and values related to man's relationship with others.

Some researchers classify these values into:

1- Spiritual and doctrinal values such as love for Allah, belief in Allah, and obedience to Allah with regard to His commands and prohibitions.

2- Moral values such as truth, honesty, justice, and cooperation.

3- Affective or emotional values such as love, hate, and self-control in anger.

4- Social values such as filial piety, social solidarity, neighborliness, and hospitality.

5- Material values such as personal hygiene and economic circumspection.



6- Aesthetic values related to appreciation of beauty, recognition of harmony, taking care of physical appearance, cleanliness, and order.

Islamic values and the cognitive paradigm

The relationship between Islamic values and the cognitive paradigm for Muslims as one of its essential components is the subject of this title.

By the cognitive paradigm, we refer to what constitutes and shapes the mind. Based on this, when we refer to the Islamic cognitive paradigm, we mean the objects and matters that shape the Muslim mindset.

The cognitive paradigm represents the overall picture of man, the world, life and both what has come before it and what lies beyond it. It gives detailed answers to universal questions about the past, present, and future that are matters of concern for both the ordinary man and philosophers. Such questions include where we came from, our purpose in this world, and what comes after death.

The cognitive paradigm is one of the most important features that distinguish one philosophy, doctrine, and viewpoint from another. Hence, the Islamic cognitive paradigm answers questions such as: Who is a Muslim? How is he different from a non-Muslim? With whom does he share some aspects of his views and attitudes? Who does he differ from? What are his criteria for approval and condemnation? What is his overall framework of reference for notions and conduct?

The Islamic values under discussion are an essential and important tributary of this cognitive paradigm. It is possible to say that it consists of the Islamic creed, the universal objectives of Islamic law (the five objectives of Islamic law), the divine laws, Islamic values, the recognized legal rulings, and the general principles of the Quran.



The Islamic values are numerous and diverse and include values such as justice, equality, freedom, fellowship, beauty, sincerity, humility, cooperation, solidarity, counsel and so forth.

Values and the building of nations and civilizations

Islamic civilization was built on praiseworthy values that bind together the different elements of the society and preserve the interests of all of its members. Values are not incidental to Islam nor are they confined to a certain range of human behavior. They are a practical interpretation of true beliefs and faith. This is because faith is not only a theoretical matter or an internal feeling; rather, it is a practical conduct and manifest emotion. Consequently, we are entitled to ask about the value of faith if it is not translated into practical conduct.

All world countries regardless of their religion and cultures assign great priority to character education with the aim of preserving their identities. Values shape the identity of any country and societal moral degradation brings about the corruption and collapse of both society and its civilization. Character education is the safeguard of the moral construct that preserves civilizations because the causes behind the collapse of civilizations comprise neglect to instill morals and values in the members of their societies.

Modern societies are in dire need of moral values. Any actions devoid of moral values can go as far as to threaten man's very existence on earth. The tools and means that modern man possesses, if misused, or if they come under the control of unscrupulous or malicious individuals can lead to their own destruction, the destruction of their countries, and even the destruction of the entire world.

The good and welfare of all humanity is preserved when nations, individuals, international policies, and rulers give prominence to the promotion of values that establish peace, coexistence, respect for the other and criminalize aggression and bloodshed.



There is no doubt that Muslims are the first to adopt and uphold this moral call that is based on virtuous morals.

It is necessary to emphasize the importance of universalizing the adherence to moral values among the different nationalities, ethnicities, and civilizations, while giving each a degree of national identity, cultural, and religious preservation, that are consistent with peace and cultural coexistence.



Approaches for Dealing with Misconceptions

Islam is a religion of contemplation and rejects imitation

Islam came to give clear answers to every seeker of truth and knowledge. In the hierarchy of all creatures, man alone was gifted with reason and, because of this, Islam gives prominence to man's intellectual reasoning power. Allah strongly forbids blind imitation and fanaticism with the aim to firmly preserve and consolidate the higher truths and the general principles of Islamic law in the mind of legally accountable individuals. He the Almighty says, "Say, 'I exhort you only to one thing: that stand up before Allah in pairs and individually, and then reflect'" [Quran 34: 46]. For this reason, Islam gives those in quest of spiritual truth freedom to ask questions. Allah does not proscribe them from investigating and researching what is not clear to them or inquire into the mysteries of religion, whether they occur in the Book of Allah the Almighty, in the Sunnah of His Prophet, or even in the fundamentals of Islam and the doctrine of the Islamic community.

Allah the Almighty guided us to the means of inquiry and reflection in the verse, "Ask those who have knowledge if you do not know" [Quran 16: 43]. This verse enjoins Muslims to take recourse to religious scholars because they are the ones who have exerted endeavor to understand religion and its rulings. The scholars of religion are those who are knowledgeable of the verses of the Quran and their structure, the reasons and causes that occasioned their revelation, the abrogated and abrogating verses, and of everything related to the Quran. They acquired this knowledge through study and from a contiguous chain of the transmission of that knowledge that reaches up to Prophet Muhammad (peace and blessings be upon him).

Allah the Almighty also calls upon Muslims to demonstrate earnest sincerity and honesty without pandering to their whims and self-centered gains during their journey for truth and knowledge. In the Quran and through His prophets and messengers,



Allah has promised to guide those who strive honestly against their lower selves to attain truth and certitude.

Divinely preserved revelation

Because Islamic law is the seal of all divinely revealed laws and messages, Allah the Almighty distinguished it with unprecedented characteristics. Unlike with earlier scriptures, Allah the Almighty did not leave the preservation of the Quran to the people but undertook to do this Himself. The Quran was therefore protected from alteration of its words or falsification of its meanings so that it may remain extant proof against the servants of Allah until He inherits the world and those on it. Allah the Almighty says, "And recite what has been revealed to you of the Book of your Lord, there is none who can alter His words; and you shall not find any refuge besides Him" [Quran 18: 27].

The Messenger of Allah (peace and blessings be upon him) enjoyed the divine protection of his Lord against error and forgetting anything of what has been revealed to him. In one verse of the Quran, Allah the Almighty instructs him not to make haste with the Quran before its revelation is complete i.e. to allow the revelation to sink into his heart and mind. Allah then designed the means of its recording and protection against any distortion by preserving it in the hearts and minds of individuals and by its uninterrupted transmission (tawatur) in such a way that precludes doubt in terms of its divine authenticity.

The sources and causes of misconceptions

Some orientalist and their backers, motivated by hatred and malice, have stirred numerous misconceptions and concocted fabrications against the religion of Islam and its Messenger. Their aim was no less than to cast doubts in the minds of Muslims about their religion and consequently dissuade them from their faith.

Unfortunately, some Muslims may contribute to the promo-



tion of misconceptions about Islam under the guise of research and ijihad (independent reasoning). These people however lack the requisite tools and skills that allow them to develop valid opinions and formulate informed views about religion based on scholarly principles and solid methodologies. As a consequence, they sometimes deviate from the ijma' (consensus) of the Islamic community or raise controversial opinions that are not accepted as valid. Their ijihad in such a case is tantamount to a curse, not only upon them, but also upon Muslims and non-Muslims because they do more damage than good and unwittingly distort the religion.

The word misconception is often cited when reference is made to matters whose rulings are not clear to non-mujtahids, or to what elicits doubt about religious fundamentals, the distortion of the meaning of a Quranic verse, a change in a ruling, defamation of the infallible Prophet, etc.

How to deal with misconceptions

One of the most important means that come to the fore when dealing with misconceptions is to take preventive measures against the lies and doubts forged against Islam. With a view to this, it is necessary to educate the people about beneficial knowledge and righteous action. This is of critical importance because a heart empty of religious knowledge proves fertile ground for doubts and misconceptions to take root and flourish. No heart was ever armed by religious knowledge except that it found success in all of its affairs and enjoyed certitude in faith. There is no doubt that prevention is better than the cure. Based on this, it is necessary to advise Muslims against speaking about religious issues without knowledge and study, for such boldness in religion oftentimes has grievous consequences. This is by no means dictatorship in religion as some allege, but merely a respect for specialization. The door is wide open to all who wish to study and learn about Islam; may Allah have mercy on a man who knows his own worth!



One other measure necessary to curb the promulgation of misconceptions is to proscribe contestation, engaging in useless disputes with innovators and disbelievers, participating in gatherings of disbelief, and in ridiculing the Prophet (peace and blessings be upon him) and Islamic law. Many of those who engage in such actions, following their impulses and spurring innovations, assume that their actions aid the cause of truth and serve Islamic law. They falsely believe that they are a support to the leading imams and that they frustrate the efforts of innovators. To protect the people from falling prey to such false assumptions, al-salaf al-salih (the pious predecessors) warned those who are not equipped with religious knowledge against keeping company with the people of disbelief and innovation. Indeed, the fitna (temptation to question one's faith) of an innovator is just as dangerous as the fitna of a disbeliever.

A man once wrote a letter to Imam Ahmad Ibn Hanbal asking for permission to write a book refuting the people of innovation and for permission to debate with them. Imam Ahmad wrote back and said, "May Allah be good to you! What we used to hear from the Salaf is that they detested keeping company with the people of deviation for they confuse you while they themselves do not return [i.e. revoke their opinions]. So safety lies in abandoning their company and in refraining from engaging in argument with them concerning their innovations. So let the people fear Allah and let them seek what is of benefit to them and let not them not be from those who introduce innovations ..."

For their part, scholars of religion must stand up in defense of their religion for this is the responsibility they have been entrusted with. Consequently, they must address and refute any doubts and misconceptions raised about Islam, as well as respond to innovative and aberrant opinions that contravene the scholarly consensus of the Islamic community.

Moreover, such matters do not fall within the bounds of public discourse, but are the prerogative of academic institutions. Any person who is sincere in his quest for knowledge seeks the ex-



pert advice of religious scholars about his doubts or erroneous understanding of religious issues, but only one who is guided by personal interests is keen to give expression to doubts and misconceptions in the public sphere.



Islam and the Environment

Islam is the religion of beauty

Islam gives great prominence to the importance of the environment and established principles to protect it. Allah the Almighty is Beautiful and loves everything that is beautiful. He created us and surrounded us with beauty. He created the earth and the sky, the seas and rivers, pure air, and provided for us different plants in a multitude of different vibrant colors. Allah commands us to protect all of these things from misuse and exploitation to preserve our lives, intellect, progeny, and property. These, including the preservation of religion, are the objectives of Islamic law. Damaging the environment is antithetical to man's stewardship and administration of the earth and we must therefore protect it and all the good things on it that Allah the Almighty has gifted to us.

Islam is the religion of cleanliness and purity. There is no other religion or faith that commands its followers to seek beauty and purity like Islam does. Islam instructs Muslims to perform ablution before praying and to bathe when they are in a state of major ritual impurity, before donning ihram for hajj or umrah. The purifactory bath is imperative when women finish their menstrual period. Personal hygiene is mandatory; consequently, we are to remove pubic and underarm hair, clip nails, and trim the moustache. We must also keep our clothes clean and are encouraged to use perfume and ornaments when we go to the mosque. The Prophet (peace and blessings be upon him) instructed us to clean our teeth and avoid pungent foods such as onions and garlic before going to the mosque, the reason being not to harm others with the smell. He likewise commanded us to clean and groom our hair. He explained to his Companions and to the members of his community at large that wearing good clothes, shoes, and adornments does not involve the kind of arrogance that is deemed objectionable in Islam. He summarized this concept of beauty in his well known words, "Allah is beautiful and loves everything that is beautiful."



Some kinds of pollution and how Islam combats them

Islam protects the environment and combats all forms of environmental pollution. These include:

- Water pollution: Water is the source of life from which Allah the Almighty caused all living creatures to emerge. Without water, no living creature can live. Allah the Almighty exhorts us to preserve water and protect it from pollution and not to waste it. The Prophet (peace and blessings be upon him) taught us to economize in our use of water even when performing ablution for prayers and even if we are performing ablution from the water of a running river. He prohibited urinating or defecating in stagnant water, as this leads to pollution that causes many diseases.

- Air pollution: Air is one of the greatest blessings Allah the Almighty conferred upon us. No living creature can exist without air. Allah created air from a number of gases in determined proportions. Any imbalance in the percentage of gases in the atmosphere will cause harm. Allah the Almighty created everything in the best form and it is our duty to show our gratitude to Him by preserving those blessings by appreciating their value and protecting them from damage.

Wind moves clouds from place to place, causing rain to fall. In turn, rainwater gives life to earth after its death, causing vegetation to grow. The Holy Quran describes this process in detail. It also explains how wind carries pollen from one plant to another, which is then fertilized, and explains how wind move ships at sea.

The Prophet (peace and blessings be upon him) commanded us to plant trees and forbade us from cutting down or burning them unnecessarily. He explained that those who cut down or burn trees will be thrown on their heads in hell-fire. Trees produce oxygen that we need to live and absorb carbon dioxide which is a harmful gas. Trees also provide us with shade in hot weather.



- Food pollution: The nutritional benefits we derive from the creatures around us are among Allah's numerous gifts to humanity. Allah the Almighty made livestock subservient for the use of man. Some give us meat for food, the females of some of them yield milk, which is both a drink and a wholesome diet. Allah issues honey from within the bodies of bees that is healing for man. From the seas, He gives us tender meat from the many different kinds of fish that live in it. He also created for us numerous varieties of plants and fruits.

The Prophet (peace and blessings be upon him) exhorted us to protect all of those blessings and forbade us from harming or damaging them. He recounted how one woman was admitted into hell-fire for torturing a cat which she had kept locked (she neither fed it nor set it free to eat). He also recounted the happy fate of a man who was admitted into paradise for giving water to a thirsty dog. He said that there is a reward for showing kindness to every living thing and cursed those who mutilate animals. Allah the Almighty prohibits the consumption of pork and carrion, both of which are harmful and commanded us to economize in our use of food.

- Industrial pollution: The Prophet (peace and blessings be upon him) forbade us from urinating and defecating in any water source due to the many harms that ensue from this practice. However, this kind of water pollution is less dangerous than the hazards presented by the industrial waste that is discharged into rivers, lakes, and seas. The Prophet (peace and blessings be upon him) said, "Faith is more than sixty branches. The most excellent of these is saying 'There is no god save Allah,' while the least excellent is removing harm from the road and modesty is a branch of faith." This hadith shows that the Prophet (peace and blessings be upon him) made the removal of harm from pathways one of the branches of faith. He consequently cursed those who urinate or defecate in pathways or in places where people find shade. Allah the Almighty is good and loves all that is good, He is clean and loves cleanliness. How can a person have the audacity to discharge tons of industrial waste in water



sources and roads, polluting the food and water of the people and causing disease?

- Noise pollution: Islam prohibits anything that may ensue in harm and warns against pollution. Loud noise is apollutant. Allah the Almighty said, "And be moderate in your pace and lower your voice; surely, the most unpleasant of sounds is the braying of donkeys" [Quran 31: 19]. This verse shows that loud noises and voices are just as offensive as the sound of a braying donkey. When the Companions spoke loudly in their discussions, the Prophet (peace and blessings be upon him) forbade them from raising their voices. He also prohibited striking terror in the hearts of people; consequently, it is prohibited to frighten another with loud noises, and fireworks and firecrackers that may cause great damage to the sense of hearing and are detrimental to health.

How Islam protects the environment

1- Planting trees: In many places in His Holy Book, Allah the Almighty urges us to plant orchards and gardens and to grow trees, plants, and fruits. The Quran makes special mention of certain kinds of trees and fruits such as palm-trees and dates. In the Quran, Allah the Almighty takes an oath, mentioning figs and olives to urge Muslims to grow and cultivate them due to their numerous benefits. He also mentions pomegranates, grapes, ginger, and orchards and gardens which He compares to gardens of paradise.

The Prophet (peace and blessings be upon him) placed great emphasis on the rewards obtained by anyone who plants even a seedling, equating the deed with a sadaqah(charity). He also commanded us to continue to plant and grow trees until the very end of our lives; he said, "If the Hour (the Last day) arrives and one of you is holding a seedling in his hand, he is to plant it if possible." This hadith highlights the importance of agriculture for its numerous benefits to man and to the entire environment. Plants and trees give us food, produce oxygen, absorb noise, block wind, and reduce air temperature not to mention



their many aesthetic benefits that help to sooth and relax us.

2- Preservation of resources: Allah the Almighty commands us in His Holy book not to spread corruption or damage the world around us for He does not love those who corrupt. He commands us to protect and preserve the blessings He gave us and not to deny or squander and waste them. These include the sun, moon, stars, water, air, vegetation, animals, etc. Allah took an oath by the sun and the moon, as tokens of evidence of His provenance and tells us that they are the causes of the succession of day and night and the appearance of the stars which guide our travel through the desert. He mentions the importance of water- fresh rivers that are suitable for drinking and salty seas that carry ships and from which we derive fish, pearls, and water. Allah the Almighty teaches us the value of wind, crops and fruits, and beautiful gardens and forbids us from cutting down trees. He teaches us the importance of livestock as sources of food, drink, clothing, and for transport. He commands us to safeguard them and forbids slaughtering lactating sheep as this constitutes the squandering of resources. He likewise informs us of the value of mineral resources such as iron, copper, gold, and silver.

3- Quarantine: Islam is credited with the introduction of quarantine to limit the spread of contagious diseases. It therefore commands us not to enter into a country or town where there is an outbreak of a contagious disease such as the plague. It teaches that any affected person is to remain in his town or country and not go to another place so as not to spread the disease. Islam also instructs us to avoid contact with anyone affected with a contagious disease such as leprosy. And to preserve livestock, Islam commands us to protect them from infectious diseases.

4- Administering the earth: Allah the Almighty made stewardship of the earth one of the reasons for man's creation. We must therefore administer the earth effectively through erecting buildings and cultivating land - we are not to leave it unseeded or mismanage it, because this leadsto soil erosion.



Digging wells, planting palm trees, and building mosques are all examples of ongoing charity for which a person continues to earn rewards even after his death.

5- Caring about the environment: Islam enjoins us to care about everything around us. This includes the environment whose most important resource is man. Islam therefore exhorts us to treat people with kindness, mercy, and equity. Even animals are entitled to kind treatment even at the time of their slaughter. Islam forbids us from killing insects with fire and Prophet Muhammad (peace and blessings be upon him) instructed us not to slaughter camel calves as we will neither benefit from the meat nor from the milk of the mother.

Islam also gives special consideration to vegetation, favoring some plants above others. Palm trees occupy a special place in the Quran as Mariam (may Allah be pleased with her) gave birth under the shelter of a palm tree.

Even inanimate environment receive attention in Islam. We are commanded to water and fertilize the land, take care of water supplies and not squander water, and avoid damaging the environment by exploitation and neglect. Taking care of the environment is paramount, even during times of war.



Islam's perception of life

Allah the Almighty is the Creator of man. It is He Who brought man into this world and made him His vicegerent on earth and entrusted him with the command to worship none other but Him, administer the earth, and purify his soul. Since Islam gives attention to both the body and soul, its perception of life is completely consistent with man's natural disposition.

The objectives of Islam in this world

All humans have a common objective in this world. They all pursue truth, goodness, and beauty. Since man is by nature imperfect and weak, he is constantly in search of perfection and happiness. The happiness he seeks is limited to worldly pleasures, personal gains and luxuries, and to warding off imperfections and harm. Nevertheless, people continue to pursue different means to define truth and the nature of beauty and to agree on the meaning of good. At a time when man was unrestrained by the guiding light of religion, he traversed the valleys of misery and confusion. Humanity alternated between indulging in oppression and living by the law of the jungle. Rulers oppressed their subjects and the rich controlled wealth and enslaved the helpless poor. For the majority of people, life turned from a blessing bestowed by Allah upon His servants into hell.

In some societies that managed to achieve a degree of justice through its positive laws and the existence of a ruling authority that guaranteed their implementation, the purpose of life turned into nothing more than a goal to achieve worldly pleasures. Life became void of the spiritual nourishment and tranquility derived from believing in Allah and the Last Day.

Allah revealed legislations and sent prophets and messengers to enkindle guidance in the heart of man, to show him the meaning of good and the path to peace, and exhort him to worship Allah, administer the earth and purify his soul. Accordingly, man attains perfection and spiritual refinement on his journey to his



Creator, and eventually the supreme felicity of eternal abode in paradise.

The life of this world, from the perspective of religion, is a temporary abode. In his worldly life, man is required to administer the earth, work, and seek knowledge to satisfy the needs of mind and body. This world is an abode of worship to attain inner peace; it is an abode where man can purify his soul to safeguard his heart from being drawn to evil and to accustom it to all that is good. The main objectives of Islamic law were revealed to reform everything that ensures man's well-being and righteousness. These are the preservation of religion, life, intellect, progeny, and property. These five matters represent the axis around which life revolves and all the rulings and legislations of Islam evince the great attention Islam gives to these objectives.

Islam's perception of human life

The noble Quran warns of a grievous punishment in hellfire and of the wrath and curse of Allah to whoever kills a human soul. In view of this, Allah exhorts His servants to protect life and compared the saving of an individual life to the saving of all humanity. Prophetic traditions also prohibit killing and venerate the sanctity of human life. The Prophet (peace and blessings be upon him) described Cain, the son of Adam who was the first to commit the crime of killing, as an accessory to every murder. He will carry the burden and punishment of the shed blood in every instance of killing. He said, "No soul is wrongfully killed except that the burden of the sin falls upon the first son of Adam, for he was the first to introduce murder [into the world]." The Prophet's traditions establish murder as the greatest sin, second only to associating partners with Allah.

Islamic law honors the sanctity of the human soul and warns against bloodshed. Consequently, suicide is prohibited because the human soul belongs to none other than to Allah the Almighty, its Creator. It is therefore impermissible to harm oneself or take one's own life as this is tantamount to harming or taking



the life of another.

The Prophet (peace and blessings be upon him) emphasized the gravity of suicide and informed of the grievous penalty that awaits those who commit this sin. He said, "Whoever kills himself with [a piece of] iron, will hold it in his hands and continue to stab himself with it in hellfire which will be his eternal abode. Whoever kills himself with poison, will continue to drink from it in hellfire which will be his eternal abode. And whoever kills himself by jumping off a mountain, will continue to jump off a mountain in hellfire which will be his eternal abode." The hadith demonstrates that whoever kills himself with anything in this world, will be punished with the same instrument of his death in hellfire.

The Islamic view governing the sanctity of human life and the obligation to safeguard and preserve it makes allowances for compelling circumstances. Islamic law therefore enjoins a Muslim to eat prohibited foodstuff if the alternative is starvation, but only to the extent that preserves his life. Following from this concession, it is permissible to eat under extenuating circumstances the flesh of swine or carrion or to drink alcohol if this is the only means by which a person can save his life.

Islam takes other measures to ensure the preservation of human life and these include the collective obligation to save and take care of abandoned children and to save adrowning person if it is possible.

Islam's perception of earning livelihood

Islam calls upon individuals to utilize all means in pursuit of livelihood with diligence perseverance as it likewise calls upon the entire Muslim community to seek the means of its power and stability. A country that has no money is a weak and an impoverished country and nations that depend on others to meet their most basic needs are helpless and condemned to failure and ruination.



Allah the Almighty says, "And prepare against them whatever you are able of power and of steeds of war by which you may terrify the enemy of Allah and your enemy and others besides them whom you do not know [but] whom Allah knows. And whatever you spend in the cause of Allah will be fully repaid to you, and you will not be wronged" [Quran 8: 60]. This verse serves as an injunction to the Muslim community to arm itself and always be prepared to defend itself against enemies.

There is no doubt that financial resources are one of the most important elements that enable nations to increase their military strength that is necessary in the face of enemies. Allah the Almighty subsumed His command of seeking livelihood under the command to worship Him. For this reason, Irak Ibn Malik would stand at the door of the mosque after the Friday prayer and say, "O Allah! I have responded to your call [to prayer]. I performed the obligation [to pray the Friday prayer] and dispersed [through the land] as You commanded! So bestow upon me from Your bounty for You are the best Sustainer." Islam is therefore a religion of work and worship. Both are necessary, and a person is to maintain a balance between the two without giving precedence to one objective over the other.

Allah the Almighty guides us to the importance of seeking provision and to earning a living through lawful means. He says about His Prophet Dawud, "And We taught him the fashioning of coats of armor to protect you from your [enemy in] battle. So will you then be grateful?" [Quran 21:80]. This verse exhorts Muslims to seek and develop the means and crafts, professions, and industries that help them in earning their living.

Our noble Prophet (peace and blessings be upon him) encouraged his Companions to earn their living and eat from the earnings of their work. He even called this the best kind of food. He said, "No one has ever eaten any food that is better than eating what his hands have earned. And indeed the Prophet of Allah, Dawud, ate from the earnings of his hands."



The Prophet (peace and blessings be upon him) prohibited begging except for a necessity. He explained that the upper hand is better than the lower hand i.e. he who gives in charity is better than he who takes in charity. He therefore said, "It is far better for one of you to take his rope and go to the mountain and return carrying a load of firewood on his back and sell it than to beg from people, either they give him or refuse." The Prophet's words serve as an instruction to Muslims to work and earn their living through lawful means as this was the trait of prophets and believers. It also serves as a warning against stretching out our hands and begging from people, breeding shame and indignity. It is lawful in Islam to pursue any honest profession in any field or craft. It is even lawful and praiseworthy to develop wasteland. Such an understanding falls squarely within the injunction to administer the earth and serve both the individual's and the community's interests and welfare.

Islam's perception of human progeny

The safeguarding and preservation of progeny and the continuation of the human species is one of the most important objectives of Islamic law for which Allah the Almighty created innate natural sexual desires in man and laid down legislations to regulate them. Allah instituted marriage as the only lawful means for fulfilling sexual desires. He encouraged marriage, making it a recommended and desired act. The Prophet (peace and blessings be upon him) told us that a person is rewarded for lawfully fulfilling his sexual desire just as he is rewarded for offering acts of worship and doing good deeds.

There is no doubt that marriage is one of the greatest pleasures in this world. Religion was not revealed to deprive man of his innate sexual desires but to regulate sexual relationships in a manner that preserves the individual's desires and maintain the system and interests of society as a whole.

In Islam, procreation is contingent upon producing many strong and righteous offspring who will contribute to building civiliza-



tions and nations and spread sublime morals and purity. However, not every increase in offspring is praiseworthy. The Prophet (peace and blessings be upon him) foretold of a time when the Muslim community, despite the great number of its members, will fail to defend itself against its enemies and oppressors. The Prophet (peace and blessings be upon him) compared the great number of Muslims at such a time to the rubbish carried down by floodwater that neither brings benefit nor prevents harm.

Procreation, when it serves to meet only man's selfish desire, serves as a distraction from devotion to Allah the Almighty. Therefore, the multitudes that please Allah and His Messenger denote strong and righteous progeny that seeks to fulfill the objectives of Islamic by all possible means.

Islamic law illustrated the benefits reaped from progeny in this world and the hereafter that ensue from the care and protection accorded to it. In this world, children are a source of assistance and support to their parents, helping them endure the hardships of this world. With regard to the hereafter, a righteous child guarantees that his parents continue to earn rewards even after their death through his good supplication for them. A child who predeceases his parents may intercede on their behalf on the Day of Judgment. This is especially the case if the child dies in infancy and his parents exercise patience, seeking Allah's reward.

Though the life of this world is no more than a passage to the hereafter, we should not neglect the legitimate needs of this life from wealth, marriage, children, and the enjoyment of everything that Allah has made lawful to us, all of which will lead to stability, inner peace, and dissemination of Allah's message. Allah the Almighty said, "Do not forget your share of the world" [Quran 28: 77]. Allah the Almighty taught us to supplicate to Him and be grateful for His blessings and favors upon us. He said, "Our Lord, give us in this world [that which is] good and in the Hereafter [that which is] good and protect us from the punishment of the Fire" [Quran 2: 201],



“And [remember] when your Lord proclaimed, ‘If you are grateful, I will surely increase you [in favor]’ [Ibrahim: 7],

“Say, “Who has forbidden the adornment of [i.e., from] Allah which He has produced for His servants and the good [lawful] things of provision?” Say, “They are for those who believe during worldly life [but] exclusively for them on the Day of Resurrection” [Quran 7: 32].

A true Muslim is he who worships Allah, administers the earth, benefits people, purifies his soul and enjoys the [lawful] pleasures of life without allowing them to distract him from his Lord or prevail over his family. Consequently, he will be successful in this world and in the hereafter.

And Allah the Almighty knows best.