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BETWEEN OURSELVES

The Cover

The illustration on the cover is that of "The Dome of the Rock" at Jerusalem, built during the reign of the Omayyad Caliph, 'Abd al-Malik Ibn Marwan, in 691 C.E. The Dome, erected on the rock from which the Prophet Muhammad started his "Ascension" — Mi'raj (620 C.E.), is held sacred by Muslims.

This edition is one of the two oldest and most beautiful specimens of Muslim architecture, the other being the Grand Mosque of Damascus, that have remained intact to-day.

The Contributors

Al-Hajj Khwaja Kamal-ud-Din (d. 1932 C.E.) was the Founder of the Woking Muslim Mission and Literary Trust and the first Muslim in the whole world of Islam to have conceived the idea of propagating the message of Islam in the West.

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THE ISLAMIC REVIEW

JUNE, 1952

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THE POLITICAL IDEAL OF ISLAM

A few words on the political ideal of Islam seem to be opportune, not only in view of the present keen struggle for supremacy between democracy and dictatorship, but also of the new political awareness to be observed in the Muslim countries of to-day.

Islam, let it be said at the outset, believes in a political system in which all individuals have equality of rights and opportunities. But where it differs from the modern conception of democracy is that it states that no democracy can be complete unless it is accompanied by the spiritual emancipation of the individual. In order to stabilize democracy and make it part and parcel of human society, it first sees to it that it is inculcated in every individual that there is no mediator between man and his Creator. Thus Islam starts from within, emancipates the individual spiritually and aims at building up a social system rooted in the conviction that between man and man there is no distinction, no difference, that socially, morally, spiritually, all are equal. Europe, and the rest of the world with it, are still mentally and spiritually in the shackles of priestcraft, from which the Islamic society system is absolutely free. Islam also places in our hands a complete code of ethics which guides us in the right use of the emancipation it gives to the individual. It is one thing to emancipate an individual, it is another thing to enable him to use his newly-born birthright and freedom rigbly and properly.

The nature of the political ideal of Islam can be illustrated by instances from Islamic history to show the absolute equality of all men in Islam, the head of the State, the Caliph, not excepted. In some countries the king is above law. This conception of justice which differentiates between the subject and the ruler is repugnant to the Muslim. To the Qur’an both the servant and the master, the slave and the king, have equal status.

Here are two instances from the life of Salab al-Din (Saladin), the king of Egypt and Syria (1137-1193 C.E.). It is said that whenever a petitioner applied to him, the Sultan would stop to listen, to receive his complaint, and to enquire into the rights of the matter. A man of Damascus named Ibn Zubayr delivered a complaint against Taqi al-Din, the Sultan’s nephew, demanding justice. Although Taqi al-Din was high in the affection of his uncle, the Sultan would not spare him in a matter where justice was at stake and caused him to appear before the tribunal.

Another instance still more remarkable and significant than the foregoing shows likewise the great sense of justice inspired by the Qur’an. Once a merchant by the name of Umar al-Khalati came to the holy city of Jerusalem and appeared before the court of justice. Al-Khalati placed in the hands of the judge a certified memorandum, and begged him to read its contents. The judge asked him who was his adversary. Al-Khalati replied: “My affair is with the Sultan; this is the seat of justice and I have heard that you make no distinction of personage.” “Why,” the judge said, “do you bring a suit against the Sultan?” He replied: “I had a slave named Sonkor who remained in my possession until his death. At that time he had several large sums of money in hand, all of which belong to me. He did leaving these sums; the Sultan has taken possession of them and I lay claim to them as my property.” The judge remarked: “Why have you delayed so long before making your claim?” Al-Khalati replied: “One does not lose one’s rights by delaying claim to them, and here I have a certified document proving that the slave remained in my possession until his death.” The judge took the paper, and having read it through saw it contained a description of Sonkor. The document was in legal form. Wondering very much at this affair, the judge said to the plaintiff: “It is not meet to adjudge a claim in the absence of the party sued; I will inform the Sultan and let you know what he says in the matter.”

The Sultan thought the claim absurd and asked if the document had been examined. On being informed that it had been examined officially, the Sultan said: “Very well. We will let the man appear and I will defend myself against him and conform to all the regulations prescribed by law.” The Sultan, placing himself in front of the man, called upon him to state his case. Al-Khalati accordingly set forth his case in the manner described above. The Sultan replied in these words: “This Sonkor was a slave of mine; he never ceased to be my property till the time when I gave him his freedom; he is dead and his heirs have entered upon the inheritance he left.” Then the man answered and said: “I hold in my hand an instrument that will prove my case. Please open it, that its contents may be known.” The judge opened the document and found that it bore out the statements of the complainant. The Sultan, having informed himself of the date of the paper, replied: “I have witnesses to prove that at that date Sonkor was in my possession and at Cairo. He remained in my possession till he received his freedom.”

He then summoned some of his chief military officers, who bore witness that the facts were in accordance with the statements of the Sultan and declared that the date he had given was exact. The plaintiff was con

The judge said to the Sultan: “My lord! the man has done this only that he may obtain mercy at my lord’s hands, being in your presence; and it will not be met with to let him depart disappointed.” “Oh,” said the Sultan, “that is quite another matter.” He then ordered a robe of honour to be given to the man and a sum of money.
By the Light of the Qur'ān and the Hadith

By The Late al-Hajj Khwaja Kamal-ud-Din

Muslim Conception of Angels — The Guides in Spiritualism

Religion and science

God is the best guide, and after Him the nature that He has created. He reveals His will to us by His messengers as well as through His working in the universe. The former medium plays a dominating part in the sphere of religion, while science deals with the latter. The teachers of religion give us certain laws of life, the final aim and object of which is to attain to such a state of spiritual growth as shall enable us to receive messages from our own Creator. There may be various ways of achieving the required state of spiritual growth, but there must be one way which is shorter than the rest, and if the Qur'ān reveals it, as it claims to do, the finality of its revelation in this respect is established. Islam does not close the door on Divine messages to humanity.

"(As for) those who say, Our Lord is God, then continue in the right way, the angels descend upon them, saying: Fear not, nor be grieved, and receive good news of the garden which you were promised.

"We are your guardians in this world's life and in the hereafter, and you shall have therein what your souls desire and you shall have therein what you ask for: An entertainment by the Forgiving, the Merciful" (The Qur'ān, 41 : 50-52).

Angels are sentient beings

In the last quotation we read of guardian angels, and before I go further I should like to say something as to the Muslim conception of angels. Everything in nature, even though it be in the form of dead matter, exerts a sort of mentality, by observing the laws prescribed for the exhibition of its properties.

When brought under the conditions laid down for it, every form of matter gives out what is latent in it, and that with preservation, and with a mathematical exactitude which is not discernible even in man with all his advantages of intellect and mentality. If the mind is a great guide, dumb and dead nature seems to possess stronger mentality than falls to the best of us sentient beings. Angels, in Muslim theology, are the sentient beings that work out the varied potentialities reposed in the diverse manifestations of nature. They act within prescribed bounds, and do not know how to violate them.

"And whatever creature that is in the heavens and that is in the earth makes obeisance to God (only), and the angels (too), they do not show pride.

"They fear their Lord supreme and do what they are commanded" (The Qur'ān 16 : 49, 50).

The function of angels

Every passion, every moral impulse, and every phase of spirituality is a potentiality, and has an angel to work it out whenever they come under conditions required for their revelation.

How stands it, then, with the human mind? Sometimes, without any association of ideas at all, we are impelled to do good. Some finer feeling in us, though dormant for the moment and without apparent reason for being aroused, becomes on a sudden active, and we are invited to do good. This impulse towards good, we Muslims ascribe to the angels. If we listen to such angelic calls, and follow their invitation, they in their turn are encouraged and begin to guard us against any evil step which we may be tempted to take. Thus every function becomes twofold. They invite us to good and warn us against evil. And further, if we are obedient to them, they become our guardians in the third stage. In this evolved stage of spirituality, man is visited by them; sometimes they appear to him in human form, but more often in vision. This may seem to others only a species of hallucination or trick of imagination, but it is a reality to those who are spiritually advanced. Services which angels render to those who have acted submissively as wards under their guardianship are the measure of their ministry. Man becomes master and they his ministers, his servants.

Islam's attitude towards modern spiritualism

I have given a very brief account of the work of the angels. Before I go further something should be said as to the influence of spirits, other than angels, upon the destiny of man. If the various potentialities of nature are being worked out by corresponding mentalities which we call angels, those potentialities do none the less cause harm in the world when wrongly used; and if sometimes man becomes impelled to do wrong by some prompting which there is nothing in the outer world at the moment to suggest, we Muslims ascribe such evil experiences to certain sentient beings called evil spirits. By spirit here I do not mean the souls of the departed; I simply mean such beings as have direct and definite connection with those potentialities. Thus, if we receive good and evil inspirations, we ascribe them respectively to good and evil spirits; the angels being the former.

If in the spiritualistic movement angels are the guides and guardians, a Muslim cannot say anything against them; but if they come from "ghost-land", as it is called, the belief is not a healthy one. Every spiritualist feels comforted when he claims to have the benefit of the guide; he lends a willing ear to its suggestions and suffers gladly the mutilation or stagnation of his own individual judgment. First of all, it is a very difficult thing to distinguish between the inspirations coming from a guide or angel and those arising from the working of our own subconsciousness. Subconsciousness sometimes remains at work for hours, and brings to us a certain conclusion. As we cannot ascribe this conclusion to any apparent cause or association of ideas, we at once assume that it emanates from a spirit or guide. We may not be able to detect the harm in it, and we may commit wrong. A Muslim cannot ascribe any inspiration of his to the angels, unless such inspiration is consistent with the requirements of morality, conscience and the Qur'ānic laws.

The very word "guide" creates a sort of psychology prejudicial to the spirit of independence and fatal to freedom of thought. There must be some reasonable limit to tutelage, but to remain always a ward is eminently undesirable. In Islam we are free from such conditions; for even our guardian angels become our ministers ere all is done.
FASTING IN ISLAM

By MAULANA MUHAMMAD 'ALI

"The movement effected by the advent of Ramadhan in the Muslim world is the greatest mass movement on the face of the earth. The rich and the poor, the high and the low, the master and the servant, the ruler and the ruled, the black and the white, the Eastern and the Western, from one end of the earth to the other, suddenly change the course of their lives when they witness the tiny crescent of Ramadhan making its appearance on the Western horizon. There is no other example of a mass movement on the scale on the face of the earth, and this is due to the specification of a particular month".

A universal institution

Fasting was generally resorted to in times of mourning, sorrow and afflictions before Islam, but with Muslims fasting is a spiritual, moral and physical discipline of the highest order, and this is made clear by changing both the form and the motive.

In the Holy Qur'an, the subject of fasting is dealt with only in one place, that is in the 23rd section of the second chapter, though there is mention on other occasions of fasting by way of expiation, or fulj9, in certain cases. This section opens with the remark that the institution of fasting is a universal one:

"O you who believe! Fasting is prescribed for you as it was prescribed for those before you, so that you may guard against evil."

The truth of the statement made here — that fasting "was prescribed for those before you" — is borne out by a reference to religious history. The practice of fasting has been recognized wellnigh universally in all the higher, revealed religions, though the same stress is not laid on it in all, and the forms and motives vary. "Its modes and motives vary considerably according to climate, race, civilization and other circumstances; but it would be difficult to name any religious system of any description in which it is wholly unrecognized." Confucianism is, according to the writer in the Encyclopaedia Britannica, the only exception. Zoroastrianism, which is sometimes mentioned as another exception, is stated as enjoining, "upon the priesthood at least, no fewer than five yearly fasts". Present-day Christianity may not attach much value to religious devotions of this sort, but not only did the Founder of Christianity himself keep a fast for forty days and observe fasting on the Day of Atonement like a true Jew, but also commended fasting to his disciples: "Moreover, when ye fast, be not as the hypocrites, of a sad countenance... But thou, when thou fastest, anoint thine head, and wash thy face." It appears that his disciples did fast, but not as often as did those of the Baptist, and when questioned on that point, his reply was that they would fast more frequently when he was taken away. The early Christians also are spoken of as fasting. Even St. Paul fasted.

New meaning introduced by Islam

Cruden's remark in his Bible Concordance that fasting in all nations was resorted to "in times of mourning, sorrow and afflictions" is borne out by facts. Among the Jews generally, fasting was observed as a sign of grief or mourning. Thus, David is mentioned as fasting for seven days during the illness of his infant son; and, as a sign of mourning, fasting is mentioned in I Samuel 31:13 and elsewhere. Besides the Day of Atonement, which was prescribed by the Mosaic law as a day of fasting, the people being required to "afflict" their souls while the priest made an atonement for them to cleanse them of their sins, various other fasts came into vogue after the Exile in sorrowful commemoration of the various sad events which had issue in the downfall of the kingdom of Judah. Four of these became regular fasting-days, "commemorating the beginning of the siege of Jerusalem, the capture of the city, the destruction of the temple and the assassination of Gedaliah." Thus it was generally some trouble or sad event of which the memory was kept up by a fast. Moses' fasting for forty days — which example was later followed by Jesus Christ — seems to be the only exception, and the fast, in this case, was kept preparatory to receiving a revelation. Christianity did not introduce any new meaning into the fast; Christ's words, that his disciples would fast often when he was taken away from their midst, only lend support to the Jewish conception of the fast, as connected with national grief or mourning.

The idea underlying this voluntary suffering in the form of a fast in times of sorrow and affliction seems to have been to propitiate an angry Deity and excite compassion in Him. The idea that fasting was an act of penitence seems gradually to have developed from this as an affliction or calamity was considered to be due to sin, and fasting thus became an outward expression of the change of heart brought about by repentance. It was in Islam that the practice received a highly developed significance. It rejected in toto the idea of appeasing Divine wrath or exciting Divine compassion through voluntary suffering.

JUNE 1952
and introduced in its place regular and continuous fasting, irrespective of the condition of the individual or the nation, as a means, like prayer, to the development of the inner faculties of man. Though the Holy Qur’an speaks of expiatory or compensatory fasts in certain cases of violation of the Divine law, yet these are quite distinct from the obligatory fasting in the month of Ramadhan, and are mentioned only as an alternative to an act of charity, such as the feeding of the poor or freeing of a slave. Fasting, as an institution, is here made a spiritual, moral and physical discipline of the highest order, and this is made clear by changing both the form and the motive. By making the institution permanent, all ideas of distress, affliction and sin are dissociated from it, while its true object is made plain, which is "that you may guard (ittiqun)." The Arabic word ittqa, from which ittIQun is derived, means the guarding of a thing from what harms or injures it, or the guarding of self against that of which the evil consequences may be feared. But besides this, the word has been freely used in the Holy Qur’an in the sense of fulfillment of duties, as in 4:1, where arham (ties of relationship) occurs as an object of ittqa, or, as generally in ittq-ulah where Allah (God) is the object of ittqa, and therefore the significance of ittqa in all these cases is a fulfillment of obligations. In fact in the language of the Holy Qur’an, to be a mutaqi is to attain to the highest stage of spiritual development. "God is the friend of the mutaqin," and "God loves the mutaqin," and "God is with the mutaqin," and "For the mutaqin is an excellent resort." These and numerous similar passages show clearly that the mutaqin, according to the Holy Qur’an, is the man who has attained to the highest stage of spiritual development. And as the object of fasting is to be a mutaqi, the conclusion is evident that the Holy Qur’an enjoins fasting with the object of making man ascend the spiritual heights.

A spiritual discipline

Fasting, according to Islam, is primarily a spiritual discipline. On two occasions in the Holy Qur’an those who fast are called sahib (from sahu meaning he travelled) or spiritual wayfarers; and according to one authority, when a person refrains, not only from food and drink, but from all kinds of evil, he is called a sahib. In speaking of Ramadhan, the Holy Qur’an specially refers to the nearness of God, as if its attainment were an aim in fasting, and then adds: "So they should answer My call (by fasting) and believe in Me, so that they may find the way (to Me)." In Hadith, too, special stress is laid on the fact that the seeking of Divine pleasure should be the ultimate object in fasting: "Whoever fasts during Ramadhan, having faith in Me and seeking My pleasure." The Prophet Muhammad said, Fasting is a shield, so the farmer should not indulge in foul speech, and surely the breath of a fasting man is pleasant to God than the odor of musk; he refrains from food and drink and other desires to seek My pleasure: fasting is for Me only. No temptation is greater than the temptation of satisfying one’s thirst and hunger when drink and food are in one’s possession, yet this temptation is overcome, not once or twice, as if it were by chance, but day after day regularly for a whole month, with a set purpose of drawing closer and closer to the Divine Being. A man can avail himself of the best diet, yet he prefers to remain hungry; he has the cool drink in his possession, yet he is parching with thirst; he touches neither food nor drink, simply because he thinks that it is the commandment of God that he should not do so. In the inner recesses of his house, there is none to see him if he pours down his dry and burning throat a glass of delicious drink, yet there has developed in him the sense of the nearness to God to such an extent that he would not put a drop of it on his tongue. Whenever a new temptation comes before him, he overcomes it, because, just at the critical moment, there is an inner voice, "God is with me, God sees me." Not the deepest devotion can, of itself, develop that sense of the nearness to God of His presence everywhere, fasting day after day for a whole month does. The Divine presence, which may be a matter of faith to others, becomes a reality for him, and this is made possible by the spiritual discipline underlying fasting. A new consciousness of a higher life, a life above that which is maintained by eating and drinking, has been awakened in him, and this is the life spiritual.

A moral discipline

There is also a moral discipline underlying fasting, for it is the training ground where man is taught the greatest moral lesson of his life — the lesson that he should be prepared to suffer the greatest privation and undergo the hardest trial rather than indulge in that which is not permitted to him. That lesson is repeated from day to day for a whole month, and just as physical exercise strengthens men physically, moral exercise through fasting, the exercise of abstaining from everything that is not allowed, strengthens the moral side of his life. The idea that everything unlawful must be eschewed and that evil must be hated is thus developed through fasting. Another aspect of the moral development of man by this means is that he is thus taught to conquer his physical desires. He takes his food at regular intervals and that is no doubt a desirable rule of life, but fasting for one month in the year teaches him the higher lesson that instead of being the slave of his appetites and desires, he should be their master, being able to change the course of his life if he so wills it. The man who is able to rule his desires, to make them work as he likes, in whom will-power is so developed that he can command himself, is the man who has attained to true moral greatness.

Social value of fasting

In addition to its spiritual and moral values, fasting as prescribed in the Holy Qur’an has also a social value, more effective than that which is realized through prayer. Rich and poor, great and small, residents of the same vicinity are brought together five times daily in the mosque on terms of perfect equality, and thus healthy social relations are established through prayer. But the appearance of the moon of Ramadhan is a signal for a mass movement towards equality, which is not limited to one vicinity or even one country, but affects the whole Muslim world. The rich and the poor may stand shoulder to shoulder in one row in the mosque, but in their homes they live in different environments. The rich sit down to tables laden with dainties and with these they load their stomachs four, even six, times daily; while the poor cannot find sufficient with which to satisfy their hunger even twice a day. The latter often feel the pangs of hunger to which the former are utter strangers; how can the one feel for the other and sympathize with him? A great social barrier thus exists between the two classes in their homes, and this barrier is removed only when the rich are made to feel the pangs of hunger like their poorer brethren and go without food for a day, and this experience has to be gone through not for a day or two, but for a whole month. The rich and the poor are thus, throughout the Muslim world, brought on the same level in that they are both allowed only two meals a day, and though these meals may not be exactly the same, the rich have perforce to shorten their menu and adopt a simpler fare, and thus come closer to their poorer brethren. This course undoubtedly awakens sympathy for the poor in the hearts of the rich, and it is for this reason that the helping of the poor is specially enjoined in the month of Ramadhan.

Physical value of fasting

Paradoxical as it may sound, refraining from food during stated intervals only increases the appetite. The rest given to
the digestive organs for a whole month only gives them additional strength, like fallow ground which, by rest, becomes more productive, as all organs of the body are so made that rest only increases their capacity for work, and the better the capacity of the digestive organs, the healthier is the physical growth of man.

But fasting has yet another, and a more important, physical value. The man who cannot face the hardships of life, who is not able to live, at times, without his usual comforts, cannot be said to be even physically fit for life on this earth. The moment such a man is involved in difficulty or distress, as he must be every now and again, his strength is liable to give way. Fasting accustoms him to face the hardships of life, being in itself a practical lesson to that end, and increases his powers of resistance.

Choice of Ramadhan

The injunction laid down in the Holy Qur’ān relating to fasting in the month of Ramadhan runs as follows: “The month of Ramadhan is that in which the Qur’ān was revealed, a guidance to men and clear proofs of guidance and the distinction; therefore whoever of you witnesses the coming of this month, he shall fast therein.” It will be seen from the words of the injunction that the choice of this particular month for fasting is not without a reason. It has been chosen because it is the month in which the Holy Qur’ān was revealed. It is well known that the Holy Qur’ān was revealed piecemeal during a period of twenty-three years; therefore by its revelation in the month of Ramadhan is meant that its revelation first began in that month. And this is historically true. The first revelation came to the Prophet Muhammad on the 24th night of the month of Ramadhan when he was in the cave of Hira. It was therefore in Ramadhan that the first ray of Divine light fell on the Prophet’s mind, and the angel Gabriel made his appearance with the great Divine message. The month which witnessed the greatest spiritual experience of the Prophet was thus considered to be the most suitable month for the spiritual discipline of the Muslim community, which was to be effected through fasting.

Why a lunar month

There are evident reasons for choosing a lunar month. The advantages and disadvantages of the particular season in which it falls are shared by the whole world. A solar month would have given the advantages of shorter days and cooler weather to one part of the world, and burdened the other with the disadvantages of longer days and hotter weather. The lunar month is more in consonance with the universal nature of the teachings of Islam, and all people have the advantages and disadvantages equally distributed. On the other hand, if a particular time had not been specified the discipline would have lost all its value. It is due to the choice of a particular month, that with its advent the whole Muslim world is, as it were, moved by one current from one end to the other. The movement effected by the advent of Ramadhan in the Muslim world is the greatest mass movement on the face of the earth. The rich and the poor, the high and the low, the master and the servant, the ruler and the ruled, the black and the white, the Eastern and the Western, from one end of the earth to the other, suddenly change the course of their lives when they witness the tiny crescent of Ramadhan making its appearance on the Western horizon. There is no other example of a mass movement on this scale on the face of the earth, and this is due to the specification of a particular month.

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The Shari‘a of Islam and its place in Modern Society

By DR. SUBHI MAHMASANI

"On the whole it will be perceived that the Shari‘a of Islam is a system that is capable of being adapted to suit the changing needs and requirements of all times and places. It can always walk hand in hand with progress and civilization."

Muslims on a cross-road

Islam is a religion, and a legal system. The teachings of Islam are a coherent set of rules seeking to regulate the affairs of life of the Muslim in his relationship with his Creator and in his dealings with his fellow-men. It is a matter for regret that the real truth about Islam and its attributes and qualities is not universally appreciated. Some Muslims have neglected to see this aspect in the past as a result of their lack of knowledge about Islam, or as a result of their treating the path of blind imitation of misguided jurists, and, at times, simply as a result of their temporary economic affluence which made them ignore their religion. It was because of this neglect that the Muslim empire disintegrated and Muslim might and power crumbled, bringing down with it the integrity and freedom of the people of Islam. Thus one can understand why some of the Orientalists and some of those who lay claim to being Orientalists do not understand the truth about Islam as a result of their not being conversant with the Arabic language or the original sources or political fanaticism or religious bigotry. Ignorance and bias are thus the two main causes which had at times hidden from the world the truth about the teachings of Islam and which have shrouded Islam with the cloak of stagnation and backwardness. It must, therefore, be pointed out at the outset that Islam is not what is portrayed by the practices of Muslims at any period of time, nor, indeed, by the practices of the Muslims of our present day. The Muslims are at the present standing on a cross-road, and their decision on the pursuit of any one path will be both momentous and far-reaching.
They can either elect to revert to their truly sublime heritage by modelling their life on the teachings of their religion or they can elect to stay as they now are, backward and weak. The first alternative entails their having to make a deeper study of Islam and to rise from their long slumber and begin to face modern civilization and co-operate with the civilized nations of the world on the basis of equality and mutual respect. The second alternative spells sheer catastrophe. If the Muslims were to become the true followers of their religion, which makes the acquisition of knowledge a duty on Muslim men and women, then the world and history would be in a position to give a correct verdict about Islam.

Is Shari'a a fossil?

I do not wish to preach Islam or to boast about it. In my examination of the relationship between the Shari'a of Islam and modern society I shall confine myself to the true teachings based upon the views of learned Muslim scholars of the past who have examined and understood Islam and interpreted its provisions in a manner harmonizing with the social aspect of society at diverse times and places.

In discussing this subject, it is necessary to deal at the outset with this point: is the Shari'a of Islam a system designed for a specific era of time, or for defined circumstances, and, in the event of this being so (as some critics contend), is the Shari'a necessarily archaic and obsolete? In other words, is the Shari'a flexible and adaptable and would it thus suit all times and places and harmonize with all manners of progress and civilization, or is it a fossil? The answer to this question, as I will show, is that the Shari'a can be adapted to suit all times, since its provisions are everlasting and ever effective, and remain suited to the needs of the Muslims of this era and, indeed, of all eras. The factors contributing to these qualities — and in fact the proof of these qualities — is the provision regarding ijtihad (literally: exertion to the utmost degree to attain an object); and technically: the exercise of intelligence by a scholar in order to form an opinion on the interpretation or application of a provision in the Shari'a or on the law to be applied to a case which is not expressly covered by a provision in the Shari'a; the presence of different schools of Islamic jurisprudence; and the provision in the Shari'a for the tempering of justice with kindness and the principle of changing the laws.

One of the most striking proofs of the vitality of the Shari'a is what we find in its history about thought movements, some of which were tantamount to intellectual revolutions, which were carried out by some of the Caliphs, religious jurists or scholars, against conservatism and lethargy in the intellectual field.

What is Shari'a?

The Shari'a is a set of laws which are essentially founded upon the Word of God in His Book, the Holy Qur'an, and upon the tradition and practice (the Sunna) of His Prophet, Muhammad. But after the death of the Prophet, and particularly after the vast territorial conquests made by the Muslims, there came to light new cases as to which no express provision could be found in the Qur'an or in the Sunna. In order to find a solution to these novel problems, the Muslim jurists had to resort to ijtihad, i.e., they had to exercise their intellectual faculties and learning in order to discover the proper solution of the problems posed. This meant that where a problem was found to be identical or intrinsically similar to a problem upon which a verdict had been given in the past, the same verdict would be given by analogy. Otherwise, the jurists met and discussed the problem thoroughly and then gave their joint decision upon it. Thus the sources of law that became accepted and followed by the Muslims were, in addition to the Qur'an and the Sunna (which together form the main roots of the law — the Nasi), qiyas (analogical deduction or the application of a principle derived from a previously decided case), and ijmā' (the consensus of opinion by the jurists on a point of law).

How blind imitation of tradition began

It can thus be seen that ijtihad was one of the most important sources of Islamic legislation, and one of the most striking aspects of the vitality and everlasting effectiveness of the laws of Islam. This proposition is clearly illustrated by the fact that soon after the arrest of the progress of Islamic civilization, during the latter days of the Abbasid era, and after the fall of Baghdad in the middle of the 7th century A.H. (1258 C.E.), the Muslim jurists unanimously agreed that no new schools of Islamic jurisprudence should henceforth be recognized as authoritative other than the four schools then existing — the Hanafi, Maliki, Shafi'i and Hanbali schools. The jurists thus "closed the door of ijtihad". The direct result of this was that the doctrine of taqlid (lit., imitation, or following of tradition) began to take root, and with it perverted and fallacious opinions and practices in the juristic field were given a great stimulus. Absurd and fantastic rules were introduced into the laws of Islam through the instrumentality of blind jurists who were no longer ijtihādīs, but taqlīdīs. Some of these jurists, for example, held that the Muslim was forbidden by the Shari'a to learn a foreign language or to eat with a spoon or to make use or take advantage of any modern scientific thing unknown to the early followers of Islam. These blind followers of tradition held that everything that was not known during the days of the earlier jurists, or which sought to change anything then known, irrespective of the aspect of everyday life to which it belonged, was not permissible by the teachings of Islam. Such a policy put an end for all time to every progress and advance in Islamic society, and made Islamic civilization and the Shari'a a dead fossil. No wonder, therefore, that some non-Muslim jurists and observers, viewing the religion of Islam and the Shari'a as practised and interpreted during that era of gloom, reached the conclusion that the Shari'a of Islam was odd and antiquated, and, consequently, unsuitable for modern society and for the progress of mankind.

The principle of Ijtihad is proof that Shari'a is not a fossil

Ijtihad is the paramount proof of the fact that the Shari'a of Islam is a living and pulsating thing. Taqlid, on the other hand, was, and will continue to be, a disease that can suppress the vitality of Islam and prevent it from demonstrating its efficacy and suitability for modern times, and for all times and places. It was during the days when ijtihad was in full swing that the different Islamic schools of jurisprudence came into being and Islam flourished; and it was in the days when taqlid was in extensive practice that this development and progress was stifled.

The history of Islam abounds with examples and incidents illustrating these facts. During the days of the Caliph 'Umar ibn al-Khattab, the foundations of the Muslim Empire were laid down, and new territories were conquered by the Muslims. With this came new problems which required decisions, but which were not directly, or rather specifically, covered by the provisions of the Shari'a. This called for some changes and amendments in certain decisions and fatwas made in earlier days. The Caliph 'Umar readily sought the solution of these new and complicated problems, and took upon himself the task of interpreting and applying the Shari'a in the light of its true purport and spirit, thus bringing it in line with the actual needs of the changed circumstances of the Muslims and in harmony with the requirements of the new order.

Imam Abu Hanifa and Ijtihad

In like manner, the founders of the various schools of Islamic jurisprudence applied themselves industriously to ijtihad.
and to the development of the Shari'a on a truly scientific and logical basis. In this respect they repeatedly emphasized the fact that all the provisions of the Shari'a were essentially founded on logical and reasonable grounds and that the main object and purpose of the Shari'a was the furtherance of the progress and welfare of the Muslims, at all times. A group amongst these jurists, headed by the Imam Abu Hanifa al-Nu'man (d. 767 C.E.), founded a circle of learning whose object was to examine the accuracy and veracity of the various reports of the traditions and sayings of the Prophet Muhammad. This school of jurisprudence began to make decisions on matters of substantive law according to the purport and spirit of the Shari'a, deriving its views on novel problems from the exercise of ijtihad and by the application of reason and logic in the interpretation and adaptation of fundamental principles contained in the Shari'a. In short, they sought to model the substantive laws or particular injunctions — which are by their nature as changeable and temporary as the circumstances in which they existed — while maintaining intact the “roots” of the law contained in the Shari'a. It is reported that the Imam Abu Hanifa once said: “I find nothing to cover a question I am examining, neither the Book of God or in the Sunna of His Prophet, then I will look in the sayings and practices of the Prophet's friends and companions, and I will not depart from their sayings and prefer others to them. But if after searching through the sayings of IbnImam, al-Sha’bi, Ibn Sirin (d. 728 C.E.), al-Hasan of Basra (d. 728 C.E.), ‘A’i'a, and Sa'id Ibn Jabayr, I find nothing, then I will direct my attention to those who have exercised ijtihad, and finally I will myself exercise ijtihad in the same way as they had done.”

Ijtihad was the medium through which the provisions of the Shari'a were deduced and elucidated from its components, the Holy Qur'an and the Sunna of the Prophet. It also provided the medium through which the Shari'a was adapted to the pressing requirements of Muslim society in later eras, which had developed and progressed both socially and economically, and changed almost beyond recognition from what it was during the days of the Prophet. Ijtihad, therefore, became an essential factor in the progress of Islamic civilization.

The Wahhabi movement — the first determined effort to rejuvenate Shari'a

The first determined move to rejuvenate the Shari'a was started in the 13th and 14th centuries of the Christian Era, and was championed by the Hanbali Imam Taqi al-Deen Ahmad Ibn Taymiyyah, who was followed by his pupil Abu 'Abdullah Ibn Bakr al-Za'ri'i al-Dimashqi, known as Ibn Qayyim al-Jawziyyah, the author of Al'-Aqida al-Mu'uwazziqin 'an Rabbi l'Aadam. These two great jurists and others who followed in their path were noted for their constant application of ijtihad and for their rare resort to qiyas. Their ijtihad was based mainly on the original defined texts, free from any additions made by the ijtihad of earlier jurists. They demonstrated that ijtihad was the sole means for bringing the provisions of the Shari'a into line with modern principles and doctrines, and, indeed, in many aspects superior to them. An example of this is to be found in the writings of the Imam Ibn Qayyim, who waged a determined campaign against taqlid and conservatism. He advocated the principle that intention and motive (magn) are an essential ingredient in the validity and consequence of all legal transactions and acts. He also revived the principle that the volunteer in certain circumstances should be rewarded for his services, and re-introduced in the Shari'a provision to safeguard the interests of debtors as well as certain amendments to the rules of evidence. In the latter respect he held that the testimony of one witness who is under no incapacity qualifying the prisma facie weight of his evidence should be accepted. He always insisted that jurists must never interpret any narrow provisions in the Nasi without a general reference to the whole context — thus guarding against literal distortion. These principles are accepted by the modern legal system of our time.

In the 12th Hegira century (18th century C.E.), the Imam Muhammad 'Abd al-Wahhab started a movement for reform in Najd, Sa'di Arabia, which later became known as the Wahhabi Movement. He advocated a new approach to the principles laid down by the Hanbali school, following in this respect in the footsteps of Ibn Taymiyyah and Ibn al-Qayyim al-Jawziyyah. He also pleaded for a return to the original teachings of Islam embodied in the Holy Qur'an and the Sunna, from which deduction and interpretation should be made. He fought the taqlid, or blind imitation of earlier jurists, which, he said, "has killed original and active thinking in the peoples of Islam . . . put an end to the spirit of independence . . . and dampened the flame of intellectual activity . . ." His movement aimed at eradicating the various misguided traditions and practices which had grown around the Shari'a. He also sought to put an end to such practices as the sanctification, which often amounted to worship, of tombs and graves, the practice of dancing and beating of drums for exorcising evil spirits, and other similar practices which were alien to the true teachings of Islam.

It was natural that ignorance should revolt violently against any such new movement and struggle against those who sought to depart from the practice of taqlid. These bold reformers, therefore, had to contend with dire persecution and opposition. Ibn Taymiyyah and Ibn al-Qayyim, for example, were imprisoned for long periods in the Castle of Damascus, where Ibn Taymiyyah later died.

Jamal al-Deen Afghani fights against taqlid — blind imitation of tradition

The call for reverting to the true teachings of Islam as known in the earliest days was kept alive in the 19th century C.E. by Jamal al-Deen al-Afghani and his pupil, the Shaykh Muhammad 'Abduh, Mufti of Egypt. They disseminated their views and opinions in the journal al-'Utria al-Wuthqa, which was published in Paris, and in the journal al-Manar, which was published in Egypt. They also wrote many books and treatises and delivered lectures in which they expounded their new principles. These two great reformers waged a very determined campaign against the rot that had set in in the juristic field and against superstitions and misguided traditions. They also fought against taqlid because, they said, "those who practised taqlid and who blindly imitated earlier jurists have created in the edifice of Islam cracks and loopholes through which the enemy could penetrate and make his attacks . . . the mind of those blind imitators were the sources of suspicion and intrigue". Taqlid is therefore a dual evil. Not only is it harmful to the religion of Islam but it is also a disease that brings catastrophe to the national integrity of the Muslims.

Those who advocated a return to the early days of Islam urged the necessity for the unification of all the various Islamic schools of jurisprudence. They did not think it advisable to follow any one particular school to the exclusion of others, because, they said: "The Muslims cannot bear the heavy weight of the products of the taqlid of any one particular school, nor could they model the diverse aspects of their family, financial and social life upon the views of any one school under all circumstances". The Shari'a of Islam is not represented by the views of any one of these schools; its is the sum total of all the wholesome views of the different schools.

Ijtihad, therefore, was, and still is, the characteristic symbol of the eternal efficacy and validity of the Shari'a of Islam. The diversity of the schools of jurisprudence that sprang up in the past from the exercise of ijtihad is in this manner also symbolic of this undeniable attribute and quality of Islam.
We have seen how the rise of various schools of Islamic jurisprudence was the result of the fact that Islam permits the exercise of istihsād. In their istihsād, and in their adaptation of the cardinal principles of the Shari‘a to new circumstances, these schools of jurisprudence invariably followed the principle of analytical deduction according to the rules of logic from the Naṣṣ (the main and binding body of the laws of Islam as laid down by the Holy Qur‘ān and the Sunna). Where the Naṣṣ did not expressly or directly cover the case, the jurists exercised their independent judgment. They took the Naṣṣ as the foundation upon which they built and evolved their work, and they interpreted and analysed the Naṣṣ and deduced therefrom particular injunctions. In those cases where the Naṣṣ did not provide an answer, they exercised the utmost care before evolving a decision, so that they might not bring forth something that is contradictory to the spirit of the Shari‘a. They evolved their decisions either through qiyyas (analogical deduction) or through ijmā‘ (consensus of opinion) or through any other method which the Shari‘a permitted. Their istihsād thus rested upon learning and experience as much as upon care and precision. This explains the reason why although earlier Islamic jurists had devoted a careful study to the abstract theory of crime and contract, the jurists of later eras were not prevented from making a detailed study of the subject.

In general, it can be said that the difference that existed between the various schools of Islamic jurisprudence was not, except in very few cases, one as to the essential principles or main doctrines of the law but rather as to the subsidiary branches of the law, which came into light only when the law was to be applied to practical cases. In other words, the difference that existed between the various schools of jurisprudence could be likened unto the difference that exists to-day between various courts of justice as to the interpretation and application of some principles or rules of law. Where the Islamic schools of jurisprudence differed was in the application of the law in some instances to actual cases; it was a difference similar to a difference that might exist at present between what might be called the iṣṭiḥbād of one court of justice and of another court of justice. This was the general picture, and it must be pointed out that there were some few cases where the difference between the juristic school touched upon matters of principle.

Some examples of the difference of opinion among Muslim jurists

The position can better be illustrated by an example. The jurists had always agreed that the person who seized goods without having a right to do so should return the goods to the rightful owner. But where the wrongful seizers of the goods had consumed them or where they had perish ed or been lost, he had to give to the rightful owner goods of a similar nature, quality and value, if possible, or to give proper compensation. There has always been a consensus of opinion amongst the jurists as to these points. In view, however, of the fact that the value of goods habitually changed with time and place, it became necessary for the practical application of these legal doctrines that the time and place with reference to which the value of such goods was to be assessed and determined should be specified. On this point there was a difference between the various schools. The Hanafi school held that the value should be determined with reference to the time and place at which the wrongful seizure of the goods occurred. The Hanbali school, on the other hand, held that the assessment of the value of the goods should be made with reference to the time and place at which their destruction or loss, as the case may be, had occurred. The Shafi‘i school differed from both these views. It held that the seizure of the goods should, in the case of their loss or destruction, pay the highest value obtaining between the time of the wrongful seizure and the time of the destruction or loss. Thus, although the jurists of the various schools were unanimously agreed as to the principle that the wrongful seizers of goods should pay to the lawful owner their "proper value", there was some disagreement as to what this "proper value" was and as to the way it should be assessed, as well as to the facts to be taken into consideration in this regard. The difference between them did not go further.

The difference between the various schools of Islamic jurisprudence first arose with regard to the interpretation of certain provisions of the Holy Qur‘ān and of the Sunna. It touched upon such matters as the method of verifying the accuracy of reports of the Sunna and the conditions upon which it was to be accepted as authoritative. They also disagreed on the authority of ijmā‘ and qiyyas as sources of jurisprudence. Some schools rejected these sources while others went to extremes in their acceptance.

Sources of law other than the Qur‘ān and the Sunna

There was also some disagreement with regard to what may be accepted as sources of law, other than the Holy Qur‘ān and the Sunna. The Hanafi school, for example, accepted istihsān (that which commends itself because of its inherent goodness and reasonableness) as a fifth source of law; the Maliki school accepted al-Musāhah al-mursala (the greatest good of the greatest number) as a source; while the Shafi‘i school considered iṣṭiḥdād (argument) and iṣṭiḥbāh (the seeking of a link) as other sources. There arose between the various schools many arguments and debates in which they attempted to settle and harmonize their conflicting views. Each school exercised some indirect influence upon the other, so that in many cases the original difference that existed between them had almost disappeared. In many cases we also find, for example, that the original followers of the schools of Abu Hanifa had later disagreed with his views and preferred those of other schools. Abu Hanifa, for instance, held that it was not permissible to deprive the prodigal of civil rights, but his pupils and the leaders of the other schools held that such deprivation of civil rights (technically known as hāj) was permissible.

It was only because the laws of Islam were flexible and adaptable to the changed times and circumstances that these differences of view amongst the jurists arose. It was truly said by Ibn Quyyim, one of the foremost Muslim jurists of the 8th century A.H., that: "The differences existing between the Imams are sources of mercy to the Muslim community". The Ottoman régime, for example, generally applied the principles enunciated by the Hanafi school in its legal system. But it departed from some of the principles of the Hanafi school and followed other schools where that was found to be more appropriate. Thus in the matter of divorce, the Hanafi school laid down that the divorce was effective even though the pronouncement by the husband was made while he was under the influence of intoxicants, or under the pressure or coercion of others. But the Ottomans considered this doctrine to be a dangerous one and likely to bring a great deal of harm on society, and for this reason they preferred the views of the Imam Shafi‘i on the subject, and held that such a divorce was without any legal consequence in view of the fact that the person who is under the influence of intoxicants or subjected to physical pressure and coercion had no free will — an essential element in all effective legal transactions.

The early Islamic jurists left a variety of principles, some of which are not very different from the most modern and up-to-date views on the subject. Those Muslim countries now seeking to renovate their legal systems on modern lines should delve into this treasure of the past.
Justice and fairness the foundations of *Shari'a*

We now come to the third reason for the flexibility and adaptability of the *Shari'a*. It lies in the fact that there are various sources from which law in Islam is to be derived in the views held by different schools of Islamic jurisprudence. The Hanafi school, for example, considers *tstitban* (preference) as a source, and the Maliki school adds another source, namely, *al-masalih al-mursada* (public interest). All these have been admitted as sources of law with a view to enhancing the progress and welfare of the community and in keeping with the conception of "absolute justice" which aims at the incorporation into the Islamic system of everything likely to propagate real justice.

Justice and fairness are the main foundations of the *Shari'a* in Islam. The *Shari'a* is a comprehensive system embodying rules for the regulation of matters of worship and of mundane life. It is natural that the principles seeking to regulate these two aspects should overlap and interlock and that rules intended to deal with one particular aspect should exercise some indirect influence on the rules governing the other aspect. The conceptions of justice and benevolence have been incorporated in one verse of the Holy Qur'an (16:90), where God says: "God commands justice and good". These two conceptions walk hand in hand all the time in the laws of Islam, and so proximate and dependent upon each other have they been that they have become almost synonymous. True justice according to the *Shari'a* is that man should refrain from doing evil to his fellow-men, that he should not wrong unto his fellow-men what he would not wish unto himself, and that he should, in his dealings and relations with them, be honest, truthful and fair. The *Shari'a* also requires that the principles of duty or obligation should be tempered with mercy, forgiveness and charity.

The Muslim jurists of the past have evolved round these principles of justice and benevolence many rules, one of which is the rule that there should be a reward for voluntary services rendered in some instances — this follows on the principle laid down in the Holy Qur'an (55:60): "Is not the reward for benevolence a like benevolence?" and in accordance with the saying of the Prophet Muhammad: "Whoever has rendered unto you a good deed you should reward". In this way the distinction between the religious views on a certain point and those of the civil law has become as fine as the distinction made by jurists at the present day between the principles of the civil law (*jus civilis*) and those of natural justice (*jus naturale*). This mixture of religion with the substantive law ensures that the rights accorded by the civil law would not be strained to their utmost literal or technical meaning, and thus abused. Thus, where the civil law allows a man to divorce his wife, the religion of Islam requires, in order that such a divorce be effective or recognized, that it should rest on a valid and substantial excuse; otherwise, Islam looks upon the divorce as rash and invalid, being repugnant to the idea of the sanctity of the institution of marriage which in Islam is founded on mutual love and benevolence.

There is no doubt that Muslim jurists of olden days regarded the principles of justice and fairness as sources of legislation. The Hanafi school referred to these principles under the title of *tstitban* 1 while the Maliki school used the term *al-masalih al-mursada*. 2 The recognition of these principles as sources of the law in Islam has resulted in the incorporation into the law of many rules and doctrines in keeping with the custom, tradition and public policy in the communities concerned, although these were not always in agreement with *qiyas* (analogical deduction) or with *ijma* (the consensus of opinion amongst the jurists). The jurists, especially those belonging to the Hanafi school, went to great lengths in their endeavours to make the laws of Islam harmonize with the demands made by the changed and developed times. They often resorted to technical arguments and excuses in order to evade the strict or literal application of certain rules of law, in order that the law should remain consonant with the progress of the community which it governed.

The extension of the recognized sources of the law and the inclusion of doctrines and principles hitherto unknown was due to the *tstitban* of the jurists and to the establishment of various schools of jurisprudence. This has given the *Shari'a* the quality of flexibility and readiness to mould some of its provisions to suit new social needs and circumstances. *Tstitban*, the multiplicity of schools of jurisprudence, the expansion of the realm of sources of law, and the pursuit of absolute fairness and justice in all the provisions of law, led to the establishment of one of the cardinal principles of the *Shari'a* viz., that some of its provisions may be altered if the need requires. I shall now deal very briefly with this important principle.

The principle that some provisions of the *Shari'a* can be varied or amended to suit development in society

Ibn Khaldoun, the famous Arab philosopher, says in his *al-Muqaddimah*: "The conditions of the world and those of nations and peoples, and their customs and habits, do not remain the same always, nor do they stay on the same basis. Changes in all these come with the passage of time and with the transition from one era or condition to another. In the same way as this change takes place in persons, nations and countries, so it does with everything else. It is the rule laid down by the Almighty as to His servants."

What Ibn Khaldoun said so long ago remains true today. It is one of the elementary principles of social life and progress that with the passage of time the pattern of society changes. And whereas the interest and welfare of the community are the main purposes of good legislation, it is essential that there should be some provision for amending and altering certain rules of law as they become out-dated and obsolete; and that the law should be made to feel and sense the impact of changes in social, economic and other conditions of the community. Such changes in the law, of course, must be confined within the essential principles and spirit of the *Shari'a*.

The jurists of olden days adopted this principle and made constant use of it. In the *Kitab al-Majami* and *Majallah al-Adillah* (The Ottoman Civil Code), there appears this provision: "The necessity for a change in the law with the change in time is not to be denied . . ." To this provision might be added that the change in the provisions of the law should take place also with the change in place and conditions. This is in accordance with the views of Ibn al-Qayyim al-Jawziyyah and other famous Muslim jurists.

For the full application of this doctrine to the provisions of the *Shari'a*, it is essential that a line of demarcation should be drawn between such provisions of the *Shari'a* as deal purely with matters of worship, and those that are intended to regulate the affairs and transactions of every-day life. The provisions of the *Shari'a* with regard to worship and allied matters are fixed and rigid, because the essential principles of the religion of Islam — the doctrines of the oneness of God and the messengership of the Prophet Muhammad and the other cardinal doctrines — are eternal and everlasting truths.

The position with regard to the provisions on worldly affairs is, however, different. Even here, it is essential that a distinction should be made between such rules as are contained in the *Nass* (the Holy Qur'an and the *Sunnah*) and those that have sprung from the exercise of *tstitban*. With regard to those rules

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1 *Supra* for explanation.
2 *Supra* for explanation.
of the laws of Islam which have been evolved by *ijihad*, and as to which no express provision in either the Holy Qur’an or the *Sunna* can be found, the various schools of jurisprudence had always agreed that they could be changed, altered or abandoned as the need arose; in other words, they can be made subject to the *ijihad* of jurists at a later stage for the purpose of serving the interest and welfare of the community and in keeping with the change in time and place. The leaders of the various schools have given many instances of this which are both clear and explicit, but which we need not enumerate here.

**The position of laws based on the Qur’an and the Hadith**

As to the difference in the views held by the jurists of the different schools regarding the question of the change in the provisions of the law as laid down in the established *Nass*, the majority held the view that they could not be changed except in very rare and exceptional cases. Such a contemplated change, they held, should always be in the light of these verses of the Holy Qur’an: "He has not laid upon you any hardship in religion" (22: 77); "Whoever is driven to necessity, not desiring nor exceeding the limit, then surely God is Forgiving and Merciful" (6: 146); "God desires ease for you and He does not desire for you difficulty" (2: 185). Permission for the carrying out of amendments and alterations in the provisions of the laws of Islam is contained in sayings of the Prophet Muhammad, amongst which are these: "The best way with God is the right and true one": "Make it easy and don’t make it difficult": and, "Give glad tidings and do not frighten.

In the light of these provisions, al-Ghazali said: "All the things that are forbidden may be allowed in cases of necessity": and Qadi Husain said: "Hardship calls for relaxation": In the rules laid down in the books, al-Ababda by al-Suyuti al-Shafi’i, al-Nazair by Ibn Najeeb al-Hanafi, and Majalla al-Abbaam al-adilayah (The Ottoman Civil Code), there appears the following statement: "Necessity allows prohibited things": There are many examples to be found in the various books on Islamic jurisprudence illustrating the application of this doctrine.

There was no disagreement amongst the jurists as to the fact that the fixed provisions of the *Shar’ia* did not apply in cases of necessity and hardship. It is reported that the Imam Shagyk Muhammad ’Abduh was once asked whether it was permissible for Muslims to engage or take part in transactions of banking and stock exchange, by borrowing money, discounting or paying interest on loans. He replied that if the Muslims found that it was not possible for them to engage in trade and earn their livelihood in certain circumstances except by dealing with banks and stock exchanges and abiding by their practices, then it was permissible for them to do so as an "act of necessity" — but only to such extent as the particular case of necessity or hardship required, and no further.

The real difference between the views of different schools arose, however, with regard to whether or not such rules dealing with the everyday affairs of man and established in the *Nass* could be changed in cases other than those of hardship or necessity. The great majority of the jurists held that this was not permissible. Others held that such a change was permissible in two cases: where the purpose or cause for the rules of the *Nass* in question had disappeared or changed, and where there had been a sweeping change in custom and practice in the community. The manner in which these two factors operated can be illustrated as follows:

**The disappearance or change in the purpose or intention behind a rule of the *Nass* sought to be altered or amended**

In order to understand the proper significance and application of this doctrine, it must be appreciated that law in Islam, as well as in any other legal system in the world, be it ancient or modern, is founded primarily on principles which aim at enhancing the welfare of the community and preventing the commission of such acts as are undesirable or harmful. This being so, it is only logical that if the interest of the community or its welfare should change so as to require a different set of laws for its protection and progress, the original laws should be changed in a like manner. It is thus recognised in the principles of Islamic code of laws that "the law based upon a cause changes with its cause in its presence and absence". The working and application of this doctrine is illustrated by the following example: the Holy Qur’an says: "Verily the alms are for the poor, the needy, the officials engaged in collecting them and for those whose hearts are made to incline to truth and the ransoming of captives and those in debt and in the way of God and the wayfarer" (9: 60). The Arabic phrase *al-Mu’allafat Qulububum* occurring in this verse means "those whose hearts are made to incline to truth", and refers to those persons to whom the Prophet Muhammad used to give money and property in order to keep them loyal to Islam, due to the fact that their faith was weak, or because they had turned away from evil, or because they held high positions in their tribes.

Although this provision in the Holy Qur’an is clear and unambiguous, the Caliph ’Umar Ibn al-Khattab abolished the practice of giving charity to those persons under the category of "those whose hearts are made to incline to truth". When they protested he answered them thus: "The alms used to be given to you by the Prophet so that you may remain loyal to Islam; but now God has given strength to Islam and has thereby made it unnecessary for Islam to rely upon you. If you now do not stay in Islam, then the sword will be drawn between us. We will not give anything in order to induce people to embrace Islam; and whoever wishes may believe in Islam and whoever does not so wish may deny it." It is clear in this case that the provision in the Holy Qur’an with regard to the giving of alms to a particular section of the Muslims was in order to help establish Islam and give strength to its mission during its embryonic stages. But this case later disappeared when Islam gained strength and power during the days of the Caliph ’Umar the Great, who considered it permissible to alter this provision in the Holy Qur’an in such a way as to harmonize with the motive behind it and the intention of the Legislator.

**An example to show when *Nass* can be changed**

Another instance where the jurists have held that certain provisions in the *Nass* may be changed, or a new and more up-to-date interpretation placed upon them, is where there has been a change in custom and practice in the community. During the days of the Prophet Muhammad, for instance, the custom was that grains and cereals should be traded by volume and not by weight. The Prophet is reported to have said: "Wheat for wheat, measure for measure; and barley for barley, measure for measure": But this practice of trading by volume changed in the days of Abu Yusuf, the Chief Judge of Baghdad in the days of Harun al-Rashid (766-809 C.E.), when it became customary to trade by weight, and not by volume. Can it, therefore, be said that such a custom is prohibited by Islam because it does not agree with this provision in the *Nass*? It is certainly unreasonable to take such a view, and this is what Qadi Abu Yusuf held. He based his opinion on the fact that this provision in the *Sunna* was essentially based on custom and that its differing interpretation could be held right because it reconciled with the new custom. This, of course, is a subsidiary change in the rules of the Islamic laws relating to worldly affairs.

These are some examples of the cases where certain provisions of the *Shar’ia* may be amended; and there were many
such examples quoted by the Muslim jurists of the past in their works and treatises on the laws of Islam. Their opinions in this respect were founded upon very authoritative precedents and upon a very reliable form of ijtihad. Amongst the authorities for such a view are the Caliph 'Umar Ibn al-Khattab and the Caliph 'Umar Ibn 'Abd al-'Azeez and other notable jurists like the Imam Abu Yusuf al-Hanafi, the Imam Shams al-Deen al-Qaraafi al-Maliki, the Imam Najm al-Deen al-Tufi al-Hanbali, and many others of equal rank and repute.

A summary of the views of various schools on the permissibility of changing the provisions of the Nasi

It must be pointed out here that the extent of the disagreement between the views held by the various schools on the subject of the permissibility of changing some of the provisions of the Nasi is a very narrow one, and that the proportion of those parts of the Shari'a which deal with matters of everyday life and transactions is much smaller than that relating to matters of worship. The following deductions may be made from the views held by different schools on the subject:

1. The provisions in the Shari'a which it is permissible to alter are solely those which relate to matters of detail and not to matters of principle or substance. Provisions with regard to essential principles and fundamental dogmas cannot be tampered with by the jurist, as they hold good and should remain unaltered for all time and place.

2. Some of the legal provisions allegedly attributable to the Sunna of the Prophet have, in truth, no such authority. Many determined endeavors were made in different eras to attribute to the Prophet Muhammad certain statements which were plainly repugnant to reason or logic. Here are a few specimens of such sayings: "The egg-plant (ubergine) is a cure for every malady"; "The lizard was a disobedient Jew who was transformed by God"; "The pig is the sneeze of the elephant"; etc.

There is no doubt that the infiltration into the Sunna of such erroneous and ridiculous statements has done a great deal of harm to the Shari'a. The Imam Abu Hanifa and other notable jurists must be highly commended for refusing to accept such reports as genuine or true and for subjecting all reports of sayings and traditions of the Prophet to very careful scrutiny in the light of common sense and logic. The truth of the statement made by Ibn Taymiyyah of this cannot be denied. He said: "The true statements attributed to the Prophet Muhammad and incorporated in the Shari'a of Islam are always to be found plain and agreeable to common sense and logic". In other words, Ibn Taymiyyah considered common sense as the test of the accuracy and genuineness of any alleged saying of the Prophet. Other notable jurists held the same view.

3. Some parts of the genuine sayings of the Prophet which deal with the customs and habits of the day, and which were uttered by the Prophet by way of opinion, only need not necessarily be complied with for all time. The authority for this proposition is what has been reported by the Imam Muslim in his Collection of the Sayings of the Prophet: "The Prophet passed by some people who were feuding palm-trees, and he asked, 'What are these people doing?' and he was told, 'They are engraving the palm-trees.' He then said, 'The palm-trees will bear fruit without this engraving.' Thereupon the men stopped engraving the trees. But the trees did not bear fruit later on, and when the Prophet knew about this he said, 'I am but a mortal; and if I order you to do something which relates to your faith and religion then you must abide by it, but if I express to you something of my private and personal opinion then you must always remember that I am but a mortal liable to err. You are more knowledgeable in matters relating to your own worldly life.'"

4. The application of the principle as to the alteration of the substantive laws of Islam does not mean that the Nasi or essential articles or dogmas may be altered. The Nasi is sacred and must remain unchanged. Alteration or amendment may only be made in the topical interpretation placed upon some of its provisions relative to the change in circumstances, customs and conditions which are deemed to have originally inspired the laying down of such provisions.

It is thus clear that the allegation made by some orientalists to the effect that the Islamic Shari'a is rigid and obsolete is quite wrong. In this article the following facts have, I hope, been made clear:

1. That ijtihad is not only permissible, but is enthusiastically encouraged by the Shari'a, and that misguided taqdid and blind imitation is very much discouraged.

2. That the Islamic Shari'a is not portrayed or represented by what is held by any specific school of Islamic jurisprudence: it is the sum total of all the good principles held by the various schools. For this reason, those who seek to gain a better knowledge and understanding of the Shari'a are advised to delve into the wells of all the schools of Islamic jurisprudence and then select what appears to be in harmony with the spirit of the teachings of Islam and suitable to the needs of society.

3. That the policy of the earlier Muslim jurists in expanding the realm of the sources of the laws of Islam, and their inclusion of such doctrines as "absolute justice" and "general public good", have all left an indelible mark on the Shari'a and made it a dynamic system and one of the most just legal systems of the world, representing the nearest approach to the highest social principles.

4. The principle allowing the alteration of certain provisions of the Shari'a applies to all cases which are not covered by any express provision in the Holy Qur'an or the Sunna. It also applies to those rare cases where there is such an express provision in the Holy Qur'an or the Sunna, but with the following provisos: (a) Where such provision relates to changeable aspects of the everyday life of human beings; and, (b) in cases of extreme necessity or hardship requiring such a change, as recognized by a consensus of opinion amongst the learned. In addition to these cases, certain jurists have held that it was permissible to attach a different interpretation to certain provisions of the Shari'a in those cases where it has been established beyond doubt that such provisions were solely and pre-eminently intended to meet a certain contingency which was by its nature changeable, and where such a change has in fact taken place.

On the whole it will be perceived that the Shari'a of Islam is a system that is capable of being adapted to suit the changing needs and requirements of all times and places. It can always walk hand in hand with progress and civilization.

This flexibility in the Shari'a does not, however, imply that the reform of some of its provisions relating to substantive law system is to be permitted by way of sweeping revolutionary methods. Such changes, if found necessary, should always be carried out by slow and progressive evolution by the exercise of ijtihad on the part of those who possess the qualifying attributes for it. Above all, it must be kept in the mind of all would-be reformers that the sacred spirit of the Shari'a of Islam must be preserved, so that it will forever remain a source of light and guidance to mankind. The supreme wisdom of the Legislator contained in the Holy Qur'an must remain prominent, and in its light can be balanced the cardinal principles of the Shari'a and the requirements of modern society.
WHY I JOINED THE WORLD BROTHERHOOD OF ISLAM

By P. E. SA’EED CHIPPERFIELD

For some eighteen months I had been very unsettled in my mind, for although I have always tried to live a "good and upright life", something has been lacking. That something is without doubt a faith. Ever since I left school in 1933 I found that the religion of my upbringing (the Church of England Christianity) failed to meet the conditions I found in the outside world. I therefore, to the best of my ability, built up my own code for living. This has worked up to a point, in fact, the first doubts as to its adequacy did not arise until I was sent to the Middle East in 1941. It was then, whilst on leave, that I went to Cairo and amongst other things visited the Muhammad 'Ali Mosque and the Blue Mosque. These visits stirred something within me and I remember that I left the mosques with a feeling of peace and happiness that was new to me.

In Jerusalem the Near East Arab Broadcasting Service used to broadcast the Friday Prayers from the Dome of the Rock. These transmissions made a great impression on me, and I often used to put myself on duty on Friday mornings when I was not already on duty in the normal course of events; for although my knowledge of Arabic (the very limited soldier's variety) was utterly inadequate, I was deeply moved by the apparent simplicity and beauty of the prayers. When my turn came to be sent home in June, 1945, I was a very unhappy man.

I came home and faced the difficult task of settling down in an England that was very different from that which I expected. I buried myself in my work and carried on in my usual way. In 1948 I left the British Broadcasting Corporation to try my hand in commerce, but it was not very successful (the business thrived but I was not happy), the lure of television was too strong for me. I therefore rejoined the British Broadcasting Corporation in 1950, and I have been happily employed in television ever since, and hope to be so until I retire some 27 years hence.

About 18 months ago I was in Foyle's Book Shop in Charing Cross Road, London, looking for some secondhand copies of Major Jarvis' books on his life in Egypt between the wars, when I found a copy of Mr. Lovegrove's (Habeeb-Ullah) booklet, What is Islam? I included the booklet in my purchases and read it. I then proceeded to the Public Library and borrowed all the books I could find that dealt with the Middle East generally and had any reference to Islam in them. Some were good, others were not so good, muddled thinking and misinformation being apparent. From all this reading, fortified by Mr. Lovegrove's booklet, sprang the realization that all was not well in my life and that something was definitely missing. I was considerably shaken by this realization, but I did not know quite what to do about it. I had no one to talk to about these things. Those who might have been sufficiently neutral, I did not know well enough to unburden myself to, and those I did know well enough would have been heavily biased. I therefore put the matter to one side (or tried to) for the whole of last summer, resolving to see how I felt after a lapse of time. At intervals all through
the summer the feeling that I must do something about it kept cropping up. This got stronger as the months went by. It was not until Christmas Day when a friend of mine came in on duty in place of one of my own crew so that he could have Christmas "off" that I talked. The result of his counsel was my visit to you.

The standard of life I had set for myself corresponded very closely to the teaching of Islam, but Islam goes so much further and provides the answer to many problems for which I have had no answer, in fact it would appear that there is no problem for which Islam cannot provide guidance. I believe in God, but I found that I could not believe in Him in the way I had been taught. I therefore had to develop my own conception of Him, and from this developed what I hoped was a right and proper mode of life. I made mistakes and I have had my failures in the face of temptation, but I have tried to do what I believed to be right. And now, after reading all the literature which I received from the Woking Muslim Mission and Literary Trust, I am quite convinced that Islam is the True Faith. This conviction has come after much thought and meditation, and has been growing on me for some time, as perhaps my story shows. I had to be sure of myself, for this is the greatest event of my life; that is why I waited some 18 months before embracing Islam: I had to be sure this was no passing phase. Verily, it was not a passing phase, for my conviction prospered and grew within me and I found myself putting into practice what little I had learned of the teachings of Islam. I ask that all men should recognize me as a Muslim; as indeed, I have asked God to accept me as a true follower of the Faith.

I append herewith my Declaration of Faith:

"I, Patrick Ernest Chipperfield, do hereby faithfully and solemnly declare of my own free will that I worship One and only God alone; that I believe Muhammad to be His Messenger and Servant; that I respect equally all the prophets — Abraham, Jesus, Moses... and that I will live a Muslim life by the help of God.

La ilaha ill 'al-Lab Muhammadu 'r-Rasul 'al-Labi.

FIRST MOSQUE AND ISLAMIC INSTITUTE IN AMERICA

BY HASAN HOSNY

"This project will not only appeal to Muslims but also to people of all religions, for it is an ideal representation of the world's present search for freedom, equality and tolerance.

"The teachings of Islam are based on true democracy. They irradiate such rays of truth and hope that are ideology badly lacking in our troubled world."

When the cornerstone of the Washington Mosque and Islamic Institute was laid in the early part of the year before last, His Excellency Kamil 'Abdul Rahim, Egyptian Ambassador to the United States and president of the Washington Mosque Foundation, Inc., said:

"On laying the foundation of our Mosque, may we pray to God and dedicate ourselves to the fruitful co-operation and permanent unity of our countries in the cause of peace and justice to all mankind."

Thousands of Muslims residing in the United States stand ready to confirm this declaration. They have great admiration for the country, in which they now live and feel that millions of Americans have an equal admiration for Muslim countries. They are the ones who, for many years past, have felt that Washington should have a centre of Muslim worship and learning and they are the ones who nurtured the plan that finally developed into a definite building programme.

Back in 1945, the idea for a Mosque and Islamic Institute moved out of the discussion stage. It was then that the Ambassadors and Ministers of the Muslim countries duly accredited to the United States met to formulate a scheme for carrying out the proposals which had been made from time to time. From this initial meeting of the diplomatic representatives was born the plan for creating the Washington Mosque Foundation, Inc.

After this organization was set up the governments of the Muslim countries began to pledge financial help for the project. Among the very first contributions to be received was that of His Majesty King Farouk, who, in 1946, donated over $41,000 which enabled the Foundation to purchase a piece of land at Massachusetts Avenue and Belmont Road, Washington, N.W., in a residential section considered to be one of the finest in the National Capital and where many Embassies and Legations of Muslim countries are located.

The Executive Committee of the Foundation is representative of all the Muslim States interested in the project — Afghanistan, Egypt, Indonesia, Iran, Iraq, Jordan, Pakistan, Sa'udi Arabia, Syria, and the Yemen.

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Muslim and Christian communities in the United States, Latin America and Canada.

To increase the building fund of this project, the Government of Sa'udi Arabia has donated, besides its official contribution, several thousand copies of the Holy Qur’án in Arabic and English translation by A. Yusuf Ali and of the Religion of Islam by Dr. A. A. Galwash. These religious books are being sold and the proceeds used in the new project. Many American educators and theologians throughout the States have shown considerable interest in these books, praising the first for its deep eternal truths and the second for its clear and concise exposition of the main tenets of Islam.

Such interest in the Washington Mosque and Institute, extending as it does beyond the United States to South America and Canada, can really be attributed to the strong emphasis which the people of the democracies place on religion and culture as a vital source of international understanding and goodwill which, if fully realized, would lead to greater co-operation between nations and would foster deeper ties of friendship.

This project will not only appeal to Muslims but also to people of all religions, for it is an ideal representation of the world’s present search for freedom, equality and tolerance.

The teachings of Islam are based on true democracy. They irradiate such rays of truth and hope that are incentives to implement the high principles of ideology badly lacking in our troubled world.

Criminology and Judgment Day

By DR. ALLAH BUKHSH

"It may be said that the Islamic teachings have gone a step further than criminology, for, whereas the latter is confined to detection of the consequences of deeds, the former teaches ways and means for the eradication of misdeeds. It goes to the very root of the whole problem. Actions are the result of ideas, which are outside the domain of scientific detection and control. But faith seeks to uproot evil thoughts through a living belief in a living God who knows the hidden secrets."

Direct and indirect evidence in crime-detection

Modern methods of crime-detection enable us to-day to construct a completely connected chain of scientific evidence from the very minute and detailed study of trifling traces and fragmentary remains, thus replacing subjective testimony by objective findings. In the Qur’ánic verses has been presented, repeatedly and most vividly, a picture of the guilty on the Judgment Day. How clearly this picture explains or coincides with the principles discovered by the science of criminology is for my readers to judge from a perusal of the following lines.

Criminology is the science of crime-detection. Two kinds of evidence are used in order to detect crime; direct and indirect. Direct evidence consists of oral testimony in a court of law by persons who are eye-witnesses of the crime. Indirect evidence is adduced from circumstances and is an inference which leads inevitably to the conclusion about the nature of crime or about the identity of persons involved in its commission.

Direct evidence is subjective in nature, being dependent on the powers of observation and recollection of the witnesses, as also on their integrity and faithfulness in stating facts as seen by them. Thus reliability of direct evidence depends upon the intellectual and moral strength and character of the persons tendering it. Different persons possess varying powers of observation and recollection. Their interests in, and emotional attachment to, an incident may be different or even at variance. The subconscious element of bias or prejudice cannot be eliminated. Lastly, and not uncommonly, there is the question of wilful perversion of observed facts. All such factors contribute towards
making direct evidence doubtful, conflicting, and even contradictory.

The indirect form of evidence, though inferential in nature, is yet no less weighty and valuable and in many cases is conclusive, provided a complete and connected chain be available. It has also the merit of being scientific because it is objective and impersonal and therefore unbiased and unprejudiced. Then again, it can be tested and verified by others, so that indirect scientific evidence has the superiority of being free from the weaknesses inherent in the case of personal testimony. Direct evidence is dependent on the availability of witnesses or their willingness to state what they may have seen. But crime is often committed in secrecy when there are no eye-witnesses.

Whereas scientific research has been of great benefit to mankind in almost every sphere of activity, it has also been employed to help in detection of crime. Criminology is not a separate science by itself but it has become a special branch through applying other sciences, such as chemistry, physics and medicine to problems relating to crime investigation.

With advanced and highly magnifying methods by means of scientific appliances, science can detect and compare fragmentary and trifling traces at the site with those left with persons involved in the commission of an act, thus establishing a connecting link between the two. The methods employed and the results obtained are precise and exact, conclusive and convincing. Then a connected chain of evidence can be constructed by the meticulous studying of the minute details of an incident and no doubt can be left to prove the course of events as they happened. The subject can be illustrated by describing various methods used in criminology.

Identification of suspect by fingerprints

Fingerprints are impressions left on the surface touched by an extremely complex system of ridges and furrows on the fingers. The ridges are studded with the pores of sweat glands. The constant fatty secretion together with perspiration provides an oily memento upon the surface touched. These secretions are, moreover, increased during times of strain and stress and excitement. Thus literally an imprint pours out of the fingers and is engraved upon everything touched. This imprint or signature is peculiarly and positively personal and individual. Different patterns of fingerprints have been classified and indexed so that any new print can at once be classed and compared with the existing record in police laboratories.

Methods have been discovered to develop latent fingerprints. Several kinds of powders are used. Photographs of the developed prints are taken for classification and comparison, if needed.

Footprints, wheel or tyre marks

Footprints, wheel or tyre marks are recovered by making casts of plaster of Paris from the soles of feet, shoes, etc., and comparing them with those of the suspect.

The characteristics of strides, as well as of the pattern and wear of the shoes, enables identification with completeness and little chance of error.

A chain of footprints can, in fact, afford a fairly complete general picture of the person who made them.

Analogous to foot or shoe prints are the investigation of wheel-marks and tyre-tracks. The print of a tyre can sometimes yield a complete reconstruction of the car or vehicle that made it. The size of tyre indicates the size of the vehicle; worn-out tyres are as peculiar and recognizable as are footprints.

Identification through dentures and teeth marks

Dentures provide a very valuable means of identification of human remains when a record is available.

Firearms

Scientific examination of the remnants of fired products on the one hand, and of the suspected firearm on the other, has to-day enabled establishment of complete identification between the two with absolute certainty and clear demonstration before a court of law. As with fingerprints, so in the case of firearms, the imprint made upon the discharged cartridge or bullet is absolutely personal. As a matter of fact every weapon, no matter whether made in the same manufactory and by the same machine or not, has its own "thumb-impression" which it imprints on the cartridge or the bullet. The minute and detailed investigation of the impressions is distinctive. No two weapons are alike in their breech-face markings in detail. Whenever it is desired to know whether a spent cartridge was discharged from a particular weapon, test-shots are made from it. Markings upon the test and the crime cartridges are then examined under the high magnification of a comparison microscope and identification established through 25-30 points of similar markings as regards their relative position and size, etc. A photograph of the two fields can be taken for presentation in court.

Markings by other sharp-cutting instruments such as knives, saws, etc.

The minute indentations upon the cutting edge of an instrument may in detail provide characteristic peculiarities. If the indentation details upon the cutting edge of the instrument resemble exactly markings made upon the article, it provides a proof of the instrument having been used in cutting the article.
Identification of hairs, fibres and fabrics

Hairs left at the scene of crime may be discovered and compared with those from the suspects. Often information of great value may be obtained from such a comparison.

Fibres or hairs adhering to the suspect's person may be compared with those from the victim or the article stolen, and it is possible to establish identity between the two. Comparison of fabrics, similarly, may give identical information.

Dust and dirt

Dust and dirt from wearing-apparel and other articles in possession such as tools and weapons, under the nails of the suspect's fingers, or on the scene of the crime itself, may furnish important clues. Dust from clothing worn in particular occupations such as flour-mills, cotton-factories, and industrial chemical works, will show traces of the particular trade in them. They may have specific dust from specific places, which by comparison may yield important conclusions, establishing connection between the suspect and the site.

Examination of paints and varnishes in cases of collision has proved the identity of the suspect.

Documents and forgeries

An examination of the paper, ink and handwriting at once discloses the forgery, alteration or erasures.

Ultra-violet light and infra-red lights are of great value in bringing out erasures and alterations, also in showing the difference between two inks used at different times. The different glues used in re-closing an envelope can be easily made out by their means.

Altered numbers upon metals such as stolen bicycles can be made out by the use of suitable chemical reagents.

Forensic medicine

Perhaps the best examples of scientific knowledge used in solving legal questions are afforded by the medical sciences. A separate and highly specialized branch of medicine has been evolved called forensic or legal medicine. Its main function is to answer questions regarding a person's age; the time, nature, and cause of injuries during assaults or accidents; the identification of human remains; the time, mode and causes of death, and to examine bloodstains for their origin and grouping. Seminal stains are examined in cases of alleged sexual assaults. More recently blood-grouping tests are being employed in cases of disputed paternity, divorce and inheritance. Detection of poisons, their nature and quantity in human remains forms a special subclass of forensic medicine.

Lately, there have been some notable trial cases in which from mutilated and unidentifiable human remains, medical experts have been able, not only to find out their nature, but also to reconstruct the body, thus making identification possible.

Main underlying principles

What, then, are the main principles underlying scientific detection of crime? Whenever any deed is done, its commission involves invariably certain changes in the environment on the one hand, and in the person committing it on the other. Persons responsible for crime must always leave behind them at the place of occurrence something characteristic of themselves and also they must take away with them something distinctive of the site. A link or connection has to be established between the site of crime and the possessions of the suspect by means of proving identity of articles discovered. After having carefully preserved all that can afford valuable testimony, the next step is to recognize it through highly magnifying and comparing scientific instruments or by making some micro-chemical tests in order to prove the identity of the traces found in the possession of the suspect and at the site of crime. Scientific crime-detection implies answering the when, where, how, why and by whom, of the incident. And it depends upon the means and powers of observation and of detection that may be available.

The future of the detection of physiological disturbances in the perpetrator of a crime

When any deed is done not only is there physical disturbance, but recent researches have fully established that there are also physiological changes in the individual. Thus commission of crime, apart from causing environmental changes, causes altered functioning in the organs as well as changed impression in the mind of the perpetrator. A person who commits crime has his rate of respiration and pulse changed, and there is disturbance in the secretions of his internal glands and in the electrical conductivity of his tissues. To-day we are able, with the help of advanced methods of micro-analysis and micro-photography, to prove and establish with certainty in a court of law, facts relating to crime-commission that would have been thought half a century before as fantastic and funny. Could not scientific research advance to a stage where it could detect with certainty the physiological disturbances in relation to the commission of crime? As a matter of fact the line of advance is already indicated by such inventions as the Keeler Polygraph (lie-detector) and the Truth Serum.

Emotional stress, ignorance and disbelief in its detection are the three main causes of crime. Incidence of crime would fall appreciably if the knowledge that it is bound to be detected ultimately were more widespread; a knowledge which has reached the stage of certainty and faith would be effective as a deterrent. "Murder will out," is a truism known to everybody, but, at the time of commission, how many of the murderers realize and remember the ultimate fate of their act? Strain of emotion, spurred by hope of escape from consequences of the act, goads them on to action. Little faith have they in the axiom that actions speak louder than words, that trifling traces will betray them, that in effecting after-effects they are more likely to commit deeds much easier to detect, and, lastly, that a doubtlessly complete chain of testimony would be constructed for their conviction. Ignorance, secrecy, doubts, misgivings, and denials all combine to give them a false sense of security at the moment. True faith in the evil consequences of misdeeds is the only sure remedy.

The Qur'an on the recording of each and every deed

The four great principles forming the foundation of criminology are not new although their practical application to crime detection is a matter of comparatively recent origin. That all human actions leave behind them trails which are detectable with certainty, and that a complete chain of evidence can be constructed from such findings more convincing and conclusive than eye-witnesses, are truths which have been taught by religious faiths. Let us take them one by one in the light of the teachings of the Qur'an.

"Or do they think that we hear not their secrets and their private counsels? Aye, and our messengers with them write down" (43 : 80).

"And thou wilt see every nation kneeling down. Every nation will be called to its record. This day you are required for what you did. This is our record that speaks against you with truth. Surely we wrote what you did" (45 : 28-9).

"Nay, but you gave the lie to the Judgment. And surely there are keepers over you, honourable recorders, they know what you do" (82 : 9-12).
"Alike to Him is he who conceals the word and he who speaks openly, and he who hides himself by night and who goes forth by day. For him are (angels) guarding the consequences (of his deeds) before him and behind him by God's command" (15 : 10-11).

"And certainly we created man and we know what his mind suggests to him — and we are nearer to him than his life-vein. When the two receivers receive sitting on the right and on the left, He utters not a word but there is by him a watcher at hand” (50 : 16-18).

"So whoever does good deeds and is a believer, there is no rejecting of his efforts and we surely write (it) down for him" (21 : 94).

"And the Book is placed and thou seest the guilty fearing for what is in it and they say: O woe to us! What a book is this! It leaves out neither a small thing (sin) nor a great one but numbers them all and they find what they did confronting them (i.e., damning evidence). And thy Lord wrongs not any one" (18 : 49).

"Surely we give life to the dead, and we write down that which their hands wrought and their footprints and we record everything in a clear writing” (36 : 12).

The second great principle of criminology is that latent consequences of deeds can be brought to light through various magnifying devices and various kinds of rays. Exactly in accordance with this, the teachings of the Qurán are most explicit as to the manifestation of human actions on Judgment Day.

The Qurán on the manifestation of deeds and actions on Judgment Day

"On that day men will come forth in sundry bodies that they may be shown their deeds. So he who does an atom's weight of good will see it and he who does an atom's weight of evil will see it" (99 : 6-8).

"On the day when hidden things are manifested."

"And the evil of what they wrought will become manifest to them" (39 : 48).

"On that day you would be exposed to view, no secret of yours will remain hidden. Then as for him who is given his book in his right hand, he will say to! Read my book, surely I know I should enter my account. And as for him who is given his book in his left hand he will say 'O would that my book had not been given to me and I had not known what my account was " (69 : 18-20, 25-26).

"Hell is made manifest to him who sees" (26 : 91).

"Hell is made manifest to the sinful" (79 : 36).

"And We have made every man's deeds cling to his neck and We shall bring forth to him on the resurrection day a book which he will find wide open.

"Read thy book. Thine own soul is sufficient as a reckoner against thee this day" (17 : 13-14).

"And the trumpet is blown. That is the day of threatening, and every soul comes with a driver and a witness. Thou wast indeed heedless but now we have removed from thee thy evil so thy sight is sharp this day" (50 : 20-22).

Oral testimony replaced by manifestation of effects of deeds

The third criminological principle is that actions or their consequences speak louder than oral testimony, that the testimony of facts leaves no need for eye witnesses. In exact analogy Quránic verses declare the calling of such evidence against transgressors.

"On that (Resurrection) day We shall seal their mouths. And their hands will speak to Us and their feet will bear witness as to what they wrought" (36 : 65).

"Until, when they come to it, their ears and their eyes and their skins will bear witness against them as to what they did. And they will say to their skins: Why bear ye witness against us? They will say: God who makes everything speak has made us speak, and He created you at first, and to Him you are returned” (41 : 20-21).

"On the day when their tongues and their hands and their feet bear witness against them as to what they did" (24 : 24).

Chain of evidence and confession

The fourth principle of criminology is that from the facts or their remaining consequences, a connected and complete chain of evidence can be constructed which leaves no alternative on the part of the offender but to admit his act. Precisely parallel to this is the picture drawn by the Qurán of the guilty in the following verses:

"When the fetters are on their necks and the chains. They are dragged" (40 : 71).

"Then insert him in a chain the length of which is seventy cubits” (69 : 32).

"Surely We have placed on their necks chains, reaching up to their chins so they have their heads raised aloft.”

"And couldst thou but see when the guilty bang their heads before their Lord: Our Lord we have seen and heard, so send us back we will do good deeds ; we are now convinced" (32 : 12).

"And they say: Had we but listened or pondered, we should not have been among the inmates of the burning fire. Thus they will confess their sins, so far (from good) are the inmates of the burning fire.

"Those who fear their Lord in secret, for them is surely forgiveness and a great reward. And conceal your word or manifest it, truly He is the Knower of what is in the hearts. Does He not know who created? And He is the Knower of subtleties, the Aware” (11 : 14).

In conclusion, it may be said that the Islamic teachings have gone a step further than criminology, for, whereas the latter is confined to detection of the consequences of deeds, the former teaches ways and means for the eradication of misdeeds. It goes to the very root of the whole problem. Actions are the results of ideas, which are outside the domain of scientific detection and control. But faith seeks to uproot evil thoughts through a living belief in a living God who knows the hidden secrets. Then if an evil thought arises in the mind the next remedy is Istighfar or a sincere desire and effort not to translate the evil idea into action. It is a prayer to seek the help of the Higher Being in overcoming human weakness. Lastly, if the evil act has been committed, the remedy now lies in confessing before God and in genuine repentance to abstain from the same in future. The principle of Tawba, literally reversion to the right path, is in accordance with the Freudian discovery which states that repression causes incalculable harm to human consciousness. There are two alternatives after transgression, either to realize one's mistake or, not knowing it to be an error, to continue in the same path. In the latter case, only culmination in the evil course would bring home to man the needed realization. In the former case, i.e., when he realizes his sin, what should he do? If he does not open his heart sincerely before God, it is bound to become a repression. A sincere repentance thus not only means abstinence for the future but it acts also as a remedy for the harmful effects of repressive measures.
THE ANNUAL
of the All-Pakistan
held at Lahore
(29th March, 1955)
which was attended by 500 women
from Pakistan, Iran, Iraq, Egypt, Turkey,
For the first time in Muslim History, Muslim women met to confer about

The Patron of the All-Pakistan Women's Association, Karachi, His Excellency the Governor-General of Pakistan, Mr. Ghulam Muhammad, is reading his inaugural address at the Annual Conference of the Association. The text of His Excellency's address is printed elsewhere in this issue.

A view of the interior of the University Hall with delegates from Baluchistan and the North-Western Frontier Province, Pakistan, at the Annual Conference of the All-Pakistan Women's Association, Karachi.

The President of the Association, Begum Liaquat Ali Khan, delivers an Address at the Opening Conference of the Association in Lahore, Pakistan. Excerpts elsewhere in this issue will give a glimpse of women's involvement in these historic events.
WOMEN ON THE MARCH

CONERENCE
Women's Association
ore, Pakistan
— 2nd April, 1952)

hen delegates from various parts of
indonesia, The Lebanon and England
women from many Muslim countries have
importance of their role

Indonesian delegates to the Annual Conference of the All-Pakistan Women's Association being welcomed by members of the Reception Committee and other prominent lady citizens of Karachi.

Our picture shows Madame Abu Hanifah (shaking hands) and Madame Nurdjannah Sa'id Alwini, the representatives of the Indonesian Women's League, being welcomed by Begum G. Ahmad.

The Annual Conference of the All-Pakistan Women's Association with delegates from various Muslim countries in session.
The Inaugural Address of
The Governor-General of Pakistan, His Excellency Mr. Ghulam Mohammad,
at the Annual Conference of
the All-Pakistan Women's Association
held at Lahore, Pakistan, on March 29, 1952

"Islam confers on woman rights and obligations which not only put her on an equal footing with men but at times assign her a superior rôle. Women from the very earliest period of Islamic history have filled high positions in various important spheres of life"

"This backward rôle of women, as I said, is also un-Islamic. In the days of our glory, women worked and fought shoulder to shoulder with men. We Muslims believe that we have a mission to perform in life. That mission is to practise ourselves, and show to others, a well-balanced spiritual and temporal life which will lead mankind to peace, progress and happiness. We have to show the world the straight and right path. This we shall achieve through the active fulfilment of the principles which have been given to us by God and which were preached and practised by the greatest revolutionary and constructive reformer of all time, Muhammad, who within the space of a decade changed the character of a whole nation and altered the course of world history"

A tribute to the All-Pakistan Women's Association
Begum Liaqat Ali Khan, Ladies and Gentlemen,

I have watched with great interest and admiration the growth of the All-Pakistan Women's Association and the very valuable humanitarian work that the Association has been doing. I therefore feel particularly pleased at being asked to inaugurate this Annual Conference.

Perhaps the Association's finest work was done immediately after it came into being in 1947 during and after the holocaust which accompanied the birth of Pakistan. I can recall how the All-Pakistan Women's Association, which then consisted of a small band of intrepid voluntary workers, devoted itself to the service of the broken and suffering refugees and faced that vast human tragedy by attending to the needs of helpless women and children in refugee camps, collecting and distributing food, clothing and medicine, and helping to trace and restore displaced persons to their families. Since then the All-Pakistan Women's Association has grown considerably and its branches have spread over the length and breadth of Pakistan. Its activities have multiplied to cover a wide range from providing medical relief in remote villages to entertaining international celebrities.

To-day is a landmark in the history of the Association. This is the first occasion that delegates in fair numbers from various Muslim countries have been invited and are participating in the Annual Conference. I need hardly say how happy we are to have them amongst us. We consider them as our sisters and their visit is a joyous occasion for us. Apart from the great interest shown by Muslim countries in the movement and progress of Pakistan, their presence, I take it, represents a noteworthy feature of the position of Muslim women which it is necessary to understand and realize.

The problems before women in Muslim countries have many similarities. They are passing through various phases of social, economic and cultural progress, yet all this variety presents an underlying unity of aims and objects. Present conditions in all these countries call for their sitting together so that they may benefit from their experiences and use their knowledge for a better and quicker solution of these problems.

Muslim women in Islamic law

Muslim women under Islamic law have enjoyed a certain status; yet in practice that status in social and other matters has not been conceded to them in many countries. Muslim women are required to play their full part in the social, economic and cultural life of their country. The problems of poverty, hunger, disease and lack of knowledge are common to these countries in varying degrees. The causes also, though in some matters apparently varying, present common features. Common causes of common ills lead inevitably to common consultations, to devise common remedies. This I take to be the main reason and justification for having troubled our sisters from all these countries to come here. They and we will share, and share frankly, in the noble task of doing service to our peoples and our countries. The greatest problem of all is that of raising the standard of life, increasing facilities for the education of women and children and providing modern facilities for health and treatment.

It is an uphill task which cannot be divorced from the general problems that confront these countries. I am not a pessimist and I see all through the Islamic countries a movement amongst women to march ahead towards removing their disabilities and taking advantage of every possibility of service to their people. These require grim determination and faith in their objectives. I have no doubt that they will rise to those heights of service and hard work which characterized the women of Muslim countries in the ages when they had the opportunity to make themselves effective.

Politically, I am glad to say that in Pakistan that great seer, the Qaid-i-Azam Muhammad Ali Jinnah, saw to it that the true Islamic traditions of giving women the fullest scope was adhered to, and our Constitution contains no bar against women as such. There are women in our Legislatures, both Central and Provincial, and, in fact, a distinguished woman member of the Constituent Assembly was presiding over some of its meetings when the budget of the country was before that august body. Pakistan has given and will give all facilities to women politically, and I am glad that our sisters in this new country are lucky that they have been saved the unnecessary struggle which our sisters in other countries had to undergo to get what was and should have been their political rights.

This Conference, attended as it is by delegates from various Muslim countries, should mark the beginning of an era of mutual consultation in our problems. I hope that the spirit of co-operation in the solution of common problems and the desire to exchange advice and help by mutual consultation will develop. Exchange of knowledge and experience should spread so as to cover wider and bigger spheres of our activities. Women have stolen a march on men in this direction, and with earnestness and the right spirit I have no doubt that this experience will lead
to further expansion of the principle in many of our common movements and in the solution of common difficulties.

Some notable Muslim women in the history of Islam

Islam confers on women rights and obligations which not only put her on an equal footing with men but at times assign her a superior rôle. Women from the very earliest period of Islamic history have filled high positions in various important spheres of life. Sakina, the great grand-daughter of the Prophet Muhammad, was a great scholar and patron of poets, jurists and learned doctors of her time. The mother of Caliph Muqtadir of Baghdad presided over the High Court of Appeal. Princess 'Aliyyah was one of the most accomplished musicians of her time. Safiya of Granada, Spain, was a distinguished orator and poetess. Umm al-Banin at Damascus and Queen Zubayda at Baghdad played a conspicuous part in the politics and administration of the Umayyad and Abbasside Empires respectively. These are but a few of the many illustrious women of the Caliphate days.

During the next ten centuries or so, Muslim women distinguished themselves in many walks of life. In Spain, Eastern Europe, Africa and Asia, wherever Islam spread and founded its cultural empire, Muslim women made valuable contributions to the progress of mankind. In this sub-continent, too, where Muslims held sway for several centuries, many eminent and illustrious women rose and made their mark. Among them were the Princesses Jahan Ara and Zeb an-Nisa, who shone like bright stars in the cultural firmament. There were others, like the Empress Noor Jahan, who, apart from her notable contribution to culture, wielded great political power. The rule of the Empress Razia was marked for beneficence, peace and progress.

To-day our women, generally speaking, are backward. This is an unfortunate fact which we must admit, and I believe that our sisters from other Muslim countries will agree that the same conditions prevail in their countries too. Such a state of affairs is both un-Islamic and a hindrance to progress.

No nation can prosper and achieve greatness if its women, who constitute one-half of the population, do not take a full and active share in the national life. At present our women exist rather than live. It is imperative, not merely for their own benefit but for the good of the whole nation, that our women should rise to the full stature and be active partners of men in the great work of national reconstruction which we consider to be one of the purposes of our life.

The backwardness of women in Muslim countries is un-Islamic

This backward rôle of women, as I said, is also un-Islamic. In the days of our glory, women worked and fought shoulder to shoulder with men. We Muslims believe that we have a mission to perform in life. That mission is to practise ourselves, and show to others, a well-balanced spiritual and temporal life which will lead mankind to peace, progress and happiness. We have to show the world the straight and right path. This we shall achieve through the active fulfillment of the principles which have been given to us by God and which were preached and practised by the greatest revolutionary and constructive reformer of all time, Muhammad, who within the space of a decade changed the character of a whole nation and altered the course of world history.

I am sure the same regeneration can take place again and if we exert ourselves to the utmost, give up ideas that are petty or selfish and work in a spirit of sacrifice and of service to humanity, we shall succeed in our mission and achieve our goal.

Women have a complementary and as important a rôle to play in this as men; in fact, I believe they are better suited to this task, as they are by nature constructive and creative and are more capable than men of self-sacrifice, devotion and silent service.

I have talked so far of Islam and Muslim women. I would be failing in my duty if I did not pay a compliment to those non-Muslim women in Pakistan — both citizens of other countries and those who are our citizens — who have rendered and are still rendering very useful service to the women's movement. We have one desire that is common to all of us, and that is to serve, to remove illiteracy and lack of facilities, and achieve the general advancement of women.

The future of the All-Pakistan Women's Association

I should like to see the All-Pakistan Women's Association even more broad-based than it is to-day. It should reach out more to the villages and to the masses. Unless we are able to educate the masses to participate in welfare and cultural activities, unless we train them in the principles of freedom, and unless we raise their level of knowledge, health and hygiene, our activities will appear to skim the surface.

The age of privileged classes is gone. No longer can a minority of people live in comfort and luxury and the rest of the population exist merely to serve them. Democracy and human dignity, which Islam preached, are coming back into their own. Now the common man and woman can walk with head held high, now all power vests in the common people. Therefore, to raise the standard of the nation you must apply yourself to the task of raising the standard of life of the common man and woman.

You have the right ideals before you and your attention must now be focused on the practical application of these ideals to your life. This can only come through study and training. There are certain professions for which women are far better suited than men, for instance nursing and teaching. Women also make excellent doctors. It is for you to deliberate and think out measures so that we can have more women in these professions which so directly serve the people. Similarly, we need a large number of social workers. Their need is increasingly felt in modern society. Social work can no longer be considered, as it has mostly been hitherto a casual pastime of the rich. It is now a science. I hope women will come forward in large numbers to become social workers and will acquire serious and intensive training for it.

This is not to detract attention from the extremely important rôle which women have in their homes. As mothers they bring up the children who constitute the next generation. In this way the destiny of a nation is in the hands of its women. The bringing up of children is work of the highest national importance and, therefore, a study of domestic science for all women who wish to become wives and mothers is even more important than taking to the professions.

I need hardly mention that my Government is not merely ready but keen to help the people to raise their standard of living. The Government is doing what it can in this direction, but no real progress of a permanent nature can take place unless the people help themselves. The Government will co-operate with all women's organizations that may be engaged in relief, welfare and reconstruction work.

It is my hope that by this combined effort of the Government and the people we shall march ahead on our mission of service to humanity.
The Presidential Address of
THE BEGUM LIAQAT 'ALI KHAN
at the Annual Conference of the All-Pakistan Women's Association
held at Lahore, Pakistan

"Islam with one clean sweep abrogated all the stigma and degradation attaching to women. The Prophet Muhammad proclaimed 'respect for women' as an essential feature of his teachings. He made the validity of marriage dependent on the consent of a woman freely given when she has attained the age of puberty. He had found in the society around him promiscuous living and unchecked multiplicity of marriages. He restricted the number of wives a man might marry to four. But the permission to marry more than one wife is granted only to meet certain contingencies, and is hedged round by such conditions and stipulations that in practice it is almost rendered nugatory. It is open to a Muslim woman to stipulate at the time of marriage that she would not be compelled to live as the wife of a man who takes another wife without her consent. This acts as an effective deterrent on the man. Public opinion in all Muslim countries looks with disfavour on plural marriages, and the practice is fast disappearing. In any case it is far more desirable and humane that a man may have two or three wives than that there should be unabashed promiscuous living or that a woman should earn her living by immoral means."

Welcome to delegates from Muslim countries
Your Excellency, Sister Delegates,

Personally, and on behalf of the All-Pakistan Women's Association, I take this opportunity of offering His Excellency Mr. Ghulam Muhammad, Governor-General of Pakistan, our sincere and grateful thanks for his kindness and graciousness in honouring us by accepting the Patronship of our Association, and in finding time and interest to inaugurate this Annual Conference to-day. We are very deeply sensible and appreciative of this gesture of friendship, understanding and support.

I would also like to tell our sister delegates from abroad present how very pleased and honoured we are that they have taken the time and trouble to attend this Conference and give us the benefit of their company, ideas and advice. We only regret that circumstances prevented many delegates from Egypt, Syria, Saudi Arabia and other countries invited, from being with us to-day, but we look forward to another opportunity of welcoming them to Pakistan and know that we have their good wishes and prayers with us.

It is not always easy for our various branches to get together for discussion and the making of personal contacts and friendship, and I am, therefore, overjoyed to see the splendid response they have all made this time in their delegations, and mention in particular our sister from East Pakistan, and the delegate from our branch in the United Kingdom. This is truly splendid and a matter of great happiness to us all.

This Annual Conference of the All-Pakistan Women's Association has a special significance in that it is being attended not only by delegates from all Provinces and States of Pakistan but also by representatives of several Muslim countries. I extend a most hearty welcome to our sisters from the Muslim countries, and assure them that the gesture they have made evokes deep feelings of affectionate gratitude in our hearts. Our Association is inspired by the same ideal as Pakistan itself. Pakistan stands for international peace, understanding and co-operation and hopes to contribute to the consummation of that ideal by promoting unity of outlook and effort among the Muslim countries. This is natural, for the Muslim countries share a common faith and ideology and have a strong sense of brotherhood which transcends all barriers of colour, clime and race. Our Association, too, aims at promoting international goodwill, brotherhood and co-operation, and, as a first and natural step, we are trying to forge links of understanding and co-operation between the women of Pakistan and those of other Muslim countries.

We are all members of the great human family, and every thinking individual will agree that in the ultimate analysis the fundamental need and problem of human beings is the same — an environment and a set of conditions which would enable every human being to attain, according to his genius, his full growth physically and spiritually, and achieve inward peace and happiness. Situated as we are, however, we have to work in our different spheres and conditions, and our approaches may be different. We start by working in our immediate locality, which is but natural; but our ideas and actions can converge and we can contribute to a larger and richer synthesis if we constantly keep before us the human ideal and are inspired by the spirit of mutual understanding and respect. Such periodical conferences, to which representatives of various countries are invited, provide an excellent opportunity for mutual consultation and promotion of goodwill and understanding. Our sisters from the Muslim countries are more than welcome in our midst, for we are united by common faith and special ties of affection and mutual regard. Together we can devise a basis of co-operation which would enable us, first, to better the conditions of living in our respective countries with one another's help, and secondly, to play our part jointly in the maintenance and advancement of world peace and prosperity.

Muslim society in undivided India
To understand the nature and working of the women's movement in Pakistan, it is necessary to cast a glance at the conditions of the Muslim society in undivided India, and the extraordinary circumstances which attended the birth of Pakistan. I will give you a very brief survey of these developments. The Muslim women in pre-partition India shared the general backwardness and handicaps from which the Muslim people as a whole suffered. In fact, they were greater sufferers than men. They laboured not merely under the difficulties created by an alien rule and an inimical community; they also suffered from the social prejudices and un-Islamic customs and usages prevalent in Muslim society itself, which deprived them of the rights and privileges granted by Islam and denied them opportunities for self-improvement and progress. The most important sphere in which they suffered from neglect was education. Though, here and there, there were individual women who were accomplished educationally and culturally, and who also rendered some service to their own kind, yet the general mass of women was allowed to remain in a state of inertia and backwardness. Some efforts, no doubt, were made to spread education among Muslim women during the years preceding partition. But there was hardly any trace of general awakening among women, and they had no consciousness of civic or social problems and responsibilities. Any
An epoch-making event in the history of the emancipation of the womanhood of Islam

For the first time in the history of Asia a lady presided over her country’s Parliament when Begum Shab Nawaz presided over the Pakistan Parliament at Karachi on March 18, 1952

concerted women’s movement for social or cultural uplift was conspicuous by its absence. It is true, though, that the stirrings of a new awakening and life generated by the great movement for the attainment of Pakistan, under the inspiring leadership of the Qaid-i-Azam Muhammad Ali Jinnah, were felt even by women and, within the limitations imposed by the social usages, they did play a part, by no means insignificant, in the con summation of the Pakistan ideal. The victory of our national organizations in the general elections of 1945-46, which really paved the way for the establishment of Pakistan, owes a great deal to the unflinching support and sacrifices of the women.

Birth of the Women’s Social Service Movement in Pakistan

The real starting point of the women’s movement, however, is traceable in that terrible holocaust which followed in the wake of the partition of the sub-continent. It is a good illustration of the saying, “Out of evil cometh good!”. The partition of the sub-continent and the establishment of two independent States was brought about under a plan voluntarily accepted by the representative organizations of Hindus and Muslims. But certain tragic events, certainly not of Muslims’ seeking, marred the smooth formation of the two States. The turmoil and upheaval immediately following partition led to an unprecedented uprooting of vast masses of people and their migration to Pakistan at a time when even the administration of the country had not been properly organized. Refugees, afflicted in mind and body, torn from their near and dear ones, deprived of all their belongings, poured into this very city where we are meeting in hundreds of thousands towards the end of 1947. The caravans of refugees came like wave upon wave of a surging sea of utter misery, privation and agony. No human heart would have remained unmoved at this gruesome spectacle. Here was a situation which called for instant, all-out, selfless effort by voluntary women workers to afford immediate succour and relief to suffering and distressed humanity who did not even have a roof over their heads. A number of women in Lahore and other cities, I am glad to say, rose to the occasion and in response to my appeal organized a voluntary unit. The workers of this body did yeoman service in attaining and distributing food, clothes and medicines, and helping trace, recover and restore the relatives of displaced women.

The Pakistan Women’s National Guard

As a horrible genocide of Muslims and abduction of thousands of their women had taken place, the thought uppermost in their minds was to undergo training in self-defence. Ordinarily, the Pakistan Women’s National Guard was anized early in 1948. Keeping in view the special needs and aptitude of women, it was decided to make nursing a compulsory part of the course of training in the Pakistan Women’s National Guard. Rifle drill, cyphering, signalling, ambulance driving are some of the optional subjects. The Pakistan Women’s National Guard has proved to be a popular and successful movement, and it has undoubtedly tended to create a spirit of self-confidence and self-respect among women. They have begun to feel that they are not a useless appendage to society but can play a useful part at any time of emergency.

These developments may be said to have provided the seeds for the growth of the Women’s Social Service Movement in Pakistan. It created a keen consciousness of social responsibility and realization of the truth that no real progress and prosperity of the country, as a whole, was possible unless women too came forward and played their part in alleviating pain and suffering, and bettering the conditions under which the people lived.

Fortunately for us, we in Pakistan have not had to start any kind of women’s suffragette movement to agitate for our rights in a spirit of rivalry or hostility to men. This is so because the motivating force which brought Pakistan into existence is the deep conviction and desire to fashion our lives and social order according to the concepts and principles of Islam, which, as you know, preclude all possibility of conflict and disharmony and provide equal opportunities for men and women to develop accordingly to their capabilities and needs. The great task of the building of Pakistan — its constitution, laws, education, social and economic structure — is proceeding apace on the basis of the principles of Islam which assure equality of manhood, social justice, balanced growth of the human personality and harmonious progress. The women of Pakistan, too, in their movement for social cultural uplift, are inspired by abiding faith in the tenets
whims of man. Islam with one clean sweep abrogated all the stigma and degradation attaching to women. The Prophet Muhammad proclaimed 'respect for women' as an essential feature of his teachings. He made the validity of marriage dependent on the consent of a woman freely given when she has attained the age of puberty. He had found in the society around him promiscuous living and unchecked multiplicity of marriages. He restricted the number of wives a man might marry to four. But the permission to marry more than one wife is granted only to meet certain contingencies, and is hedged round by such conditions and stipulations that in practice it is almost rendered nugatory. It is open to a Muslim woman to stipulate at the time of marriage that she would not be compelled to live as the wife of a man who takes another wife without her consent. This acts as an effective deterrent on the man. Public opinion in all Muslim countries looks with disfavour on plural marriages, and the practice is fast disappearing. In any case it is far more desirable and humane that a man may have two or three wives than that there should be unashamed promiscuous living or that a woman should earn her living by immoral means.

The Muslim woman is also entitled to claim divorce under certain conditions — when her life becomes intolerable, when she is neglected over long periods, or is deprived of her just rights. Her dowry is her own and she can claim it at the time of marriage or later and use it as she pleases. The Muslim laws of divorce are so designed that divorce is permissible only as a last resort when all attempts at reconciliation have failed. Man and woman, if they find marriage intolerable, separate in a decent manner, without making a fuss about it. It is a significant fact that the incidence of divorce in Muslim countries is far less than in Western countries.

The position of the woman under Islamic law compares favourably with that of women of other creeds and communities

In other respects, too, the position of the woman under Islamic law compares favourably with that of women of other creeds and communities. The Muslim woman has an individuality and a legal personality of her own. She can sue and be sued. She can earn and possess wealth and property in her own right and dispose of it as she pleases without interference from her husband. She can enter into contracts, make investments, carry on business independently. She inherits shares in property in various capacities — as wife, daughter, mother, sister — according to varying ratios prescribed by Qur'anic laws. On top of it all she is entitled to adequate subsistence from her husband. She can follow any legitimate calling for which she may be suitably qualified. Of course, this will depend on the conditions, usages and public opinions prevailing in a society at a given time. Even
in the most advanced countries the main occupation of the bulk of women is the home. The noblest task that a woman performs is to run a happy home and to rear children to be good, useful and patriotic citizens. But the Islamic law places no arbitrary restrictions on women joining any service or profession in which they may be usefully engaged without disturbing the harmony of their homes. The whole point is that, in a healthy Muslim society, women will freely discover their rightful position and occupations without any irrational inhibitions. Islam is more concerned with the ethical conduct of the woman and the mutual relationship of man and woman, which should be marked by dignity, sobriety and respect. The Holy Qur’an admonishes both men and women to cast down their looks and observe decorum in behaving towards one another. The ethical laws of Islam governing the conduct of man and woman are such that the chances of immorality creeping in are minimized.

So far as learning is concerned, Islam lays the greatest stress on it. According to a saying of the Prophet Muhammad, acquisition of knowledge is obligatory both on men and women. There is absolutely no bar to a woman receiving the highest education or acquiring any kind of knowledge. Islamic history is replete with examples of women who outshone men in point of learning and culture.

While Muslim men have sometimes wavered and faltered in their adherence to the tenets and practices, the Muslim woman has steadfastly stood by these beliefs and principles, and her loyalty to Islam has never suffered. Two notable features of her character are self-sacrifice and loyalty towards her husband and selfless and sedulous care for the upbringing of children. She embodies in her person the finest traditions of Islamic culture. It is so because she appreciates the rights and privileges as well as the duties assigned to her by Islam. So far as her rôle in society and her legitimate functions and activities are concerned, she knows that the status assigned to her by Islam, while preserving the dignity and virtue of womanhood, opens out an unlimited vista of useful and healthy living and progress for her.

The Muslim women of Pakistan suffer from no legal or constitutional handicaps

Since Pakistan, by the very nature of its inception, is pledged to mould itself into the pattern of an Islamic State and translate into practice Islamic values and outlook on life, the women of Pakistan have not had to start their independent national existence with any constitutional or legal handicaps. We had the right of vote even when the franchise was restricted; with the introduction of universal adult suffrage the whole adult female population has the right to vote. We are also guaranteed equal pay for equal work. The facilities for the education and training of women are being speedily extended. There is general realization among all sections of the people that for too long women have been victims of neglect and indifferent treatment, that their undoubted capacities and gifts have been allowed to run to waste, and that it is high time they were given reasonable opportunities to educate, equip and qualify themselves for their rightful rôle in the development of national life.

The foundation of the All-Pakistan Women’s Association on the 22nd of February, 1949

We have seen how the calamities following in the wake of partition generated forces which created social awakening and enthusiasm and laid the foundations for a women’s social uplift movement. For some time after partition social welfare work was carried on in different directions under different auspices. There was great need, however, to co-ordinate the social work being done in different spheres to canalize the newly awakened enthusiasm and energy of women workers in well-directed and constructive channels, and to ensure the prosecution of social welfare work in a planned and systematic manner. This it was felt, could best be done by forming a countrywide voluntary social organization of women on a non-political basis, devoted solely to tasks of social uplift. All regeneration and progress — whether in the political or economic or cultural or industrial sphere — must depend ultimately on a certain substratum of social well-being and the awareness of the necessity of certain living standards and the ability to maintain them. Social welfare work may, therefore, be regarded as the pivot on which the whole superstructure of a nation’s progress and glory, particularly of a newly-formed State, is built. Women are, by temperament and tradition, especially fitted for pursuits which call for sympathetic devotion and self-denying, unostentatious work. If we carefully study the Islamic teachings on this behalf, as also the biological laws governing the lives of men and women, it will be clear to us that, in addition to the home, which should claim the first attention of woman, the proper sphere for the exercise of her energy and effort is the field of social service. It is open to all women, whatever social customs they follow, to do their bit to mitigate the sufferings of the needy people and to bring some cheer, happiness and joy into their lives.
service has a very wide connotation. Any act, however simple, intended to improve the health and moral well-being of the people, and to lessen their pain and suffering, comes under social service. This is a task to which every woman, who has some knowledge and some leisure, can address herself.

Freedom, paradoxically, confers more duties and responsibilities than rights and privileges. It is not that, having once wrested freedom, we can sit back and enjoy the fruits of our struggle. The price of freedom, as the saying goes, is eternal vigilance. The first phase of our national struggle came to a successful close with the establishment of the independent State of Pakistan. The second phase has only just commenced. It is the less glamorous but more exacting and intricate task of giving an ethical meaning and richer content to the freedom already achieved. If the people are to appreciate freedom as a thing of real value and not a mere shallow, it must assume for them a tangible form of contentment, prosperity and self-expression. Freedom really provides opportunities of learning to tackle our own problems and of helping ourselves. This is one of the privileges of freedom, and on its proper exercise depends the real growth and advancement of a nation. We cannot and must not be spoon-fed, for that creates lethargy and indolence which would lead to decay and ruin. In all independent and advanced countries we find that voluntary efforts and voluntary associations play a more important part in promoting social welfare and social uplift than government agencies. It is a universal experience that voluntary associations, working in a missionary spirit, succeed to a greater extent in evoking willing service and enthusiasm than government institutions. The initiative for all effort and service directed towards social uplift and the welfare of the less fortunate and under-privileged sections of the people must come from individuals and private bodies. It is here that women can play a most significant part.

Realizing the basic necessity of voluntary social welfare work and the part women can play in it, a conference of women was called on February 22, 1949, which resulted in the establishment of the All-Pakistan Women’s Association, with branches in all the provinces and many of the districts. The Association, ever since its inception, has been actively engaged in arousing the social conscience of the womanhood of the country, instilling in the minds of capable women the appreciation of their duties and obligations to their less fortunate sisters, and stimulating in the majority of women the desire to know things and improve the modes and standards of living. The work of the Association has spread out in different directions. It has opened schools, literary centres, maternity homes, industrial homes, cottage industry shops, dispensaries, etc., besides organizing relief in times of emergency.

Proposals for basis of women’s social service work

... It would not be out of place if I were to suggest for your consideration a few points of general policy which might form a working basis for women’s social service work in the country:

(1) To concentrate largely on the needs and problems of the women and children in every aspect of their lives, and especially those of the lesser privileged ones who require most their help and guidance;

(2) To co-ordinate this major work with all social, educational, moral and cultural problems and aspects which are either by nature a part of the women’s problems or are allied to them;

(3) To create, mould and strengthen a healthy, intelligent and moral public opinion, using the home, the school and the society itself as the medium of propaganda more than the public platform. A sound and intelligent public opinion is the very backbone of politics, and in the creation of this, woman has a unique and vastly important part to play, mainly, as I said, through the home, the school and society itself;

(4) To co-operate with Governmental organizations, where and when possible and necessary, in all national schemes, and especially those relating to the needs and problems of the women and children, and other allied subjects;

(5) To adapt all work, schemes and experiments to the distinctive national and local conditions;

(6) To co-ordinate the work done by all the women’s organizations in this country to avoid conflict, overlapping and unnecessary and unprofitable waste of time and energy;

(7) To concentrate mostly on social service — work among the rural and lesser privileged people. It must be remembered that Pakistan is mainly an agricultural country, with the major part of its population living in rural areas. It is therefore necessary that the villages and districts should receive the major part of our attention and help; and

(8) To establish cultural and social contacts with similar organizations in other countries, to exchange ideas and information with them, and to arrange for visits of delegates, lecturers, etc., on a reciprocal basis.

We should think out the detailed methods by which these principles can be translated into practice. What we need most are trained social workers. The important thing is that the social status and general working conditions for these workers should be such as to attract the right type of women. There is a proposal to have a college for the training of social workers.

Need for nurses

Provision of qualified nurses is one of the most crying needs of Pakistan to-day. I am glad to be able to state that serious efforts have been made to make up for the paucity of nurses, and that response from Pakistani women has been very encouraging. Already schools for the training of nurses have been started at Dacca, Lahore and Karachi; each of these centres has provision for the training of 40 nurses. One hundred and twenty nurses are undergoing training in Pakistan, and 50 in foreign countries under schemes sponsored by the Central Government. So far about 600 nurses have been trained in Pakistan as a whole. Nursing is one of the noblest of professions, for it helps to alleviate suffering and brings cheer and comfort to afflicted humanity. It should evoke the enthusiasm and willing cooperation of the enlightened section of our womanhood, and I sincerely hope that Pakistani women, with their tradition of selfless work, will take to it in larger numbers.

Need for domestic science and social service training

Another important item is instruction in domestic science. There is need to open a college and schools for the teaching of domestic science, which I am glad to say will be established in the near future with the help of the Government and the generous donation of Rs. 16 lacs, to cover nearly half the expenses, made by the Ford Foundation to the All-Pakistan Women’s Association, who took up this scheme with them through their President. These institutions should provide instruction in such subjects as home science, home decoration, cooking, sewing, dress-making, laundry work, care of babies and children, dietetics, daily marketing, household accounts, etc.

A goodwill mission to Muslim countries

... In keeping with our objective of strengthening the bonds of unity and co-operation between the Muslim countries, we propose to send goodwill missions on behalf of the All-Pakistan
Women's Association to the Muslim countries. I am sure that these delegations will meet with a warm welcome. We will thus be able to get closer together in mutual understanding, goodwill and co-operation and play our destined part in furthering the cause of world peace and prosperity.

Conclusion

I would like to close this address on a note of hope and faith. We are living in critical and exciting times pregnant with revolutionary changes. It is not given to every generation to witness the birth of a new country and State, and it is not every day that a people gets the opportunity of fashioning out a new pattern of life, of building a new social order. In Pakistan we have had to start everything from scratch. No doubt this has inevitably entailed acute difficulties. But it has proved to be a blessing in disguise. While it has brought to our people the joy of hard work and adventure, it has put their mettle to the severest test and brought into play their best virtues and energies. It is only by going through the crucible of trial and tribulation that a nation emerges worthy of its past glory and history and lives to make its future greater and more glorious. We achieved phenomenal success in carrying out an independent sovereign State of our own in the face of insuperable obstacles and difficulties. The secret of our success was that we followed the great lesson of unity, faith and discipline taught to us by the father of the nation, Quid-i-Azam Muhammad 'Ali Jinnah, of revered memory. We have nothing to fear so long as we continue to follow the same golden motto. We, the women of Pakistan, always implicitly obeyed every behest of our Quid-i-Azam, who was a source of great encouragement and inspiration to us. He invariably supported our cause and encouraged us to play our rightful role in the national life. In one of his speeches referring to women he remarked, "Another very important matter which I wish to impress on you is that no nation can rise to the height of glory unless your women are side by side with you. We are the victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the houses as prisoners. I do not mean that we should imitate the evils of Western life. But let us try to raise the status of our women according to our own Islamic ideas and standards. There is no sanction anywhere for the deplorable conditions in which our women have to live. Your should take your women along with you as comrades in every sphere of life, avoiding the corrupt practices of Western society. You cannot expect a woman who is herself ignorant to bring up your children properly. The woman has the power to bring up children on the right lines. Let us not throw away this asset." It is gratifying to note that the truth of the Quid-i-Azam Muhammad 'Ali Jinnah's exhortation regarding the importance of the woman's position in society is being increasingly realized. Women are going to have a freer and wider scope of activity. But much will depend on how they use that freedom and how they conduct themselves. The women exert an indirect and subtle, but strong and important, influence upon the cultural development of a people. The tone of society anywhere, and at any time, is set by the extent and quality of the part played in it by its women. Here I use the word "cultural" in its widest and most significant sense, to include not only the arts as such but the sense of values and the whole attitude of a people towards the most trivial aspects of national life. This influence, so subtle and all-pervading, is a tremendous power for good or evil, and it behoves us, then, not to neglect or underestimate it, but to fashion and use it as the motive force of our modern social machinery.

The Political Scene in the World of Islam
The Rising Terror in Tunisia and Morocco

By ABU MUHAMMAD

Reign of terror in Tunisia

In Tunisia, a whole nation is being held to ransom, firmly besieged, its freedom stifled and its voices hushed. Villages were destroyed, and women and children brutally insulted.

A Cabinet of ministers, possessing the support and confidence of the Sovereign and the whole nation, was abruptly dismissed and most of its members exiled in the wilderness of a desert.

Ten thousand of the nation's youth and intelligentsia were thrown into prison or detained behind barred wire without the semblance of a trial.

Women of integrity were arrested and thrown into prison and disbarred, although they had committed nothing culpable.

A nation's leaders are being bated and persecuted for as long as the nation persists in its rightful demands for freedom and independence.

Armies of occupation are besieging towns and villages and striking terror into the hearts of an unarmed and peace-loving people, whose only crime is that it wants to enjoy its rightful heritage of freedom and to be liberated from foreign yoke.

A military governor who has vested himself with the sole and absolute power over a country and its people, is threatening with death or long terms of imprisonment with hard labour any person suspected of committing a breach of his military laws.

And a sovereign, who has faith in God and his people, is being held a virtual prisoner in his palace, his friends and advisers taken from him.

All this has happened or is now happening in Tunisia. It is the 20th century, and there exists in the world a body called the United Nations Organization which is supposed to protect the weak nations of the world and see that justice is done!

With such vile methods France has scored her "victory" over the people of Tunisia, and with such reprehensible devices she has forced the Bey of Tunisia to sign decrees of which he did not approve, and to dismiss his earlier Cabinet and appoint a new Prime Minister chosen by the French authorities.

Can such a fantastic state of affairs continue long, and can the French, who have resorted to such barbaric methods, hope to suppress thereby for good the will of the people of Tunisia? No, such will not be the case. The present imperialist French policy in Tunisia, which has trodden upon every conception of political decency by violating the sanctity of agreements and treaties, will not live long. Such a policy is akin to the last acts of a madman on his death-bed. By the pursuit of such a policy, the French have paved the way for their final expulsion from Tunisia, which, it is hoped, will materialize before long.

No sane political observer has expected that the French imperialists would take, so suddenly, the drastic step of dismissing the Tunisian National Cabinet in such an ugly manner.

The French imperialists have not only lost control of themselves but have become more unpredictable than ever. They have

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The Bey asked for sufficient time to consider this new situation, but all that M. Hauteclercque would do in this respect was to grant him a respite of three hours, at the end of which, he said, the French authorities would put their threat into effect. The Bey immediately sent a telegram to the President of the French Republic seeking his personal intervention in the matter; and in the meantime, the Bey informed M. Hauteclercque that he would delay his decision until he had received a reply from the French President. But M. Hauteclercque would hear nothing of this, and would not withdraw his original threat.

The French authorities showed beyond the slightest shadow of doubt that they were in earnest on this occasion. The Resident-General had earlier been vested by the French Government in Paris with authority to handle the situation in any manner he pleased, and this virtually gave him a carte blanche to employ terror and repression to bring the Bey of Tunisia down to his knees and secure his obedience to the French injunctions. The Resident-General proceeded to hand power over to the French Military Commander in Tunisia, who immediately let his troops loose in the country. The members of the Tunisian Cabinet were systematically rounded up during the night and thrown into prisons or detention camps, and the cordon that had been put round the Bey's palace by French troops was tightened and became very menacing.

The people of Tunisia faced this serious development in the situation with courage and valour. Although French troops in great numbers roamed the towns and villages all over the country, bloodthirsty and with their bayonets fixed, seeking to strike terror, the courage of the people did not falter. They retired in an orderly manner to their homes and professed passive resistance. They refused to invite themselves to the massacre with which the French troops awaited them if they had massed or held any demonstrations.

Meanwhile, the Bey awaited the reply of the French President. When it finally came, it simply reiterated the demands made by the Resident-General and expressed the French Government's support to the latter in any measures he would take in the situation. The President also made fresh threats to the Bey. The French officials who brought the President's reply to the Bey also informed him that they had been instructed to make it clear to him that unless he gave way at once to the wishes of the Resident-General, a very drastic step would be taken against the throne.

A heated argument ensued, during the course of which M. Hauteclercque reminded the Bey of the fate of his predecessor, the Bey Muhammad al-Munsif, who was deposed by the French in 1943 when he refused to be made a tool to serve the ends of the French at the expense of his country and people. It now became clear to the Bey that there was no alternative left to him but to give way to the French, for otherwise the French would throw Tunisia and its people into a merciless and dastardly bloodbath. And so on the 26th March, 1932, he signed an appeal to the
nation for calm, saying that he "agrees" to the measures for "reform" submitted to him by the Resident-General. It was a sad repetition of what the Sultan of Morocco had done on the 25th February, 1951, when he signed a Protocol of a similar nature, under similar pressure and for the same reasons. The Bey also appointed a new Prime Minister, M. Salah al-Deen Baccouche (who had been proposed by the French authorities), who, he hoped, would work for the realization of the country's aims and aspirations. But the Bey insisted that he should add at the beginning of the appeal which was drafted by the Resident-General and the two representatives of the French President the words "We are God's and to Him we return". These words are the continuation of a well-known verse from the Holy Qur'an, in which God says: "And those who if an evil has befallen them say: We are God's and to Him we return." It is a traditional saying amongst Muslims to console themselves in time of grief; and it was a subtle way in which the Bey expressed to the world that he did not in reality approve of the contents of this appeal, and in which he gave a slight hint of the coercion and pressure to which he was subjected before he came to sign the appeal.

The Tunisians and the so-called French reforms in Tunisia

M. Baccouche, who is a relative of the Bey and holds some measure of his confidence, has held the office of Prime Minister of Tunisia in the past. He immediately sought to recruit to his Cabinet some of the leading Tunisian politicians, but they all fought shy of accepting any portfolios. It took him some days before he could finally induce any of the leading politicians who were not in prison or exile to accept office in his Cabinet.

On the 1st of April, 1952, the Tunisian nation declared a general strike in protest against French policy in Tunisia, and they demonstrated thereby their wholehearted support for the Bey and the members of his dismissed Cabinet.

The "reforms" which the French authorities proposed on this occasion were not very much different from what they had toyed with in the past. They did not entail any widening of the power of the national Tunisian ministers, and they made yet another promise that the Tunisian civil service would be staffed by more Tunisian nationals. They also suggested the setting up of an elected assembly to act in an advisory capacity to the French authorities in Tunisia on the purely domestic and Tunisian affairs, with no power, however, to insist on any measures. Another assembly was to be set up composed of Tunisians and French nationals in Tunisia — but not on a proportionate numerical basis — which would take the place of the Tunisian Grand Assembly and have power to deal with the budget.

The people of Tunisia have, by their long and bitter experience with France, learned not to take these French overtures at their face value. The people of Tunisia will never be content with these half-hearted measures for reform, even if the French were sincere in their promise to put them into effect.

What the people of Tunisia want, and the one thing in which they will not temporize or compromise, is their desire for the attainment of their complete and unqualified independence. They have made their hopes and aspirations in this respect only too plain to France and to the whole world.

The United Nations and the question of Tunisia

The Arab and Asiatic countries, led by Pakistan, have, I think, been guilty of some tardiness and delay in submitting the Tunisian case to the Security Council of the United Nations. This delay gave the French an opportunity to perpetrate some of their recent political stunts in Tunisia in an effort to confront the Security Council with a fait accompli, and so bring the Tunisian case out of the jurisdiction of the Security Council.

It is no secret that it was the United States of America who, by her persistent demands, caused the Arab and Asiatic sponsors of the Tunisian case to delay the formal lodging of the complaint. The United States succeeded in inducing these States to allow some time to pass so as to enable France to solve her dispute with the Tunisian National Government by means of direct negotiations.

Far from France utilizing this opportunity for the purpose of conducting peaceful and free negotiations with the Tunisian National Government, she resorted to measures to suppress the will of the Government and people of Tunisia by dismissing the Tunisian ministers from office and imprisoning those of them upon whom she could lay her hands and by threatening the Bey with dismissal from the throne and with other measures against his personal safety and that of his subjects. Was this French move contemplated by the United States when she made what had appeared to be an effort to bring about a peaceful agreement between France and Tunisia? Is the pattern of the recent French policy in Tunisia of the kind that commands the acceptance and approval of the members of the Atlantic Pact, who are now earnestly seeking to utilize the countries of North Africa as a safe and stable base for their military operations against the Communists in the event of a world war?

Either the United States Government was tricked and deceived by promises made to her by the French Government, in which case she should now take the attitude which honour requires and give her wholehearted support to the Tunisian case against France; or she has some sort of secret agreement or liaison with the French Government and acquiesces in the latter's colonial policy, in which case the United States Government has played a very mean trick on the Arab and Asiatic sponsors of the Tunisian complaint. Whatever the truth behind the motives of the United States, the sponsors of the Tunisian case should learn their lesson and in the future insist on doing what they think is right, and refuse to be gulled by any manoeuvres by third parties.

The French terror and persecution in Tunisia has shocked the conscience of the world and created a great storm of indignation. Even in France, responsible members of the National Assembly have voiced their severe condemnation of their country's policy in Tunisia and expressed their horror at what has been done by the French authorities there.

The two Tunisian ministers, M. Saleh bin Yusuf, the Minister of Justice, and M. Muhammad bin Badra, the Minister of Social Affairs, who were in Paris endeavouring to engineer the final submission of the Tunisian complaint to the Security Council, and who slipped from the hands of the French Sureté, who sought their arrest, are now safe in Egypt. From there they direct operations for the liberation of Tunisia.

Pakistan, who led the move for the submission to the United Nations of the Tunisian complaint against France, and who held the office of President of the Security Council during the month of April, laid the case formally before the Security Council.

The Representative of Pakistan's appeal to the Security Council on the question of Tunisia

The permanent representative of Pakistan at the United Nations, Professor Ahmad S. Bokhari, not only made a rebuttal to the speech of the French delegate before the Security Council on April 4, 1952, but also made a stirring appeal to the Security Council to awaken to the gravity of the situation in Tunisia. We give below some excerpts from his address on the 11-Power complaint against France on the matter of Tunisia.

The delaying tactics of the French

... The representative of France has made various suggestions and innuendoes. For example, he has suggested that we, the 10 or 11 gullible nations, foolishly listened to certain
irresponsible persons in the corridors of the Palais de Chaillot and thereupon took action which we ought not to have taken. I am glad he has mentioned this because it gives me the chance to say how great was our patience and our sense of responsibility and after what great reluctance we have brought this matter to the attention of the Security Council.

"As the world now knows, two Ministers of the Government of Tunisia, two Ministers who, so far as I know, as long as they were Ministers of the Government of Tunisia, enjoyed the confidence of the Government of France, came to Paris and wrote a letter to the President of the Security Council, drawing the attention of the Security Council to a certain sad and lamentable state of affairs in Tunisia. Nothing came of that letter. It lay in the archives of the United Nations for a long time. It did not officially see the light of day either in the Palais de Chaillot or in this mansion of many windows. It lay there until my delegation asked that copies of it should be circulated.

"After that, although we knew that this letter had been lodged with the President of the Security Council, and although we knew that during the same days massacres, riots, arrests and sabotage were taking place in Tunisia — I mention merely the acts of violence; I have no intention at this stage of apportioning blame to anyone — although we knew this, we waited patiently in the hope that the French Government in its wisdom would realize the gravity of the situation and try to come to an amicable understanding with one of the most gentle peoples on the face of the earth.

"We waited for many days. We parleyed. We discussed the matter amongst ourselves. We made informal and friendly approaches to the French Government through various channels. Nothing happened. We realized that this was a matter of grave importance but not one in which we should be in any indecent haste to embarrass the French Government provided it was full of good intentions, which we hoped it was.

"There was a strong feeling that the matter should be raised in the General Assembly in Paris during the last weeks or even earlier. However, wiser counsels prevailed. Fifteen nations in a body went to the President of the General Assembly Mr. Padilla Nervo, and begged him to approach the French delegation and through it the French Government, and ask it, in the name of peace, security and friendly relations among nations, not to drive the Tunisians to a point of desperation. Otherwise feelings in our own countries, which are most sympathetic to the cause of the Tunisians because they are a suppressed nation, would run high.

"The President of the General Assembly promised to convey our message. He did. We waited. It was not the Tunisian Ministers who wandered
up and down the corridors of the Palais de Chaillot: it was we who did it. We waited for an answer, a gesture of some sort. No answer and no gesture was forthcoming.

"After another wait, we went again to the President of the General Assembly and once more begged him to convey our feelings to the French Government through such channels as he thought best. We told him that the most natural and the most normal thing for us to do would be to give vent to our feelings in the General Assembly. But during the last days of the Assembly we did not want to make the task of the United Nations difficult and complicated. He then promised to convey our message to the French Government. We presumed, I am sure, he did. Nothing came of it.

"We then asked ourselves whether we should raise the matter in the General Assembly. However, we were handicapped considerably because not long ago, the same nations whose names are now inscribed on this complaint, had had a most lamentable, unfortunate and unhappy experience. Some of us had tried to raise the question of Morocco in the General Assembly. . . ."

"Disappointed, we still thought we would wait. Indeed, we came over to New York. We discussed the situation amongst ourselves. . . .

"We then thought that perhaps we should not rely entirely and solely on newspapers. Perhaps it would be best to see if we could not get some Tunisians over to New York so that we should cross-examine them and find out exactly what the situation was before we, as responsible delegations, took the matter to the Security Council. We found that there were insurmountable difficulties in the path of the Tunisians coming to New York. We understood that the diplomatic passports of responsible Ministers were taken away from them. I would be very glad if the representative of France would contradict this statement. I would be only too happy to listen to his contradiction. The fact remains that we understood that owing to passport difficulties they could not come. We tried desperately to have other people come. There were all sorts of difficulties in their way, too. . . ."

". . . Yet there are 11 nations who have brought this item to the Council. They are member nations. They are not irresponsible people who walk around the corridors of the United Nations; they are the United Nations. They are a substantial part of the United Nations. They believe in it, and they consider that this is the only body to which they can come to redress the wrongs of people who have no other recourse.

**An appeal to the Security Council**

"Would it please the French Government if the Tunisians, agitating for the redress of their wrongs, should do so from irresponsible points of vantage? Is there any organization to which they could do better to come than to the United Nations? Where else would the French want them to go? I would repeat that question for all the Frenchmen who sooner or later might get extracts of this speech. Where would they want the suppressed Tunisians to go if not to the United Nations? What is the United Nations for if a situation like this cannot be aired here? What are we to understand to be our functions around this table if a suppressed people cannot raise their voice here, through 11 responsible nations representing, as my colleagues well know, the whole of Asia with a few exceptions and barring those which are not member nations. Practically the whole of Asia knocks at the door of the United Nations. Does it say, 'Please punish the French?' God forbid. Does it say 'Please make the Tunisians free to-morrow?' At this stage it merely says one thing, 'Please in Heaven's name, discuss this question.'

"But, if seven members of the Security Council are not available to discuss it, it will amount to this: that the 11 nations are told, 'You can go to hell. We will not discuss your question. You may feel strongly about it, but we will not even put it on the agenda to find out what the truth is.'

"We are like people who have seen a fire. We are not guilty of arson ourselves; we have just seen the fire, and we have come and reported it to the fire department here, saying, 'Please, will you look at this fire and put it out?'

"The fire department says: 'We will not even look.' This is a strange situation. But we will go on taking an interest in this question, and we have for suppressed people whom we regard as our brothers. It was not so long ago that most of those who have put their signatures to these letters were suppressed themselves. So much time has not passed that they should have forgotten the grievances to which they themselves, as subject races, were exposed. Therefore, it is very difficult for us to forget the plight of the Tunisians, and we should like to tell them that, whatever the action the Security Council, in its wisdom, may wish to take (there may be people around the Security Council table whose action might amount to saying, 'We do not even want to look at this matter'). We will at least keep this flame in our hearts alive and we will do the best we can. . . ."

**The uneasy truce in Morocco is beginning to break**

On the 14th of March, 1952, the French Government was surprised and hurried to receive a stern Note from the Sultan of Morocco, in which he reminded the French Government of the requests he had made last year for the realization of the national aims of the people of Morocco. The Sultan’s insistence at that time on these requests had caused a serious crisis similar to the present crisis in Tunisia. Now that he has reverted to his earlier claims he has put an end to the uneasy truce that has existed in Morocco for over a year. Trouble seems to be brewing in Morocco, unless the French choose to alter their traditional tune.

The Moroccan crisis had appeared to end by the signing of a Protocol by the Sultan on the 23rd of February, 1951, in which he "agreed" to "reforms" proposed by the French authorities. The Security Council of the United Nations, which had discussed the Moroccan case, decided at the time to postpone making any final resolution in the matter until the French Government had had an opportunity of entering into direct negotiations with the Sultan of Morocco and the national leaders of the country for the settlement of the problem.

The French Government had thought that this rather vague and flexible decision by the Security Council meant that she had finally won the day. She strained this Security Council decision to its utmost literal meaning, and she has continued to put off holding these negotiations, hoping, no doubt, that this will ultimately tire the Moroccans and lead to the shelving of the whole case. This, unfortunately for the French, was not to be. The French Government is being wakened up from its dreams. The Sultan’s Note requires that negotiations should be started immediately and that the requests which he had earlier made to the French Government should now be considered. He has also asked the French authorities to agree to the replacement of some members of his present Cabinet by new talent recruited from amongst loyal and enthusiastic Moroccan nationalists who are more fitted to steer Morocco’s policy towards the attainment of her national hopes and aspirations.

The French Government met this Note in her traditional style. She ignored it and made no reply. But will the people of Morocco accept this silence, and will they abandon their claims? I do not think so. The 30th of March was the 40th anniversary of the setting up of the French Protectorate over Morocco by the treaty of Fez. It has always been observed as a sad day in the
calendar by the people of Morocco and the rest of the Arab world. This time, the people of Morocco observed this day by a general strike and the holding of peaceful and orderly demonstrations as a protest against French policy. The French authorities in Morocco met these demonstrations with a display of barbaric violence against the demonstrators. In Tangiers, which has been under international control since 1906, and where nearly all political ties with Morocco, of which it had formed part, have been severed, the police reacted against the peaceful and orderly Moroccan demonstrators by opening fire and killing 12 people and severely wounding about 100 others.

The resort to terror and violence in Morocco is destined to kindle the nationalist flame and ensure that the Moroccan case will come before the United Nations in the same way as the Tunisian case has come up. The tide of persecution and terror by the imperialistic French in North Africa, however high it rises, will never extinguish the fire burning in the hearts of the Arabs of North Africa for freedom and independence. The present unhappy state in North Africa is an unpleasant and bitter phase through which nations have to pass in their struggle for liberty. The Arabs of North Africa realize this, and are ready to make the sacrifice.

THE NEED OF RE-WRITING ISLAMIC HISTORY

A New Study of the History of Islam

By SAYYID KOTB

(II)

"The re-exposition of Islamic History by Muslim scholars is the only way to ensure that the curtain is finally lifted on the fallacies at present shrouding the history of Islam. The real part played by Islam in shaping the history of the world and in advancing progress and civilization as well as that played by the West in these fields will at last be seen in their proper perspective. Above all, we will for the first time offer to the modern world a well-focused picture of the nature of the religion of Islam, of the system that it inaugurated, of the contribution that it made to the progress and happiness of mankind, and of the benefits that it conferred upon man in the big role that it played in his destiny.”

The chief prerequisites of understanding the history of Islam

When due research is made on the lines I have indicated into the foundations and preliminaries of the history of Islam, the essential and characteristic attributes of the mission of Islam, the character and qualities of the Prophet of Islam, the intrinsic character and nature of the community to which Islam was first brought and in which the Prophet appeared, the social characteristics of the era during which Islam was introduced and nurtured, and the nature of the beliefs and ideas that prevailed in those days have become apparent, and when all these diverse fundamental factors have been ascertained by the historians, it will become an easy matter to follow and comment upon their progress and upon the reactions with which they were met and the repercussions and events which they set in motion. It will then also become possible to draw a clear and accurate picture of the stages in which the mission of Islam progressed during the days of the Prophet Muhammad. Such progress will be found to have been influenced in no small measure by the interaction of all these factors. It will also become possible for the historians to enlighten the world on the method by which the Prophet Muhammad selected his men and also on the qualities and background of those pioneers of Islam. We will then also know how the Prophet Muhammad trained his men and equipped them for their great task; and how he laid down the essential structure of the new and revolutionary order of which he was the protagonist, as well as the foundations on which this new order rested and flourished. We would also learn from this study how the Arabian Peninsula came to be the cradle of this new religion and this new social order, and perceive the essential features of that locality and its inhabitants, its geographic, social, economic and other characteristics which fitted it for the acceptance or rejection of this new thing. These and other aspects of the dawn of the Islamic era must be clarified before a useful or reliable study of the history of Islam can be commenced. This preparatory and introductory study could be labelled under the heading "Islam during the days of the Prophet".

The era of the spread of Islam should also be studied from the spiritual, intellectual and social angles

Then comes the next stage in the study of the history of Islam — "The Era of the Spread of Islam". This would deal with the period when the religion of Islam spread progressively into the far corners of the world. It would show us how this new religion came to be accepted so widely and zealously and in a manner that has never been known before in the annals of history, nor merely from the military aspect which accompanied it but rather from the spiritual, intellectual and social angles as well. In other words, from a comprehensive human angle which witnessed a total revolution in the march of the events of history brought about by the advent of the religion of Islam and its extraordinary spread.

It is here that the real value and need of such a new approach to the study of the history of Islam becomes apparent. We can as a result of this assess the true value and purport of the acts of construction and destruction of Islam in the vast areas to which it spread. We can see the way in which Islam affected the thoughts and beliefs prevalent in those lands and the social orders regnant in those fertile parts of the world and most civilized in that era. In short, we shall be able to detect precisely how Islam fared in those lands and how it was affected by the religious, cultural, philosophical, social and historical characteristics of the communities in which it ruled.

The tide of Islam did not stop at the borders of the territories which the Muslims conquered militarily. The wave of new thoughts which Islam generated, as well as the civilization which it initiated, penetrated far beyond the territorial borders of the Islamic domains. For this reason, it is necessary that a thorough study should be made of the influence which Islam exerted beyond the borders of the Islamic world proper, and the way in which that influence was reflected back on the Islamic world itself. The

1 The first part of the article appeared in The Islamic Review for May, 1952.
world as a whole took certain things from the Islamic world and at the same time imparted others to the Islamic world; the exchange of and influence by ideas flowed both ways. The manner in which these diverse influences reacted can be ascertained if a study were to be made of the subject on the lines I have indicated. Such an investigation will result in the drawing up of a picture of the history of that era possessing special lively characteristics and abounding with interest, and matched by nothing we have so far in historical treatises on the subject. It will produce a picture of that era of the history of mankind and of its progress varying in some measure — perhaps greater — from the picture which Western historians have been accustomed to draw, and which we, the Muslims, have become accustomed to see.

The factors responsible for the arrest of the tide of Islam

Then comes the stage in which the tide of Islam was arrested. Following on the programme I have indicated, and in the light of the basic information resulting from the thorough examination of the earlier eras of Islamic history, we can learn of the causes of this arrest in the progress of Islam and of the internal and external factors that contributed towards it. We can also see to what degree those factors sprang from the very nature of the Islamic faith and the Islamic order, to what extent they were of the making of the Muslims themselves, and to what measure they arose from positive indirect reactions created in the non-Islamic world by the advent of Islam. We can also ascertain whether this arrest of the tide of Islam was comprehensive or partial, whether it was deep or superficial, and the influence it had on the progress of mankind generally, on the spiritual and intellectual conduct of man and on the relations between States and individuals. We can also discover the value of doctrines, thoughts and social orders evolved by the non-Muslim world in that era, by comparing them with their counterparts in Islam. We can also assess in a scientific manner the degree in which mankind on the whole either benefited or lost through the arrest of the tide of Islamic civilization and the emergence of the tide of Western civilization which continues to flourish and predominate until this day.

When all the researches I have already mentioned have been completed, it will become natural and appropriate to embark on a study of the "Islamic World To-day". But it will not be until all the foregoing stages have been passed that such a study of the modern era of Islam could rest on firm and reasonable foundations and cease to be, as it now is, a subject abounding with conjecture and fancy and coloured wildly by sentimental or other basis on one side or the other. The history of mankind, as a result of such a new approach to Islamic history, will become a chain of well-connected links. In this chain the rôle played by Islam in the earlier as well as in the later eras will become well defined, and the rôle which Islam is destined to play in the future will, by the light of the rôle it played in the past and that which it is playing at the present, become capable of precise determination.

Why should the history of Islam be re-written?

The question may be posed: "What reason can there be for re-writing the history of Islam on such new lines and on this method and approach?"

It is a reasonable question, and it is an equally reasonable answer that I will endeavour to give to it.

I would like to say at the outset that there is more than one reason for the need to re-write the history of Islam on the lines I have discussed. One reason is that such a new study of Islamic history would serve the cause of historical truth. Another is that it would serve the interests of the people of Islam and do them justice. Yet another reason is that it would render a great service to mankind as a whole that the re-writing of Islamic history should be undertaken.

As I have indicated earlier, the treatises on Islamic history available at present in both the Eastern and Western worlds are either diverse collections of old treatises and records in the Arabic language — from which the ordinary Arabic reader can draw very little benefit, and which are consequently of no use at all to those who have no knowledge of the Arabic language — or in the form of well-organized and well-arranged treatises written from the point of view of the Western mind. I have earlier shown the various grave defects inherent in such Western writings on Islamic history, even after assuming the absolute scholastic sincerity and honesty of purpose of the Western writers — a thing that cannot, unfortunately, be taken for granted in many notable cases.

The cause of historical truth alone requires that such re-writing of the history of Islam from a new and different angle should be undertaken. Even though such a new approach to Islamic history might not produce an altogether deeper, more accurate or more complete insight or exposition of the history of Islam, it would at least have the result of widening the horizon and angle of approach to the subject by simply being allied to or taken in conjunction with the treatises on Islamic history by Western scholars — on which treatises people in general, including the great majority of Muslim scholars, rely.

Foreign writers of the history of Islam and the Muslims

This is only one reason for a new exposition of Islamic history. Another reason is that we, the Muslims of to-day, have grown accustomed to look at ourselves and at others through a mirror made by hands foreign and alien to us, to our religion, history and tradition. They are alien to our feelings and sentiments, and to our sense of appreciation of things and our
concepts of life. In addition, these foreign writers that have forced on us the media through which we look at our history and past are, in the great majority of cases, biased; and it is no exaggeration to say that they desire evil rather than good for us. This is so because the intentions and ulterior motives of these foreign elements, their ambitions, interests and targets are such as do not harmonize with ours. Our good is their poison, and the service and enhancement of our own interests will necessarily damage and thwart theirs.

Even though it might, for the sake of argument, be assumed that those foreign hands which are recording our history are free from hostile motives against the people of Islam, it still remains a glaring fact that the erroneousness, unwitting or otherwise, of the method they pursue in the examination and exposition of our history is sufficient to distort the truth about our past and so present it to the reader in a manner unfavourable to us. It cannot be too strongly emphasized that it is in our interest that we should be able to appreciate properly the value and significance of the rôle which our Muslim forefathers played in shaping the history of mankind. It is most important that we should gain a precise idea of our place in history and be able to assess our value and place amongst mankind. Such advantages are not merely theoretical or sentimental, they have a great practical value which cannot be denied. Only in the light of our past can we properly define our rôle in the world of to-day as well as that of tomorrow. When that is done, we can proceed to the fulfillment of those rôles, in the full knowledge and realization of all the surrounding circumstances and other factors, and in the consciousness of the inherent capabilities that fit us for such a rôle.

Muslim institutes of higher education are at present studying a distorted history of Islam

In Muslim schools and other institutes of higher education, students study a gravely distorted history of Islam and a highly adulterated and magnified European history. The distortion thus imposed on Islamic history by the ill and unfavourable light thrown on it in this manner is not a simple matter of mere accident or ignorance on the part of Western writers. On the contrary, it has been the result of a well-organized and pre-arranged plan by Western imperialism which is extremely anxious that the Muslims should not find in their history anything that might be a source of pride to them, and that they should see the West, on the other hand, as the champion of civilization and the forerunner of every progress in the world. If as a result of this vicious scheme we fail to find in our history anything that might cause us to lift our heads, and if we come to regard our contribution towards the progress of mankind and the shaping of history as a small and insignificant one, and if we at the same time become over-fascinated by the rôle which the West played in the history of the world, it will naturally become an easy matter for imperialism to assume leadership over us. By this scheme the imperialists would weaken or break our pride and morale and we would be an easy prey to their alleged superiority. This, in short, is the unblemished truth behind the scheme which has caused the West to write our history in the manner I have indicated. Great wonder it is, indeed, that historical treatises which are the products of such reprehensible motives are offered to the Muslim youth in our schools and universities!

The re-exposition of Islamic history by Muslim scholars is the only way to ensure that the curtain is finally lifted on the fallacies at present shrouding the history of Islam. The real part played by Islam in shaping the history of the world and in advancing progress and civilization as well as that played by the West in these fields will at last be seen in their proper perspective. Above all, we will for the first time offer to the modern world a well-focused picture of the nature of the religion of Islam, of the system that it inaugurated, of the contribution that it made to the progress and happiness of mankind, and of the benefits that it conferred upon man in the big rôle that it played in his destiny.

A re-writing of the history of Islam will be to the benefit of mankind

The third reason requiring that the history of Islam should be re-written is that it is not to the advantage of mankind that life, both past, present and future, should be seen from one angle only, and that a great deal of the truth about the history of man should be either obscured, distorted, or suppressed. While such a wrong conception about the world's past and present predominates, man will fail to appreciate properly the elements and factors that evolved his destiny in the past and shaped the essential foundations of his civilization. Such ignorance of the facts behind history results in errors of far-reaching consequence not only in the literary field but also in the comparatively more important field of the relations between nations and peoples of different races and in the relations between States. It will also result in grave error in the process of shaping the conduct and policy of a nation on the domestic as well as on the international level.

Most of these errors and misconceptions are the products of improper study of the history of mankind and of the wrong evaluation — often deliberate — of the rôle which Islam, as represented by the Islamic world, played in the making of history. No due regard is at present paid to the fact that the Islamic world is, has been and will continue to be an individualistic and well-defined human entity possessing special attributes and characteristics and representing an important human force the power and moment of which is in no way minimized by the present accidental weak military position in which it finds itself.

To put these matters right would be of great benefit to mankind as a whole. This is because history, and any errors in its records, has a great bearing on the erection of barriers between one nation and another and even between groups and individuals of different races and nationalities. Misunderstanding and lack of proper evaluation by one nation, community, or individual, of another nation, community, or individual, thereby result. In addition to all this, misconceptions as to thoughts, principles and civilizations do great harm to the cause of mankind at the present and in the future. It is therefore the duty of those who are capable of removing this fruitful source of mischief to proceed to do so without delay, by eradicating it and its influences through the unearthing of the plain truth and its wide dissemination.

My purpose in advocating this new research into the history of Islam

It must be pointed out, in conclusion, that a research into the history of Islam of the kind I have outlined need not concern itself with historical events in strict chronological order, nor with every meticulous detail of such events. The essential purpose of such research should be simply to point out the way rather than present exhaustive treatment of every happening in history. In other words, such research should seek to bring about a more favourable outlook with which to approach the study of the history of Islam and with which to evaluate the events and personalities of the past. With the creation of such an atmosphere and mental attitude to Islamic history, the door will become wide open for scholars of Islamic history to delve into the records of the past and proceed to analyse in detail the events and personalities of the history of Islam.
There is no doubt that the carrying out of such a programme will produce a clear picture of the rôle which Islam played in shaping the history of the people and countries that embraced it as well as in shaping the history of the whole world. We will be able to evaluate properly Islamic as well as other personalities and events of the past and see them in their proper light and order.

The only purpose of such a study would be simply to lay the foundations and point the way for those scholars who seek exhaustive detail. If it succeeds in achieving this purpose it would have fulfilled a praiseworthy task.²

² A group of Muslim scholars have formed a committee for the purpose of carrying out research into the history of Islam on the lines suggested by the author in this article. They are: the Shaykh Sadiq 'Arjoun, Dr. Muhammad Yusef Musa, Dr. 'Abd al-Hamid Yunus, Dr. Muhammad Najjar (Azhar, Fud I and Ibrahim Universities), and the author. A series of books on the history of Islam is being publised by Dar Ilya' al-Kutub al-'Arabiyya, Cairo, Egypt.

What Our Readers Say...

(The letters published in these columns are, as a rule, meant to be informative and thought-provoking in the interests of Islam. Nevertheless, the Editor does not take responsibility for their contents.)

"ISLAM AND CHRISTIANITY CAN CO-OPERATE IN RE-ESTABLISHING THE KINGDOM OF HEAVEN"
East Africa House,
36 Great Cumberland Place,
May 4, 1952.

Dear Sir,

The article on the necessity and possibility of co-operation in re-establishing the Kingdom of Heaven by Professor Muhammad 'Abdul Rahman Khan (vide The Islamic Review for May, 1952) has actuated me to write these few lines. Just before Easter, there took place an incident which bears close relation to the ideas and suggestions put forward by the learned Professor.

I was on a tour round Wales with some Christian friends. At Cardigan we attended a service of song at Capel Mair, the Welsh Congregational Church, at the end of which, in compliance with a request, I was to propose a vote of thanks. What an opportunity!

"All praises are due to God" was among the opening sentences of my address. I then went on to point out the significance of the occasion — a Muslim standing in a Church to address a Christian congregation of about five hundred strong. That was a great happening, a happening which spoke loudly of the new era marking the imminent close relationship amongst people professing different religious faiths. Such a relation would obviously demand understanding, broad-mindedness and tolerance — the right kind of tolerance, not that tolerance which arises from indifference.

We are now living in "One World" in a stricter sense than that envisaged just after the war by the late Wendell Willkie. People of different beliefs, opinions and practices will inevitably meet, discuss and find out the true facts and enduring practical application of ideals and ideals promulgated by different movements and organisations, whether religious or secular. He is wise who will take the earliest opportunity to learn from first-hand information about other people's point of view. The time has gone when people were contented with hearsay evidence. Truth will out and it will prevail; whether people will have the courage to face it is a different question.

The audience was surprised to learn that a Muslim could not find himself out of place in a church. He certainly could not agree with some popular Christian ideas. But so long as a church was a place of worship, a Muslim was bound to treat it with care and be ready to fight for its protection. The Qur'an, in no equivocal terms, preaches such a doctrine. In one of its passages, in fact, the earliest revelation which gave the Muslims permission to fight a defensive war, it says: "Permission (to fight) is given to those upon whom war is made, because they are oppressed, and most surely God is well able to assist them. Those who have been expelled from their homes without a just cause except that they say 'Our Lord is God.' And had there not been God's repelling some people by others, certainly there would have been pulled down cloisters, and churches, and synagogues and mosques, in which God's name is much remembered, and surely God will help him who helps His cause; most surely God is most strong, mighty."

It was high time, I continued, for people believing in religion, whether they might be Hindus, Buddhists, Christians or Muslims to emphasize what is common between them rather than to get busy leaving no stone unturned, in the attempt to find faults with each other and widening the gulf of mutual understanding.

Is it not disappointing to find some critics so eager to condemn other people's principles and philosophy of life that when they do not find enough which is genuinely exposed to attack they spin lies and then criticize them in the guise of scholars? All religions are faced with a common sacred duty: to subdue the increasingly formidable forces of darkness by indicating, in practical example, the right path to peace. The main aim of those believing in the Transcendental Being should imbue themselves with divine qualities. That means an effort to acquire sublime standards and values, which should find expression in open-mindedness and disinterested service to humanity.

Muslims should be perfectly ready to co-operate. Respect for other people's convictions and beliefs in all rightly-inspired teachers is enjoined upon them. The following is "The Declaration of Religious Tolerance" as laid down in the Qur'an: "Say, 'We believe in God and (in) that which has been revealed to us and (in) that which was revealed to Abraham and Ishmael and Isaac and Jacob and the tribes and (in) that which was given to Moses and Jesus and (in) that which was given to the Prophets from their Lord; we do not make any distinction between any of them and to Him do we submit'."

The appreciation which the congregation showed was a sign of the indomitable fact that we are going through a period of a most active struggle for existence in the life of human thought and behaviour. The fittest will survive. The deciding factor will be the capacity for quick adaptation to the daily changing mental and social environment. Surely "The nature made by God in which he has made men" must be able to stand the test.

We Muslims must be prepared to analyse all the world systems and absorb what is right according to Islamic spirit and eschew what is incidental and extraneous. Islam is a dynamic religion. Those who would prefer to remain static will be left behind and God will put others in their places. We read in the Qur'an: "And if you turn back He will bring in your place another people, then they will not be like you."

Yours sincerely,

OMAR 'ABDULLA
Lectures

Mr. S. M. Tufail, M.A., of the Woking Muslim Mission and Literary Trust, was invited to speak on "Pakistan and its Rôle in the Modern World" by the Brighton and Hove Fabian Society, 20/21 Richmond Place, Brighton, on 9th April, 1952. The lecture elicited a lively discussion.

In celebration of the birthday of Sayyidina 'Ali, the fourth Caliph of Islam after the Prophet Muhammad, a meeting was arranged on 13th April, 1952, under the auspices of Jami'at al-Muslimin, Bradford, at the Mechanics' Institute. Delegates from different parts of England took part in the proceedings. Mr. S. M. Tufail, M.A., from Woking Muslim Mission and Literary Trust was the principal speaker.

The meeting started with a recitation from the Qur'an by Mr. A. Asim Lepic, a Yugoslav Muslim, and with Mr. M. F. Hussain, a Pakistani Muslim, in the chair. He was followed by Mr. Iqbal Shah, who recited poems in praise of the Prophet Muhammad. A Councillor of Bradford, Mrs. L. Gardiner, in her short speech expressed her pleasure at being present in such a fraternal gathering of persons of different nationalities united in one faith. Mr. Hazim Satric (from Woking) and Mr. F. M. Dean (from Middleton) spoke about Islam and the Caliph 'Ali respectively.

Finally Mr. S. M. Tufail spoke for forty minutes about the necessity of the divine guidance, Islam and the teachings of the Prophet Muhammad. Mr. J. E. Cleary, Chairman of the Bradford Free Thought Society, paid great tribute to the speaker for his fine exposition of the subject but also raised a few questions about faith in the existence of God, of which an interesting discussion followed.

Lecture at Christ Church, Woking

Major J. W. B. Farouk Farmer, M.B.E., M.C., an English Muslim, was the speaker at a meeting of the Woking Young Conservatives on 22nd April, 1952. The subject under discussion was 'Islam in England and the Woking Mosque'. In his talk Major Farouk Farmer dispelled many doubts from the minds of the Young Conservatives.

Dr. S. M. 'Abdullah in Holland

In the beginning of April, 1952, Dr. S. M. 'Abdullah, Imam of the Shah Jehan Mosque, who is also in charge of the Holland Muslim Mission, went to Holland in connection with some urgent business. During his visit he met as many Dutch and Indonesian Muslims as possible, especially Mr. Soedewo the well-known translator of the Holy Qur'an into Dutch. He also attended a reception arranged by the Pakistan Chargé d'Affaires, Mr. Lal Shah Bukhari, in connection with the Iqbal Day celebrations in The Hague, at the Pakistan Embassy, which was a very successful function and attracted many men of learning, professors, philosophers, members of the diplomatic corps, etc. This gave the Imam an opportunity to make his personal acquaintance with many of these. Dr. S. M. 'Abdullah also attended the Mi'raj celebration organized by the Muslim Council of Holland in The Hague where the speakers were Mr. Fauzuddin Ahmad Overing, a Dutch Muslim, and Mr. Hasan Tjirotokusumo, an Indonesian Muslim.

Visits to Liverpool and Manchester

Mr. 'Abd al-Majid, Editor of The Islamic Review, and Dr. S. M. 'Abdullah, the Imam of the Shah Jehan Mosque, went to Liverpool on 26th April, 1952, as the Islamic Cultural Centre of Liverpool had arranged a lecture at the British Council Centre, Liverpool, where Dr. 'Abdullah had to address the audience on "Islam and Democracy". On the following day Mr. 'Abd al-Majid gave a very interesting and thought-provoking talk at the Islamic Cultural Centre, Victoria Park, Manchester. His subject was "The Rôle of Islam in the World To-Day". Both the lectures were very successful and were followed by very lively and interesting discussions.

The Islamic Review
Muslim Council of the United Kingdom

A quarterly meeting of the Council was held at the headquarters of the Jama'at-ul-Muslinin, the Islamic Cultural Centre, Victoria Park, Manchester 14. The Muslim organizations present were: the Jama'at-ul-Muslinin, Manchester; the Shah Jehan Mosque, Woking; the Islamia 'Allaouia Religious Societies of Cardiff, Birmingham, Newport and Liverpool; the Islamic Culture Association, Liverpool; the Society of Muslims from Bosnia and Herzegovina, and the Muslim Society in Great Britain, London.

On the day previous to the meeting some of the delegates visited Liverpool to hear a talk on "Islam and Democracy" by Dr. 'Abdullah at the British Council Centre under the auspices of the Islamic Culture Association, Liverpool. Dr. 'Abdullah pointed out that in considering the question of democracy Muslims must remember their absolute duty to God who was the real Ruler of mankind.

Islamia 'Allaouia Religious Society (10 Sophia Street, Cardiff) and branches

At the invitation of the British Empire Society for the Blind a meeting was held at the International Centre, Birmingham. The purpose of the meeting was to raise funds for the Muslim blind of Aden.

Muslim representatives had come from Cardiff, Liverpool, Hull, Newport and other cities, and more than 7,000 of the Muslim community in Great Britain were represented. Sir Bernard Reilly, a former Governor of Aden, welcomed the delegates and Mr. Nasir 'Abd Yehia of the Islamia 'Allaouia Religious Society, Cardiff, took the chair. Sir Bernard explained that the object of the meeting was to help to raise funds to fight blindness in Aden and to provide education for the blind.

At the meeting a total of £111 was raised and a system of selling stamps to raise funds was agreed upon and is now in operation.

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BOOK REVIEWS


This book is one of a series published by the Harvard University Press under the editorship of the Honourable Sumner Welles. Lewis Thomas was formerly Professor of English at Robert College, Istanbul and is now Assistant Professor of the Turkish Language and History at Princeton University. Richard Frye has lived in Iran. He is editor of another book in this series, The Near East and the Great Powers and is Assistant Professor of Middle Eastern Studies and General Education at Harvard University. Both writers are highly qualified to write this history which has been published at a most opportune time and is written with a commendable clarity and modest simplicity of style which are a great help to the reader and add to the general interest by helping the reader to concentrate on the subjects under discussion. The first section on Turkey is considerably longer than the section on Iran.

Professor Thomas takes to task the American Liberals who considered that Turkey was a dictatorship. He points out that in the election of 1950, 50 per cent of the voters freely voted against the Kemalist-Inonu governmental People's Party and the Democratic Party came to power without bloodshed and President Bayar replaced President Inonu. It was a remarkable fact that in 1950, 85 per cent of the 9,000,000 voters went to the polls — a sign of political maturity.

On the Muslim religion, he says that although the religious leaders have become somewhat impoverished and are under "careful supervision," at the very least it would be distinctly premature to assert that the hold of Islam over the Turkish peasant has been impaired. Village life persists largely unchanged, and the importance of traditional religious sanctions in it has not greatly altered.

Professor Thomas states categorically that "to say that Islam is dead or dying in the Turkish Republic is plainly an untruth." He says that many foreign observers get this erroneous impression by their superficial contact with the upper social levels of Turks. He points out that numerous Turks of all ages and representing all classes are personally devout individuals. The "somewhat tenuous form of religious instruction" which was introduced under the Inonu regime has given way to freedom for religious instruction and the revival of Arabic, while there is an increase of religious books and publications and Mosque attendance is "quite heavy." He concludes "that for almost all Turks Islam represents the nominally true faith."

There is a great deal of interesting statistical data in this book. The whole 105 articles of the 1945 Turkish Constitution are reproduced; the total population in 1951 was roughly 20 million and this is increasing by 2 per cent per annum; 97.43 per cent of the population are Muslims and 85.98 per cent are Turks and 9.09 per cent Kurds.

With regard to education, there were 1,625,452 children in 17,029 schools in 1949-50. 39.5 per cent of the male population were literate in 1945 and 1946 per cent of the female population; there was a Budget deficit of £T120,000,000 in 1949 and an excess of imports over exports of over £T219,000,000 in 1948. The cost of living index was 397 in 1949 as compared with 100 in 1938.

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Professor Thomas says that Turkey to-day is basically a healthy country. "There is a chance for peasants to rise to any station in life but women, in spite of their technical emancipation, owe their prestige to the prestige-rank of their fathers and husbands."

The Turkish Press is, he says, much more interested in the West than in the States of the Middle East. The parts of this book dealing with Turkey's relations with the United States, Germany and Russia are interesting but the remarks of the author on Iran are unfortunate and undiplomatic and un-called-for. They do not blend well with the sympathetic picture of the Iranian people given by Professor Frye. We are told that the Turkish peasant feels antipathy towards Iran. "The Shi'ite Moslem Persian he considers contemptible. Neither does his folklore portray the Persian as a good fighter or a formidable foe. Ruling class Turks feel for Persia a general apathy tinged with apprehension. The apprehension is the fear that Persia may eventually be too weak to let Russia into the Middle East and so leave Turkey more completely surrounded than she now is. Persia's attempts at westernization during the interlude between the wars was regarded as a sensible try at imitating what Turkey was doing, but was by large and a failure." He points out that the Persian language was as important as the Latin language to the West, is no longer taught extensively in Turkey. Turkey wants a strong Iran and she is not attempting to recover Azerbaijan.

Professor Thomas cites the example of Turkey's volte-face on the question of the recognition of Israel as a proof of her disinterestedness in the Middle East Arab States. The Turks, he points out, are finding an interesting market in Israel. When the Turkish Jews emigrated to Palestine (40,000 did so), the Turks stamped their passport "Not valid for travel to Israel" to cover themselves with the Arab League, but they allowed the Jews to depart none the less. "So long as the Muslim World remains a power vacuum and so long as Turkey tries to save herself from the woes of a Soviet without the power even seriously to deter foreign aggression, Turkey will not strive to link herself directly to other Moslem States." These remarks are to-day in the balance; for Turkey as a member of the North Atlantic Treaty Organization is daily getting stronger and 'Azam Pasha and Zafrullah Khan and Dr. Jamali of Iraq are making determined efforts to get Turkey's support of the economic blockade of the Jews in occupied Palestine. The Pakistan 11-State Muslim Conference may open the way to new developments. A Muslim third force may prevent the next world war.

75 to 80 per cent of the Turkish population depends on agriculture for a living. Only one-fifth of the land is under cultivation and 50 per cent is used for grazing and pasture land and 2 per cent is devoted to market gardening, olive groves, vineyards, etc., as a part of the cultivated soil lies fallow each year, not more than 15 per cent of the land is cultivated each year.

Turkey's agriculture is wasteful of human labour but the country has a small population in relation to its size. Tobacco accounts for 20-25 per cent of Turkey's exports, and hazel-nuts, raisins and figs for a similar percentage. State-directed farms and industry play a part in the national economy. The writer points out that the Karabuk Iron and Steel Plant only produces a small amount of expensive steel and it requires to be drastically re-adapted to produce a much bigger volume of steel at economical prices.

Professor Frye devotes six pages — out of a hundred — to an analysis of the Iranian practice of Shi'ite Islam. He states that the Persians were Persians first and Muslims afterwards; they accepted a heresy in order to convert Islamic doctrine into some-thing more in accord with their own traditions. Politically Shi'ism became the "rallying-point of any opposition to the ruling caliphs." He mentions the many superstitions and belief in fairies which are survivals of a pre-Islamic age. He speaks of the democratic character of Islam and the encouragement Islamic teaching gives to meditation in solitude.

Professor Frye gives as examples of the Iranian revolt against orthodoxy, their habit of drinking wine and the representation of the human form in art. He seems to be confusing a purely political revolt against Arab imperialism with a spiritual revolt against Islam. The renaissance of the Muslims under such leaders as Kashani is unfortunately not fully dealt with.

He praises the tolerance of the rulers of the Persian Empire of the Achaemenids which "contrasted with the former oppressive and even cruel domination of the Assyrians and the Egyptians". Riza Shah adapted Achaemenids architecture for use in modern buildings.

The Iran-Russian dispute over oil concessions and Azerbaijan are dealt with at length as is the premiership of Qavam al-Saltaneh whom he describes as "a highly controversial figure" who held "both old traditions and new Socialist ideas, and although he may not have been entirely honest, he was a loyal Persian."

The oil crisis is barely touched upon as this book was completed shortly after General Razmara's assassination. Dr. Mussadiq's speech in the Majlis on October 19, 1950, is quoted to show his interpretation of the oil situation in 1949. He protested that Iran was not getting a fair share of the profits, for the British Government took £28 million in income tax, £17 million went to the reserves, and another £17 million to operational expenditures, £7 millions went to the shareholders in the form of dividends, and £10 million to the Iran Government.

Professor Frye notes that the people really believe in Islam and he ends with a praiseworthy exhortation to the West to keep on trying to build Iran: "Whatever we do we must do good for Iran and all of her citizens. She must be treated as a sovereign nation."

There is a great deal of material and sober judgment in this interesting book. Naturally there is a certain amount of angling things in a pro-American line but the misconceptions and mis-statements provide the Muslim reader with a useful guide to show him or her the weak points in the American conception of the Middle East. It is the business of the public relations officers of the Muslim States legations and ministries to remove these misconceptions by giving accurate information and by attempting to re-orientate the work of these American scholars which is in many respects excellent.

The great interest in the Middle East shown in the United States is an excellent sign for the future and the work of the scholars of Harvard and Princeton provides indispensable reading for the businessmen as well as for the scholars and diplomats of the East and the West.

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