

"In the Latter Days, the sun shall rise from the West"

Holy Prophet Muhammad (Peace and blessings of Allah be upon him)



System of Justice in Islam

The Path to Peace — Just Relations
between Nations

9

What the Holy Qur'an
Can Teach the World about Justice

17

Islam's Response to
Misconceptions about
Sharia Law

20

Islamic Law and Women's
Rights of Inheritance

38

The Ahmadiyya Muslim Community



Hazrat Mirza Ghulam Ahmad (as)



AHMADIYYA
MUSLIM COMMUNITY

United States of America

The Ahmadiyya Muslim Community is a religious organization, international in its scope, with branches in 207 countries in Africa, North America, South America, Asia, Australia, and Europe. The Ahmadiyya Muslim Community was established in 1889 by Hazrat Mirza Ghulam Ahmad (as) (1835-1908) in Qadian, a small and remote village in the Punjab province of India. He claimed to be the expected reformer of the latter days, the Awaited One of the world community of religions (The Mahdi and Messiah).

The Movement he started is an embodiment of the benevolent message of Islam – peace, universal brotherhood, and submission to the Will of God – in its pristine purity.

Hazrat Ahmad (as) proclaimed Islam as the religion of man: “The religion of the people of the right path” (The Holy Qur'an: 98:6). The Ahmadiyya Muslim Community was created under divine guidance with the objective to rejuvenate Islamic moral and spiritual values. It encourages interfaith dialogue, diligently defends Islam and tries to correct misunderstandings about Islam in the West. It advocates peace, tolerance, love and understanding among followers of different faiths. It firmly believes in and acts upon Qura'nic teaching:

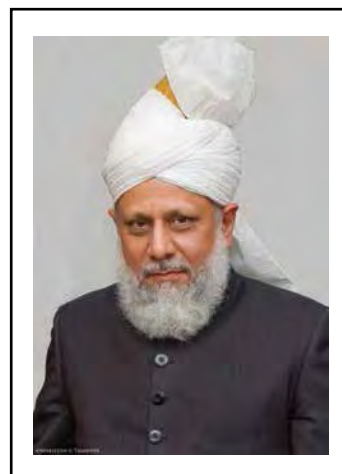
“There is no compulsion in religion” (The Holy Qur'an: 2:257).

Ahmadiyya Muslim Community strongly rejects violence and terrorism in any form and for any reason.

Community has been headed by his elected successors. The present Head of the Community, Hazrat Mirza Masroor Ahmad, was elected in 2003. His official title is Khalifatul Masih V or Fifth Successor of the Promised Messiah (as).

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Hazrat Mirza Masroor Ahmad,
Khalifatul Masih V (aba)

The Muslim Sunrise

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Dr. Mufti Muhammad Sadiq (ra) was the first Ahmadiyya Muslim missionary to arrive in America. In 1921, he founded the Muslim Sunrise, which stands today as the longest running Muslim publication in America. The magazine seeks to open discussions on Islam and topics relating to religion in general. It highlights the role of Islam in an ever-changing global society. It provides a platform for public opinion on contemporary issues and presents their solutions from an Islamic perspective.

The Muslim Sunrise welcomes letters to the Editor, Questions and Submissions.

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Muslims follow the name of God's prophets with the prayer *alaihis salaam* or 'may peace be upon him,' and for the Holy Prophet Muhammad, *sallallahu alaihi wasallam* or 'may peace and blessings of God be upon him.' Companions of prophets and righteous personalities who have passed away are saluted by *radhi-Allaho anhu/a* or 'may Allah be pleased with him/her.' While such salutations sometimes are not set out in the text for readability, we encourage readers to offer these prayers as if set out in full.

Acronyms for salutations used in this publication

- sa: Sallallahu 'Alaihi Wa Sallam (peace and blessings of Allah be upon him)
- as: 'Alaihis-Salam (may peace be upon him)
- ra: Radhi-Allahu 'Anhu/'Anha (may Allah be pleased with him/her)
- rh: Rahimahullahu Ta'ala (may Allah shower His mercy on him)
- aba: Ayyadahullahu Ta'ala Bi-Nasrihil-'Aziz (may Allah support him with His mighty help)

Verse numbers in the references from the Holy Qur'an count Tasmiya at the beginning of a chapter as the first verse.

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In This Issue

In the Words of the Promised Messiah(as) The Holy Quran Teaches Justice based on Knowledge and Understanding	8
The Path to Peace — Just Relations between Nations Delivered by Hazrat Mirza Masroor Ahmad Head of Ahmadiyya Muslim Community	9
Islamic Concept of Justice Hazrat Mirza Tahir Ahmad, Khalifatul Masih IV (rh)	13
Justice among the Arab tribes before Islam Seher Mujeeb Bhatti	15
What the Holy Qur'an Can Teach the World about Justice Tariq Sharif	17
Islam's Response to Misconceptions about Sharia Law Anser Ahmad	20
Darul-Qadha'a during the Rightly-Guided Khulafa Dr. Muhammad Zafar Iqbal	24
Justice Administered Within the Ottoman Empire Khalida Jamilah	27
Dar-ul-Qaza in the Ahmadiyya Muslim Community Mubarik Ahmad Malik	32
Human Rights, the Just Law and the Islamic Law Zia H Shah MD	35
Islamic Law and Women's Rights of Inheritance Shehla Ahmad	38

Editorial (07)

News, Views & Reviews (40)

Poetry Corner (47)

Yoy do me no harm

Hazrat Mirza Ghulam Ahmad,
Promised Messiah and Mahdi (as)
Translated by Sufi A. Q. Niaz

From the Archives (48)

A Message of Peace and A Word of Warning
By Hazrat Mirza Nasir Ahmad
(Head of the Ahmadiyya Movement in Islam)
The Muslim Sunrise, Vol XLI, Spring 1974

Questions and Answers (55)



FROM THE HOLY QUR'AN

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ ①

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوِّمِينَ لِلَّهِ
شُهَدَاءَ بِالْقِسْطِ ۚ وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ
قَوْمٍ عَلٰٓى ۙ أَلَّا تَعْدِلُوا ۗ اِعْدِلُوا ۚ هُوَ
أَقْرَبُ لِلتَّقْوٰى ۖ وَاتَّقُوا اللَّهَ ۗ إِنَّ اللَّهَ
خَبِيرٌ بِمَا تَعْمَلُونَ ②

In the name of Allah, the Gracious, the Merciful.

O ye who believe! be steadfast in the cause of Allah, bearing witness in equity; and let not a people's enmity incite you to act otherwise than with justice. Be always just, that is nearer to righteousness. And fear Allah. Surely, Allah is aware of what you do.

(The Holy Qur'an: 5:9)



HAQIQAT

SAYINGS OF THE

PROPHET

MUHAMMAD (sa)

Hazrat Abi Sa'id(ra) relates that the Holy Prophet(sa) said: "On the Day of Judgement, the dearest and nearest in station to Allah among the people will be a just ruler and the most disliked and farthest of all from Him in station will be an unjust ruler."

(Tirmidhi abwabul ahkam bab imamal-'adil)

Hazrat Abul Hasan(ra) relates that Hazrat 'Amr bin Murrah(ra) told Hazrat Mu'awiyah(ra) that he heard the Holy Prophet(sa) say: "A leader who keeps his door shut to the poor, the needy, and the invalid, Allah also shuts His door to his needs." After hearing this saying of the Holy Prophet(sa), Hazrat Mu'awiyah(ra) appointed a man to take care of people's needs.

(Tirmidhi abwabul ahkam bab fi imam al-ra'iyah)

EDITORIAL

FALL 2017

From the high echelons of international relations down to the smallest domestic level, fairness and justice among members of human society are essential requirements for maintaining peace and harmony. To maintain justice, rules and regulations are developed and enforced. Not only secular societies have their own judicial systems, but most of the world faith traditions have their particular religious laws according to their Holy Scriptures and ancient moral practices. God is just and those who believe in a Just God try to follow His commandments to be fair and equitable in dealing with each other. Hindus, Jews, Christians and Muslims have their distinctive moral and ethical codes to promote justice in society.

In the present issue of the Muslim Sunrise, we have tried to cover various aspects of Islamic system of justice. The Holy Qur'an gives a strong base to maintain justice in the world and it is one of the most important aspects of Islam's mission. Islam is defined as "peace through submission of one's will to the Will of God". Muhammad (sa), the Holy Prophet of Islam, and his Rightly-Guided successors demonstrated the fundamental value of justice in Islamic society. The code of Islamic law, known as Sharia, is based on the verdicts of the Holy Qur'an, practice and sayings of the Holy Prophet (sa) and Ijtihad – exercise of personal judgment to ascertain a decision.

In his historic address at Capitol Hill, Washington, D.C., the Head of the Ahmadiyya Muslim Community, Hadhrat Mirza Masroor Ahmad (aba) emphasized that all people are equal by birth in the sight of the Loving and Merciful God. Unfortunately, at present time at international level, people living in different countries are not treated equal, and this situation needs through acts of justice to be corrected if we want to establish peace on earth. This Islamic concept of justice was elaborated by Hadhrat Mirza Tahir Ahmad (rh), the Fourth Khalifa of the Ahmadiyya Muslim Community in a short article which is included in this issue. We also have other articles which cover in

detail various aspects of Islamic system of justice, and help remove the misconceptions about Sharia and its relation with secular law. In Islam, justice needs to be established not only through a legal system and judiciary courts, but it is the duty of each and every person in society to remain just discharging his/her obligations towards others. These articles also shed light on human rights, specifically rights of women. One article elaborates the historical development of Islamic law during the era of Ottoman Empire – which was one of the most powerful states in the world. Another article deals with the system of justice – "Dar-ul-Qadha'a" -- in the Ahmadiyya Muslim Community to arbitrate in some civil disputes outside the courts as allowed by the laws of many countries.

We will appreciate your comments and feedback.

Mubasher Ahmad
Editor-in-Chief

IN THE WORDS OF THE PROMISED MESSIAH^(as)

The Holy Quran Teaches Justice based on Knowledge and Understanding

[Four Questions by Mr. Sirajuddin, a Christian, Answered: pp 40-43]

Once it is understood that the best and most perfect teaching is one which teaches appropriate action in keeping with the demands of time and place, and expounds in detail all the points of wisdom, why is it that only the Holy Quran has brought these two points to perfection and why do the Torah and the Gospel not possess this distinction? The answer is that the fault does not lie either with the Torah or the Gospel but with the limited capabilities of their people. The Jewish people, with whom Moses (as) was concerned, had lived as slaves under the Pharaohs for four hundred years and experienced such severe persecution that they had become ignorant of the essence of equity and justice. It is obvious that if a ruler—who is also a teacher and mentor—is just, his justice will be reflected in the hearts of his subjects and they will naturally incline towards justice, civility and decency. But if he happens to be a tyrant, his subjects will also become cruel and oppressive and most of them will lose their sense of justice. This is what happened to the Israelites. Having lived for so long under the despotic rule of the Pharaohs and suffered all kinds of persecution, they lost the true spirit of justice. The primary obligation of Moses (as) was to teach them justice. This is why the Torah contained verses that laid so much stress on ensuring justice and equity. Of course, there are verses in the Torah which teach compassion but on closer analysis they only serve to protect the boundaries of justice and to curb unreasonable passions and vindictiveness. But the purpose behind the teaching of compassion contained in the Gospel, which lays overwhelming stress on forgiveness and avoiding retribution, is very different. A close look at the Gospel shows that it addressed people who lacked the virtue of forbearance and forgiveness and it desired that their hearts should not be eager to take revenge but that they should exercise patience, forbearance, forgiveness and clemency. This was because, by the time of Jesus (as), the moral condition of the Jews had greatly deteriorated. Litigation and vendetta had exceeded all limits and, under the pretext of upholding the rules of justice, they had completely lost the virtue of mercy and forgiveness. The teachings brought by the Gospel were thus specific to a particular time and people. But they did not present the true picture of the Divine law; the Holy Quran, therefore, came to rectify them. When we carefully study the Holy Quran and look closely at its contents with an unbiased mind, we realize that it does not lay as much stress on retribution and revenge, as is evident from the account of battles and rules of retribution

mentioned in the Torah, nor does it place complete emphasis on forgiveness, non-violence and clemency as taught by the Gospel. On the contrary, it repeatedly enjoins *Ma'ruf* (1) and forbids *Munkar* (2). In other words, it commands us to do what is appropriate and best in keeping with the requirements of reason and the law, and to shun what is forbidden and inappropriate. A study of the Holy Quran shows that it requires us to believe in its laws, injunctions and prohibitions on the basis of knowledge and understanding, and desires to liberate us from the shackles of self-imposed prohibitions and injunctions, and spells out its holy Shariah in the form of universal laws. For instance, it enjoins the universal law that one should do what is *Ma'ruf* and avoid *Munkar*. These two terms are very comprehensive and give a rational complexion to the Shariah. Thus we are taught to consider what constitutes true piety on any given occasion. If someone has wronged us, should we punish or forgive them? If someone wants to borrow a thousand rupees from us to squander on his son's wedding, and celebrate it with pomp and ceremony, arranging fireworks and singers and fulfilling other family customs, then, even though we can afford to lend him the money, we ought to take into account the principle of *Ma'ruf* and *Munkar* and consider whom we are trying to help. The Holy Quran has similarly prescribed the condition of appropriateness in everything good that we do, so that we may progress spiritually as well as materially.

References:

1. *Ma'ruf*: That which is considered appropriate and acceptable in a society.
2. *Munkar*: That which is considered indecent and unacceptable

The Path to Peace — Just Relations between Nations

Hazrat Mirza Masroor Ahmad,
Khalifatul Masih V (aba), on June 27, 2012)

At Capitol Hill, Washington, D.C., USA



Bismillahir-Rahmanir-Rahim

In the name of Allah, the Gracious, Ever Merciful.

All distinguished guests—assalamo ‘alaikum wa rahmatullahe wa barakatohu—peace and blessings of Allah be upon you all. Before proceeding, I would like to first of all take this opportunity to thank you all for taking the time to come and listen to what I have to say. I have been requested to speak about a subject that is extremely vast and wide ranging. It has many different aspects and therefore, it is not possible for me to cover all of them in the short time available. The subject that I have been asked to speak about is the establishment of world peace. Certainly, this is the most vital and pressing issue facing the world today. However, as the time is limited, I will only briefly give the Islamic viewpoint on the establishment of peace through just and equal relations between nations.

The truth is that peace and justice are inseparable—you cannot have one without the other. Certainly, this principle is something that all wise and intelligent people understand. Leaving aside those people who are determined to create disorder in the world, no one can ever claim that in any society, country or even the entire world, that there can be disorder or a lack of peace where justice and fair dealing exist. Nevertheless, we find in many parts of the world that disorder and a lack of peace are prevalent. Such disorder is visible both internally within countries, and externally in terms of the relations between various nations. Such disorder and strife exists even though all governments claim to make policies that are based on justice. All claim that the establishment of peace is their primary objective. Yet, in general, there is little doubt that restlessness and anxiety is increasing in the world, and so disorder is spreading. This clearly proves that somewhere along the line, the requirements of justice are not being fulfilled. Therefore, there is an urgent need to try and end inequality, wherever and whenever it exists. Thus, as the worldwide Head of the Ahmadiyya Muslim Community, I would like to make a few observations about the need for, and the ways to achieve peace based on justice.

The Ahmadiyya Muslim Community is purely a religious community. It is our firm belief that the Messiah and Reformer who was destined to appear in this age and enlighten the world as to Islam’s true teachings has indeed arrived. We believe that the Founder of our Community, Hadhrat Mirza Ghulam Ahmad (as) of Qadian, was

that very Promised Messiah and Reformer, and thus we have accepted him. He pressed upon his followers to act and propagate the real and true teachings of Islam that are based on the Holy Qur'an. Therefore, everything that I will say in relation to establishing peace and in relation to conducting just international relations will be based on Qur'anic teachings.

In relation to achieving world peace, all of you regularly express your opinions, and indeed make great efforts. Your creative and intelligent minds allow you to present great ideas, plans and indeed a vision of peace. Thus, this issue does not require me to speak from a worldly or political perspective, but instead my entire focus will be based on how to establish peace based on religion. For this purpose I shall, as I have earlier said, present some very important guidelines based on the teachings of the Holy Qur'an.



It is important to always remember that human knowledge and intellect is not perfect, but is in fact limited. Thus, when making decisions or forming thoughts often certain factors enter human minds, which can cloud judgment and lead to a person trying to fulfill his own rights. Ultimately, this can lead to an unjust outcome and decision being made. God's Law, however, is perfect and so no vested interests or unfair provisions exist. This is because God only desires for the good and betterment of His Creation and therefore, His Law is based entirely on justice. The day the people of the world come to recognize and understand this crucial point, will be the day that the foundation for true and everlasting peace will be laid. Otherwise, we continue to find that although efforts are endlessly made to establish world peace, yet they are unable to provide any worthwhile results.

After the conclusion of the First World War, the leaders of certain countries desired for good and peaceful relations between all nations in future. Thus, in an effort to achieve world peace the League of Nations was formed. Its principal aim was to maintain world peace and to prevent future wars from breaking out. Unfortunately, the rules of the League and the resolutions it passed had certain flaws and weaknesses and so they did not properly protect the rights of all peoples and all nations equally. Consequently, as a result of the inequalities that existed, long term peace could not prevail. The efforts of the League failed and this led directly to World War II.

We are all aware of the unparalleled destruction and devastation that ensued, where around 75 million people globally lost their lives, many of who were innocent civilians. That war should have been more than enough to open the eyes of the world. It should have been a means to developing wise policies that granted all parties their due rights, based on justice, and thus prove to be a means of establishing peace in the world. The world's governments at the time did endeavor to some extent to try and establish peace, and hence the United Nations was established. However, it soon became quite apparent that the noble and overarching objective underpinning the United Nations could not be fulfilled. Indeed, today certain governments quite openly make statements that prove its failure.

What does Islam say in relation to international relations that are based on justice, and so a means of establishing peace? In the Holy Qur'an, God Almighty has made it clear that whilst our nationalities or ethnic backgrounds act as a means of identity, they do not entitle or validate any form of superiority of any kind.* (49:14)

The Qur'an, thus, makes clear that all people are born equal. Furthermore, in the final sermon ever delivered by the Holy Prophet Muhammad (sa), he instructed all Muslims to always remember that an Arab is not superior to a non-Arab and nor is a non-Arab superior to an Arab. He taught that a white person is not superior to a black person and nor is a black person superior to a white person. Thus, it is a clear teaching of Islam that the people of all nationalities and all races are equal. It is also made clear that all people should be granted equal rights without any discrimination or prejudice. This is the key and golden principle that lays the foundation for harmony between different groups and nations, and for the establishment of peace.

However, today we find that there is division and separation between powerful and weaker nations. For example, in the United Nations we find that there is a distinction made between certain countries. Thus, in the Security Council there are some permanent members and some non-permanent members. This division has proved to be an internal source of anxiety and frustration and thus we regularly hear reports of certain countries protesting against this inequality. Islam teaches absolute justice and equality in all matters and so we find another very crucial guideline in Chapter 5, verse 3 of the Holy Qur'an. In this verse it states that to fully comply with the requirements of justice; it is necessary to treat even those people, who go beyond all limits in their hatred and enmity, with fairness and equity. The Qur'an teaches that wherever and whoever counsels you towards goodness and virtue, you should accept it, and wherever and whoever counsels you towards sinful or unjust behavior, you should reject it.

A question that naturally arises is that what is the standard of justice required by Islam? In Chapter 4, verse 136, the Holy Qur'an states that even if you have to testify against yourself, or your parents or your most loved ones, then you must do so in order to uphold justice and to uphold the truth. Powerful and rich countries should not usurp the rights of the poor and weaker countries in an effort to preserve their own rights, and nor should they deal with the poorer nations in an unjust fashion. On the other hand, the poor and weaker nations should not seek to inflict harm on the powerful or wealthy nations whenever the opportunity arises. Instead, both sides should endeavor to fully abide by the principles of justice. Indeed, this is a matter of crucial importance in maintaining peaceful relations between countries.

the rights of the poor and weaker countries in an effort to preserve their own rights, and nor should they deal with the poorer nations in an unjust fashion. On the other hand, the poor and weaker nations should not seek to inflict harm on the powerful or wealthy nations whenever the opportunity arises. Instead, both sides should endeavor to fully abide by the principles of justice. Indeed, this is a matter of crucial impor-

tance in maintaining peaceful relations between countries.

Another requirement for peace between nations based on justice is given in Chapter 15, verse 89 of the Holy Qur'an where it states that no party should ever look enviously at the resources and wealth of others. Similarly, no country should seek to unjustly appropriate or take over the resources of another country on the false pretext of trying to assist or support them. Thus, on the basis of providing technical expertise, governments should not take advantage of other nations by making unjust trade deals or contracts. Similarly, on the basis of providing expertise or assistance, governments should not try to take control of the natural resources or assets of the developing nations. Where less educated people or governments need to be taught how to properly utilize their natural resources, then this should be done.

Then, nations and governments should always seek to serve and help those less fortunate. However, such service should not be rendered with an aim of achieving national or political benefits or as a means to fulfill vested interests. We find that in the past six or seven decades the United Nations has launched many programs or foundations aiming to help the poor countries to progress. Towards this effort they have explored the natural resources of the developing nations. However, despite these efforts, none of the poorer countries have reached the stage or level of the developed nations. One reason for this is certainly wide-ranging corruption by many of the governments of those under-developed countries. With regret though I must say that, despite this, as a means to further their own interests, the developed nations have continued to deal with such governments. Trade deals, international aid and business contracts have continued to be processed. As a result, the frustrations and restlessness of the poor and deprived segments of society have continued to increase and this has led to rebellion and internal disorder within those countries. The poor people of the developing countries have become so frustrated that they have turned against not only their own leaders, but also the big powers as well. This has played into the hands of the extremist groups, who have taken advantage of the frustrations, and so have been able to encourage such people towards joining their groups and supporting their hate-filled ideology. The ultimate result of this has been that the peace of the world has been destroyed.

Thus, Islam has drawn our attention to various means for peace. It requires absolute justice. It requires truthful testimony to always be given. It requires that our glances are not cast enviously in the direction of the wealth of others. It requires that the developed nations put aside their vested interests, and instead help and serve the less developed and poorer nations with a truly selfless attitude and spirit. If all of these factors are observed, then true peace will be established.



If despite all these aforementioned measures any country transgresses all limits and attacks another country, and seeks to unjustly take control of its resources, then other countries should certainly take measures to stop such cruelty—but they should always act with justice when doing so.

The circumstances for taking action, based on Islamic teachings are detailed in the Qur'an, in Chapter 49.* (49:10) It teaches that when two nations are in dispute and this leads to war, then other governments should strongly counsel them towards dialogue and diplomacy so that they can come to an agreement and reconciliation on the basis of a negotiated settlement. If, however, one of the parties does not accept the terms of agreement and wages war, then other countries should unite together and fight to stop that aggressor. When the aggressive nation is defeated and agrees to mutual negotiation, then all parties should work towards an agreement that leads to long-standing peace and reconciliation. Harsh and unjust conditions should not be enforced that leads to the hands of any nation being tied, because in the long-term that will lead to restlessness, which will ferment and spread. The result of such restlessness will be further disorder.

In circumstances where a third-party government seeks to bring about reconciliation between two parties, then it should act with sincerity and total impartiality. This impartiality should remain even if one of the parties speaks against it. Therefore, the third-party should display no anger in such circumstances, it should seek no revenge, nor should it act in an unfair manner. All parties should be afforded their due rights.

Thus, for the requirements of justice to be fulfilled, it is essential that the countries that are negotiating a settlement should themselves not seek to fulfill their own personal interests, nor try to derive benefit unduly from either country. They should not interfere unjustly or pressure either of the parties unfairly. The natural resources of any country should not be taken advantage of. Unnecessary and unfair restrictions should not be placed upon such countries, because this is neither just and nor

can it ever prove to be a source of improving relations between countries.

Due to time constraints, I have only very briefly mentioned these points. In short, if we desire for peace to be established in the world, then we must leave aside our personal and national interests for the greater good and instead we must establish mutual relations that are based entirely on justice. Otherwise, some of you might agree with me that due to alliances, blocs may be formed in future—or I can even say they have started forming—and it is not unlikely that disorder will continue to increase in the world, which will ultimately lead to a huge destruction. The effects of such devastation and warfare will surely last for many generations. Therefore, the United States, as the world's largest power, should play its role in acting with true justice and with such good intentions, as I have described. If it does so then the world will always remember with great admiration your great efforts. It is my prayer that this becomes a reality.



The first Muslim Congressman, Keith Ellison, meeting Hajrat Khalid bin-Muhammad V™



Brad Sherman (Democratic member of the United States House of Representatives) presenting American flag to Hajrat Khalid bin-Muhammad V™

Islamic Concept of Justice

Hazrat Mirza Tahir Ahmad, Khalifatul Masih IV (rh)

I shall now cite a few important examples of Islamic principles, which perhaps, need particular emphasis in the world today. The first concerns Islamic teaching in respect of equity and justice. Other religions do not present a comprehensive direction about the administration of justice and fair play, and even if they mention this at all, it is in terms that can scarcely be applicable to us today. In fact, some parts of these directions appear to conflict directly with the intellect and sensibilities of our age, and one cannot but conclude that these teachings have either become corrupted or were intended only for local and temporary application. As Judaism presents God as only the God of Israel to the exclusion of everyone else, no wonder then, that it does not even in passing deal with the fundamental question of Human Rights as such.

As for Hinduism, it seems outright hostile not only to the non-Hindu but also to the Hindu of a low caste, hence narrowing further the field of God's mercy to a much smaller section of the human race. Hinduism decrees:

If a Brahmin is unable to return a loan to one of low caste, the other has no right to demand its return. But if one of low caste is unable to return a loan taken from a Brahmin, he is to be made to work as a laborer for Brahmins till such time as he is able to pay back the loan in full. (1)

Again, in Judaism we fail to detect a concept of justice toward one's enemy. It is said:

And when your Lord your God gives them over to you, and you defeat them: then you must utterly destroy them: you shall make no covenant with them. (2)

I shall now, by way of comparison, cite a few examples of Islamic teachings in the same areas. The Holy Qur'an enjoins, and I quote:

- And when you judge between people, do so fairly and justly. (3)
- Be strict in observing justice, and be witness for Allah, even though it be against yourselves or against your parents or kindred. (4)
- And let not a people's enmity incite you to act otherwise than with justice. Be always just, that is nearer to righteousness. (5)
- And fight in the way of Allah against those who fight against you but do not transgress. Surely, Allah loves not the transgressors. (6)



- And if they incline towards peace, incline thou also towards it. (7)

The other example I wish to cite of the eternal teachings of Islam is the one concerning revenge and forgiveness. When we compare Islam's teachings in this sphere with that of other faiths, we are at once struck by this injunction of the Old Testament:

Your eye shall not pity: it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot. (8)

Doubtless, such emphasis on vengeance causes not mere wonder, but also saddens our heart. However, I am not citing this example to castigate another teaching, but to show that, when viewed in the light of the Qur'anic principles, even such drastic measures may also sometimes be justified. The Holy Qur'an, thus helps us in following the conflicting teachings of other faiths in a spirit of sympathy and understanding, which, too, is an exclusive feature of Islam. According to the Holy Qur'an, the extraction of full vengeance was decreed only to

meet the specific needs of a particular period. This was necessary to give heart to the Israelites to make them stand up for their rights after they had remained victimized and enslaved for a prolonged period, and had as a result, become cowardly and developed a deep-seated complex of being an inferior people. Obviously, in such a situation, it [the teaching regarding forgiveness] would only have made the Israelites sink deeper into their morass and not give them the confidence and courage to break the shackles of abject bondage. This teaching, therefore, was right and proper in the situation, which then existed, and was indeed given by the All-Wise God. On the other hand, when we consider the New Testament, we find that in contradiction of the previous Scripture, the Old Testament, it emphasizes forgiveness to such an extent that it totally deprives the Israelites of the right to extract any vengeance whatsoever. The real reason for this was that practicing the previous teaching over a long period of time, the Israelites had become hardhearted and ferocious, and this could only be remedied by suspending for a certain period their right to extract vengeance. This is why Jesus admonished them:

You have heard that it was said, 'an eye for an eye, and a tooth for a tooth', but I say to you do not resist one who is evil. But if anyone strikes you on the right cheek, turn to him the other also, and if anyone would use you and take your coat, let him have your cloak as well. (9)

Islam holds these two opposing teachings to be complementary, each suited to the conditions and situation prevailing at the time, and neither, therefore, able to lay claim to being universal or eternal. This perfectly stands to reason, for man was still progressing through earlier stages of development

and had not yet become one community to which could be vouchsafed a law that would be final and universal. We believe that Islam is that final law and presents a teaching not influenced by place or time which fact is amply illustrated by its teaching in the matter being considered. The Holy Qur'an says: Remember that the recompense of an injury is an injury the like thereof; but whoso forgives and thereby brings about a reformation, his reward is with Allah. Surely, Allah loves not wrongdoers. (10)

Islam thus combines the best features of both the earlier teachings; with the vital addition that forgiveness is commended provided it is likely to result in an improvement and in the correction of the defaulter, that being the real objective. If not, then punishment is held to be necessary, but not exceeding the degree to which one is wronged. Surely, this guidance is in full conformity with human nature and is as practicable today as when it was revealed, fourteen centuries ago.

[Note: This article is taken from the book *Some Distinctive Features of Islam* by Hazrat Mirza Tahir Ahmad, Head of the Ahmadiyya Muslim Community from 1982-2003; first published in 1985 by Islam International Publications Ltd., Surrey, UK]

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Justice among the Arab tribes before Islam

Seher Mujeeb Bhatti

Justice, to render someone their due would be a broad definition, however Islam goes further where justice is concerned in teaching that to compensate someone for good should by no means be less or fall short than what that person has earned. In the case of issuing a penalty, punishment should not go beyond what is deserved for the act committed. In this way we maintain a proper standard of justice. Some would go as far as to suggest that a person's reward should not exceed their due, but Islam discourages this belief, favoring the notion that good multiplies itself and also wards away evil, The Holy Qur'an (11:115)

"Surely, good works drive away the evil ones. This is a reminder for those who would remember."

What the Quran here means is that setting a good example wins the hearts of men and makes them duplicate it, eventually eroding away evil. Good examples are an ideal way of defining and growing virtue in this world. Regarding justice when you treat them with a kind deed, in this case rewarding them their due or even more, that person is likely to heed advice. In this way spiritual elevation is ensured which is a sure guidance for all. Ultimately the more we practice it the more we can be saved from evil.

Looking at these teachings Islam has brought, one can only imagine what justice was like before the days of Islam. Back in those days, Arabs didn't have any kind of court or judicial system, it was completely foreign to them. They feuded over trivial matters which resulted into sacrilegious wars that would last for years. Tribes were ever ready to battle it out and wage war against other tribes. There was no patience for resolving their issues, vengeance and feuding was their reflexive response. It was during Prophet Muhammad (sa)'s teen years that a bloody fight erupted among the various tribes. It was a fight to last several years as well as claim many deaths. When it finally ended a group of youths from different tribes rose up and initiated a covenant that would be dedicated to bringing about peace and keeping it maintained, it would also help the poor and those who were oppressed. It would work to resolve matters that arose, whether they be among individuals or tribes. This was to be known as Hilful Fudul, the same organization that Prophet Muhammad (sa) joined.

There was absolutely no justice for slaves. A master could do as he wished with his slave and not have to worry about



paying the consequences. A slave could be sold and passed around, and be expected to work obey their owners no matter what. Hazrat Zaid, Prophet Muhammad (sa)'s adopted was a slave, although he was not born one. His mother was travelling to visit some relatives far away, Zaid who was only a child was with her. Suddenly there was a raid in the area and everyone was attacked. Zaid was stolen and sold off to slavery. Eventually, after many masters, he ended up with Prophet Muhammad (sa) who treated him so nicely that Zaid didn't want to leave, even when his family had finally found him and begged him to come home. Although this was how Zaid became a slave, the domination of peoples would be subject to a life of slavery. What used to happen is that the men were killed while women and children were sent off for the slave trade, but with the demand for laborers whole nations and tribes would be taken under slavery.

"Have We not given him two eyes, and a tongue and two lips?"



And we have pointed out to him the two highways of good and evil. But he attempted not the steep ascent. And what should make thee know what the steep ascent is? It is the freeing of a slave. Or feeding on a day of hunger. An orphan near of kin. Or a poor man lying in the dust.”

The Holy Qur’an (90:8-11)

We can see here in the Quran that Islam was to change all this. Not just for slaves, but also for the orphans and the poor. Women had their hardships too, they were second class citizens and were only considered as commodities or property. They were easily used as a means of something to gamble. It was a terrible time for them, they had no rights to inherit, or any say in any issue much less their own. If her husband died her house, her property, it could all easily be taken away. A man could take on as many wives as he pleased, and in some cases, some even married their mothers. The rights of women were those that had to be addressed by Islam. The Quran says:

“O ye people! fear your Lord who created you from a single soul and of its kind created its mate, and from them twain spread many men and women; and fear Allah, in Whose name you appeal to one another, and fear him particularly respecting ties of kinship. Verily Allah watches over you.”

The Holy Qur’an (4:2)

This verse saves women from their suffering that was prevalent before Islam, restoring their rights to them. Allah also warns that He will be watching their behaviour to see whether or not they heed Him. Compared to a time when a woman had no voice of matter or opinion, Islam changed it completely for them and put them at a high pedestal, teaching how “paradise lies at the feet of the mother,” and how they are a pinnacle of respect and honor.

Arabia has come far from a deep darkness, however, sometimes one must experience despair to appreciate all the goodness. In this case we see once upon a time when there was limited or no justice that plagued the world. Valuable lessons can be learnt by what happened in the past, they become essential to the advancement of our future. Let us not forget where society once came from, to what it is now.



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What the Holy Qur'an Can Teach the World about Justice

Tariq Sharif

Have you ever been wronged by another person? Has someone you care about been wronged by another person? Have you seen examples in the news media, or in your community, of groups of people being wronged by others?

No doubt, the answer is yes, yes, and yes. As decency, morality, and integrity continue to decline in the world, and even become ridiculed as outdated old-fashioned values, it is no surprise that justice is also fast becoming an "endangered species". When our political and religious leaders regularly lie and break promises to their own people, how can we expect honesty and justice across nations and communities? Too many of us, faced with another act of betrayal of our trust, say with a wry smile, "what else can you expect?" The Holy Qur'an speaks of this current crisis: "Corruption has spread on land and sea because of what man's hands have wrought ..." (1)

It is particularly damaging that injustices by religious leaders of every faith have occurred and been widely reported, because they have helped obscure the role that religion can and should play in creating a system of justice that is in harmony with human nature. Islam has by no means been immune to this. Hazrat Khalifatul Masih V (aba) states: "I also do not deny the fact that a veil was put over this beautiful teaching ... due to the selfish attitudes and the personal interests of Islamic leaders and scholars. He [God] sent the Promised Messiah (as), who clearly expounded upon this beautiful teaching ..." (2)

What was the beautiful teaching of justice laid out in the Holy Qur'an and re-established by the Founder of the Ahmadiyya Muslim Community? How can it help us reclaim this lost value in an age of corruption and selfishness?

The hallmark verse of the Holy Qur'an which illuminates this subject is found in Chapter 16 Al-Nahl, Verse 91. This

verse is so significant that Hazrat Khalifatul Masih IV (rh) commented on it as such: "When Hazrat Abdullah bin Masood contemplated on the above-mentioned verse, he spontaneously exclaimed that it was the most comprehensive verse of the Holy Qur'an. This observation by ... one of the greatest commentators of the Holy Qur'an is indeed of great consequence. (3)

The verse is as follows: "Indeed Allah requires you to abide by justice, to do good to others, and to give to others like the giving to one's own family and relations."

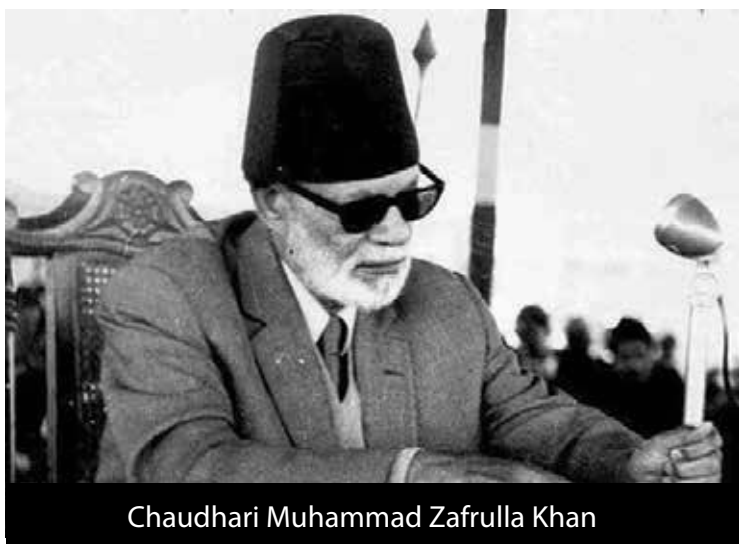
Those familiar with the style of the Qur'an will note a series of three types of actions required of a person by God, arranged in a specific order: *Abiding by justice* is the first and most basic requirement of a human being, followed by the *doing of good*, and finally reaching a level where others are *treated as if they were family*.

Before expounding on these three levels, let us take a step back and ground ourselves on the meaning of justice. We all likely know what it is, but it is important to articulate it. Think back to those examples when you or someone else



was wronged. What happened? There are only two options: You did something of value and were not fully rewarded OR you did something wrong and were punished beyond a reasonable means. In short, justice is only served when a person or group of people receive what is due, either as a reward for good works or as a punishment for bad works. This justice should be based only on one's actions, NOT on any other criteria, including the person's family background, wealth, influence, country of origin, and so forth.

Therefore, the Qur'an establishes the minimum requirement of human interaction as 'Adl or justice, meaning giving what is due. However, the Qur'an lays out a deeper wisdom, that there is a higher level of doing good above and beyond the basic limit. In his book *The Concept of Justice in Islam*, Muhammad Zafrulla Khan explains: "It has sometimes been suggested that a ... strict concept of justice demands that reward or recompense should not be in excess of what was earned. Islam does not accept this limitation. It proceeds upon the principle that good multiplies itself and has the quality of prevailing against, or of driving away, evil ... Consequently, there is no reason to put a limit upon the reward or recompense of good." (4)



Chaudhari Muhammad Zafrulla Khan

This principle is illustrated in the Holy Qur'an – specifically, that good does not simply substitute for evil but actually works to overcome it: "Surely good works drive away evil works. This is a reminder for those who would remember." (5)

Therefore, the basic level of justice, 'Adl, would require one to, for example, pay back a loan in full. But God Almighty in the Qur'an holds up a higher standard, namely "doing of good" or Ihsaan, essentially asking what would happen if

you were to pay back more than what was owed? How might that engender love and peace in society? In fact, it is well recorded that this was the practice of the Holy Prophet Muhammad (sa) and his companions. Hazrat Khalifatul Masih V (aba) explains: "Today we observe at both a personal level as well as at a governmental one, loans are taken yet all sorts of excuses are presented when it comes to paying it back. However, when we observe the example of the Holy Prophet (sa) which in fact is the true teachings of Islam, we find that not only did he repay the loan before it was due, but he would return more than the actual sum he had borrowed due to his benevolence." (6)

On the flip side, how can a creditor practice the higher level of Ihsaan, doing of good? Here the Holy Qur'an speaks of benevolence in the case of a debtor who is struggling to repay the loan. "And if any debtor be in straitened circumstances, then grant him respite until a time of ease. And that you remit [the balance of the loan] as charity is better for you, if you only knew." (7)

The person whose only balance sheet is materialistic wonders at such advice. But the person who has developed faith and a relationship with God, knows that there is a spiritual balance sheet as well. Allah Almighty has promised to more than make up the difference of the forgiven loan. God says in the Holy Qur'an: "Who is it that will lend to Allah a goodly loan? He [Allah] will then increase it multi-fold for him, and he will have a generous reward." (8) This reward from God is not simply rhetoric. Thousands and thousands of religious people can attest to the worldly and spiritual benefits of charity according to Ihsaan, goodness, which goes beyond the basic limits of justice.



Then, in the Qur'an, Allah lays out the highest standard of justice and goodness – treating others as though they were your own family. The depth of wisdom in this concept, called *litaa-e Dhil Qurbaa* in the Qur'an, could fill volumes and is extraordinarily relevant in our world today. How many times have we seen a different standard of justice applied because it is the "other", because it is "someone else's" family, or community, or nation, or race? To be provocative, the moment we are more soft-hearted towards our own children than to someone's else's, thus applying a different standard of justice, the moment the seeds of discourse and moral disease are sewn in society. That is the standard that absolute justice requires.

Hazrat Khalifatul Masih V (aba) quoted an example from the life of the Holy Prophet Muhammad (sa) in his Friday sermon of March 13, 2009: "Once a woman named Fatima who belonged to a wealthy tribe committed theft and the Holy Prophet (sa) passed judgement accordingly. Some Companions approached the Prophet (sa) for concession. This angered the Prophet and he said that even if his own daughter Fatima had been the one who committed the crime, he would have passed the same judgement." (9) In short, wisdom, mercy, and justice must form the basis of every action. Whether someone chooses clemency, punishment, or something in the middle, it can never be applied with bias or inconsistently because of family ties or any other reason. Rather, all situations should be treated in the interest of serving God and society, and all must be treated as extensions of one's own family rather than the "other".

When we start to look at the world around us with these "new" eyes of the Qur'an, we can quickly see where societies and nations have deviated from justice and goodness. Fundamentally, when people un-tether themselves from trust and fear of God, all bets are off, so to speak, and selfishness becomes the order of the day. With trust and fear of God, the standards of Absolute Trust, Goodness, and Kinship ('Adl, Ihsaan, and *litaa-e Dhil Qurbaa*) become new standards that foster peace and collaboration.

For example, the number of times more powerful nations have attempted to subjugate weaker nations who possessed natural resources such as gold, diamonds, and oil is well-documented in

history. The plot is as old as mankind, and only the most unjust person would deny it. Yet if the more powerful nations had any real fear of God and also trust in God, how different our world might look today! Not only would they have justly compensated these weaker nations, but they would have sought to help establish them on the same infrastructure, technology and financial systems to empower their independence and growth. Rather than the stronger nations 'missing out', think of the money and lives that would have been saved from the lack of conflicts, wars, and weaponry. Think of the great minds and innovations that entire nations and continents could have contributed to the future of mankind.

Hazrat Khalifatul Masih V (aba) explains this state of mind: "You should not consider 'Adl and Ihsaan [justice and doing of good] to be the ultimate stage, rather, giving like kindred [*litaa-e Dhil Qurbaa*] should also be kept in view, and you should afford sympathy to others without any personal motive. You should feel the pain of others as if it is your own pain; such is the condition that will make you a true believer (Mo'min)" (10)

I would like to close this brief explanation of the Qur'anic concept of justice with a prayer by our current Head of the Ahmadiyya Muslim Community, Hazrat Khalifatul Masih V (aba): "May God Almighty enable us all to develop such sympathy for the whole of mankind! Each person should try to develop this [sympathy] according to the standards and capacity of his own emotions and feelings. Instead of heading towards destruction, may the world save itself by understanding the subject of justice, and the doing of good to others, and giving like kindred! May God Almighty also enable the world to understand this and thereby make the world into a heavenly abode, and provide also the means in this world for the heaven that lies in the hereafter!" (11)

Ameen.

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Islam's Response to Misconceptions about Sharia Law

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In the West, Sharia is being portrayed as a source of oppression, violence, and tyranny. This misconception of Sharia stems from actions that arise from an out-of-context reading of the Holy Qur'an and reliance on inauthentic traditions of the Holy Prophetsa of Islam. While some politicians claim that European Muslims "want to go by sharia law," other political leaders in the United States, such as Congressmen Joe Heck (R-Nev.) and Louie Gohmert's (R-Texas), claim that Muslims are trying to implement sharia law in the United States. (1)

More disconcerting than the political rhetoric, is the fact that nine states in America have already passed statutes forbidding the use of foreign law, and another thirteen states have such proposed bills pending. In 2010 and 2011 more than two dozen states "considered measures to restrict judges from consulting Sharia, or foreign and religious laws more generally". (2, 3) As of 2013, all but 16 states have considered such a law.

The danger with such bills is the slippery slope effect, where initially the goal may be to forbid the implementation of foreign rules about marriage and family law issues but may eventually lead to prohibiting everyday religious practices. In an early draft of the Tennessee bill (which was subsequently rejected), it would have been a felony for Muslims to perform religious practices such as praying, performing ablution, giving to charity, or fasting because they would be considered as banned Sharia practices. (4) While this is unconstitutional because it violates the religious free exercise clause of the First Amendment and is a violation of equal protection laws, it is troubling that

American voters and lawmakers are so fearful of Islamic practices to propose such bills.

Given the extensive misinformation circulating what does and does not constitute Sharia law, it is imperative that Muslims and non-Muslims alike gain a clearer understanding of this subject. Outlined below are several misconceptions (or "myths") about the Sharia law, and the proper explanations from an Islamic perspective.

MYTH #1: Sharia is a set of laws practiced universally by all Muslims

Sharia means "a path to life-giving water," and refers to a defined path upon which all God-fearing people are advised to tread. It is grounded in the recognition of God's existence. Sharia presupposes that there is a God. God reveals His desire of how the man should shape his destiny, and God's will is manifested in the form of certain laws or principles. These laws or principles constitute Sharia and are outlined in the Holy Qur'an.

The Holy Prophet Muhammadsa further elaborated and illustrated these rules and principles through his deeds also called Sunnah (the practice of the Holy Prophetsa) and his words, referred to as Ahadith (sayings of the Holy Prophetsa). As the Holy Qur'an, Sunnah, and Ahadith are considered primary sources of Sharia by Muslim scholars. But in order of importance, the Holy Qur'an outranks Sunnah and Ahadith.

In Islam, Sharia can be divided into five main branches: "ibada" (ritual worship), "mu'amalat" (transactions and contracts), "adab" (behavior, morals, and manners), "i'tiqadat" (beliefs), and "uqubat" (punishments). Islam prescribes certain laws or principles that govern all five main branches. At its core, Sharia is intended to develop and sustain a moral and just society.

The human interpretation of sharia is called "Fiqh," or Islamic rules of right action. Fiqh means "understanding," and refers to how the Islamic laws are to be interpreted. The fact that there are so many different schools of thought on Fiqh illustrates that scholars have varying understandings in the interpretation of Sharia.

MYTH #2: All Muslims believe that Sharia should be the law of the country in which they reside

While often thought of as a legal system, Sharia is much broader and covers personal and collective spheres of daily life and has three components: belief, character, and actions. Only a small portion of the “action” component relates to law. In fact, only about 80 of the Qur’an’s 6,348 verses are about specific legal injunctions.

According to Intisar Rabb, a member of the law faculty at Boston College Law School where she teaches advanced constitutional law, criminal law, and comparative and Islamic law, “There is a religious aspect and a state aspect to practices in all faiths. For example, just as Christians have weddings in a church, Muslims often have weddings in a mosque, or some other venue presided over by an Imam, but the marriage is also solemnized by the state.” (5) In this instant, one could call Sharia law and State law overlapping. Similarly, in laws of inheritance and divorce, there are aspects of Sharia law overlapping with the state’s laws.

As for applicability, opinions differ about how Islamic law should be implemented. According to a 2013 Pew report, “Muslims differ widely on such questions as for whether polygamy, divorce, and family planning are morally acceptable and whether daughters should be able to receive the same inheritance as sons.” (6) According to the same survey, the percentage of Muslims who say they want sharia to be “the official law of the land” varies widely around the world, from fewer than one-in-ten in Azerbaijan (8%) to near unanimity in Afghanistan (99%). The survey also finds that even in many countries where there is strong backing for Sharia, most Muslims favor religious freedom for the people of other faiths. In Pakistan, for example, three-quarters of Muslims believe that non-Muslims are free to practice their religion, and 96% of those who share this assessment says it is “a good thing.” (6)

This follows the tradition of the Holy Prophetsa who was known to apply the Talmudic law in resolving disputes among the Jews living in Arabia. True Islamic teachings, as practiced by the Prophet of Islamsa, promote a secular government with equal rights and privileges for its citizens and a separation of mosque and state.

The Qur’an itself does not specify any specific form of government other than a beneficent one that is based on “Adl” (absolute justice):

“Verily, Allah enjoins justice, and the doing of good to others; and giving like kindred, and forbids indecency and manifest evil and transgression. He admonishes you that you may take heed.” (7)

There is no mention of religion in this verse. Pluralism and religious tolerance are Islamic values. The Qur’an stresses: “There is no coercion in religion.” (8)

MYTH #3: Sharia law is interpreted the same by all Muslims and is unique to Islam

Historically, Sharia was systematized between the 8th and 10th centuries, some 200 to 300 years after the Holy Prophetsa received his first revelation. Over the centuries, Islamic legal analyses and opinions were compiled in books that judges used in deciding cases.

In the modern period, there is even more diversity of opinion. Not only do scholars claim to have the authority to interpret Sharia but other popular individuals who provide Islamic legal opinions, are also laying claim to their interpretation of Sharia law.

In countries with classical Sharia systems, Sharia has official status or a high degree of influence on the legal system and covers family law, criminal law, and in some places, personal beliefs, including penalties for apostasy, blasphemy, and not praying. However, each of these areas is debatable with room for varying interpretation. For example, the punishment for apostasy may range from no action in one country to a strict form of punishment in another Muslim country.

Therefore, historically, Sharia in many ways, is similar to Anglo-Saxon and American common law, in that it developed organically over time through decisions made by judges, who usually render judgments on a case-by-case basis without the codified universal statutes found in civil law countries.

Because Sharia is based on religious principles, it is not unique to Islam. Every faith has its form of Sharia. In the United States, for example, the legal system permits some narrow civil matters to be settled through alternative dispute resolution. Among such alternative mechanisms is the Bet Din, or rabbinical law courts. American Jews routinely go before Bet Din to arbitrate real estate deals, divorces, and business disputes. In some circumstances, where a favorable outcome is not achieved, they then proceed to the American courts.

As there are no Islamic courts in the United States, judges sometimes have to consider Islamic law in their decisions. For example, a judge may have to recognize the validity of an Islamic marriage contract from a Muslim country to grant a divorce in America.

MYTH #4: Sharia is Against Women's Rights

Many politicians claim that Islam, following Sharia law, "is inherently hostile to women" because of its marriage laws, among other reasons. Many Westerners see Muslim women's head cover as a kind of oppression. Former French Prime Minister Manuel Valls endorsed his country's effort to ban the hijab on university campuses, calling it a symbol of the "enslavement of women." There is a verse in the Qur'an that holds that men are the "protectors" of women, and many contemporary Muslim scholars dispute the notion that this suggests that women must obey men or that women are inferior.

While it's true that many majority-Muslim societies have laws that treat women unfairly, many of these laws, like Saudi Arabia's ban on female drivers, have no basis in Fiqh (practical interpretation). In instances where there is a Fiqh origin for modern legislation, that legislation often cherry-picks certain rules, including more woman-affirming interpretations. And on a range of issues, Islam can fairly be described as feminist. Fiqh scholars, for instance, have concluded that women have the right to fight in combat (women fought alongside the prophet Muhammadsa himself.) Fiqh can also be interpreted as pro-choice, with certain scholars positing that although abortion is forbidden, first-trimester abortions are not punishable.

Islamic principles have held, from the advent of the Holy Prophetsa, that a woman's property, held exclusively in her name, cannot be appropriated by her husband, brother or father. (For centuries, this stood in stark contrast with the property rights of women in Europe.) Muslim women in America are sometimes shocked to find that, even though they were careful to list their assets as separate, those can be considered joint assets after marriage.

To be accurate, there are patriarchal rules being practiced in some modern Muslim-majority countries. For example, women in Iran cannot run for the post of the president or attend men's soccer matches. But these rules are human interpretations (Fiqh), not Sharia. On the other hand, some Muslim countries, such as Pakistan, Indonesia, and Bangladesh have already elected a female Prime Minister, or head of state, well ahead of Western countries, such as the United

States.

MYTH #5: Sharia Law Prescribes Harsh Punishments.

The media and politicians have further fueled fears among Westerners that Islam's punishment under Sharia law is brutally savage. It does not help that the Islamic states do routinely kill innocents for all sorts of perceived transgressions, despite the Qur'an's prohibition of wanton violence: It forbids attacks on civilians, property, houses of worship and even animals.

In the same way that the Ku Klux Klan's tactics are a poor representation of Christian practice (despite its claims to be a Christian organization), the Islamic State is the worst place to look to understand what Sharia says about punishment and the treatment of innocents and prisoners. It's true that Sharia permits harsh corporal punishment, including amputation of limbs, but Fiqh restricts its application.

Furthermore, while the punishment for certain violations is highlighted, those who propagandize Islamic punishments fail to bring up the near-impossible level of evidence required to carry out the sentence. For someone to be convicted of adultery, for example, there must be four witnesses to the act, which is rare. The Qur'an also prescribes amputating the hands of thieves, but what often goes unmentioned is that the punishment is not applied if the thief has repented.

Other Sharia scholars say such a punishment system can only be instituted in a society of high moral standards and where everyone's needs are met (thereby obviating the urge to steal or commit other crimes). In such a society, the thinking goes, corporal punishments would rarely be needed. There is, however, growing evidence that small numbers of radical militant groups have used corporal punishments in countries such as Afghanistan, Somalia, and Syria, and governments in Iran, Saudi Arabia, the Aceh state in Indonesia and elsewhere.



MYTH #6: Sharia is About Conquest

Some politicians such as former House Speaker Newt Gingrich, have made comments such as: "Stealth jihadis use political, cultural, societal, religious, intellectual tools; violent jihadis use violence. ... They're both seeking to impose the same end state, which is to replace Western civilization with a radical imposition of sharia." (9) His remarks reflect a widely held view that Muslims are bound to wage war against non-Muslims, and their end goal is to conquer and take over Western society.

But Muslims hold no such belief. The concept of a violent Jihad, has always been one of the defensive wars, but the time for this type of Jihad, in the majority of Muslims' minds, no longer exists. The Qur'an repeatedly commands Muslims to keep promises and uphold covenants. These include treaties among nations and extend to individuals living under a non-Muslim rule.

Muslims have lived as minorities in non-Muslim societies since the beginning of Islam, from Christian Abyssinia to imperial China. And Fiqh scholars have always insisted that Muslims in non-Muslim lands must obey the laws of those lands and do no harm within their host countries. If the local law conflicts with a Muslim's Sharia obligations, scholars agree that the Muslim individual or family should either emigrate to another country or abide by the laws of the land. But none advocate violence or a takeover of those governments. In fact, Muslims have been part of America since before it was founded, as many were brought to this country as Muslim slaves. Therefore, American Muslims have for a long time practiced their religion freely without becoming in any way a threat to American democracy.

In Conclusion:

It appears that the present trends in media and politics are based on misinformation about Sharia law. In actuality, there is underlying political motivation to spurn hate and fear of Mus-

lims and Islam. Furthermore, certain Islamic countries over the past ten years, have unjustly imposed Sharia as an instrument of power and control which has further lead to Western nations scrutinizing and magnifying these acts and equating Sharia with terrorism and national security.

In actuality, Sharia represents ideals of justice, fairness, and living a healthy life - ideals that Americans hold dear. And so, it is worth learning more about Sharia. Therefore, this is an argument for the United States and Western nations, in general, to accept and even encourage Sharia for Muslim-majority countries. Some world leaders, of non-Muslim countries, have also become aware of the benefits of integrating and accepting other peoples' way of life. British Prime Minister David Cameron stated:

"Family breakdown, drugs, crime, and incivility are part of the normal experience of modern Britain. Many British Asians [British Asians is a term that includes Muslims, Hindus, Sikhs, and East Asians] see a society that hardly inspires them to integrate. Indeed, they see aspects of modern Britain which are a threat to the values they hold dear - values which we should all hold dear. Asian families and their communities are incredibly strong and cohesive and have a sense of civic responsibility which puts the rest of us to shame. Not for the first time, I found myself thinking that it is mainstream Britain which needs to integrate more with the British Asian way of life, not the other way around." (10)

There should thus be no opposition from any side of the political spectrum in the United States or other Western countries to the idea of another civilization applying its customary laws and values to itself and at the same time abiding and respecting the laws of the land in which they live.

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Darul-Qadha'a during the Rightly-Guided Khulafa

Dr Muhammad Zafar Iqbal

Throughout known human history lack of justice has been the root cause of decay and degradation of civilizations. No society can make any progress without prevalence of justice and peace. A common tenet of the missions of all messengers of God has been to create a just society. Islamic teaching on justice system stands out among teachings of other different faiths. There are several verses of the Holy Qur'an as well as A hadith of Holy Prophet (sa) on the subject matter.

Hazrat Abu Bakr (ra)

Hazrat Abu Bakr (ra) was very particular that due justice should be done to all the members of the community without fear or favor according to the injunctions of Islam. At the time of the assumption of office as Caliph he declared:

"The weak among you shall be strong with me till God willing his rights have been vindicated and the strong among you shall be weak with me till, if the Lord wills, I have taken what is due from him".

Hazrat Abu Bakr (ra) strictly followed this policy and administered evenhanded justice. As a result of this policy, a society came to be established in Medina, which was practically litigation free (1). He followed the example of the Holy Prophet Muhammad (sa) and always consulted the companions in important matters.

Hazrat Umar bin al-Khattab (ra)

Hazrat Umar (ra) took particular pains to provide effective and speedy justice for the people. He set up an effective system of judicial administration. Justice was administered according to the principles of Islam. Qadis (judges) were appointed at all administrative levels. Hazrat Umar was the first ruler in history to separate judiciary from the executive. The Qadis were chosen for their integrity and knowledge of Islamic law. High salaries were fixed for the Qadis so that there was no temptation for bribery. Wealthy men of high social status were appointed as Qadis so that they may not have the temptation to take bribes, or be influenced by the social position of anybody. The Qadis were not allowed to engage in trade. Judges were appointed in sufficient number, and there was no District which did not have one.

Hazrat Umar (ra) issued 'Farmans' from time to time laying down the principles for the administration of justice. In one of the Farmans issued to Judicial Officers, he laid down the following principles:

"Praise be to God. Verily justice is an important obligation to God and man. You have been charged with this responsibility. Discharge the responsibility so that you may win the approbation of God and the goodwill of the people. Treat the people equally in your presence, in your company, and in your decisions, so that the weak despair not of justice and the high-placed have no hope of your favor. The onus of proof lies on the plaintiff. He who denies must do so on oath. Compromise is permissible, provided it does not turn the unlawful into lawful, and the lawful into unlawful. Let nothing prevent you from changing your previous decision if after consideration you feel that the previous decision was incorrect.

When you are in doubt on a question and find nothing about it in the Qur'an or in the Sunnah of the Prophet, think over the question over and over again. Ponder over the precedents and analogous cases, and then decide by analogy. A term should be fixed for the person who wants to produce witnesses. If he proves his case, get him his right. Otherwise, the suit should be dismissed.

All Muslims are reliable, except those who have been punished with flogging, or who have borne false witness or are doubtful in integrity" (2).

History has preserved the names of some of the eminent persons who held judicial office during the caliphate of Hazrat Umar (ra):

Zaid bin Thabit :	Qadi of Medina
Ka'b-b. Sur al-Azdi :	Qadi of Basra
Ibada b. al-Samat :	Qadi of Palestine
Abdullah b. Masud :	Qadi of Kufa
Qadi Shuraih:	Qadi of Kufa

Hazrat Umar (ra) as a plaintiff:

It is related that Hazrat Umar (ra) purchased a horse on approval, and gave it to somebody to try it. The horse got hurt in the ride, and Hazrat Umar (ra) wanted to return it, but the owner refused to take it back. In the dispute that arose as a consequence, Shuraih was chosen as the arbitrator. He gave the verdict that if the horse was ridden with the permission of the owner it could be returned, otherwise not. Hazrat Umar (ra) said that was the right decision and at once appointed Shuraih as the Qadi of Kufa (2).

Here is another example of Hazrat Umar's (ra) respect for justice and his conviction that all are equal before the law.

Hazrat Umar (ra) as a defendant:

Once a dispute arose between Hazrat Umar (ra) and a Muslim called Ubayy bin Ka`ab over some money. The case came before Qadi Zaid for hearing who ordered Hazrat Umar (ra) to appear before him to plead his case. As the parties arrived in court, Zaid, out of respect for the Khalifah, invited Hazrat Umar (ra) to sit with him, but he declined by saying, "This is your first injustice. All are equal before the court of law." He then went and sat along side Ubayy bin Ka`ab.

During the hearing Ubayy was asked to produce any evidence for his claim but he failed to do so. Hazrat Umar (ra) totally denied that Ubayy had any claim over him. At this Ubayy requested the court to get a statement on oath from Hazrat Umar (ra). Qadi Zaid hesitated by saying that it was not proper for the Khalifah to sign such a statement but Hazrat Umar (ra) reprimanded the judge by saying, "You can administer justice only if you remain impartial"(3).

With victories in battlefields the Muslim empire expanded and Hazrat Umar (ra) appointed Qadis and governors in all regions and provinces who ruled according to the teachings of Islam. It is related that once while he was writing an appointment order for a person, a child came running to him and sat on his lap. Hazrat Umar (ra) began to pat the child with one hand while he kept on writing with the other. Seeing this, the person remarked, "Ameer-ul-Momineen, the child seems to be enjoying your company. I have ten children and none of them dare come close to me while I am working."

Hazrat Umar (ra) heard this and cancelled the orders of

appointment saying, "How can a person, who can't love his own children, love the people who are put under his care?"

Hazrat Umar (ra) always advised his governors in the following manner:

- 1) Do not be discourteous to anyone whether he is a Muslim or a non- Muslim.
- 2) Do not misuse your office for your own benefit or for the benefit of your friends and relatives.
- 3) I have not appointed you to treat people harshly. You should do justice to them at all times.

**Hazrat Umar (ra) as an Arbitrator:**

Hazrat Amr bin Al-Aas's (ra) son hit a poor Egyptian for no apparent reason. Hazrat Amr bin Al-Aas (ra) arrested the Egyptian and put him into prison so that he could not go to Hazrat Umar (ra) and complain. Shortly afterwards, when the poor person was released, he went straight to Hazrat Umar (ra) and told him the whole story. Hazrat Umar (ra) called Amr bin Al-Aas and his son to Medina. When they arrived, he told the Egyptian to take his revenge from Amr's son. The Egyptian hit the boy so hard that he was injured. When he finished, Hazrat Umar (ra) gave him permission to hit the Governor as well saying, "Had he not been the son of a Governor, he would not have hit you."

Hazrat Amr bin Al-Aas pleaded, "Sir, the offender has been duly punished."

"What did you say?" asked Hazrat Umar to the Egyptian. The Egyptian said that he had already taken revenge from the person who had hit him and that he was satisfied that the justice was done. Hazrat Umar (ra) accepted the plea of the Egyptian and then admonished his Governor saying, "Every person is born free, you should not treat him like a slave."

Hazrat Amr bin Al-Aas was so ashamed at his conduct and that of his son that he sought forgiveness from Hazrat Umar (ra), which was duly granted (3).

Majlis Shura (consultative body) was well established and Hazrat Umar consulted companions on all important matters such as appointment of governors, Qadis and other government officials during wars etc.

Hadrat Uthman bin Affan (ra)

As more territories came under Muslim control judiciary and administrative divisions of the government improved further during the caliphate of Hazrat Uthman (ra).

Hazrat Uthman (ra) issued the following directive to the persons responsible for administration in various parts of the dominions:

"After glorifying and offering all praise to God Almighty, it may be stated that Allah requires the administrators to be the well wishers and protectors of the people... See that a proper equation is maintained between the rights and duties of the people. Everybody should perform his duty, and at the same time he should be assured that he would have what is due to him...(4)".

Hazrat Ali bin Abu Talib (ra)

Judiciary and administrative set up became more advanced during the reign of Hazrat Ali (ra). When Malik Ashtar was appointed as the Governor of Egypt, Hazrat Ali (ra) instructed him as follows:

"O Malik let it be known to you that you have been appointed to the governorship of Egypt...When appointing Qadis, select holy and pious persons for the post. They should neither be greedy nor make errors in their judgments. In no way should they deviate from the truth deliberately...Give them handsome pay so that they may not be beguiled into monetary temptations" (5). Similar instructions were sent to every governor at the time of appointment. Like earlier khulafa, Hazrat Ali (ra) was also an arbitrator.

Hazrat Ali (ra) as a Plaintiff

After the Battle of Siffin, Hazrat Ali (ra) lost his valuable coat of mail and saw it in the possession of a Christian. When asked to return it, the man insisted that the coat belonged to him. Hazrat Ali (ra) filed a suit in the court of the Qadi of Kufa. The Qadi asked him to produce witnesses in support of his claim. Hazrat Ali (ra) could produce his son and his slave as witnesses. The Qadi held that he could not accept such evidence. Hazrat Ali (ra) appreciated the integrity of the Qadi. After the judgment the Christian came to Hazrat Ali and offered him the coat saying that it in fact belonged to him. The man was so impressed that he accepted Islam at the hands of Hazrat Ali (ra) who presented him the coat of mail as well as a horse...(6).

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Justice Administered Within the Ottoman Empire

Khalida Jamilah

In many Western histories of the Ottoman Empire, it is often described as a typical European multi-cultural empire which wanted to promote its own interest. In truth, the empire grew to be one of the most powerful states in the world. Throughout its history from the 1300s to the early 1900s, the Ottoman Empire was a strongly Muslim state. Islamic law and ideas formed the basis of society, law, and government. Ottoman sultans saw themselves as the protectors of the Muslim world.

The Ottoman Government – A Model Bureaucracy

The Ottoman bureaucracy, following the models of earlier Islamic states, expected the non-Muslim communities to deal with their own internal affairs and deliver on their tax obligations. These groups were called millets and had powers of taxation and collective representation before the Ottoman state. Millet is a separate court of law pertaining to "personal law" under which a confessional community (a group abiding by the laws of Muslim Sharia, Christian Canon law, or Jewish Halakha) was allowed to rule itself under its own laws (1).

Very often the groups were allowed to choose their leaders and were largely divided up by civic units for tax and judicial purposes. In order for a group to be granted millet status, it had to establish itself as a cohesive religious community rooted in history. Second, it had to nominate leadership that would be responsible for taxes and communication to the Ottomans. Third, the group had to accept the "Pact of Umar".

The "Pact of Umar" is a series of promises and obligations between Islamic states and their non-Muslim citizens and reflects the evolution of Islam and its relation to its sister monotheistic religions. To fully understand this document, a basic understanding of the history of the expansion of Islam is needed. Between 632 C.E. and 750 C.E. the Muslims reached the borders of France and China. This put them in

political control of millions of non-Muslims. Since the Qur'an taught tolerance for fellow monotheistic religions (Jews and Christians, or "People of the Book"), but vacillated on just how that tolerance was to manifest, early Arab conquerors combined both the teachings of Islam with the realities that they found themselves in. Historically, most non-Muslim groups in Muslim lands became marginalized as people inevitably converted to Islam for social and economic reasons (2).

This marginalization of minorities was balanced by the tolerance taught by the Qur'an and eventually distilled into the Pact of Umar. Muslim tradition states that the Caliph Umar ibn al-Khattab issued the pact to the Christians of Jerusalem, or alternatively Syria as a whole, following its fall to the Muslim armies. Although Western scholars have ascribed the formulation to the Umayyad caliph, Umar II, it may be that its final formulation is a composite of many different agreements between Muslims and non-Muslims. In its earliest and most basic formulations, the pact stipulated that in return for the Muslims' pledges of safe-conduct for their persons and property and of non-interference in any internal autonomy the non-Muslim would agree to the following:

- 1.) They would be subject to the political authority of Islam.
- 2.) They would not speak of the Prophet Muhammad, his Book, or his faith.
- 3.) They would refrain from committing fornication with Muslim women.
 - a. This was extended to include marriage between non-Muslim men and Muslim women.
 - b. Marriage between Muslim men and non-Muslim women was allowed, following the Prophet's example, as long as the children were brought up as Muslims.

c. But non-Muslim wives of Muslim men were free to worship according to their own faith.

4.) Non-Muslims were forbidden to sell or give a Muslim anything that was in violation of Islamic law, i.e. carrion, pork, or alcohol.

5.) The display of crosses or ringing of bells in public was not permitted, nor any public proclamation of "polytheistic" belief to a Muslim. This included references to the Trinity.

6.) No new churches or synagogues could be built.

7.) Non-Muslims were made to wear the girdle over their cloaks and were to differentiate themselves from Muslims by their headgear, mounts, and saddles.

a. This was expanded later to prohibit non-Muslims from riding either horses or camels, limiting them to mules and donkeys.

b. Often local variations took root. In Aleppo non-Muslims were to wear red shoes. In other cities, they were to wear only blue or black clothing.

c. Everywhere, non-Muslims were to refrain from using green, the Prophet's color.

8.) No non-Muslim could hold a Muslim as a slave.

9.) No public religious processions, such as those traditionally held at Easter, were to be allowed.

10.) Non-Muslim communities agree to pay the jizya, or head tax on every non-Muslim male in Muslim land.

The pact clearly explained that if a group faithfully followed its structures, the state would largely not interfere in their internal administration. As such, decisions made by the leadership of the non-Muslim religious communities in regards to personal status law or contracts unless all parties agreed to Muslim adjudication. While the pact allows non-Muslims to retain their own customary practices in regards to personal status law, it established a public disdain for those practices in the eyes of the Muslim legal scholars and Qadis (judges) and, by extension, the state. Critically, "it established the primacy of the



Muslim population over the non-Muslims in any public space the communities might share. The call to prayer might disturb a non-Muslim's slumber, but the ringing of the church bells or the chants of the non-believers should not inconvenience a Muslim."

Additionally, non-Muslims had to pay the jizya, but the amount assessed in the Ottoman period was usually more symbolic than onerous because the tax was calculated on the man's ability to pay (4). Under the pact, the Ottoman allowed millets to establish and maintain their own internal legal structures. This respect for minority group autonomy was so great that Qadis and local officials would routinely enforce the orders of millet courts (5).

Only when all parties agreed or when one of the parties was Muslim, would legal issues be heard before a qadi. Non-Muslims had difficulty achieving justice there. For instance, in 18th century Aleppo, a Christian chronicler described the murder of a Christian merchant. A Muslim contract worker approached the merchant and asked for work. The Christian merchant said that he had none to offer and the Muslim contractor pulled his dagger and killed the merchant. Since there were only Christian witnesses, no charges against the murderer were brought. This violated the standard evidentiary burden outlined in sharia that required two adult male Muslims as witness against a Muslim on a murder charge.

Minority groups would use the Ottoman court system to enforce their own internal decisions. Records abound of the Patriarchs of Constantinople condemning corrupt or heretic priests. Local Qadis or the central government satisfied that the dissidents were properly tried under the rules of their group, would then enforce the groups ruling. Enforcement by the Ottomans of religious minority decisions ran the gamut of removal from office to executing those condemned by their own groups.

Some groups prevented their members from using the Ottoman court system. A resident English consulate in Aleppo claimed that the rabbis of his city had issued injunctions forbidding any of their community from bearing testimony against another Jew in the Muslim courts. This does, however, contrast with the Jewish population of Jerusalem and Damascus, which used the Muslim courts often to resolve their internal conflicts.

Ottoman Sources of Law – Sharia and Qanun

The Ottomans, being good Muslims, took the sharia as the basis of their jurisprudence. The Ottomans, being good Turks, also relied heavily on their ancestral practices, which sustained them before Islam and helped them to gain their empire. Being good administrators as well, the Ottomans adopted, merged, or even sometimes ignored these precedents over the course of their empire.

At its origins, Sharia gives rules for running a community of like believers. The Ottomans, however, ruled a massive empire of diverse communities, thus they built upon and adapted the religious law. Ottoman secular law was steeped in their nomadic Turkish origins. When Mehmed II was consolidating the empire after his conquest of Constantinople, he issued a Kanunname. This 'dynastic law' was a codification of customary practice with commentary and instructions for his successor on how to rule in the "Ottoman Way". "That portion of the Conqueror's institutes dealing with the structure of the central government ... which formed the effective constitution of the Empire, was thus a mixture of description of actual practice, acknowledgment of precedent, and prescription emanating from the ruler's discretionary authority, all given canonical force (6). But Mehmed also enjoined his successors to amend usage as neces-

sary. Kanun was not to be changed willfully, however, but only in accordance with the spirit of impersonal justice and dynastic honor that informed the primal promulgation. Kanun not only regulated the structure of the Ottoman government, but also dealt with general matters of provincial military organization, penal justice, taxation, and the position of certain minorities within the Empire.

While Christians and Jews appeared frequently in the Muslim courts in the Arabic-speaking provinces and apparently showed no hesitancy to press cases involving breach of contract against Muslims, the records of their testimonies have left semiotic evidence it was not on the basis of equality. Individual Christians and Jews were always identified by their religion when entered into the records, an indication that the court scribes considered "Muslim" to be the norm and unnecessary for notation (7). Non-Muslim men were further set apart from Muslims by the scribes in both Aleppo and Damascus who recorded their patronymic as "walad," for example, Jirjis walad Tuma (George son of Thomas), as opposed to the "ibn" reserved for Muslims. This makes sense in light of the hierarchies that exist in Islam, between men and women, believers and non-believers, saints and sinners.

The testimony of a non-Muslim was accepted in court with the swearing of the appropriate oath, on either the Torah or the Gospels. Despite the Qur'anic injunction that the testimony of two non-Muslim males, or two Muslim women for that matter, was required to equal that of one Muslim male, non-Muslims and women testified against Muslim males on an equal basis. There was a difference, however, between the two classes of witnesses. Women of whatever faith





were generally required to present two male witnesses as to their identity, while non-Muslim males were accepted on their own assurances. The physical descriptions of non-Muslim males were sometimes recorded as an apparent identity check, however, as was often the case for slaves. Such physical descriptions were rarely, if ever, added in the case of free Muslim males. Despite such hints of possible discrimination, "at least in the eyes of the recording secretary, non-Muslim men and women were frequent visitors to the Muslim courts." But, as non-Muslims often relied on Muslim witnesses to win their civil cases against Muslims, we can assume that they understood the efficacy of having Muslim testimony to sway a Muslim judge to their side (8).

For the Ottomans taxation was a major governmental and political concern but it was also one with strong religious overtones. The Pact of Umar required non-Muslim adult males to pay a head tax (jizya). The tax was determined in many different ways. However, part of the Ottoman obsession with justice and governance meant that the tax was not especially onerous. Additionally the Ottomans were able enough administrators to know that crushing the populace with taxes was not a sustainable practice. They were such good taxmen, that when the Spanish expelled the Jews following the Reconquista, the Ottomans welcomed the Sephardic Jews because they recognized a chance for income creation through the addition of talented new taxable subjects (9).

The jizya was taxed to the local millet. Since the Ottomans usually only recognized the three major millets of the Greek Orthodox, the Armenians and the Jews, the different communities in them needed to agree on the appropriate proportions. This reflected the Ottoman belief that the millets should be self governing, but in order to aide the collection of taxes, the Ottomans would conduct population surveys and would enforce the agreements of the local millets. In the end, the Ottomans did not care how the division was made as long as the taxes were paid. In the mid1600s to the mid1700s there are a series of court cases

recorded in Aleppo that refer to extensive inter-Christian litigation over the fair share of the tax burden. The litigation revolved around the determination of the appropriate taxation method in the facing of changing demographics.

In 1754, the Greek Orthodox were required to pay 46.7 percent of the total levied against the Christians; the Maronites 23.3 percent; the Armenians and Jacobites, each 15 percent. Two years later the communities came back and argued for the following distribution: Rum, 42.5 percent, Maronites 31.5 percent, Armenians 16 percent, Jacobites 10 percent. The communities decided this was the fairest distribution based on ability to pay. The Qadis, tired of litigation, ruled the subsequent year that tax on Christians would be determined to each church on a basis of their numbers of membership. In contrast the Jews of the Aleppo simply choose to be taxed as one group and thus jointly shared the liability for the jizya assessed to them.

The Ottomans taxed foreigners differently. Since they were not ruled by the Ottomans they were not subject to the jizya. However, since they were not Ottoman subjects, the Ottomans only suffered their presence on Ottoman terms. Following the standard Ottoman model, a foreigner's status was determined by his group membership. In the case of foreigners, that group status was determined solely by the foreigner's country of origin and the current relationship enjoyed by that state with the Ottomans. These trading agreements (capitulations) eventually evolved in most favored nation trading statuses and resembled modern trading agreements. Besides allowing for trade, the capitulations would often allow a foreigner to be taxed at the same rate as a subject Muslim.

Foreign businessmen and governments needed agents in the Empire however, who had business connections and, even more importantly, spoke the local dialects critical for the facilitation of trade. Always eager to foster taxable activity, the Ottomans eventually allowed the agents of foreigners to take on the status enjoyed by the foreigners. This was an extension of the general Ottoman affiliation based political system, though it was novel in that it was not based on religious affiliation (10).

Guild Regulations

According to the dictionary, guild means a medieval association of craftsmen or merchants, often having considerable power. Muslims and non-Muslims worked together in many of the trade guilds and went as a collective unit to voice guild concerns before the court, although the names of Muslims were always listed first in such depositions. If the guild had partial Muslim membership, the head of the

guild was invariably a Muslim, though his second in command would reflect the majority population. Not all the guilds were religiously integrated. But guilds consisting mostly of Muslims were usually low prestige jobs such as tanners or porters, the membership of which was typically of tribal origin (11).

Regulation of Religions

It is important to address how the Ottomans dealt with and regulated the different religions in their empire. The Ottomans rightly saw Islam as a method of controlling the populace because Islam is largely centered on orderly community living. To that end, the Ottomans "sought to promote a state-sponsored version of Islam, preached by men who were graduates of state-sponsored madrasa and paid salaries from the sultans' coffers.

These men of religion formed the core of what might be considered the empire's Muslim intelligentsia. They were its scientists, historians, and poets, as well as its legal scholars. Their ethnic and social origins were as diverse as the empire itself. As such, we might expect them to represent a diversity of outlooks. But as a social and intellectual class, they held remarkable similar world-views, undoubtedly molded, as hoped for by the state's bureaucrats, by their shared educational experience (12).

By ensuring that imams, Qadis, and the faculty of madrasa, were all state trained and appointed, the Ottomans regulated and standardized Islam, in furtherance of their goal of peace, justice and tax collection.

The Ottoman approach to apostasy was determined case by case. What was controlling in each case was the original affiliation of the apostate. It was forbidden for a Muslim to abandon Islam. If he did, both he and the person who converted him would be put to death. However, Muslim peasants could move between different sects of Islam, though a true Ottoman was a Sunni adherent to the Hanafi school of thought. The Ottoman authorities did their best to control all Islamic institutions by controlling important religious, legal and educational appointments. Additionally the usual social opprobrium applied to keep people within the traditions followed by their families (13).

Conversion to Islam was encouraged, though there is no evidence of wide-scale forced conversions with the possible exception of the Albanians. Instead, the Ottomans provided incentives to convert. Conversion to Islam proceeded quickly in Christian Anatolia as Greek and Armenian Christians accepted the faith of those who held military and political power. One of the oldest career paths for men, the military was only open to Muslims, with important exceptions for some Balkan groups who accept-

ed Ottoman suzerainty. As such, Christian men embraced Islam as a way of getting into the military and out of poverty. Christians might also convert to Islam to take advantage of a quick divorce. Newly converted men could simply divorce their wives. Even Christian women could obtain an easy divorce by converting to Islam, since it was illegal for a non-Muslim man to be married to a Muslim woman. The marriage was, in effect, annulled. Additionally, women would convert in order to "claim a portion of their fathers' and/or husbands' estates. Non-Muslims were free to leave their old traditions for new ones. Christians could join different Christian sects or become Jews and Jews could become Christians. Complaints to the Ottoman authorities of group members' apostatizing largely went unanswered by qadis who would usually repeat the teaching of Muhammad that unbelief is one group (14)

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Dar-ul-Qaza in the Ahmadiyya Muslim Community

Mubarik Ahmad Malik

Hazrat Mirza Bashiruddin Mahmood Ahmad, Khalifatul Masih Ilra (second Khalifa or successor of the Hazrat Mirza Ghulam Ahmad of Qadian, Promised Messiah and Mahdi-as) during his blessed tenure of Khilafat, laid the groundwork for the administrative structure of Ahmadiyya Muslim Community. The first formal announcement of this administrative structure was published in Daily Al-Fazal on January 04, 1919. This announcement also included the establishment of Qaza. Hazrat Khalifatul Masih Ilra gave the following directive about the Qaza: "The task of Qazis (the judges) is to render decisions, and that of Qazi-al-Qazat (Chief Judge) is to hear the appeals, and decisions of Qazi-al-Qazat could be appealed to the Khalifa of the time except for cases in which the Khalifa of the time is a party himself. In such cases, the decision of Qazi-al-Qazat will be final." (1)

Hazrat Khalifatul Masih Ilra in his address on the second day of Jalsa Salana (Annual Convention) in March 1919 explained the aims and objectives of Qaza. He said: "When our Jama'at members get embroiled in conflict at some place, they go to the courts which is an insult to the Jama'at. In the beginning, when a conflict is at its initial stage, they do not come to the Jama'at because they do not wish to bother the Jama'at for a small matter. But when the conflict grows, they once again hesitate to contact the Jama'at because they think that the Jama'at will ask why they didn't bring the conflict to the Jama'at's notice earlier. Eventually, the conflict grows to such an extent that even if we ask them to let go of the conflict, they refuse and eventually leave Ahmadiyyat. This problem arises because the Department of Qaza has not yet been established everywhere. If some people had been educated about certain issues and appointed in various places, then this problem would not have arisen. Now we have established the Department of Qazi-al-Qazat in Qadian. In the future, some members should be educated about relevant issues and appointed in various Jama'ats so they can adjudicate local disputes and discords. In this way, conflicts will not grow and cause disharmony. Darul Qaza in Qadian will still be able to entertain appeals from such local decisions." (2)

In addition to Central Qaza in Qadian, the system of the Qaza was also established in various Jama'ats at the National level. Some intellectuals of India admired this establishment of the system of Qaza because it lessened



the caseload of overburdened courts and resolved people's problems amicably. A Hindu intellectual, Mahasha Khush Hal Chand, editor of the Arya Gazette, in its edition of May 19, 1921, wrote: "Ahmadis have their courts, and none of their cases go to official courts."

Hazrat Mirza Bashir Ahmadra while writing about the Qaza system said: "The Qaza has created an inexpensive, easy and fine method of resolving internal conflicts within the Jama'at. This system of the Jama'at has two unique features. First, all cases in the Qaza system are decided according to Islamic Sharia. Second, not only are the parties not charged any fees, but every case is decided for free at the expense of the Jama'at because this is the long-standing Islamic custom."

In the beginning, the decision of the Qazi Awwal (Judge of First Level) was heard by an Appellate Board called Murafi'a Aula (First Appellate Board) consisting of only two Qazis which were appointed by the Nazim (Administrator) Qaza. Any appeal against the decision of this Appellate Board was heard by Hazrat Khalifatul Masih Ilra. On October 20, 1939, Hazrat Khalifatul Masih Il(ra) established Murafi'a Sania which was a second Appellate Board to hear appeals against the decision of the Murafi'a Aula (First Appellate Board). No appeal was allowed against the decision of the Second Appellate Board. Then on June 13, 1942, Hazrat Khalifatul Masih Ilra permitted appeals against the decision of Second Appellate Board under special circumstances, and such appeals were to be heard by the Khalifa himself.

This procedure continued till the illness of Hazrat Khalifatul Masih Il(ra). During his illness, Hazrat Khalifatul Masih Ilra on November 28, 1955, directed that: "I am not able to hear the appeals. The decision of Second Appellate Board will be the final decision. I am working on the commentary of the Holy Qur'an. Neither have I time nor does my health allow it. If anyone has an objection, he can pursue his case in worldly courts." (3) This procedure continued until the death of Hazrat Khalifatul Masih Il(ra).

Hazrat Khalifatul Masih Illrh (third Khalifa in Ahmadiyya Muslim Community) on April 30, 1966, directed: "Hazrat Khalifatul Masih Ilra in his last few years of Khilafat did not hear appeals due to his illness. Therefore, the decision of Second Appellate Board was the final decision. But now the decision of the Second Appellate Board can be appealed to me, and I will decide on it myself." (4)

After the death of Hazrat Khalifatul Masih Ill(rh), Hazrat Khalifatul Masih IV(rh) (fourth Khalifa in Ahmadiyya Muslim Community) gave the following directives regarding the Qaza Board:

- a. This is the right of the Khalifa of the time that he can hear appeals against any decision of the Qaza Board except in the cases in which he is a party himself. This will be a normal procedure.
- b. If the first Appellate Board consists of three members, then the Second Appellate Board can hear the appeal against it, but the Second Appellate Board will consist of five members now.

- c. If the Second Appellate Board consists of five members and its decision is unanimous, then this decision cannot be appealed to the Khalifa of the time.
- d. The formation of the Appellate Board will be made by the President of Qaza Board.
- e. If the decision of the Appellate Board is not unanimous, then Khalifa of the time will learn about the arguments and reasons for the difference in the decision before he decides whether he will hear the appeal or not.
- f. This procedure will continue until a Khalifa changes it.

If the decision of Highest Appellate Board is not unanimous, then the President of the Qaza Board will present an appeal against this decision to the Khalifa of the time. But if the decision of the Highest Appellate Board is unanimous, and one of the party requests a review of this decision, the same Highest Appellate Board hears the appeal for review. During the fourth and fifth Khilafat of Ahmadiyya Muslim Community, the system of the Qaza has been established and strengthened in many countries of the world, which fulfills its responsibilities under the guidance of Khalifa of the time.

The current Khalifa of Ahmadiyya Muslim Community, Hazrat Khalifatul Masih Vaba; (fifth Khalifa in Ahmadiyya Muslim Community) before being elected Khalifa, served as a member of the Central Qaza Board in Rabwah, Pakistan. After being elected as Khalifa, he has been guiding the system of Qaza on many issues arising thereof, the full record of which has been maintained by the Grace of Allah. Since the beginning of his Khilafat in 2003, Hazrat Khalifatul Masih Vaba has provided guidance in more than six hundred cases after obtaining reports.

Currently, in addition to Rabwah, Pakistan and Qadian, India, a regular system of Qaza has been established in United Kingdom, Germany, Denmark, Holland, Belgium, USA, Canada, Australia, Mauritius, and Indonesia. Whereas in African Countries, the work regarding the establishment of Qaza has also been started in Nigeria.

In countries other than India, there are only two stages in the Qaza process: the Qazi Awwal and the First Appellate

Board. After this, the appeal is made to the Highest Appellate Board in Central Darul Qaza at Rabwah, Pakistan. In the case of the decision of Highest Appellate Board is not unanimous, an appeal can be presented to the Khalifa of the time.

The task of a Qazi (Judge) is very delicate and sensitive. The directives regarding justice in the Holy Qur'an and Ahadith (plural of Hadith: saying of the Holy Prophetsa of Islam) are so profound that our soul trembles with fear. That is why some of the religious scholars were so convinced that if one can keep himself out of the task of accepting a position for Qazi, he should do so. But the Qazis in Ahmadiyya Muslim Community's Darul Qaza are lucky recipients of Allah's Blessings and Mercy. Ahmadiyya Muslim Community has the Holy Qur'an and Ahadith as a guide and abundance of guidance in the books of Hazrat Masih Mauoodas. There is an ongoing task of compiling this guidance in Rabwah. Above all, the full support that Ahmadi Muslims can rely on is that of Khilafat. The real need is that we keep on studying the guidance from Khulafa (plural of Khalifa). A formal record of directives of Khulafa of Ahmadiyya Muslim Community has been maintained since the inception of the Qaza system. All directives and guidance from the Khulafa are collected, and all Qazis are informed about it. The guidance from Khulafa is recorded in a register in the

same order in which it is received. This process is still ongoing in the Central Darul Qaza.

We have access to the Holy Qur'an, directives of the Holy Prophetsa, Hazrat Masih Mauoodas, and that of the Khulafa of Ahmadiyya Muslim Community; therefore, we have guidance on the most complicated issues from Almighty Allah.

(Taken from Rahnamai Qaza, Introduction of Darul Qaza, pages 1-5, issued by Darul Qaza Rabwah, Pakistan. Translated into English by Mubarik Ahmad Malik, Nazim Qaza Board, Ahmadiyya Muslim Community, USA).

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Human Rights, the Just Law and the Islamic Law

Zia H Shah MD



Human rights have been defined. Yes, they were defined very precisely and agreed upon in 1948. These have been defined in the Universal Declaration of Human Rights. (1) We do not need to redefine them anymore and reinvent the wheel-period! We can, however, attempt to gain a higher understanding of human rights and discuss and reinterpret them, as the human condition evolves over the decades and centuries to come.

The Universal Declaration of Human Rights is a milestone document in the history of the human race and its rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on December 10th, 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. (2)

This leads me to the second part of the title of my article, 'the Just Law.'

Trevor Noah (born 20 February 1984) is a South African television and radio host, and comedian. He is known for his role as host of *The Daily Show* on the American television network, Comedy Central, since September 2015. His unlikely path from apartheid South Africa to the desk of



The Daily Show began with a criminal act: his birth. Trevor was born to a white Swiss father and a black Xhosa mother at a time when such a union was punishable by five years in prison. He described his story in a recent best seller: *Born a Crime: Stories from a South African Childhood*.

The Prohibition of Mixed Marriages Act, Act No. 55 of 1949, was an apartheid law in South Africa, which prohibited marriages between "Europeans" and "non-Europeans". It was among the first pieces of apartheid legislation to be passed following the National Party's rise to power in 1948. Subsequent legislation, especially the Population Registration and Immorality Acts of 1950, facilitated its implementation by requiring all individuals living in South Africa to register as a member of one of four officially defined racial groups. It also prohibited extramarital sexual relationships between people of different races. The Prohibition of Mixed Marriages Amendment Act of 1968 updated the original legislation to invalidate interracial marriages involving a South African citizen that were contracted in other countries.

Law comes in numerous colors. Capital punishment, for blasphemy and apostasy, is suggested by medieval scholars of Islam, as part of how they describe 'the Islamic Law.' Many Muslims sympathize with this understanding of Islam, for countless historic, social and cultural reasons. I, however, would rather be guided by justice and rationality. I believe that justice is one of the most fundamental guiding principles of Islam. Anything unjust, at any level, cannot be Islamic - no matter what the weight of evidence on the other side. This is the litmus test that I use to decide anything Islamic or otherwise. There are at least 75 verses in the Holy Qur'an telling us that Allah is just and will

never permit His creatures to be subjected to even an iota of injustice. He wants us to be equally just to our fellow beings, in our attempt to acquire His attributes within the limited spheres of our lives. (3), (4), (5), (6)

How do you differentiate a just and an unjust law? To answer this question, we go to Martin Luther King Jr., as he beautifully addressed this question in a letter he wrote from an American jail, during the Civil Rights' Movement of the 1960s. He wrote:



“Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an “I it” relationship for an “I thou” relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man’s tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or

“Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an “I it” relationship for an “I thou” relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man’s tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state’s segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First-Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar on the grounds that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience." (7) (8)

Likewise, if a law is unjust, it cannot be Islamic. The Muslims would have no choice but to oppose it with wisdom. In the history of the Ahmadiyya Muslim Community, we have similarly opposed the unjust laws enacted against us in Pakistan in 1974, and again, later, in 1984.

Every law that is attributed to Islam should be closely examined on the touchstone of justice and benefit to humanity at large. If some teaching or law is not just in the context of the present, then, regardless of previous religious or other history, it cannot and should not be attributed to Islam. This is the fair and balanced perspective I want to leave you with today.

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“Islamic Law and Women’s Rights of Inheritance”

Shehla Ahmad

At the advent of Islam 1500 years ago, women in the pre-Islamic Arabia had a very low status. When the Holy Quran was revealed to the Holy Prophet (sa), women were considered no more than an object. They could be bought and sold or even transferred as a part of inheritance. In such a society in Arabia, women had no respect and no rights. They could not own any property and had no share in inheritance. No wonder, talking about rights of ownership or inheritance had to be a far cry in a society where the birth of a daughter itself was looked down upon as if it was a source of contempt or insult. Where little girls could be buried alive, who would talk of their rights?

It was a great blessing of Islam on the women of all times to come and humanity in general that Islam restored the rightful place of women in their various roles in society at large and within the four walls of their own home.

Rights of inheritance granted to women in Islam are not only unique in terms of being most comprehensive and just, these laws ensure far more rights for women than granted in any other religious teachings. The fact that Prophet Muhammad (sa) stood up as a champion of women’s rights at that time in a society where women had no voice of their own, makes it truly remarkable.

Islam has prescribed a share in inheritance for women in her various role and capacities. In the pre-Islamic Arabia a daughter did not get any share in inheritance from her parents. To compensate for this imbalance, if parents ever tried to gift their daughters, in that male dominant society it was not tolerated. The Holy Quran on the other hand has prescribed that daughters just like sons must inherit a share from the property of their parents. Similarly, the Holy Qur’an has prescribed a share for the mother which was denied to her before Islam if her deceased son had his own children.

In the Holy Quran, it is stated, “Allah commands you concerning your children: a male shall have as much as the share of two females; but if there be females only, numbering more than two, then they shall have two-thirds of what the deceased leaves; and if there be one, she shall have the half. And his parents shall have each of them a sixth of the inheritance, if he have a child; but if he have no child and



his parents be his heirs, then his mother shall have a third; and if he have brothers and sisters, then his mother shall have a sixth, after the payment of any bequests he may have bequeathed or of debt. Your fathers and your children, you know not which of them is nearest to you in benefit. This fixing of portions is from Allah. Surely, Allah is All- Knowing, Wise (1).’

In the Pre Islamic Arabia, the plight of women did not change for better even after her marriage. She was not entitled to any share of inheritance in the property of her husband. However, Islam has granted married women due rights and honorable status. The Holy Qur’an has prescribed a definite share for wife in case of death of her husband whether or not there were any children. Islam has also made it clear that women can own property and that she will have complete control over her property and her husband cannot use her property without her consent. Similarly, women are granted rights in inheritance as a next of kin.

The Holy Qur’an states, “...And they shall have a fourth of that which you leave, if you have no child; but if you have a

child, then they shall have an eighth of that which you leave...(2)"

The Holy Qur'an further states, "...And if there be a man or a woman whose heritage is to be divided and he or she has neither parent nor child, and he or she has a brother or a sister, then each one of them shall have a sixth. But if they be more than that, then they shall be equal sharers in one-third..(3)"

Once a companion of the Holy Prophet (sa) passed away leaving a widow and two daughters. The widow complained to the Holy Prophet (sa) that the uncle of her daughters took away all the property of the deceased. Subsequently, a verse of the Holy Quran was revealed in the light of which the Holy Prophet (sa) advised the uncle (brother of the deceased) to give two thirds of the property to the two daughters and give one eighth to the widow and only the rest could go to him. (Tirmidhi and Dawud)

On one occasion, the Holy Prophet (sa) admonished women that they should also spend in charity out of their own means. Later on two women came to the Prophet (sa) and told him that their respective husbands had limited means, but that the women themselves were comparatively better off. They enquired from the Holy Prophet (sa) that would it be an act of spiritual merit if they were to assist their husbands out of their own means? The Holy Prophet (sa) gave them the glad tidings that their spending on their husbands would double their rewards, as it would be regarded as an act of charity and of graciousness towards kindred (4).

This is worth noting that Islam had granted women all of her rights in inheritance 1500 years ago which most women outside Islam got only within last 200 years. However, one of the most common allegations raised against Islamic laws of inheritance is on the prescribed ratios between male and female heirs. However, it is easier to understand the deep wisdom behind Islamic inheritance formula if one first understands the overall structure of Islamic society proposed by Islam. Islam's concept of equality between men and women means equitable rights for genders as teachings of Islam are based on principles of justice for all. The shares prescribed in the Quran should not be seen in isolation rather they should be considered within the context of overall system of rights and responsibilities. Islam puts complete burden for looking after the needs of family including wife and children on the husband. Wife is granted hundred percent ownership and control over her own property and she is not obliged to share her property with anyone. It is with this philosophy that the man is given twice the share to

that of woman because that man has to use that share for his wife, children and other dependents whereas the wife's share is for herself only. Her husband is still responsible for her look after even if she has her own property.

In this context, it is important to examine some references from the teachings of other faiths.

In the Biblical law, it is stated, "And the Lord spoke to Moses, saying: "The daughters of Zelophehad speak what is right; you shall surely give them a possession of inheritance among their father's brothers, and cause the inheritance of their father to pass to them. And you shall speak to the children of Israel, saying: 'If a man dies and has no son, then you shall cause his inheritance to pass to his daughter. If he has no daughter, then you shall give his inheritance to his brothers. If he has no brothers, then you shall give his inheritance to his father's brothers. And if his father has no brothers, then you shall give his inheritance to the relative closest to him in his family, and he shall possess it (5)."

It's clear from the above quotation that widow was not entitled to inheritance if the couple had children when the father deceased. Daughters could get inheritance only if there was no son. No mention of share in the inheritance for the mother or other female next of kin has been mentioned therein.

"And every daughter, that possesseth an inheritance in any tribe of the children of Israel, shall be wife unto one of the family of the tribe of her father...(6)" This quote made it mandatory for the daughter to marry within the tribe to safeguard her inheritance share.

This brief comparison makes it quite clear that Islamic laws of inheritance as introduced 1500 years ago favor women and protect women in her different roles and capacities.

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NEWS, VIEWS, & REVIEWS

The New York Times

Mustafa Akyol JULY 13, 2017

Shariah's Winding Path Into Modernity



In June, Americans in about two dozen cities joined a “March Against Sharia.” For these protesters, the Arabic term is a code word for the oppression of women and men in the name of God — horrors like stoning and beheading. Since such brutalities do indeed

happen in the name of Shariah, they may have had a point. But there were also points that they missed.

In Arabic, “Shariah” literally means “the way.” More specifically, it refers to the body of Islamic rules that Muslims see as God’s will — based either on the Quran or on the Prophet Muhammad’s reported words and deeds. It is conceptually impossible, therefore, for a Muslim who is serious about his faith to condemn Shariah. But the implementation of Shariah, which is called “fiqh,” or jurisprudence, is open to interpretation and discussion.

Much of Shariah is about personal observance: A good Muslim should pray five times a day while turned toward Mecca, for example, or should fast daily throughout Ramadan. Of course, there is no problem with these acts of personal piety — unless they are coerced. They should be welcome in any society with

religious liberty.

However, a part of Shariah is about public law, including the penal code. And there are clear conflicts here with modern standards of human rights. First, Shariah lays out corporal punishments, such as chopping off hands, stoning, flogging and beheading. The Islamic legal code also proscribes crimes like apostasy, blasphemy and extramarital sex — none of which can be a crime at all in any liberal society.

For those on the side of human rights, there is some good news: Medieval Islamic scholars drew a distinction between personal observance, or *ibadat*, and public law, or *muamalat*. And they granted that the latter is more flexible. Moreover, in the past two centuries, modernization in most parts of the Muslim world, beginning with the Ottoman Empire, rendered much of the *muamalat* obsolete and replaced it with secular laws. That is why while there are some 50 Muslim-majority countries, a criminal code based on Shariah is implemented in only about a dozen.

But there’s also bad news. Across the Muslim world there are ideological movements that want to bring back Shariah, with all its harsh, coercive, illiberal elements, naively hoping that it will revive the Islamic world’s medieval glory. Typically, these movements are called Islamist. While most Islamists are nonviolent and want to advance their ideology through political means like winning elections, others are violent. (The Islamic State is the most extreme. Tellingly, one of its slogans reads, “Shariah can only be established by weapons.”)

Would the Islamists like to impose Shariah across the world, even in the West — even in, say, Oklahoma, Alabama or South Dakota, all of which have in recent years passed laws intending to ban Shariah? The most radical Islamists, in their wildest dreams, may hope to do that. But their main battle is within the Muslim world — and even there they are not making much headway.

Moreover, polls show that most Muslims living in the West, especially the United States, are happy with liberal laws and norms. Some conservatives among them may want voluntary Shariah courts to arbitrate on issues like marriage, divorce and inheritance, but even that modest demand should not be confused with making Shariah's harsh penal code the law of the land. All of this may appall some in the West. Why, they wonder, is Islam so obsessed with law? This has led some critics to assert that "Islam is not even a religion" but rather "a political system."

The reason for this misunderstanding is that many Westerners' ideas about religion are based mainly on Christianity, whose very Savior reportedly gave up the will to legislate "the kingdom of this world." However, there is another Abrahamic religion that is much more similar to Islam on this matter, and it may offer some perspective: Judaism. The Jewish tradition of divine law, Halakha, which also means "the way," is what Shariah is modeled on. Like Shariah, Halakha has many rules on matters of personal observance — what to eat, what to wear — that Orthodox Jews still follow. But it also has harsh punishments, including stoning and even burning to death, for crimes such as adultery, blasphemy and idolatry.

The big difference between Judaism and Islam here is that the former lost political power nearly 2,000 years ago, at which time the Halakha's penal code became ineffective. Rabbis, as leaders of often persecuted minorities, accepted the laws of their host countries, declaring, "the law of the kingdom is the law." Today, most Muslim scholars give the same advice to Muslims living in the West, whereas Islamists don't want to give up the ideal of theocracy. (The modern state of Israel was born as mainly a secular entity, and those who would like to see a state run according to Halakha constitute a small minority.)

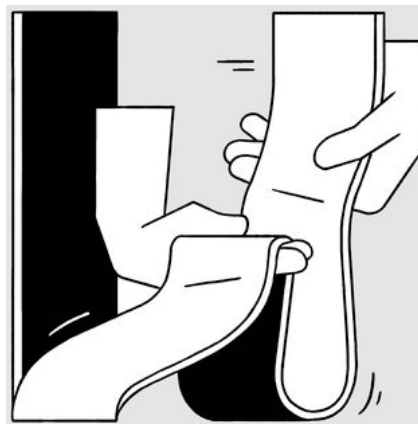
Yet a lack of power wasn't the only thing that led Jews to abandon the constraints of Halakha, there was also the Enlightenment — more specifically the "Jewish Enlightenment." Its proponents, like the 18th-century philosopher Moses Mendelssohn, reinterpreted Judaism in the light of modern values like secular knowledge, rationality and freedom of conscience. The arguments Mendelssohn articulated in his 1783 masterpiece, "Jerusalem, or

on Religious Power and Judaism," are remarkably similar to the arguments by Muslim reformists today. (In other words, the Jewish Enlightenment, not Martin Luther's Protestant Reformation, is the right analogy for the reform needed in contemporary Islam.)

It is also worth noting that at the time, some Western liberals viewed the Jewish Enlightenment as a futile attempt to transmute a hopelessly legalist religion. One of them was the German philosopher Immanuel Kant, who depicted Judaism as "not a religion at all, but a political constitution." Jews would never become true Europeans, Kant added, unless they accepted "the religion of Jesus" and a "euthanasia of Judaism" took place. This anti-Semitic view from the 18th century sounds remarkably similar to some fashionable anti-Islamic views of today.

Islam, in other words, is not the exceptional religion that both its believers and critics often think it is. It is rather a branch of the old Abrahamic tree and is going through the challenges that other branches have gone through. Islam also has the seeds of reform within itself. On Shariah, here is a silver lining: Some medieval Islamic scholars, like Imam Abu Ishaq al-Shatibi of Granada, looked beyond the letter of the law and mapped out the divine "intentions" behind Shariah. The latter turned out to be the protection of five fundamental values: religion, life, property, reason and lineage.

Today Muslim reformists point out that these values are much better protected in Western democracies than in "Islamic" states. They add that the passion for Shariah should be translated into a doctrine of the inalienable rights of all people — a vision that is desperately lacking in today's Middle East, where the alternative to archaic literalist Shariah is often only secular but despotic rule.



A man being whipped in public for violating Shariah laws against homosexuality in May in Banda Aceh, Indonesia.

Jefta Images/Barcroft Images, via Getty Images



Rina Wolfson August 3, 2017

Humbled by a Muslim gathering

Imagine if 40,000 Muslims gathered together in the south of England to swear a pledge of allegiance to Isis. Every major news outlet in the world would descend on the gathering and report that story. Now imagine what would happen if 40,000 Muslims gathered to pledge allegiance to a creed of peace to all and hatred to none, while they denounced violence and raised the flag of the UK. How many journalists would report that? I can tell you the answer, and it isn't many. I know this, because as I sat in the Press and Media tent at just such a gathering, I was completely on my own.

The assignment was rather unusual. I was sent to interview a Jewish man about a Christian relic at a Muslim convention. What I experienced was nothing short of extraordinary. The Jalsa Salana convention, now in its 51st year, is a gathering of Ahmadi Muslims. The Ahmadiyya are the largest growing Muslim denomination in the world. Founded in 1889 by Mirza Ghulam Ahmad, who is revered as a Messiah by his followers, the group has expanded to more than 200 countries, and is led today by its Caliph, Mirza Masroor Ahmad.

For more than 100 years, they have been leading a peaceful revival of Islam, what they call the "true Islam", and in the UK are responsible for building the first London mosque, in Putney in 1926, and the largest in western Europe, in Morden. The Ahmadiyya are not without their critics. Many Muslims do not consider their teachings, particularly those in relation to a second Messiah, compatible with the Quran. In Pakistan, for example, it is illegal for Ahmadiyya to call themselves Muslim, and the Saudi authorities do not let Ahmadi Muslims perform the Haj to Mecca. Many have experienced persecution.

But there was no sense of that at the Jalsa convention. A huge site in Alton, Hampshire, had been transformed for three days

into a sprawling mini village. Large white marquees were dotted around the site, which had separate areas for men and women. These tents were used for prayer or lectures; some were used to house a large bazaar selling everything from fresh food to books to clothing. There were also tents to showcase the work of Ahmadiyya humanitarian charities, while others were used for sleeping and serving meals.

Among the most charming displays was an exhibition of rare Qurans from all over the world, in a variety of scripts and designs. The collection was expertly explained to me by the curator's 12-year-old daughter. Across the marquee from her, a huge replica of the Turin Shroud was displayed, and I spoke to one of the exhibit's organizers, Barrie Schwartz.

"I was very nervous the first time I was invited here," he told me. "I'm a Jewish American. What was I doing at a Muslim convention? But I've been back every year since." Schwartz was one of the original photographers of the Turin Shroud when it was first scientifically investigated in 1978. Initially a sceptic, he has come to believe "almost 100 per cent" that the shroud was the one used to wrap Jesus's body after the crucifixion. Ahmadi Muslims believe that Jesus was a prophet, that he was crucified, but that he survived for four hours on the cross after which he was revived from a swoon in the tomb. They believe that he later made his way to Kashmir where he died seeking the Lost Tribes of Israel.

I sat with a group of over 200 Muslim women while Schwartz explained the history of the shroud to them. It was a somewhat surreal experience to watch as Hijabi women listened attentively to this bearded Jewish man as he described his 40-year fascination with a Christian icon.





There were people attending the convention from over 100 countries. As I walked around the site with my guide, a trainee Imam from Calgary, I was introduced to guests from Pakistan, Ghana, Canada and Brazil. Many were wearing traditional clothing; bright African fabrics, intricate Indian headdresses and stunning Asian silks. At the centre of the site, a display of over 100 national flags fluttered in the strong breeze. In the centre, on a raised platform, the flag of the Ahmadiyya flew alongside the Union Jack, both guarded by four men. "The platform is guarded," said my guide, "to show that we are prepared to defend our beliefs and our country, wherever we live. The two go together."

The hospitality of my hosts was extraordinary. Heavy rain had produced Glastonburyesque areas of mud which my flimsy shoes were not prepared for. No matter. Within minutes of my arrival a pair of boots had been found in exactly my size. I was constantly asked if I was hungry, thirsty, or needed to sit. Before I knew I needed anything, it was provided. This, said my host, was all part of the Ahmadi commitment to hospitality to the stranger.

The convention lasts for three days and is entirely volunteer led. Everybody pitches in, from the young men manning the carparks, to the teenagers peeling potatoes for nine hours straight, and the young children on litter duty. I spoke to Sameera who has been coming to the Jalsana all her life. She told me that the only year she didn't volunteer was when her baby was six months old. She didn't enjoy doing nothing and has volunteered every year since.

I arrived on the final day, in time to witness a remarkable moment. As people gathered in the huge central marquee, with thousands more outside watching events on screens, the Caliph arrived. He knelt on the ground and put out his hands. The

men around him held on to his fingers, and those behind them held on to their shoulders. Each man held on to the man in front, to form unbroken lines of human contact, stretching from the Caliph out into the crowd.

The Caliph read out the pledge of allegiance, line by line, in a variety of languages, and the gathered crowd repeated after him. My guide pointed out that the men closest to the Caliph included those who had most recently converted. He added that he had attended the convention for 23 years and had never managed to get this close to His Holiness. His words reminded me of the mixture of awe and love that Chasidic followers often feel for their Rebbe.

After the pledge, which included a commitment to spreading peace to all and hatred to none, the men bowed in prayer. Slowly, some began to cry. Then sob. The sound of grown men crying reverberated around the huge marquee. It was astounding. And rather humbling.

Then, just as quickly as he had arrived, the Caliph left, and the crowds began to disperse to other areas of the huge site. Before I left, I was introduced to the leader of the Ahmadi Youth Organisation in the UK. As he described the structure and activities of his organisation, I was struck by how similar it was to Tribe, RSY or any other Jewish youth organisation. And how many core similarities our communities share. It was a remarkable, and humbling, experience.

As I returned my press pass to the still-deserted media tent, I once again felt how skewed our media can be in regard to faith community relations. And proud to have played a small part in redressing the imbalance.



From Myanmar's Rohingyas to Pakistan's Ahmadis

By, Haroon Khalid

There was much hope associated with Aung San Suu Kyi. A mild looking woman taking on the Myanmarese military establishment, determined to restore democracy in her country. With her emphasis on non-violent political philosophy she was seen as a reincarnation of Nelson Mandela, Martin Luther King Jr and Mahatma Gandhi. But then she came to power and the idealism constructed around her began to evaporate.

In October 2013 when she was pressed on her silence on the Rohingya issue in Myanmar by the BBC journalist Mishal Husain, she is believed to have muttered off-air, "No one told me I was going to be interviewed by a Muslim." She caused another controversy a few weeks ago when the Foreign Ministry of Myanmar, of which she is in-charge, requested the international community to not refer to the persecuted Muslim minority of the country as Rohingya.



This is an old demand of the hard-line Buddhist nationalists of the country who instead would want to call them Bengali. In fact in 2014 census the community against its wishes was forced to be identified as Bengali. Harmless as the suggestion might sound its aim is to disenfranchise a community, which would have far reaching political consequences. The term Rohingya suggests that these are residents of the Rakhine State of Myanmar. The acceptance of the term would imply

that the community belongs to particular areas of Myanmar, a troublesome prospective for hard-line Buddhist nationalist who want to redefine the state increasingly as a Buddhist nation. The term Bengali on the other hand identifies them as foreigners in the land of the Burmese. It makes it easier to disenfranchise them and remove them from this Buddhist land.

Slum razing

The political connotations of certain titles and names are something that is exploited by nation-states all across the world for their advantage, in their attempt to construct a national identity. Another example comes from another holy land that too wants to define itself solely on the basis of one dominant religion, much like Myanmar. Last year, the Capital Development Authority of Islamabad decided to raze a katchi abadi from the city which it alleged to be an "illegal" community harboring "terrorists". Over the course of a single day about 5,000 houses were destroyed displacing thousands of its residents. To control the public narrative the government authorities named the katchi abadi "Afghan Colony". The abadi had first been established by Afghan refugees of the 1979 war but since then had been occupied by the displaced Pathan families from the tribal areas, affected by the war on terror. There were only a handful of Afghan houses in the entire community yet the name stuck.

As officials were grilled on national channels about their abrupt actions they stuck to the epithet creating an impression that the colony houses Afghan refugees. In a post-Peshawar attack environment, there was not much sympathy for the Afghan refugees making it easier for the Pakistani government to implement its plan without much hue and cry from the general population.



The Ahmadis in Pakistan face a similar fate to the Rohingya community in Myanmar. The community lost its spiritual headquarters to the arbitrariness of the Radcliffe Award, so after Partition they chose the town of Rabwah as their centre. The word Rabwah is mentioned in the Quran and means an elevated place. In 1974, the Parliament of Pakistan declared Ahmadis to be non-Muslims. Amendments to the constitution in 1984 barred the Ahmadis from “posing” as Muslims, making it illegal for them to declare themselves Muslims, call their place of worship a mosque or even use the traditional Muslim greeting.

For some time, the name Rabwah went unnoticed but then in 1998 the Punjab Parliament changed the name of the town to Nawan Qadian and then to Chenab Nagar in 1999. This was yet another example of how a state attempts to appropriate certain titles for its own political narratives. The word Rabwah had Islamic origins so its continued use by the Ahmadis threatened the state narrative, which is hell-bound on stripping the Ahmadis of all its Islamic credentials – similar to what the Buddhist state in Myanmar wants to do with the Rohingyas.



Fighting the Communists

In 1967, when the Pakistan Peoples Party was founded by Zulfikar Ali Bhutto together with members of the Left, the Party declared Islamic Socialism as its credo. This was a unique moment in Pakistan's history, given that the under the military dictator Ayub Khan the Pakistani state had aligned with the Americans against the “godless” Communists. In 1953, after the Rawalpindi Conspiracy, which was an alleged attempt by the Communist Party of Pakistan to overthrow the government, the party had been banned. In the following years, Communism was projected to be satanic godless creed that threatened the Islamic society of Pakistan. Aware of these prejudices, the founders of PPP tacitly attached the word Islamic with Socialism. In this way, a godless, satanic ideology became halal, and therefore palatable to a religiously inclined society.

In Pakistan, there is much criticism about Myanmar's persecu-

tion of the Rohingya community and rightly so. Religious political parties have particularly exploited the situation to highlight the international oppression of the Muslims, yet it is the same religious parties who continue to exploit the situation for similar vulnerable groups in their own society. They curse the hard-line Buddhist nationalists in Myanmar, while those Buddhist nationalist use the spectre of global Islamic threat represented by such religious parties in Pakistan to massacre innocent people. Both of them see the other as enemy yet it is the same figure of a bigot religio-nationalist that stands on both sides of the mirror.

The Washington Post

Frustrated with your spouse? These scientists suggest a specific kind of prayer

By Thomas Burnett,

Does prayer affect our intimate relationships? Frank Fincham at Florida State University's Family Institute, along with several collaborators, has conducted a series of empirical studies of how prayer can impact romantic couples. Fincham wanted to learn whether petitionary prayer—a prayer where you request something—for someone's partner has any objectively measurable effects on couples. After numerous studies that spanned two decades and published in top journals like “Psychological Science,” the answer appears to be yes.

Praying daily for one's partner has been linked to numerous positive outcomes: increased relationship satisfaction, greater trust, cooperation, forgiveness and marital commitment. Many of these benefits apply both to the prayer as well as the one being prayed for.

But to experience these benefits, not just any kind of prayer will do—it has to be praying specifically for one's partner. Of course, prayer can take many forms: ritual, petitionary, colloquial and meditative, among others. The form studied by the researchers was petitionary, making specific requests during prayer. The focus of these prayers was for one's partner, specifically for divine love, well-being and blessings. (Disclosure: The John Templeton Foundation, where I work, has funded some of Fincham's studies.)

The positive effect of prayer was measured both in undergraduate, mostly white students in exclusive relationships, as well as African American couples who have been married for many years. To be confident that their findings would be accurate, researchers carefully designed experiments by randomly assigning their participants to treatment and control groups. Differences between the two groups could thereby be attributed to the effects of partner-focused prayer rather than to other factors. The control groups engaged in other activities that could theoretically improve relationships, such as self-focused prayer, self-help books, marriage enrichment programs and positive social interactions with one's partner. Compared to these control groups, those who prayed for their partners consistently saw the greatest positive impact on their relationship.

In addition to these randomized control trials, Fincham and his collaborators added another feature to strengthen their findings. Social science research often relies on self-reporting, in which participants respond to surveys after engaging in an activity. But what if the participants are mistaken or don't answer truthfully? To control for these factors, Fincham included third-party observers to watch the behavior of participants before and after testing. The observers found that those who prayed regularly for their spouses experienced better outcomes.

Praying for one's partner is linked to numerous positive qualities. For example, for couples to thrive, both partners must be willing to make occasional sacrifices. If these sacrifices lead to resentment, the relationship erodes. However, partner-focused prayer caused participants to be more satisfied with the sacrifices they made.

Another set of five studies indicates that partner-focused prayer shifts people toward greater cooperation and forgiveness amid conflict. Forgiveness is not only essential for one's relationships, but it is associated with better physical health, too, so the benefit is amplified. Fincham's other studies found that partner-focused prayer was associated with greater overall commitment to one's marriage. This trait was observed both in the person who was regularly praying and the partner who was being prayed for.

The power of petitionary prayer applies not only to romantic partners but to close friends as well. For instance, in experiments with undergraduates, researchers found that those who had been assigned to pray regularly with a close friend showed greater levels of trust, compared to control groups. Multiple studies suggest a causal relationship, not just correlational. Partner-focused prayer apparently causes people to become more satisfied with their marriages. If that is the case, then it is a

powerful activity.

Yet how exactly does prayer improve relationships in so many ways? None of these studies presumed that the prayers were being answered by a divine being. Setting aside the possibility of supernatural intervention, research suggests that partner-focused prayer increases selfless love towards one's partner. It could also help reorient a couple toward long-term shared goals, and away from short-term, adversarial behavior focused on "winning" conflicts.

Partner-focused petitionary prayer could play a role in conflict resolution and marital counseling. While not all counselors will feel comfortable assigning prayer to clients, professionals could certainly partner with congregations and clergy who are committed to fostering healthy relationships.

At this point, Fincham's findings can't be applied to all couples. The research needs additional cross-cultural studies. And, these studies were limited to those who already engage in prayer to some degree. Further research could reveal whether prayer also enhances the relationships of couples who do not normally pray.

Fincham's empirical research, spanning 20 years, appearing in some of the most prestigious psychology journals, has resulted in a consistently reproducible finding: prayer improves marriages. For those who might be curious to try it out for themselves, they could start with the daily one given to the study subjects:

Dear Lord, thank you for all the things that are going well in my life and in my relationship. Please continue to protect and guide my partner, providing strength and direction every day. I know you are the source of all good things. Please bring those good things to my partner and make me a blessing in my partner's life. Amen.

poetry CORNER

YOU DO ME NO HARM

By Hazrat Mirza Ghulam Ahmad of Qadian
The Promised Messiah and Mahdi (as)

With your low and mean tricks, you do me no harm
Indeed you would do very well to remember

That my person and my life, are of the kind
That even if it were thrown into a well of liquid flames

I shall come out safe and sound, in limb and life!
If you think the religion you follow has any value

Let me see that you can change, in the very least
I truly declare that great honor shall come

To descend on me; on you, nothing but blame!
You have made very tall claims

You have spoken with a great deal of insolence
And you have done your level best to hide the truth

But you must remember that one of these days
You shall have to face a deep humiliation, and a withering shame!

Translation by Sufi A. Q. Niaz

FROM

THE ARCHIVES

The Muslim Sunrise, Vol XLI, Spring 1974

A Message of Peace and A Word of Warning

By Hazrat Mirza Nasir Ahmad (Head of the Ahmadiyya Movement in Islam)

(Address delivered by Hazrat Mirza Nasir Ahmad on 28th July, 1967, at the Wandsworth Town Hall, London, S.W.)

As head of the Ahmadiyya Movement I have the honor to occupy a spiritual office. In that capacity, I am charged with responsibilities which I am not permitted to lay aside at any time till I draw my last breath. These responsibilities embrace all my fellow beings, every one of whom because of that fraternal bond, is dear to me.

Gentlemen, mankind finds itself at this moment at the brink of disaster. In that context I am the bearer of a momentous message for you and for all my brethren. Having regard to the occasion I shall endeavor to make it brief.

My message is of peace and harmony and of hope for mankind. I earnestly hope that you will listen carefully to what I have to say and to ponder it with an open and enlightened mind.

The year 1835 occupies a place of pride in the human calendar. In that year a child was born in Qadian, an obscure village in the north of India. For generations his forbearers had ruled the area around Qadian with great distinction. But the great house had fallen on lean days and lost much of its glory. The child that was born was no ordinary child. He was destined to bring about a great revolution not only in the realm of the spirit but also in the realm of matter. He was named Ghulam Ahmad by his parents and later became known to the world as Hazrat Mirza Ghulam Ahmad Qadiani. He was appointed by God, as the Messiah and the Mahdi.

Family records indicate that he was born on February 13, 1835. It was an age of ignorance. Not many people in that part of India were fond of learning. Hardly a few could read or write. Often a letter would remain unread for want of a reader. The tutors engaged for the instruction of this child were not very learned. They taught him to read the Holy Quran. But



Hazrat Mirza Nasir Ahhmad Khlaliful Masih III (rh)

they were not competent enough to impart even rudimentary instruction in the meaning and spiritual profundities of the Holy Book. They also gave him elementary instruction in Arabic and Persian. He learnt to read the two languages but did not acquire any proficiency in them. He read some books on the indigenous systems of medicine under the guidance of his father who was a renowned physician. This was the sum total of his formal education. True, he was fond of books and was usually occupied with reading them in his father's library. But as learning and scholarship were not much esteemed at the time, his father wanted him to assist him in managing his mundane affairs and to interest himself in them and win social esteem and popularity. Hence his father tried to dissuade him from his studies and warned him against becoming a book-worm.

It is clear that with such elementary education he could not have carried out the stupendous task entrusted to him by Allah. Therefore, Allah himself became his guide and teacher and taught him the meaning of the Holy Quran, and the

secrets of the spirit and of life. He illumined his mind with His own light and blessed him with the mastery of the pen, and with beauty and sweetness of expression and helped him write scores of books of unsurpassed brilliance and to deliver discourses which are rich repositories of learning and spiritual knowledge.

The time of his birth had been foretold by earlier Prophets and found prominent mention in their sayings and scriptures. I would here mention only one such prophecy, by the Holy Prophet Muhammad, chief of the Prophets (on whom be peace). He had prophesied about the Mahdi more than thirteen hundred years before that a number of false claimants to the office of the Promised Messiah and Mahdi would arise among the Muslims. None of them would be the true Mahdi, except one, who will be a true follower of the Holy Prophet and to establish the truth of his claim two great heavenly signs will appear. These signs will be the solar and lunar eclipses which shall take place in the same month of Ramadan. The lunar eclipse would occur of the first of the possible nights of such eclipses i.e. the 13th. The solar eclipse would occur on the second possible days of such eclipses i.e. the 28th.

The fixing of the month of Ramadan out of all the months of the year and again the fixing of definite dates of the eclipses was a mighty prophecy indeed. To foretell such a conjunction of events was to transcend beyond the limits of human knowledge. In fact when the time came the claimant actually appeared and declared himself to be the Mahdi and this was followed by the two heavenly signs – the two eclipses – as foretold with precision and exactitude. Most certainly this prophetic utterance of the Holy Prophet, as events some thirteen hundred years later proved, was truly divinely inspired and of superhuman origin. The Prophecy was fulfilled in this manner. The child who was born in 1835, declared in 1891 that he was the Promised Messiah and Mahdi. In support of his claim he advanced numerous arguments and cited a large number of heavenly signs; and also presented to the world a number of his own prophecies some of which were fulfilled in his own time while the fulfilment of others took place later and continues to this day. The contemporary theologians rejected his claim. One of the reasons for this rejection put forward by them was that the Prophecy of the Holy Prophet, namely, the one about the solar and lunar eclipses which were to take place in a certain month and on certain dates and which was to be a sign of the truth of such a claimant, had not yet been fulfilled. Therefore, according to them, he could not be the true Mahdi. But the Omnipotent and Almighty God always keeps His promises and treats His sincere servants with love and constancy. In keeping with His promise and the prophecy of the Holy Prophet, the solar and lunar eclipses took place in the exact month and on the exact dates in 1894

and thus manifested to the whole world that the God of Muhammad (on whom be His peace and blessings) is all-powerful and Supreme. He showed this sign not once but twice, for it was repeated the following year in the western hemisphere. The two eclipses occurred in the precise month and on precise dates so that the people of the orient and the occident, of the new world and the old, should bear witness to the supreme glory and power of God and the truth of the Holy Prophet Muhammad and his spiritual son Hazrat Mirza Ghulam Ahmad. Great is the Holy Prophet who made this prophecy on the basis of Divine knowledge and great is his spiritual son in whose person it was fulfilled.

From Muhammad (on whom be peace and blessings) to Hazrat Mirza Ghulam Ahmad, in the course of thirteen hundred years, quite a few persons claimed to be Mahdis but the sun and the moon did not bear witness to the truth of anyone except in the case of Hazrat Mirza Ghulam Ahmad. This alone should be enough to make you to consider, dispassionately and earnestly, and ponder the claim of this claimant whose message I have the honor to convey to you this evening and by whose side the sun and the moon stood as eager witnesses to his truth and veracity.

So far about the sun and the moon; let us now turn towards the earth and hear what it says. With the coming of the Promised Messiah and Mahdi strange and extraordinary upheavals and revolutionary changes, both physical and spiritual, were bound to take place. In fact all the various revolutions and major historical changes are different dimensions of the same revolutionary process which was initiated with his advent as Mahdi and Messiah and bear witness to his truth. What is more, these upheavals are taking place as predicted by the Holy Prophet and by the Promised Messiah. Let me cite some examples.

During the early days of the mission of the Promised Messiah there was no eastern country that could rival the might of the civilized and powerful nations of the West. Then in 1904 it was revealed to him that soon certain eastern nations would emerge as important world powers challenging the supremacy of the West. Soon after Japan defeated Russia and established its claim as an eastern world power. Then, after the fall of Japan in World War II China emerged as a great oriental power. The rise of these two nations as world powers changed the course of history and as the years go by their impact will be felt on an even vaster scale.

All this has happened in conformity with the Divine Will as revealed to the Promised Messiah.

Another important event of this age which profoundly influenced the whole world is the liquidation of the Czar and his

imperialist regime and the triumph of communism. The Russian revolution which seems to have changed the course of the history took place exactly in keeping with the prophetic utterances of the Promised Messiah. It was in 1905 that he prophesied, on the basis of Divine revelation, that the Czar of Russia and his family and their system of government would face dire distress and be destroyed. It is a strange coincidence that within months of this prophetic announcement the foundation of a political party was laid which, some 12 or 13 years later, destroyed the monarchy and the royal house of the Czars. The eventual rise of communism and its vast ramifications are too well-known to need elaboration. Suffice it to say that the overthrow of the Czarist regime and the triumph of communism in Russia and elsewhere is a tragic chapter of human history which makes painful reading but which can on no account be ignored. No country in the world, including your own, has been immune against its impact. But we are neither surprised nor upset at the way events have moved. Their intensity, speed and direction were all foretold by the Promised Messiah and will be found in due time to have contributed materially to the consummation of the Divine scheme. It had been predicted and the prediction was graphic and detailed that in the days of the Mahdi and Promised Messiah, two great powers would emerge and the world would split into two hostile camps. No other power would be strong enough to challenge their supremacy. They would eventually clash and fight each other and perish in the process. This, however, is not the only war against which the Promised Messiah and the Mahdi warned. He prophesied five major catastrophes of world dimensions.

About the first World War, he declared that it would overtake the world suddenly. The world would be shocked. Travelers would be faced with great trouble. Rivers would turn red with blood. The young would be shocked into senility. Mountains would explode. The horror of war would make people mad. It would be the time of the Czar's destruction. The seed of world communism would be sown. Fleets would be kept at combat ready. Great naval battles would be fought. Empires would be overthrown and cities would turn into graveyards.

This holocaust was to be followed by another world war of even vaster dimensions and deadlier consequences. This was to change the map of the world and reshape the destinies of the nations. Communism was to appear as a world force and begin dictating terms. Vast areas were to fall under its sway. That is exactly what happened after the second World War. Many countries of Eastern Europe turned communist and 700 million people of China followed. The emerging nations of Africa and Asia are greatly influenced by communism. The world is divided into two hostile camps, each armed to the teeth with the latest sophisticated weapons ready to hurl mankind into a burning hell of death and destruction.

The Promised Messiah also prophesied that a third world war of even bigger dimensions would follow the second. The two opposing camps will clash with such suddenness that everyone will be caught unawares. Death and destruction will rain from the sky and fierce flames shall engulf the earth.

The colossus of modern civilization will tumble to the ground. Both the communist and the opposing blocks will perish in the process. Russia and its satellites on the one hand and the U.S. and its allies on the other, shall be destroyed, their might broken, their civilization ruined and their systems shattered. The survivors shall stand aghast and amazed at the tragedy. Russia will recover sooner from the calamity than the West. The prophecy is clear that the Russian population will recover and multiply rapidly. They will be reconciled to their Creator and will accept Islam and the Holy Prophet of Islam. A people who are seeking to wipe out the name of God from the earth and to drive him out of the skies will realize the folly of their ways and at long last submit to Him as staunch believers in His Unity and Oneness.

You may consider this a fantasy. But those who survive the third World War will witness and bear out the truth of what I have said. These are the words of God Almighty. They shall be fulfilled. No one can avert His decree.

The end of the third World War will be the beginning of the triumph of Islam. People will accept its truth in large numbers and will realize that Islam alone is the true religion and that the emancipation of man is to be won through the message of Muhammad alone (on whom be peace).

All these events are important landmarks in the history of man. The emergence of Japan and later China as world powers on the oriental horizon, the complete annihilation of Czarist Russia, the triumph of communism and its growing influence in the world at large, the first great war that changed the map of the world and the second world war that brought about a cataclysmic upheaval in the world, are no ordinary events. They happened as had been prophesied. We must remember that the Promised Messiah fulfilled his mission and passed into the mercy of Allah on May 26, 1908. All these prophecies had been given wide publicity long before.

It is certain, therefore, that the revelations and prophecies about the ultimate and universal triumph of Islam will also come to pass in their own good time, for they are links of the same chain. The signs of revival of Islam are already visible. They may not be very clear yet but they are easily discernable. The sun of Islam will finally rise in its full splendor and illumine the world. But before that happens the world must experience another war – a blood bath – that will leave mankind

shaken and chastened.

But, gentlemen, let us not forget that this prophecy, like all prophecies, is a warning and its fulfillment can be delayed or even averted provided man turns to his Lord, repents and mends his ways. He can yet avert Divine wrath if he stops worshipping the false deities of wealth, power and prestige. Are they willing to shake off this state of inebriation? Are they eager for spiritual bliss and happiness?

If not, Divine wrath is bound to descend. If they do not give up their evil ways and persist in their arrogance, no power and no false gods shall avail them aught against the promised chastisement.

Be kind, therefore, to your own selves and to your children! Listen to the voice of your Lord, Most Gracious, Ever Merciful. May He smile on you with compassion and grant you the strength and the opportunity to accept and to profit from the truth.

Now a word about the spiritual revolution which Hazrat Mirza Ghulam Ahmad, the great spiritual son of the Holy prophet (on whom be the peace and blessings of Allah) was destined to bring about. We must recall that at the time of his advent the world of Islam was passing through a period of extreme helplessness and decadence. Muslims were poor and ignorant. Industrially they were backward and had lost their initiative in commerce and business. Political power had deserted them. Nowhere in the world they enjoyed real independence. Morally they were bankrupt and were suffering from an acute sense of frustration. They had lost even the will to rise and join the living nations of the world. Islam was being attacked on all sides and there was no one to defend it. Christianity was the most bitter and the most active of its enemies. Its missionaries had gone out to all parts of the world, leading a bitter onslaught against Islam. Christian money and political power were ready and eager to help. Their main target was always Islam. Christianity was so confident of its victory that its advocates had triumphantly declared:

- 1) The continent of Africa was in their pocket.
- 2) There would not be a single Muslim left in India.
- 3) The time had come to hoist the flag of Christianity over Mecca.

As against all this Hazrat Mirza Ghulam Ahmad was alone except for a few penniless Muslims who had gathered around him. He had no power, no money and no political backing. But He who is Lord and Master of all was his Helper. It was he who commissioned him to proclaim to the world that the days of revival of Islam were at hand, and that the day was not far when Islam would triumph over all other faiths through its spiritual power.

A word of explanation, however, before I proceed further. Islam teaches and we all Muslims sincerely believe, that Jesus Christ was a righteous Prophet of God and that his mother was a model of virtue. Both are spoken of in the Quran as worthy of veneration; indeed Mary is mentioned in the Quran as an example of purity and is referred to more reverently there than in the Gospels. The Quran, however, condemns with the utmost severity, their exaltation into divinities by the Church. That, and the refusal of the Church to accept the Holy Prophet Muhammad (on whom be the peace) have become the sharp dividing lines between the Church, Christianity and Islam.

The Promised Messiah has said:

I am constantly cogitating over the possibility of a decision between us and Church Christianity. My heart bleeds over the errors of worshipping the dead. For, what could be more painful than that a humble human being should be worshipped as God and a mere handful of dust be proclaimed as the Lord of all the worlds. I would have died of grief long before if God, who is my Lord and Master, had not comforted me that the unity of Allah will triumph in the end; all other deities will perish; false gods will be stripped of their alleged divinity; the period of Mary being worshipped as mother of god will come to an end; and the doctrine of the divinity of her son too will die. God Almighty says (in the Quran): If I so will, Mary and her son Jesus and all who inhabit the earth shall perish. Now, He has willed that the false divinity of both of them should suffer death. The two divinities, therefore, must die. No one can save them. With them shall die all those propensities which prompted obedience to false gods. There will be a new heaven and a new earth. The days are near when the sun of truth shall rise in the West and Europe shall come to know the true God. Thereafter the door of repentance shall close. For, those who desired to enter will have entered with eagerness. Only those will remain without whose hearts are sealed by nature, who love not light but darkness. All faiths shall perish except Islam and all weapons shall break except the heavenly weapon of Islam which shall neither break nor be blunted until it smashes the forces of darkness into bits. The time is close at hand when the pure unity of God that even dwellers of deserts who are ignorant of all faiths, feel in their hearts, will spread throughout. On that day no false redemption or false god shall survive. One blow of the divine hand will nullify all machinations of disbelief, but not with the sword or the gun but by means of enlightening a number of souls with divine light and by imbuing pious hearts with divine effulgence. Only then will you understand what I say." (Tabligh-i-Risalat: Vol. vi pp 8-9)

Since these prophetic utterances were made the world of religion has been completely transformed. The vast continent of Africa instead of joining the ranks of Christianity is gather-

ing under the banner of Islam. In India, the Christian missionaries fight shy of facing even inexperienced young Ahmadis. The wish of hoisting the Christian flag over Mecca remains and shall remain a vain desire.

The signs of the fulfilment of the prophecies about the victory of Islam are becoming more and more evident. I have just discussed the prophecy about the third world war after which Islam will triumphantly emerge in its full glory and I have also pointed out that this catastrophe can be averted through sincere contrition and by treading the path of virtue as taught by Islam. It is for you to choose and save yourselves and your children by establishing a true relationship with God based on certainty and conviction or to doom yourselves and your progeny to total annihilation by opting for paths that lead away from Him. The divine warner has warned you in the name of God and his messenger the Holy Prophet Muhammad (peace and blessings of God be on him). He has done his duty. It is my prayer that God grant you the strength and courage to do your duty. Let me conclude in his own words:

“Remember, God has informed me of many earthquakes. Rest assured, therefore, that as earthquakes have shaken America and Europe so will they shake Asia. Some of them will resemble the Day of Doom. So many people shall die that rivulets of blood shall flow. Even the birds and the beast will not be immune against this death. A havoc shall sweep the surface of the earth which shall be the greatest since the birth of man. Habitations shall be demolished as if no one had ever lived in them. This will be accompanied by many other terrible calamities which the earth and the heavens will send forth, till their extraordinary nature will become evident to every reasonable man. All the literature of science and philosophy shall fail to show their like. Then mankind will be sore distressed and wonder what is going to happen. Many shall escape and many perish. The days are near, in fact, I can see them close at hand, when the world shall witness a terrible sight. Not only earthquakes but also many fearsome calamities shall overtake man, some from the skies and some from the earth. This will happen because mankind have stopped worshipping their true God and have become lost in the affairs of the world with all their heart and their effort and their intent. If I had not come these afflictions would perhaps have been delayed a little. But with my coming the secret purpose of an affronted God which were hidden so far, became manifest. Says God: “We never punish unless we send a messenger.”

Those who repent shall find security and those who fear before calamity overtakes them shall be shown mercy. Do you think you will be immune from these calamities? Or can you save yourselves through effort or design? Indeed not. That day all human schemes shall fail. Think not that earthquakes visited America and other continents but that your own country shall remain secure. Indeed, you may experience a greater

hardship. O Europe, you are not safe and O Asia, you too, are not immune. And O dwellers of Islands, no false God shall come to your rescue. I see cities fall and settlements laid waste. The One and the only God kept silent for long. Heinous deeds were done before His eyes and He said nothing. But now He shall reveal His face in majesty and awe. Let him who has ears hear that the time is not far. I have done my best to bring all under the protection of God but it was destined that what was written should come to pass. Truly do I say, that the turn of this land, too, is approaching fast. The times of Noah shall reappear before your eyes and your own eyes will be witnesses to the calamity that overtook the cities of Lot. But God is slow in His wrath. Repent that you may be shown mercy! He who does not fear Him is dead not alive.” (Haqiqatul Wahy pp 256-257)

Our last word is that all praise belongs to Allah, the Lord of the worlds.



Questions & Answers

What is the State of Man after Death?

The state of man after death is not a new state, only his condition in this life is made manifest more clearly in the next life. Whatever the true condition of a person with respect to his beliefs and actions, righteous or otherwise, in this life, remain hidden inside him and its and its poison or its antidotes effects his being covertly. In the life after death it will not be so; everything will manifest itself openly. One experiences a specimen of it in a dream. The prevailing condition of the body of the sleeper makes itself manifest in his dream. When he is heading towards high fever he is apt to see fire and flames in his dream, and if he is stricken due to influenza or a severe cold he is apt to find himself floating about in water. Thus, whatever the body is heading for becomes visible in a dream. So one can understand that the same is the way of God with regard to the afterlife. As a dream transmutes our spiritual condition into a physical form, the same will happen in the next life. Our action and their consequences will be manifested physically in the next life, and whatever we carry hidden within us from this life will all be displayed openly on our countenances in the next life. As a person observes diverse type of manifestations, and dreams them as realities, the same will happen in the next life. Through such manifestations, God will display a new power, a power which is perfect, complete and absolute as He is All Powerful. I we were not to call the conditions of the next life manifestations and were to say that they would be a new creation by Divine power, that would be perfectly correct.

God had said, "And no soul knows what joy of the eyes is kept hidden for them." (The Holy Qur'an, 32:18) That is, no virtuous one knows what bliss is kept hidden from him, as a reward for that which he used to do. Thus God has described all those bounties as hidden, the like of which is not to be found in this world. It is obvious that the boun-

ties of this world are not hidden from us and we are familiar with milk, pomegranates and grapes, etc. which we eat here. This shows that the bounties of the next life are something else and have nothing in common with the bounties of this life, except the name. He who conceives of the conditions of paradise in the terms of the conditions of this life has not the least understanding of the Holy Qur'an.

(Hazrat Mirza Ghulam Ahmad of Qadianas: "The Philosophy of the Teachings of Islam." pp 137-138, Islam International Publications, Ltd., 2010)

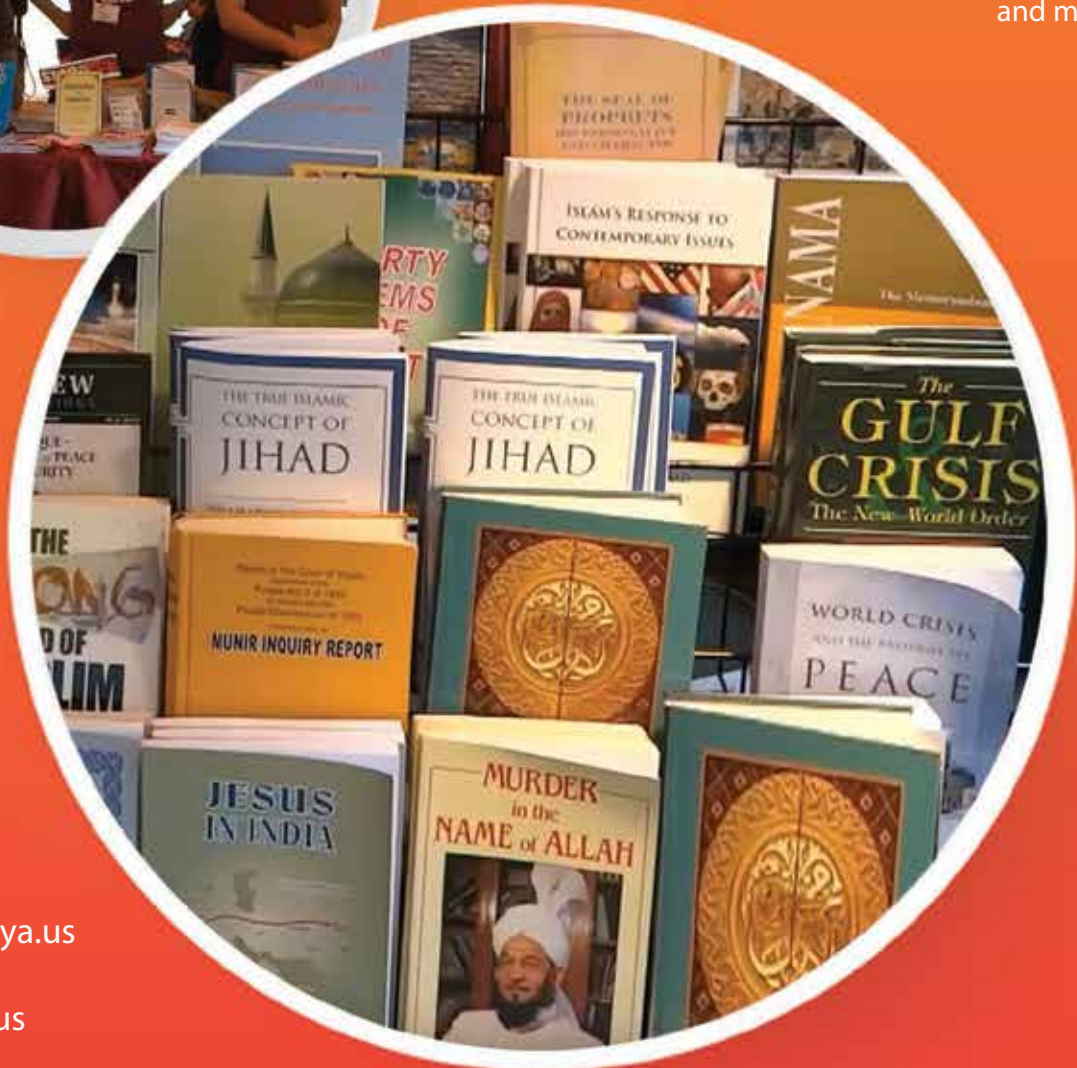


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