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Thoughts on a Muslim Summit Conference

The Future of Islam is beginning to take shape

President Ayyub on the future of the world of Islam

The concept of the unity of the Muslim Ummah (nation) was given to Muslims by the Holy Qur'an. That the Muslims should have "mutual consultations" in all their affairs is a "must", as declared by the Qur'an (3:159, 38:42). The Prophet Muhammad had also emphasized this concept when he spoke of the brotherhood of Muslims in his immortal address at the Farewell Pilgrimage. And during all the vicissitudes of over thirteen centuries of Islam's history, the concept of the unity and solidarity of the Ummah (nation) has continued to dominate the thought of the Muslim world. The institution of the Caliphate was only symbolic of the concept.

During recent history great thinkers of the past one hundred years, like Jamaluddin Afghani, the Shaykh Muhammad 'Abduhu of Egypt, the Shaykh Rashid Rida of the Lebanon and the 'Allamah Iqbal of Pakistan, by their writings, instilled in the minds of Muslims the importance of world unity and solidarity.

Popular leaders like the Maulana Muhammad 'Ali in the sub-continent of India, 'Umar Tjokrominoto in Indonesia, the grand Mufti of Palestine, al-Hajj Amin al-Husayni, and others have been holding aloft the flag of world Muslim unity and co-operation.

The symbol of the solidarity of the Ummah, the Caliphate, was abolished by Ataturk. He was not so much against the concept of world Muslim solidarity itself as against the farcical position of the Caliphate. In fact, to a delegation at the time of the Khilafat Committee of India he said that what the Muslims needed was not a symbol but the real thing. He suggested that there should be a League of Muslim Nations to unite the Muslims. And it was his belief in this unity that led him to Sa'dabad (Iran) to sign the famous Sa'dabad Pact.

When Sultan (later King) Ibn Su'ud in 1926 convened the first Mu'tamar al-'Alam al-Islami at Mecca, the representatives of various Muslim countries agreed to the need of world Muslim moots to popularize this idea.

The famous 'Ali brothers, the Maulana Sulayman Nadavi and other divines represented the Muslims of the sub-continent of India at that historic conference. When the second conference of the Mu'tamar took place in 1931 at Jerusalem,
the 'Allama' Iqbal became the Vice-President of the Mu'tamar and remained as such till the end of his life.

We cannot forget the feelings of world Muslim unity which prevailed at the time when the then Prime Minister of Pakistan, the late Liaquat 'Ali Khan, inaugurated another Conference of the Mu'tamar at Karachi in 1951. But all these were, by and large, moves towards world Muslim solidarity at a popular level.

Besides the Sa'dabad Pact, the only other attempt at State level was made in 1954 when President Nasir of Egypt, King Su'ud of Su'udi Arabia and the late Gholam Muhammad, the Governor-General of Pakistan, had a minor summit meeting at Mecca and decided to set up the nucleus of an organization for world Muslim unity, but unfortunately this attempt flopped for reasons we need not go into here.

The other conferences of the Mu'tamar at Baghdad and Mogadishu, the conference at Mecca of the Rabitah and the Afro-Asian Islamic conference at Jakarta have shown that the peoples of all the Muslim countries of the world are eager to see the realization of world Muslim solidarity. Regional unity is a step to world unity and it is a matter of gratification that regional unity has already begun to take shape in the Muslim world.

As Mr. Zulfikar 'Ali Bhutto, formerly Foreign Minister of Pakistan, put it vividly in a recent speech of his: “The future of Islam is beginning to take shape. The Arab States come together periodically at the summit level. So do the Maghreb States and the R.C.D. (Regional Co-operation for Development) and IPECC (Indonesia-Pakistan) countries. In their totality the growing contacts between Muslim nations constitute a force of immediate significance. What needs to be done is vastly to enlarge the existing scale of such contacts to multilateral meetings between the Heads of State and Governments. Directed towards the achievement of a unity of purpose, towards the achievement of social and economic progress and the promotion of universal brotherhood, this is capable of giving a powerful impetus to the renaissance of Islam in the twentieth century.”

This is the background against which we have to consider the proposal of a Muslim Summit Conference, which was first put forward in recent times by President 'Aden 'Abdullah 'Uthman of Somalia at the World Muslim Conference held at Mogadishu in 1964.

King Faysal launches the proposal of a Muslim Summit Conference

During the Rabitah Conference held on the occasion of the Hajj in 1384 A.H. (1965 C.E.), King Faysal formally launched this proposal and since then he has been visiting one Muslim country after another.

The realization of world Muslim unity at government level would be the achievement of a great and glorious goal. Yet there may be doubting Thomases who may regard the Muslim Summit Conference and what it stands for as impractical.

We agree that we have had to go slow both for the sake of the success of the idea and for saving it from premature birth or from falling a victim to various subversive forces internal and external, which are trying to sabotage the idea. It is only natural that misunderstandings may arise when an attempt is made to bring together various countries, but when there could be no two opinions on the ultimate objective, any misunderstanding which crops up could be removed by patient handling and diplomacy.

A cloud of misunderstanding was recently created in a section of the Arab world by a baseless allegation that King Faysal's proposal was aimed at creating a Baghdad Pact-type of military alliance. We are glad that King Faysal has clarified his position and is continuing his efforts to remove misunderstandings. The Shahinshah of Iran has also clarified that "there was never any discussion of a formal alliance, and the purpose has been only to discover how best Muslim States can work together to raise the standard of living of their peoples."

Joint Communiqué of King Faysal and the President of Pakistan

The joint communiqué issued after the recent visit of King Faysal to Pakistan has further clarified the position; for he has made it clear that a political or military alliance is not the objective, but world Muslim co-operation in social, economic, technological and cultural matters.

About world Muslim solidarity, the communiqué said: "His Majesty and the President believe that solidarity of the Muslim and Arab countries on the basis of mutual respect and common interests is good for all. This solidarity constitutes a strong force for a just world order and would help in providing a better life for all nations and in particular would promote a complementary economic unity for the Muslim world. Brotherly contacts at different levels between statesmen and leaders of thought to achieve solidarity on a basis of consensus would facilitate the attainment of these high objectives. His Majesty and the President agreed that co-operation based on the enduring bonds of faith, history and culture would be fully consistent with co-operation on a regional and universal basis."

President Ayyub on the future of the Muslim world

Su'udi Arabia and Pakistan are thus one in having World Muslim solidarity as their ultimate objective. That certain doubts and prejudices have cropped up in certain quarters have to be faced. As President Ayyub told Radio Mecca: "Pakistan would like to see the Muslim world get together, but this objective should be pursued, and pursued with patience till the doubts and prejudices which stand in the way disappeared."

What should be done now to achieve the objective? President Ayyub analysed the position thus:

"It should be realized that we are living in the age of nationalistic. Every one of the Muslim nations is afflicted by nationalism. This phenomenon is inevitable because most of us have just emerged out of subjugation and foreign influence and are rebuilding our societies and economies. There we have our own problems and politics and we have our own differences because of these politics."

President Ayyub suggested that they must start collaborating in economic and social spheres and matters with which Islam and the Muslim world as a whole were face to face. In other words they could collaborate in the fields of economic and social affairs, leaving out political and military matters. If any Muslim States wanted to collaborate in political and military fields also, they could do so on a bilateral basis.

Once the Muslim countries begin to co-operate on common grounds, in due course a political and military alliance may take shape, and the Muslim world may become independent politically and militarily of the two contending blocs and become a third bloc of peace, but that is a matter for the future.

N`AMULLAH KHAN.

THE ISLAMIC REVIEW
The text of a Speech by
His Majesty King Faysal of Su‘udi Arabia

The March to
Islamic Unity

The loss of Ahmadu Bello and
Abu Bakr Tafawa Balewa

Praise be to God, and Blessings upon His Messenger.

Muslim Brothers: We welcome you in the House of God, and pray to the Almighty to make your Hajj blessed and your endeavours successful, and to grant you forgiveness.

Brothers: At this time, when you are responding to God’s call for the pilgrimage to His House, and for fulfilling the rites of this duty, you direct your hearts and minds to the Almighty, asking for mercy, forgiveness, enlightenment and wisdom.

Brothers: At this day and age, when Islam is being subjected to trials and tribulations, our hearts go to the Almighty asking Him to grant us steadfastness, guide us on to the right path, and lighten our way.

Brothers: Islam is the religion of love, brotherhood, peace, strength, knowledge, constructiveness, progress and virtue. There is not a single virtue or good quality to which Islam has not exhorted, and not a single evil which Islam has not warned against. When, Brothers, we call for the pursuit of God’s will and for following what has been ordained in His Book and in the Sunnah of His Prophet we merely fulfill a duty imposed upon us towards our God, our religion and ourselves. Although the call to Islam these days is being subjected to some setbacks emanating from a group of people (and of this group we merely say that we pray to the Almighty to guide them), it is still the duty of the Muslims to consolidate their ranks and to remain steadfast in the face of adversity and of all the difficulties and obstacles in their way. They must also seek to promote what would bring their hearts together, join their ranks, and sow the seeds of love and cooperation among them for the good of both their religion and their life.

Brother Muslims: The call which we are now making to Islam and to the Book of God and the Sunnah of His Prophet, and also to closer co-operation and rapprochement between the Muslims, has been the subject of diverse talk, criticism and prevarication. But as a brother, I say to you today, in all frankness, that what we are advocating is that the Muslims should get closer together, love one another, co-operate, and help each other in all that affects the material and spiritual aspects of Muslim life. We do not intend that the Muslims should attack anybody. We shall not violate the rights of anyone who shares our belief in the Oneness of God, whatever be his colour or race. We call upon our Muslim brothers to be united, to hold the Book of God and the Sunnah of His Prophet as the final arbiter between them, and to ignore all systems, creeds or laws which contradict what came in the Book of God and the Sunnah of His Prophet. This call, my brothers, offends some quarters and certain of the forces of evil such as imperialism, Communism and Zionism. But I am fully confident that the Muslims will not pay attention to this, nor be in any way deflected from upholding what is right and promoting their religion, unifying their ranks and co-operating in the doing of good.

Brothers: All kinds of things have been said against us. But, as I have just declared, we shall not reply. We shall simply pray that God may enlighten these people and make them return to the path of good and to the way of God. We ask the Almighty to grant all of us success. It has been said that we are seeking to promote alliances, and that these alliances are imperialist-oriented. I solemnly declare here

1 Delivered in Mecca on 27 March 1966 (in Arabic).

April 1966
before you, my brothers, that we shall be glad for those who say this about us to come and join us in these efforts and see for themselves whether the inspiration for this call comes from imperialist motives or emanates from sincere and loyal hearts that seek to urge the Muslims to do what is in the interest of their life and of their religion. We most heartily welcome all those who support this call, and shall be very happy to put them in the forefront of it. But if it be the intention that we go back on this mission or neglect it, or in any way compromise in the matter, then I declare that we shall resist such an attempt to the very utmost.

Brothers: We have dedicated ourselves to the Almighty. He who dedicates himself in this way cannot go back on what he has done, or deny it. Let those who want to object do so, and let those who want to oppose also oppose. As I said before, we shall not reply to them, and shall do no more than ask God to guide them. But we shall never, with the help of God, be deflected from our path.

Brothers: I want on this occasion to dispel the accusations, prevarications and suspicion spurn about this call. We are, thanks be to God, innocent of all these. I also want to reaffirm before you that we shall continue to fulfil our duty to God, and shall spare no effort in this. We shall also never be affected by the critics. To those who want for a religion something other than Islam, I would say that God has said that “Religion with God is Islam”. And to those who would follow a religion other than Islam I would say that God does not accept this in the Hereafter, and that these people would be the losers. This much, brothers, is very clear: We are Muslims and we proclaim that we are Muslims. Why, then, are we not consistent, and why do we not make the Book of God and the Sunnah of His Prophet our only arbiter? To those who want Islam to predominate, and who want to support Islam and promote its glory, the road is very clear. Those, however, who want to falsify and prevaricate about Islam ought to realize that the Muslims know exactly what their religion says and what the Book of God and the Sunnah of His Prophet ordain; and they shall not be deceived by falsehood. For our part we repeat what the Almighty said to His Prophet: “Say, let us come to a just solution between us and worship none but God.” This would require that we all should proclaim the Oneness of God and uphold His law as judge between us. It is neither right, nor reasonable or logical, for some people to say that they are Muslims while not accepting the Book of God and the Sunnah of His Prophet as the last word on the subject.

Brother Muslims: In this auspicious place you will be praying to the Almighty with all fervour; and I beg of you, as a Muslim brother, to pray for guidance for those amongst the Muslims who have strayed from the right path, and also ask the Almighty that He may unite the hearts and minds of all the Muslims and unify their efforts, for in this lies strength for Islam. God says: “If you support God He will support you and make you firm.” When God asks for this support God is not in need of it — what is meant is that man should support God’s Book and God’s laws, and that in this lies strength for man.

Brothers: We shall, with God’s support, continue along our path, and no words or action shall make us turn away from this mission. We pray to the Almighty to make the Muslims steadfast and to grant them strength, and guide them unto following the Book of God and the Sunnah of His Prophet. We also pray that the Almighty may guide those who lost the way or have weakened in their resolve.

The loss of Ahmadu Bello and Abu Bakr Tafawa Balewa mourned

Before I conclude my speech, brothers, I want to extend to you sincere condolences on the loss of brothers as victims of treachery and deceit against Islam and the Muslims. I mean His Excellency Premier Ahmadu Bello and His Excellency Prime Minister Abu Bakr Tawafa Balewa. We pray to the Almighty to forgive them their sins and rest their souls in peace, and that He may recompense us for their martyrdom by making it a signal for the Muslims to uphold their religion and to struggle in order to support it. We must struggle to prevent ourselves from being tempted or distracted from the path of our religion, and must pray to the Almighty to guide those now straying that they may return to the right path and join God’s caravan.

Finally, I pray to the Almighty to grant all of us success, to forgive us our sins, to help us uphold our religion, to make us all steadfast, and to guide those Muslims who have strayed; He is the All-Powerful. And may the Peace and Blessings of God be with you!
"Islam a Great Source of Strength in all Spheres"

The Significance of Arab and Islamic Unity

Text of Speech by H.M. King Husayn of Jordan

The significance of 'Id

Brother Citizens, and brother Citizens throughout the world:

On this auspicious occasion I extend to you all greetings and best wishes for a happy 'Id, and pray to the Almighty to bestow success and bounty upon our Jordanian homeland as well as upon our Arab world and the lands of Islam in the various corners of the world.

This festival, which the Almighty provided as a means for the Muslims to meet near the House of God, is one of the most striking examples of the brotherhood and understanding in the spiritual, intellectual and practical spheres between all the Muslims, and a symbol of the duty imposed upon all the Muslims, wherever they may be, to "hold fast to the pact of God all together, and split not", and to make the principles of the unity of God, love, justice and faith, preached by Islam, the basis of agreement among them, a banner round which they would rally, and a source of inspiration and guidance on the path of the common future.

This 'Id, with the ideas it symbolizes, should remind us all of our duty to our beloved Jordan, and to our greater Arab homeland and our still greater Islamic homeland too. It should also remind us of our duty to our great faith and our brothers in the faith, and help us purify ourselves and seek communion with our Creator, and also encourage us to join hands with our brothers in promoting our great ideals, the ideals of good, progress and fraternity commended by God.

Islam the greatest source of strength in all spheres

Islam is the greatest source of strength in the spiritual, moral and progressive spheres that the Arab world had ever experienced. Inspired by the spirit and message of Islam the Arabs set forth from the Arabian Peninsula to preach the Message and promote new values and ideals set by God. They established one of the greatest civilizations known to man; and the culture, heritage and language of Islam gave birth to a distinct Arab personality which soon came to comprise the

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1. Delivered, in Arabic, on the eve of 'Id al-Adha, 31 March, 1966.
2. The Qur'an 3: 103.

His Majesty King Husayn of Jordan

The magnificent and gorgeously decorated Dome of the Rock at Jerusalem, built in 691 C.E. and whose renovations, costing over a million pounds, were completed recently, can be seen in the distant background.

great geographical area known today as the Arab world. The culture, heritage and language of Islam also enabled the Arab nation to crystallize as a social unit, unified and distinctive, which withstood invasions and adversity over a long and crowded history; indeed, it not only withstood these forces but was able to develop and progress. That is why we believe that Islam is at once a creed, a culture, a heritage and a way of life in very close harmony and unison with Arabism and the Arab character. In fact, there would be no Arabism, as we know it, without this heritage of Islam and the spiritual and cultural values of Islam.

Islam forges an Arab personality

This great heritage which has become an inseparable part of the Arab personality has given this personality its characteristic feature and has protected it throughout history from being undermined. It has also fortified it against all foreign invasions and the various kinds of foreign occupation and domination throughout our long history. It has likewise made possible the national unity of the Arab countries. Our battles against imperialism in the Arab East in modern times were always guided by the spirit of Islam and its sublime values. The role played by Islam and the Islamic heritage in preserving the national occupation and the imperialist forces which sought to undermine the cultural and national identity of the people is an immortal role almost miraculous in its results. We must learn a lesson from this and appreciate that the principles and real values of Islam are the best and most assured safeguard for Arab nationalism — and these real values shun sectarian, racial and tribal prejudice and preach tolerance, equality, understanding and love.

If the Arab world, and the wide world outside, were looking for doctrines and creeds to symbolize justice, equality and dignity they would find in the living principles of Islam the greatest spiritual resources capable of guiding the forces...
of reform, progress, justice and equality in our greater Arab homeland. The doctrines of Islam are the genuine doctrines of social justice, freedom, equality and equality of opportunity for all the citizens. They combat injustice, lies and hypocrisy in all respects. In the principles, ideals and civilization of Islam we have a spiritual and progressive force of great magnitude. It has tremendous power to safeguard society against the forces which undermine it, split it asunder and render it aimless. It also has power to direct efforts towards the promotion of freedom, good order and progress. We in Jordan, who seek rapid progress in planning and reform in all the spheres of public life, and are endeavouring to increase production and the national income and raise the standard of life of the citizens, must never forget that the ideas of Islam support progress and reform, and that reform and progress must always come within the framework set by our rich heritage. This is our path, and this is the path which must be pursued by all proper and enlightened progress in our Arab homeland.

The Muslim world as a whole is facing a tremendous challenge. The question posed is whether the Muslims can achieve rapid and effective social and scientific progress without severing the link with their past and their spiritual heritage, and without abandoning their traditional ideals. This problem must engage the mind of all enlightened and progressive forces in the Islamic world. They must all collaborate in striving to achieve this objective faithfully and assiduously. All loyal and responsible leaders in the Arab and Islamic worlds must seek to attain this objective. And the Arab nation has a greater and a pre-eminent responsibility in this regard because it was the first to bring forth the message of Islam. If the Arabs fulfil this duty they can more effectively rely on the assistance of their brothers in the Islamic world and get support for the pressing Arab problems in Palestine and in every part of the Arab world where they are engaged in a struggle with imperialism and imperialist aggression.

The need for Islamic solidarity

An understanding between all the Muslim countries on the basis of loyalty and support for the principles of justice and solidarity is a duty imposed upon all of us. There must be greater contact, discussion and exchange between intellectuals and statesmen in all the Muslim countries. Not only is this a duty imposed upon us by our faith, it is also the only means for solidarity, understanding and co-operation, and for the promotion of mutual benefit and the realization of the urgent and rightful claims of the Arabs and the Muslims. Imperialism — of whatever kind — will not be happy to see such solidarity, because it would consider every step in the path of closer understanding and the settlement of differences between the Muslim countries a threat to the interests of imperialism and its plots against the unity of the Arabs and the solidarity with their Muslim brothers. Every step taken in the Arab and Muslim worlds towards harmony in the implementation of the principles of Islam, and for the utilization of the resources of Islam, is viewed by the imperialists as a direct threat to them.

Our path is clear and straight. We shall never hesitate or falter so long as we are united. We are convinced that solidarity between the Arab and Muslim worlds is the urgent hope cherished by the Arab and Muslim peoples. In it lies strength for all of us, and much good. We also believe that the desired understanding between the Arabs and the Muslims is a natural and logical step for the Arab countries and in line with the policy adopted at the Arab summit conferences recently. It bolsters up Arab endeavours and joint Arab policy for attaining the strength and stature planned by the Arab leaders.

I have no doubt that this objective is predominant in the minds of the millions of Arabs and Muslims throughout the world. Our path has been set, and our resolve is unequivocal. We remain as determined as ever to establish relations with others only on the basis of mutual respect and in accordance with the guiding lines of our policy. We shall not accept anything, whatever be its source, if it is not in harmony with our faith or if it deflects us from our determination to proceed on the path of duty and the good of our nation. We reject intolerance and narrow-mindedness as much as anything which would make us abandon the principles which are the very foundation of our existence. And we possess all the energy and strength needed to defend what we believe to be the message of our nation and the basis of its existence.

Brother citizens: From the al-Aqsa Mosque, the first of the two Qibla, and from the land of the Prophets and of the Muslims I send you 'Id greetings. I also send best wishes to our brothers in Islam throughout the world — to the leaders and the people — and say that I remain confident of the future and of our determination here in Jordan to be forever the soldiers of justice and a bulwark against the enemies of the Arabs, of our religion, and of the principles of humanity, whoever or whatever they might be.
The Neo-Platonism of Ibn Hazm (994-1064 C.E.) of Cordova

An Historian of Islamic Theology and Law

By MIGUEL CRUZ

The extraordinary fame which Ibn Hazm’s *The Dove’s Neck-Ring* has achieved in the West has caused, as though by some strange emendation, his philosophical and theological thought to take second place. Although perhaps no other figure of Spanish Islam has been so studied by Western criticism during these last sixty years, inasmuch as these studies have been confined to *The Dove’s Neck-Ring*, they have to some extent distorted the position which Ibn Hazm holds in the Islamic thought of Spain. Notwithstanding the exception of Asin Palacios who, faithful to his own statement that “the homeland of this Spanish thinker is under the obligation of making available to the scholar the most important and accessible portion of his works,” dedicated great effort to the study of the Cordovan thinker, for very few scholars does Ibn Hazm signify anything in the history of Islamic thought. Even a thinker possessed of the learning and acumen of Ortega y Gasset when discussing *The Dove’s Neck-Ring*, basing himself on a one-sided and mainly literary appreciation of his subject, under-values the rest of his thought, dubbing it mere scholastic repetition. Without, nevertheless, some knowledge of the poly-faceted work of the Cordovan writer, it would be almost impossible to form an idea of the cultural ambience of Spain’s first Golden Age represented by the Cordovan Caliphate and the early “Ta’ifah kingdoms.”

But greater importance still has the thought of Ibn Hazm for anyone who wants to understand the evolution of philosophic thought within Spanish Islam. It admits of no doubt that Ibn Hazm was not a philosopher in the strict sense of the term, as indeed is also the case with the Latin school men. If we were to categorize him we would prefer to say he was a theologian, or, to be more precise still, an historian of Islamic theology and law. But all his work as a theologian, as a jurist and an historian gives evidence of a philosophic ideology which imparts strength and structure to his labour in these fields and whose principles are manifest in all his books, though more so than elsewhere in the *Fisal*. These principles can be extracted from his various works exactly as is the case with other medieval thinkers.2

The thought which Ibn Hazm utilizes as the source of his ideology is the syncretic neo-Platonism of Islam, forged in the East between the 8th and 10th centuries and quickly transferred to Muslim Spain by the multiple vehicle of the juridic schools, the labour of scholars, the doctrines on the spiritual life and the Batani and Mu'tazilite ideology. This neo-Platonism achieved an extraordinary flowering with the school of Ibn Masarra (d. 883 C.E.). The greater part of Ibn Hazm’s philosophic knowledge was second-hand, being got from his contemporaries or immediate predecessors; for example, he ignores Avicenna (d. 1037 C.E.) completely. Nevertheless, leaving aside the Masarri influence already indicated by Asin Palacios, one must take into account the influence exercised on him by the *Encyclopaedia of the Ikhwan al-Safafi* (the Brethren of Purity), even now still inadequately emphasized, but an influence easy to account for in that it had already been introduced in the form of a compendium by the mathematician Maslama of Madrid (d. 395 A.H.—1004 C.E.) and as an independent work by the physician and philosopher al-Kirmansi, whom we know to have been living in Zaragoza in 457 A.H. (1065 C.E.).3

The influence of Neo-Platonism on Ibn Hazm

The points where one perceives the neo-Platonist influence, and in particular the *Encyclopaedia* of the Brethren of Purity, at its strongest are the following:

“The Epistle of Divine Succour”

1. In the Epistle of Divine Succour on how to discover, by a short route method, the way to salvation, he gives the following outline of the sciences of the Ancients (meaning the Greeks) following the Oriental neo-Platonic method. “The sciences of the Ancients,” writes Ibn Hazm, are as follows:

1. Philosophy and the laws of logic which were discussed by Plato, his pupil Aristotle, Alexander (Aphrodias) and those who followed in their tracks. This science is good and of high status, with all that it contains, its classes and sub-classes, substances and accidents, in addition to establishing the conditions necessary for an apodictic proof without which the truth or error of anything cannot be ascertained. The utility of this science is, therefore, immense in discerning the real essence of beings and eliminating whatever does not pertain to these essences.

2. The science of numbers. This is also a worthy, truthful and apodictic science, but its utility is limited to the humbler levels of life, because it serves only to divide volumes of water.

3. The science of geometry with which the compiler of *The Book of Euclid* and his followers dealt. It is likewise a good and apodictic science. Its basic

3 Ibid., Vol. I, p. 207.
principle is the intuitive knowledge of the proportional relation of lines and figures one with another. This knowledge is applicable to two things: one to understand the description of the external form of the celestial spheres and of the earth, the other, the elevation of weights, architecture and surveying.

(4) Astronomy of which Ptolemy treated and before him Hippocrates and afterwards those who followed the lines laid down by both of them or by other astronomers prior to them, to wit, the Indians, Nabataeans and Copts. It is an apodictic science based on the experience of the senses and is good from a moral standpoint. Its purpose is knowledge of the celestial spheres, their circular movements, their intersections, poles and distances; to know also the stars, their shifting movements, their magnitudes, their distances and the orbits in which they spin. The utility of this science consists solely in that by it one comes to understand the perfection of the cosmos as a work of art, and the great wisdom of the creator.

(5) Medicine, of which Hippocrates, Galen, Dioscorides and the followers of these have treated. It teaches how to cure bodies of their diseases. It is a good and apodictic science, but useful only in respect of the present life. Furthermore, it is not a general art, for frequently we see the denizens of desert places cure themselves of their illnesses without a physician and their bodies enjoy health without the need of treatment, just as good as those who employ medicines, or even more so.4

"The Epistle of the Classification of the Sciences"

2. In The Epistle of the Classification of the Sciences he arranges them in accordance with the following plan:

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<tr>
<th>Sacred Scripture</th>
<th>Law</th>
<th>Tradition</th>
<th>Dogmatic theology</th>
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<td><strong>Theology</strong></td>
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<td>of the soul: Ethics</td>
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<td>Astronomy</td>
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<td>Philosophy</td>
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<td>Sensible: Physics</td>
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<td>Rational: Physics</td>
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<td>Mixed Sciences</td>
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<td>Rhetoric</td>
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This plan does not conform either to the traditional Aristotelian classification or to al-Farabi's (d. 950 C.E.) and Avicenna's interpretation of it; on the contrary, it approximates to the classification of the Mu'tazilites al-Nazzam (d. 835 C.E.) and Dhu 'l-Nun al-Misri (860 C.E.).

3. In the theory of knowledge as the Fisal understands it there is an evident synthesis of Aristotelianism and neo-Platonism, parallel to the synthesis of the Mu'tazites or the Brethren of Purity.4

4. When dealing with the problem of the universals he is of opinion that these are real created entities in a sense close to the Oriental neo-Platonic doctrine.

5. The problem of faith and reason, which appears in a form expressed in accordance with the criteria of the juridical school of the Zahiriyyah, betrays the influence of neo-Platonic ideology, and in the course of its discussion he provides a description of cultured men who "devote the best of their intelligence to mathematics and begin their own formation in the sciences by studying deeply the qualities of the numerals, passing by gradual stages to studying the position of the stars, the outward form of the classical spheres, the means of determining the rate of movement of the sun, the moon and the five planets, the intersection of the spheres of the sun and moon, the nature of the celestial bodies, of the fixed stars, the intervals between them, their distance from the earth, their volume and all the other phenomena and physical and atmospheric accidents; then they add to this the reading of certain books of the Greeks wherein the laws

governing discursive reasoning are laid down, and also mix the study of some theories of the philosophers concerning astrology, theories resting on the principle that both the stars and the celestial spheres are gifted with a rational soul and direct or control phenomena in the sublunary world.” This conforms to the kind of scholar described by the Mut’tazilites and the Brethren of Purity.7

6. When defining philosophy in the Fisal he gives a definition very similar to that which appears in the Encyclopaedia of the Brethren of Purity, stating that “philosophy, considered in its essential nature, and in its meaning, in its effects, in the purpose which it sets itself, is none other than the correction or improvement of the human soul, which is achieved either by practising moral virtues and good conduct in this life in order to find salvation in the other or by means of good social organization both domestic and political. Now this is the sole purpose of the religious or revealed law.”9

7. When dealing with the agreement between faith and reason he attacks openly the Ash ’ari solution, using arguments of patently Mu’tazilite inspiration.9

8. In his treatment of the problem of the essence and the divine attributes he evinces also the traces of neo-Platonic influence when attacking the simplistic analogical criteria of the mutakallimun.10

9. According to Asin Palacios, Ibn Hazm, like al-Farabi, Avicenna and al-Ghazali, supports the real distinction of essence and existence in creatis. Nevertheless, it cannot be allowed that Ibn Hazm distinguishes between essence and existence in the same way as Aquinas (d. 1274 C.E.) was to do. What Ibn Hazm does is to underline the difference between the two and shows how, in created beings, existence is extrinsic to essence. “Some grounds of Mu’tazilites hold that God has no quiddity (mahiyyah) or essence. The orthodox theologians, on the other hand, maintain that He has it. What we believe is that God has quiddity, a quiddity which is identical with His own existence. ‘But for Ibn Hazm the quiddity of a thing is but the answer to the question: What is the thing? And the object of this question is the ontological truth (haqiqah) and the essence (dhat) of the thing; therefore, whosoever denies the quiddity denies or destroys the ontological truth or essence of the thing itself.’ In created beings essence and existence are different because ‘in such things there is also difference between the accidents. The question, ‘What is the thing?’ is different from the question ‘How is the thing?’ What the first one asks is wholly different from what the second one asks, and the answers given are therefore totally different; the question quid sit enquires as to the essence and name of the thing; the question quomodo sit enquires only as to its state or mode of being and its accidents.’”

The existence to which Ibn Hazm refers is not being in general, but the concrete existence already in existence, the anniyah (haecceitas). “Concerning created things, the first stage of the affirmation is the existence (anniyah), which is the affirmation of the reality of the thing, no more than that. This reality or existence is a state of being which we conceive of in a comprehensive fashion, neither partial nor divisible, as it does not do to know one part and not know another of the existence of the thing. After the existence (which is the answer given to the question, ‘Does it exist or not?’) there follows, in dealing with created things, the question, ‘What is the thing?’” Here, moreover, arises a terminological curiosity: Ibn Hazm calls essence in general dhat, the essential truth haqiqah, the quidditas (mahiyyah) and existence anniyah. This last derives from the particle inna which corresponds to the Greek Ti and was used by the translators of the Pseudo-Theology of Aristotle (the three last Enneads) in order to express in Arabic the Greek locution TÔ Ti nô ’všôl, that is to say, the essence, and it was employed by them to explain Platonic ideas. Thus when we find Ibn Hazm using anniyah (haecceitas) in order to designate huwiyah (ipseitas) we have another clue to follow up in our search for neo-Platonic influence.11

10. The division of characters into constituent and concomitant and not always concomitant and the division of accidents into several groups links up with the divisions made by the Brethren of Purity.12

11. Ibn Hazm’s doctrine of the soul is also of neo-Platonic origin in spite of his having maintained its corporeity. The term “corpority” contains a strange and unusual way of expressing the real entity.13

12. The neo-Platonic influence is also apparent in Ibn Hazm’s ethic. Asin Palacios found a certain parallelism between Ibn Hazm’s ethics and those of Seneca, Epicurus, Theophrastus and St. Augustine, and we ourselves — leaving aside these parallelisms, which often are but external — have already pointed out the influence of the “diatribe” of the Cynics which was employed by the Stoics and transmitted to Muslim neo-Platonism.14

13. Finally, in the doctrines on love and beauty which appear not only in The Dove’s Neck-Ring but also in Characters and Conduct, the neo-Platonic influence is clearly evident; and even though the influence has reached him in this case via Muhammad Ibn Dawud, whose Kitab al-Zahra he appears to have used, this is not so decisive as some believe, for it assumes less importance in view of the many neo-Platonic doctrines, psychological and metaphysical, which appear in the writings of Ibn Hazm and are not to be found in Ibn Dawud’s Kitab al-Zahra.

We conclude, therefore, that in view of the foregoing the neo-Platonic influence reached Ibn Hazm through the Spanish Mu’tazilite and Masarri syntheses and through the Compendium of the Encyclopaedia of the Brethren of Purity drawn up by Maslama Ibn Ahmad (d. 1004 C.E.) of Madrid.

7 Ibid., p. 254 et seq.
The Qur’an and the Importance of Belief in the Life Hereafter

Resurrection and its Meaning

By the late al-Hajj Khwaja Kamal-ud-Din

The author, the late al-Hajj Khwaja Kamal-ud-Din (d. 1931 C.E.)

Punishment of evil is the chief check to evil

Every religion tells of a Resurrection. All Messengers from God have insisted on belief in the life after death and predict a dreadful fate for evil-doers in that coming existence. The Qur’an speaks repeatedly of the life after death, and for obvious reasons, seeing that no religion can possibly survive without that belief in the Hereafter, which is in itself at the root of everyday mundane morality.

Modern culture may scoff the idea of such a life, but history consistently proves that disbelief in it has always been the precursor of evil in its blackest form, causing moral and physical decrepitude and bringing many a proud civilization to utter ruin.

The punishment of evil is its principal check, but many a wrong remains concealed and thus avoids that check, wherefore belief in the coming life where such wrongs will be duly required is the only thing to kill our evil tendencies.

Unfortunately modern culture has tended to discredit this belief. Strong public opinion can to some extent check the wrong by legal punishment, or public obloquy; but very few people are virtuous for virtue’s sake. The fear of punishment or of shame makes a man careful, and if we continue to evade detection we can do anything with impunity. The virtue of the day, therefore, is to avoid detection.

Our happiness is mostly concerned with our domestic life, which in its turn mainly depends upon the purity of sexual morality. Nevertheless, this has become, nowadays, extremely lax. Marriage in the West is now a lottery, and unfortunately the modern attitude has not tended to improve the position. Sexual misdoing is not within the scope of criminal jurisdiction. Even civil law does not interfere in cases where evil-doers are free from all matrimonial obligations. Whatever restriction was placed by nature on this unrestricted indulgence is also perceptibly weakening, inasmuch as various contrivances designed to conceal the social evil have come into existence.

Though the law does not concern itself with fornication, nature punishes debauchery sometimes most terribly in the form of venereal disease. Safeguards against such punishment are sought for, and medical science is striving to discover some efficacious remedies. Science may win a victory over morality in this case, but it must not be forgotten that nature is very inexorable in its penalties. These so-called safeguards are bound to promote excess in promiscuity. It will weaken character and engender imbecility. Moral ruin will go hand in hand with physical debility. A profligate race must lose all physical and moral strength and invite an early decay. Then the race will disappear. Let the moralists of today devise some means of stemming this rising wave of evil. Western wiseacres, in particular, should pay attention to the problem, since it is chiefly in the West that this evil is rife. Belief in the life after death can alone save the situation. Evil has defeated both law and public opinion in this fight. We shall have to account for our present misdeeds on the Day of Judgment.

The Qur’an on the three principal features of the life Hereafter

The Qur’an gives three prominent features of the coming life: (1) our future body will take our present actions for its superstructure; (2) it will manifest all our moral faults; and (3) the body in it will contain the means of our happiness or misery in reward or punishment of our present actions. This preventative of evil in this life will automatically materialize
in our body in the Hereafter when all hidden things will be revealed. This description is absolutely true. Even present-day experience in cases of wrong supply a sound proof. Certain venereal ailments leave their mark on the body of the sufferers; they also cause unbearable pain. What is possible in the physical world will in the spiritual existence take on a greater intensity, since all means to avoid detection and punishment will have disappeared.

Though such a belief may be described as making a virtue of necessity in order to retain our moral health, yet it is a truth. It is not a dogmatic assertion in the Qur'an, as we find it elsewhere. The Book produces cogent reasons for inviting intelligent belief. It bases its logic on the doctrine of Evolution. This principle was first preached by the Qur'an and it had no thought of Charles Darwin's *Origin of the Species*. It laid down the fact that all things in their initial stage inherently possess all their future capacities and capabilities, which become developed in the various stages of growth through which they pass. It also said that this journey of evolution continues until those concerned attain perfection — that is to say, the full development of all the capacities latent in them. The very word *Rabb* — the first attribute of God in the Qur'an — signifies the supplier of all these requisites of evolution.

The three stages in the moral development of man as described in the Qur'an

(1) The Accusing Self

Though the subject of the Resurrection has frequently been dealt with in the Qur'an, and the same principle of evolution has often referred to in support of it, the Qur'an has one full chapter with the title "The Resurrection". The Arabic word *Qiyamah*, which signifies the Resurrection, takes "rise" for the literal meaning of its root. It means some kind of rising. The Book very rightly states that our personality contains in itself proof of every tenet taught in the Qur'an. The said chapter, at its very outset, refers to a certain psychological development in us, in proof of the Resurrection. It calls this *Nafs Lawwamah* — "The Accusing Self". It also refers to the embryonic stages after the seminal juice has become located in the womb, which evolve immediately before the birth of consciousness in us. All this is no mere matter of chance, but a well-arranged design. Just like a seed which automatically, but under fixed laws, becomes a fruitful tree, the seminal seed evolves into consciousness. It has been described as "new creation" in the Holy Qur'an. The Book does not teach that the human soul is a separate thing which has entered into our body from outside. It declares it to be the very offspring of the body — a certain creation out of our own physical personality. Though consciousness appears in the animal kingdom, it possesses some special features when it comes to the case of man. Individual consciousness is then seen for the first time. It begins to assert itself even in a child. Animals recognize no individual rights, but that sense becomes stronger with us as we progress in life. We protect our property, and the same life-tendency in us, in a more advanced form, compels us to respect the rights of others. It is when these are infringed that evil makes its appearance. In fact, sin lies in the violation of the rights of others. It is at this stage of our mental growth that we feel remorse when we find others' rights interfered with.

(2) Commanding Self

This phase of mind has been called, in the Qur'an, "The Accusing Self". Though we believe the soul to be the child of the body, as has been said before, yet the new growth is only a rising of the Spirit, and every one of us has had experience of that. It is nothing else than what has been popularly called the Voice of Conscience. It dies if we pay no heed to it, but it becomes stronger if we listen to it. If this new development, whether spirit or soul, had no stages of further growth, we could believe our present life to be the terminus of our journey. But we do experience further development of the said Spirit. The rise of the Spirit, in the form of the "Accusing Self", causes a sort of struggle between our senses of right and wrong. Animality in us, on the one side, induces us to disregard the rights of others. It commands us to give free play to the desire of the flesh — the demands of our passions. This is the animal spirit, and the Qur'an calls it "Commanding Self". But the "Accusing Self" stands in the way. It seeks to bridle our passions and it restrains us from actions which may affect the rights of others or from happiness which leads to hell.

(3) The Soul at Rest

The struggle is really between the "Commanding Self" and the "Accusing Self" in our hearts. If the former wins, we are reduced to the animal — nay, we sometimes become worse than animals. But if our spirit conquers and makes further progress, the struggle thus caused by the Chiding Soul comes to an end. Evil, then, loses all its temptations for us. We loathe wrong-doing. We treat it as if it did not concern us. Our Spirit thus reaches that stage of development which the Qur'an calls the "Soul's Rest". We attain heaven by our life on earth. With calmness and serenity of mind we are drawn to righteousness. There is no more struggle left in us and we enjoy real peace of mind. "The House of Peace" is one of the names that the Qur'an gives to the heavenly life. But this state of bliss, which takes one right out of the region of the flesh, does not fall to everyone's lot. Only a few of us attain it in this life, but that attainment is a possibility and not beyond our reach, though it may not be realized by everyone. Still, the very fact that it lies within the limits of our capabilities, though it remains in abeyance in most of us in this life, necessitates some sort of future life in which our faculties can reach perfection. Just as the Accusing Self, i.e., our conscience, is only a new arising of the Spirit in the evolutionary course, the "Soul at Rest" is a further development of the same spiritual arising. If life is continuous, and science does not deny it now, the Qur'an defines the features of the life to come. It is a further arising of the Spirit in us which will take place after our death when our physical nature will come to an end. The Resurrection, the further rise of the Spirit, must occur, but it has been said in the Qur'an and in other books that it will be accompanied by a calamity of the most painful nature. Even this cannot be taken as a mere assertion. It is truth. History has seen many changes in the world. Every change for the better has been accompanied by some calamity. History also shows that such calamities have brought moral and spiritual regeneration. Prophets appeared when evil was most prevalent. They preached against it, but few listened to their exhortations. Disaster then occurred, but produced human regeneration. It caused spiritual uprising and general good. Not only were the people of Pharaoh drowned in the Nile to be followed by a new generation of good men afterwards in the Judaic race, but history has repeated similar events many a time in India at the appearance of every great prophet in that country. A sceptically-minded person may try to explain it in any way he likes, but he will have to face three things as co-existing with each other everywhere: the presence of evil, the coming of some terrible calamity, and the rise of a new order of good in the end. The same has

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occurred in our day. Latter-day civilization had become
rotten to the core. Evil, though in a refined form, was ramp-
rant everywhere. It is so even now, though I hope that its
end is very near. Calamity — the shadow of the evil as
history shows — also overtook the world. It came to its height
in the horror and pain of the last Armageddon. It may visit
in another form such races as have not been awakened by
the horrors of the Great War; but we find here, too, the rise
of the new Spirit. Western countries were the scene of the
Great War, and there we discover palpable signs of spiritual
regeneration. The war has practically destroyed both formal
Christianity and atheism. If the latter brought about the
catastrophe, the former, though avowedly a religion of love,
failed to avert it. The followers of the Prince of Peace were,
indeed, the chief offenders.

"The old order changeth, yielding place to new,
And God fulfils Himself in many ways
Lest one good custom shall corrupt the world."

It is certain that calamities are sent to shatter the old
order and bring forth the new. They remind us of the terror
and pains which all the Messengers of God have declared to
accompany the Resurrection. If the ethereal specks in their
long journey at some stage have produced animal conscious-
ness which has become evolved into the Chiding Conscious-
ness — conscience in man — our further progress will
universally create the "Soul at Rest" in the coming life. But
the new order must be preceded by some terrible disaster.
This is the Resurrection of the Qur'ān.

1 "And in your own souls (too) will you not then see?" (2:21).
2 "Then We made the life-giving a clot, then We made the clot
a lump of flesh, then We made (in) the lump of flesh bones, then
We clothed the bones with flesh, then We caused it to grow into
another creation, so blessed be God, the best of the creators" (23:14).
3 "And I do not declare myself free, most surely (man's) self is wont
to command (him to do) evil, except such as my Lord has had
mercy on: surely my Lord is Forgiving, Merciful." (12:53).
4 "O soul that art at rest!" (69:27).
5 "So enter among My servants" (99:29).

THE DIVINE DIVAN

O Lord, Thou art my life. No other life
Have I but in and from Thee.
To whom else should I submit but unto Thee?
Thou art the Ruler of the Universe. Thou art my life.

The sun shines; the rains fall; the winds blow;
Bathed in Thy Blessedness, where'er I go,
I feel Thy Peace around me and I know
Thou art the Ruler of the Universe. Thou art my life.

Amidst the myriad mazes of the universe,
From whom should I seek guidance but from Thee?
Thou knowest all, controllest all. From harm, or worse,
Thine Ever-Presence is an instant shield. In Thee
We find our peace and all around behold
Bright beauties blossoming. Lo! delights untold,
Better than gems, before our eyes unfold
From the illimitable storehouse of the All-Wise, Supreme,
The One, the Ever-living. Whose dear Mercies gleam
Around us ever. Yea, the purport of my days,
Thou One Beloved, still is this — to sing Thy praise.

We yield obeisance and our eyes with rapture shine
Thereafter through our lives we hear those notes divine.
Echoing as our hearts beat, "Thine! Thine! Thine!"
O One Beloved, both by day and night
Our cry is still: "O Lord, perfect our light!
"Guide us and help us, make us by Thy Might
"The humble instruments of Blessings and the bastions of
right!"

As we go on our way
From day to day,
Treading the grand eternal way
Mid fleeting moments, fleeting hours and fleeting days, we
pray
To the Eternal Master, Merciful and Mighty: "Teach us to
obey
Thy Voice Attendant, showing us Thy Way."
Happiness, happiness! nothing but happiness
Is it to love Thee, Beloved, in humble submissiveness,
Selflessly doing Thy Will and yielding with instant readiness,
Soon as we hear in our heart Thy Guidance. Ah! the great
gladness,
Lighting our path as we act by Thy Grace, O Thou Giver of
Goodness!

So, as the seasons pass and the years of our life roll onward,
Steadily shines Thy Light, O Thou Beloved Eternal,
Guiding us, cheering us still, as we journey Sunward,
Thou the Eternal Sun of all life, O Beloved Adored,
As, mid Thy Merciful Rays,
We remember Thy Praise,
O Thou Most Bountiful, Loved Adored,
Most Merciful Lord.

William Bashyr Pickard.

THE ISLAMIC REVIEW
CODES REGULATING PERSONAL STATUS AND SOCIAL EVOLUTION IN CERTAIN MUSLIM COUNTRIES*

By M. Borramans

Introductory remarks on the changes in Islamic Law

In a long article which appeared in Ibla (the journal of the Institut des Belles Lettres Arabes, Tunis) on "Law as a Social Force in the Culture and History of Islam", Professor J. N. D. Anderson, of London University, describes as "... more important, in the present context, the de facto results which have been obtained and the juridical bases on which all this has been accomplished ...". He then enumerates several essential points of the Muslim personal status which are affected by the recent reforms. He mentions in passing the "explanations" which have been offered, or the fundamental bases which justify this juridical evolution, the latter being the expression of a profound change in the customs and the way of life or, at least, in the collective ideal set up by the governing élite. He duly pointed out "... the advance made by Egypt in this domain ..." and declared, with justification, that "... the tendency in favour of unified tribunals and a codified body of law easily accessible to all will almost certainly become widespread ".

Since then a number of Personal Status Codes have been promulgated, following the Syrian Code which led the way (17 September 1953). If they are all far from resembling each other, nevertheless they all manifest an effort at the clarification and unification of family law. In fact, it involved putting at the disposal of judges texts which were clear and unequivocal; for, until then, even within the confines of the same orthodox school of jurisdiction, there could be hesitation as to which legal decision was the right one, out of several which were possible. At the same time on the national scale the need was seen for a unification of law and the abandonment of certain facilities and certain abuses which had crept in because of the "duality" in the interpretation of juridical principles. Is it not a fact that in Tunisia any plaintiff-at-law could choose between the Hanifite and the Malikite schools, according to where he considered his best interests lay?1

The Codes in question are the Tunisian, the Moroccan and the Iraqi. With their progenitor, the Syrian Code, they constitute the modern, and in certain chapters the evolved, expression of Muslim family law. They all owe a good deal to the partial and progressive reforms inaugurated by Egyptian legislators in 1920 and 1929 (modifications in the character of alimony, legislation regarding absent persons, and the introduction of judiciary divorce), and also in 1946 (codification of wills), not so much for their tenor as for their methods. But they all have the advantage of bringing them together in one text, unique, clear and understandable. Sometimes they improve on them, and modify them to suit local requirements, in such a way that each Code thus acquires a distinct "personality", a more or less faithful witness of the country which promulgated it and adopted it as a standard regulation for its customs and morals. In this article we will not deal with the Lebanon, where "... the Ottoman form of legislation on Family Rights is still in force ... supplemented in 1847 by the addition of the law on family waqfs", nor with Jordan, where "... the same Ottoman legislation was replaced, in 1951, by the Jordanian Law on family rights ". We will make only a passing reference to Egypt, mentioning the partial reforms which have been carried out, for in that country a Code in the real sense of the word has not been promulgated, though one has been promised for some considerable time.

Our intention is simply to study the four Codes mentioned above, as being milestones in the present-day evolution of Family Law in Islamic countries. We will lay particular stress on those key problems mentioned by M. Anderson: legal divorce at the request of the wife, restriction of the right of repudiation by the husband, restrictions on child marriage and polygamy, and legislation concerning wills and waqfs donations. First of all, it will be relevant if we outline each of these Codes, placing it in its historical background, describing precisely its scope and application, and restating or forming some estimate of its terms of reference. The progress of Family Law can then be dealt with in a logical order: restriction on child marriages, limitation or prohibition of polygamy, evolution of the right of repudiation and of divorce, modifications of succession rights and clauses in wills, and the regulation or suppression of waqfs.

THE CODES CONCERNING PERSONAL STATUS, THEIR APPLICATION AND TERMS OF REFERENCE

The Syrian Law on Personal Status2 was promulgated by the legislative Decree of 17 September 1953, No. 59. Although it constitutes an autonomous body of law, it terminates and brings to completion the Syrian Civil Code already promulgated by the legislative Decree of 18 May 1949, No. 84. It consists of 308 Articles, and brings in a goodly number of additional details concerning numerous points in the Muslim Personal Status. To quote the text: "... the clauses of this Law are applicable to all Syrians, with the exception of those persons referred to in Articles 307 and 308" (Art. 306). Article 308 lays down that this Status applies to Christian and Jewish communities only in matters concerning rights of succession. For all other matters, they are subject to their own religious legislation, for the application of which they have their own individual juridical bodies. "The following are the matters which shall be dealt with by the individual religious laws of the Christian and Jewish communities: betrothals, conditions regarding marriage and its

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termination, matrimonial legal proceedings, payment of alimony, expenses for the maintenance of the children, annulment of marriage, dissolution of the marriage bonds, and finally the dowry and the custody of the children" (Art. 308).

Article 307 enumerates the various circumstances in which the Druze community is exempted from certain stipulations of the Status, because these are contrary to its own individual usages. Here we will quote the article in its entirety, since these "individual usages" sometimes typify certain points of development in other codes. As far as the Druze community is concerned, anything which is contradictory to the following clauses shall not be taken into consideration:
(a) the judge will satisfy himself as to the capacity of the contractants and the validity of the marriage before the contract; (b) polygamy is forbidden; (c) the clauses dealing with the anaqahma declaration and with the sucking of infants are not applicable to members of the said community; (d) if a man has married a girl presumed to be a virgin, and it becomes apparent to him that she is not, if he had had knowledge of this fact before the consummation of marriage he has no right to any claim concerning the dowry or the trousseau; if he acquired knowledge of the fact only after the consummation of the marriage, he has the right to take possession of one-half of the dowry if he wishes to keep his wife in his household, and the whole of the dowry and the trousseau if it is established that the loss of virginity was due to adultery and he wishes to repudiate her; if the husband states falsely that he found his wife in a state of non-virginity and she demands reparation, she has the right to keep in her own possession the dowry and the trousseau that she has received; (e) if the wife is found guilty of adultery, the husband has the right to repudiate her and to recover possession of the dowry he paid and the remainder of the trousseau he supplied; if the husband is found guilty of adultery, the wife has the right to demand a separation and to receive the whole of the arrears of the dowry; (f) the divorce will take place only by the judgment of the Cadi and on a report drawn up on his orders; (g) the divorced woman cannot at any time resume conjugal life with her ex-husband; (h) the will in favour of the heir and the non-heir will be executed for a third and for a total exceeding a third; (i) a descendant who dies before the death of the author of the will will be replaced by his descendants who will receive the share he would have received if he had lived" (Art. 307).

The Syrian Law is thus only applicable in its totality to Muslim Syrians (non-Druzes). It is thus apparent that all its provisions and clauses have been based on the teachings and principles of the Shari'ah (Islamic Law), and that this law remains its sole term of reference as regards its Hanifite development. "For all details that have not been dealt with by the present law, the theory that shall be applied shall be the one which is the most preponderant in the Hanifite doctrine" (Art. 305).

**THE IRAQI PERSONAL STATUS CODE**

The Iraqi Code on Personal Status was promulgated on 19 December 1959. It is prefaced by a long, explanatory statement of its aims and objects, and this enables us the better to fix its relative position and importance, first, in the history of Iraqi legislation, and second, in the ensemble of contemporary Muslim codes. We are told that "... to attain this object (a single code which will gather together the opinions on which unanimity has been reached), the Ministry of Justice, by Decree No. 560 dated 7 February 1959, appointed a Commission whose duty was to prepare a scheme for the establishment of a code on Personal Status. The principles of this Status would be based on those ordinances of the Shari'ah on which unanimity had been reached, on those parts of the laws of Islamic countries considered as 'acceptable', and on specific decisions of Shari'ah juridical authorities in Iraq".

This Code is very precise in form, for the simple reason that it contains only those traditional and modern juridical clauses on which the authorities consulted had been unanimous. Further, it contains only 88 Articles, and is not applicable to Christian and Jewish communities. "The juridical clauses of this Code applied to Iraqis with the exception of those who are exempt by reason of a special law" (Art. 2, Clause 1). But in this connection what is especially emphasized is the difference, henceforward clearly marked, between the "special laws" (meaning special interpretations of Personal Status) and "Public Law". With regard to the application of these clauses to individuals, the Commission (preparatory) has ruled that all Iraqis are subject to them, with the exception of those who are exempted by a special law. So that the Code on Personal Status will be public law, by reason of the principles and ordinances which are implied therein, and the other personal status codes will be private laws. In other words, only this official Code will form the basis of public order. We know its terms of reference: "If there exists no legislative text which can be applied, it will be decided in conformity with those principles of religious Islamic law which are most in harmony with the texts of the Code. In this connection, the courts will base their decisions on those principles which Islamic law has recognized in Iraq and in those other Islamic countries whose laws are similar to those of Iraq" (Art. 1, Clauses 2 and 3).

That is — as laid down in the Explanatory Statement — "the Commission has adopted the clauses of the first article of the Civil Code, after having given them a form which would harmonize with the principles of the religious law. This step has ensured that the texts of this Code are those that are supplied to the questions with which it deals, both in the letter and in the spirit. And if in the Code the judge can find no (relevant) text, he will make a decision in conformity with those principles of religious law which he considers to be most in keeping with the texts of this Code."

Thus all Muslim Iraqis, both Sunni and Shi'a, will be subject to this Code. But according to details brought forward by an Iraqi jurist, it would appear that there is a choice inherent in the present Code. The Shari'ah courts, both Sunniite and Shi'ite, would continue to adjudicate according to their own traditional code of law. Nevertheless, all law suits which are brought before civil courts will be decided only in accordance with the clauses of the present Code, perhaps while awaiting a general unification of courts and codes. Thus the present-day Iraqi Code would constitute only a transitory phase of an evolution still in progress.

**THE MOROCCAN CODE OF PERSONAL STATUS**

The Personal Status Code of Morocco was promulgated per partes (in periodical sections), and became applicable, in the totality of its text, as from 3 April 1958. It is almost as abundant in details as the Syrian Code. It specifies, in 297
Articles, the essential elements of Malikite Family Law, as far as this can be done in present-day language, although it is true that there are certain amendments which encourage and facilitate a social evolution, without, however, deciding this to be effective. This Code is not applicable to Jewish communities in Morocco — in these matters the Talmudic law will still be applicable. Thus in Morocco, as in Syria and Iraq, “Personal Status” is not directly connected with the conception of “Moroccan nationality”. There is one unique nationality, but there is diversity when it is a question of the personal status of individual nationals.

In this connection it is noteworthy that the Moroccan Nationality Code (published in the Bulletin Officiel, 12 September 1958, French and Spanish editions, and on 19 September 1959, Arabic edition) recognizes the existence of “... non-Muslim and non-JewishMoroccans” (Art. 3), and foresees for them a number of special clauses regarding Personal Status. In fact, their personal status is Muslim, except for three things: (a) “... for them polygamy is forbidden” (the reasons for this interdiction are not mentioned). It is also interesting to note that no reciprocity is envisaged for the Moroccan Muslim who marries a non-Muslim woman, who can be polygamous in the way laid down by the present Code; (b) “... the regulations regarding the nursing of infants are not applicable to them”; and (c) “... their divorce must be pronounced legally” (and not by repudiation). In cases of dispute, the law of the husband or that of the father will take precedence” (Art. 7). Thus the Moroccan Code of Personal Status, in its entirety, is applicable to Moroccan Muslims. This is all the more evident from the fact that its term of reference is the Shari’ah (Religious Law), and its development Malikite. “All cases which cannot be decided by the application of the present Code will be decided by reference to the general consensus of opinion or to the customary jurisprudence of the Malikite tribe” (Art. 82).

THE TUNISIAN CODE OF PERSONAL STATUS

The Tunisian Code* was promulgated by a Decree dated 13 August 1956, and put into effect as from 1 January 1957. Originally it consisted of 170 Articles which were fairly brief in their arrangement and wording. On 19 June 1959 a Book IX, entitled Wills and Testamentary Arrangements, brought this number to 199. To complete the ensemble of the body of Tunisian Family Law we must add the Law of 4 March 1958 dealing with Public Guardianship, Private Guardianship and Adoption. This Code was at first applicable only to Tunisian Muslims. Later, the Law of 27 September 1957, ordering the cessation of Rabbinical tribunals, made the Code applicable to Tunisian Jews, who up to that time had been subject to their own personal status legislation. It also made the Code applicable to Tunisians who were neither Muslims nor Jews, who heretofore had been subject, temporarily, to the jurisdiction of French Civil Law. (Article 5, cancelling Article 1 of the Decree of 12 July 1956, and Articles 3, 4 and 5 of the Decree of 13 August 1956). As from 1 October 1957 the present Code is thus applicable to all Tunisian citizens, whatever his or her religion. However, its clauses are not retrospective in respect of legal actions already in process on that date. So that, as in numerous modern countries, both European and non-European, the Personal Status in Tunisia is inseparable from the conception of “Tunisian nationality”. And this is a big step forward when compared with the progress made in neighbouring countries.¹

There is no doubt that its basic principles have been those inherent in traditional Muslim Law. M. Ahmed Mestiri, the then Secretary of State for Justice, pointed this out in his preface to the Code, annotated by M. M. T. al-Sanoussi. He says: “Since Islamic law has as its basis the principles of incontestable justice, of universal scope and character, taking into account all aspects of human nature, and is well suited to serve as a framework of law in all places and at all times — qualities recognized at the International Congress of Comparative Legislation, held at The Hague in 1952 — the legislator has drawn on these principles and, fully conscious of the social objectives appropriate to our epoch, has given us a body of law accessible to all, in a text which is clear and complete”. Taking up the same points, M. Mahmud al-Nabi, President of the Tunis Court of Appeal, pointed out that “... our Code has borrowed most of its clauses from Islamic law, in so far as they are commonly acceptable to all men and where they do not run contrary to the stipulations of other religions. ... Thus it has met with the approval of all, and its application to all Tunisian nationals over the past seven years has given nothing but satisfaction. Further, no one has ever offered the slightest valid criticism.”¹

So that the aim of the Tunisian Code of Personal Status is that it should be a national code applicable to everyone without exception, and doubtless that is why it contains, in contradistinction to the Codes mentioned above, no article making explicit reference to the Islamic Law or any of its academic developments. It is nevertheless a fact that some of its interpretations, and some of its jurisprudence, are directly based on Muslim Law in its various injunctions.¹ This is easily understood when we remember that the Tunisian Constitution stipulates that “... Tunisia is a free State, independent, sovereign, whose religion is Islam, whose language is Arabic, and whose status is that of a republic” (First Article). Being the unique and only Code of the Republic, it is quite naturally its Public Law. Its reforms, which are sometimes bold in conception, are applicable to all Muslim foreigners whose own personal code has not attained to the same degree of evolution, and who might be prohibited by the exigencies of public order in Tunisia, something which would be permissible in their country of origin.²

FOOTNOTES

* Courtesy, the Editor, Ibia, Tunis, 26th year, No. 103, 1963 (third quarter).
2 This possibility was emphasized by the Iraqi Code on Personal Status in its explanatory statement: “In order to arrive at its decisions Shari’ah justice relied on text taken from the books of Fiqh, on the fatwa pronounced in cases of litigation, and on the way in which judgments were rendered by tribunals in Muslim countries. It appeared that the multiplicity of sources consulted by judges in the course of their work, and the diversity of the decisions given, had the following results: family life became increasingly unstable, and the rights of the individual had no longer any guarantee. This state of affairs led to the obvious con-

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clusion that what was needed was a Code which would group together the most important of the Shariah decisions on which unanimity had been reached. With this in view, Commissions were set up which endeavoured to gather together the Shariah decisions and judgments, 2 and unify them into one Code.

3 Mahfoud al-Nabi, “The Evolution of Legislation Dealing with Personal Status in Tunisia” (in Arabic) in Travaux et Jours (Review of Saint Joseph University, Beirut), No. 8, January-February 1963, pp. 106-114, “The duty of the Shari’ah courts, in adjudicating on the Pakistan Personal Status of Tunisian Muslims was involved, was to act in conformity with the regulations of Islamic Law. The tribunals consisted of two Chambers, one for the Malikite rite and one for the Hanafite rite. It was the plan of these two Chambers which Shari’ah courts would decide his case. The defendant in the case had the right to ask for the case to be tried by the other Chamber, and the judge had no choice but to accede to his request. In the face of these furtive proceedings, where so often the very foundations of family life were shaken, and vast sums of money swallowed up, it last became evident that it was time to put an end to the situation. The result was the Law of 23 March 1948, which stipulated (1) that only the Malikite school would deal with divorce litigation concerned with the non-payment of alimony, or with damage or injury suffered by one of the parties, etc, and (2) only the Hanifite school would deal with the following matters: the right of pre-emption, and the right of constraint to marriage of a father over a minor daughter who had reached puberty, and the validity of personal waqf (p. 113).

4 Here we use the French translation published in the Recueil des lois syriennes et de la législation financière, private translation, 5th year, supplement No. 6.

5 For the Iraqi Code, we have recourse to a private translation of the Arabic text which appeared in Al-Qada wa al-Tashri, 2nd year, No. 2, February 1960, pp. 90-98. This Code was annotated at length by Y. Linant de Bellefonds, “Le Code du Statut Personnel irakien du 30 décembre 1959”, in Studia Islamica, XIII, 1960, pp. 79-135.

6 This Code was published per partes in the Journal Officiel Marocain. The Dahier of 22/11/57 authorized Books I and II as applicable from 1/1/58. The Dahier of 18/12/57 authorized Book III as applicable from 1/1/58. The Dahier of 25/11/57 authorized Book IV as applicable from 25/11/58. The Dahier of 20/2/58 authorized Book V as applicable from 20/2/58. The Dahier of 3/4/58 authorized Book VI as applicable from 3/4/58. The French version was published in the Journal Officiel on the following dates: 23 May 1958, 25 July 1958, 7 November 1958 and 20 February 1959. As far as we know, the French translation of Book VI has not yet been published. For this a private transcription of the English text of the Codification of this Code, Lapeyre-Joinville, appeared in the Revue Marocaine de Droit, 1959, pp. 97-125.

7 Cf. Supplement to No. 94 of Faits et Idées, Rabat, for 20 November 1958, p. 9. The author of this note explained the matter in the following way: “These special clauses, concerning non-Muslim and non-Jewish Moroccans, really amount to nothing very much in the end, if we consider the importance of personal status in the daily life of the individual. In the case of a mixed marriage, for example, no form of inheritance is possible for the non-Muslim wife, even though she is of Moroccan nationality, since the Code prohibits all inheritance between a Muslim and a non-Muslim (Art. 228), a prohibition which is equally applicable to the Muslim husband.

“It is to be noted that Morocco is the only country which has, apart from a few restrictions, made its non-Muslim and non-Jewish nationals subject to the Muslim personal status. It is hoped that in the day every Morocan will have a unique personal status. However, this solution is not feasible because, first, the Jews remain subject to their own status, and second, the Muslim Code of Personal Status itself makes it difficult to apply to the Muslim and non-Muslim. So that the unique Code will be diverse in its applications.

“This overlapping of the religious law and the civil law can very often be the cause of numerus clausus, and there is a world where it is logical to assume that the temporal realm, though it cannot be cut off from the values which give it its soul, is none the less a domain distinct from membership of a religious community.”


9 It may be noted here that quite a number of Negro African States which have in recent years attained independence, and have Muslim, Christian and animist populations, have opted or are proposing to opt for a personal status code which would not apply to all nationals. This is the case with the Republic of Mali, which published its Code for Marriage and Guardianship on 3 February 1962 (Law No. 62-17, A.N.—R.M.). It comprises 168 articles, and is based on the following as to certain stipulations of the Islamic Marriages Law. It allows it to declare in its first article that “Marriage is a laic act”. The temporal domain, drawing on spiritual values, emphasizes its distinct individuality, thereby reconciling religious pluralism and the integrity of Personal Status.

10 Mahmud al-Nabi, op. cit.

As evidence of this we need only the two following examples:

(1) In a civil court decision (Supreme Appeal Court) dated 17 January 1961 (No. 319), the Supreme Court refused its consent to child-suckling, we can read, among other provisions, the following: “... seeing that the above-mentioned Code has made no reference to the usual methods of proof provided by Article 420 of the Code of Obligations and Contracts, especially as child-suckling is dealt with by the legislation on Personal Status, and especially as reference is made according to the judicial clauses (which decide these matters) and to its meaning of proof, to Islamic Law and to the Code of Personal Status.”

(2) The objection concerning “mixed religions”, which is not explicitly enunciated in the Tunisian Code (which differs from the other codes mentioned in paragraph 7 by the refusal to recognize the marriage of a non-Muslim woman with a non-Muslim; cf. the Syrian Code, Article 48, 2nd Clause; the Moroccan Code, Art. 29, 4th Clause; and the Iraqi Code, Article 17) can be reconsidered by the restrictive interpretation of an ambiguous expression of Article 5, which reads as follows: “Further (the two would-be spouses) must not belong to one of the categories whose marriage is prohibited by law (Mawdår Shar‘iyah).” The expression allows an elastic interpretation of the word “law” (shari’a) understood as the “Muslim law” (here enunciated): in this case, prohibition not being implicitly mentioned in the Code, the marriage of a Muslim woman with a non-Muslim can become a possibility. It also allows of a restrictive interpretation: the interpretation currently in this Code, Lapayre-Joinville, appears in the Revue Marocaine de Droit, 1959, pp. 97-125.

11 It is to be noted that Morocco is the only country which has, apart from a few restrictions, made its non-Muslim and non-Jewish nationals subject to the Muslim personal status. It is hoped that in the day every Morocan will have a unique personal status. However, this solution is not feasible because, first, the Jews remain subject to their own status, and second, the Muslim Code of Personal Status itself makes it difficult to apply to the Muslim and non-Muslim. So that the unique Code will be diverse in its applications.

“This overlapping of the religious law and the civil law can very often be the cause of numerus clausus, and there is a world where it is logical to assume that the temporal realm, though it cannot be cut off from the values which give it its soul, is none the less a domain distinct from membership of a religious community.”

12 Al-Hadi al-Mihisrî, “The Personal Status of Foreigners” in Al-Qadd wa al-Tashri, 1st year, No. 4, April 1959, pp. 228-330: “Foreigners are not allowed to invoke the clauses of their own Personal Status when these run contrary to public order in the territory of the Republic. Such would be the case of a legal process aiming at the validation of a marriage contract with a second wife (the foreigner), quoting as authority the law of his country which allows this latitude (ibaha) bequeathing his estate to this second wife; obtaining a court decision in his favour regarding the payment of alimony, etc. ‘It is not lawful (la yajuzu) for a foreigner to repudiate his wife unless the judge has given a decision on this, even if this were permissible (mubah) according to the usage in his own country, for by so acting he would contravene Tunisian public order.”

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THE TECHNOLOGICAL PROGRESS OF SU'UDI ARABIA

THE PETROLEUM AND MINERALS COLLEGE

Su'udi Arabia is a country rich in oil and other mineral resources. It is one of the world's leading oil exporting countries.

The Su'udi Arabian Government realizes the need for qualified national technicians and experts in the utilization of the country's wealth and the development of its industry. It sends hundreds of students on educational scholarships abroad to specialize in various technical spheres. It has also opened locally many schools for agriculture, technical institutes and scientific colleges.

Among the new colleges opened in Su'udi Arabia is the very modern Petroleum and Minerals College of Dahran. This college is designed to be the nucleus of a modern petroleum college that matches the major colleges of its kind in the world.

The college is an independent organization

The Petroleum and Minerals College, as mentioned in one of its publications, "is an independent organization, not subject to governmental regulations except as provided for under the regulations of its foundation. The motive behind this is to keep it away from routine complications, and enable it to keep pace with scientific development."

The college, as outlined in the Royal Decree, is to organize studies and researches in petroleum and minerals and disseminate knowledge about petroleum and minerals throughout the kingdom, and to supply the country with technicians needed for different plants of the petroleum industry.

The Board of Directors

The Board of Directors is composed of 11 members, eight of whom are high Government officials in Su'udi Arabia. They are: H.E. the Shaykh Ahmad Zaki Yamani, Minister of Petroleum and Mineral Resources (Chairman); H.E. Mr. Hisham Nazir, Deputy Minister of Petroleum and Mineral Resources; H.E. Dr. 'Abd al-Hadi Tahir, Governor of Petroimin; H.E. Dr. Fadil Qabbani, Deputy Minister of Petroleum and Minerals for Minerals Affairs; H.E. Mr. Hamid Damanhuri, Deputy Minister of Education for Educational Affairs; H.E. Dr. 'Abd al-'Aziz al-Khuwaiter, Dean of Riyadh University; H.E. Dr. Saleh Ambah, Dean of Petroleum and Minerals College; and H.E. Mr. Ibrahim al-Saqqa, General Director of the Ministry of Finance. The remaining three members are non-Su'udis. They are: Dr. Norman Burns, President of the American University of Beirut; Dr. Harold Hazen, the Dean of the Massachusetts Institute of Technology (Post-Graduate Studies); and Mr. Jean Favre, Director of the Public Relations Department in the Institute Français Petrole.

Classes and enrolment

Teaching started at the college on 3 October 1964, following an entrance examination of about 200 applicants, 52 of whom were enrolled as scholars at the college. Afterwards, 15 Algerian students joined the college with special scholarships granted by the Su'udi Arabian Government. Thus the total number of students at the college is 67.

The college enrolment conditions are: the applicant should be a Su'udi Arabian citizen; he should have completed his secondary education with a final average of 70%; and he should also have passed entrance and medical examinations.

Education at the college

The college has a three-year course. The first year consists of a preparatory one, devoted to the English language and general mathematics, physics and chemistry. During the following two years the student concentrates on basic scientific subjects which he needs for his future years of specialization. Following the three years of study at the college, the student is sent abroad to one of the various institutions which have agreed to accept the Su'udi college's graduates in their intermediate courses. After two years of successful work there the student earns a B.Sc. degree in engineering.

This is, however, a temporary arrangement until the college completes its plans. It would then be able itself to grant its students a full Bachelor Degree. The college also plans to have a post-graduate school.

It is proposed to establish an "Institute of Technology" which will accept students of intermediate education, for four to five years, and prepare them to become well-trained technicians with a view to assisting petroleum engineers in various petroleum and mineral operations. It is also decided to introduce a "Scientific Research Division" with a view to undertaking useful projects like utilizing sea-water, stabilizing sand dunes, etc.

The language laboratory

For teaching English the college has an English "laboratory", which is considered one of the most modern laboratories of its kind in the Middle East. This laboratory accommodates about 40 students, each of whom has his special partition. In his partition, the student has a tape-recorder, a receiver and a microphone, all connected to the teacher's desk. On the teacher's desk there is also a similar set that enables him to converse with the students all together or to each one of them.
Some Views of the Petroleum and

Above — His Majesty King Faysal at the University of Riyadh.

Top left — A general view of the hostel for students. All units are air-conditioned.

Bottom left — A physics lecture conducted by a professor.

Bottom right — The English language is taught with modern methods, using tape recorders and interactive software.
ineras College, Dahran, Su'udi Arabia

inauguration ceremony of the Petroleum College

large estate near the College for staff and student and well furnished

an experiment on how sound and radio are transmitted

oil and Minerals College, Dahran

laboratory’ at the College, the most
effective students are taught English by using
radio receivers

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Following the classroom instruction, the student uses the language laboratory to practise what he has learned in class.

The language laboratory is composed of two parts — one for listening to the teacher and learning the right pronunciation, and the other for recording. Each student can play back the tape, listen to his own recording and compare his sentences with those on the master tape. In this way he detects his wrong pronunciation and corrects it by himself.

The chemistry and physics laboratories

The College also has well-equipped laboratories for physics and chemistry. The laboratories have, in addition to their various experimental apparatus, a movie camera and a collection of films in which some well-known scientists give demonstrations which would be difficult to give in an ordinary laboratory.

Privileges for students

Among the privileges the college student enjoys are:
getting SR.350.00 (£30) pocket money per month, and free accommodation in comfortable houses in which rooms are air-conditioned and well furnished. Each house has four rooms and a kitchen, and each room accommodates two students. In addition, the college has a good cafeteria for its students which offers good meals at cheap prices. The college also gives the necessary books to students and medical care free of charge.

Social activity at the college

The college encourages social activities among its students so that they are trained to shoulder their responsibilities. With this in view the college has a special division called the “Division of Students’ Affairs”, which is in charge of the students’ activities under the Dean’s supervision.

Sultan Husain Shah of Bengal:
An Inscription in the British Museum

By S. M. HASAN

An exquisitely carved inscription of Sultan Husain Shah of Bengal exists in the British Museum in a tolerably fair condition. It forms one of the finest specimens of sixteenth century Bengal epigraphy. Consisting of three lines of harmoniously arranged Arabic writing, disposed of calligraphically, the stone slab measures 2 ft. in length, 1 ft. in height and 4½ in. in thickness. It is boldly relieved in the usual Raj-Mahal black basin and divided into three independent panels by horizontally raised bands, and carries beautiful Naskh script. The translation of the text is as follows:

“Allah the Most High says, ‘He who does a good deed will have a ten-fold award for it’. This Saqayah (drinking fountain) was built by the learned and just Sultan ‘A’la-ud-Dunya wa al-Din Abu al-Muzaffar Husain Shah, the Sultan, son of Sayyid Ashraf al-Husaini, may Allah perpetuate his reign and Majesty, and elevate his authority and dignity. In the year nine hundred and ten.” [A.H. 14 June, 1505 C.E.]

This inscription records the benevolent activities of Husain Shah, the last great Bengal sovereign to wield dominating power, and the celebrated patron of the arts and letters. Specifically, the slab refers to the construction of a fountain shed for drinking-water, for use by travellers and passers-by. Curiously enough, this important monumental record escaped the notice of many great antiquarians and scholars, like Creighton, Buchanan, Franklinc, Westmacott, Blochmann, Ravenshaw and Ilahi Baksh, all of whom visited the ancient sites of Gaud and Hazrat Pandua. However, ‘Abid ‘Ali traced this inscription and found it fixed over the gate of a recently built Mosque in Haiderpur in Englishbazar, Malda. He writes: “The local story is that the slab was found lying on the ground in the house of one Ambika Charan Das of the village Miradel near the shrine of Akhī Sirajuddīn, known as Piran-i-Pir. From this place it was removed and set up on the Mosque by two Muhammadans of Hiderpur.” The village has been shown by Rennell in his Map of Bengal as “Meeadul” just below Purana Goamarī. The village is situated near the tomb of Makdum Akhī Sirajuddīn, commonly known as Purana Pir (the Old Saint), at the north-west corner of the Sagar Dighi. Dani considers that originally it was struck in the tomb of the saint Akhī Sirajuddīn from which it was removed to Miradal, thence to Hiderpur. Mr. Shamsuddin Ahmed incorporates this inscription in his book, “Inscriptions of Bengal”, merely copying from ‘Abid ‘Ali’s Memoirs of Gaud and Pandua.

This British Museum record of Husain Shah, who ruled from 899 A.H. to 925 A.H. (1493 to 1519 C.E.), is one of the innumerable inscriptions struck in the different parts of his far-flung Kingdom. They evidently indicate an age of great architectural activities, attesting to the construction of mosques, mausolea, gateways, drinking sheds, bridges, etc. His reign represents the classical phase of building art in Bengal. In calligraphy, his inscriptions not only mark the consummation of the Tughra style but also demonstrate a wild fantasy of ornamental designs.

2 Rennell, J. North Eastern Frontier, Bengal, including Sikkim, Bhootan, Assam, Garrow, Cossyah, Iyantea and Naga Hills, Dinajpur, Darjeeling, Rungpoor, Sylhet, Cauchar, Cooch Bihar, etc. Scale 8 miles=1 inch.

THE ISLAMIC REVIEW
‘Id al-Fitr in Indonesia

What fasting means in Islam

In Indonesia, as in many other Muslim country, the ninth month of the Islamic calendar, Ramadan, is observed as a holy month. One of the reasons why it is held holy is because on the 17th day of Ramadan the first surah (chapter) of the Qur’ân was revealed to the Prophet Muhammad. In addition, since the principal form of observance during Ramadan is the keeping of the fast, it has become usual for Muslims to refer to this period as the month of fasting.

All Muslims are required to abstain for thirty days during Ramadan. The abstention is, of course, limited. It lasts from the first sign of daybreak, or from the moment one can, to use the words of the Qur’ân in this connection, “distinguish a black thread from a white one,” to sunset. During this period, the fasting Muslim may not eat, drink, smoke or indulge in other worldly pleasures. The fasting rule does not apply to children. The sick, those on a journey, soldiers in time of war and the like are also exempted from this rule. However, they are required to compensate and fast for an equal number of days at some other time. Fasting is forbidden on the two great feasts of 'Id al-Fitr and 'Id al-Adha. The Prophet also disappeared from anybody fasting if he was not perfectly fit to do so; one should not fast to the extent whereby one impairs one’s health or renders oneself incapable of carrying on one’s ordinary tasks.

At sunset the Muslim breaks his fast, and it is customary to have a light refreshment shortly before the main meal. Later in the evening they say the tarawih prayers which are sunnah (optional) and held after the fifth obligatory prayer. The last meal of the day during the fasting period is named sahur and taken just before daybreak, or before imsak, the moment fasting is resumed. Every night during the Ramadan, criers go around beating small drums to awake people for the sahur. In many places the crier goes up the mosque tower and cries out the azan, the call for the first prayer, and also for the sahur.

During the fasting month, life slows down in daytime. The schools have their fasting holidays. Many shops and eating houses remain closed. The streets are deserted, especially in the afternoons, when people prefer to stay indoors because of the heat. After sunset, the streets become alive again; shops and eating-houses open up; food-vendors fill the street, loudly advertising their goods. People walk home from the evening prayers at the mosques, and often they stay outdoors for a while to enjoy the cool evening air and to have a chat with the neighbours. During the Ramadan it is also common to recite verses of the Qur’ân in the mosques and langgar (small prayer-houses) till late in the evening. No festivities may be held in the fasting month, no weddings or other parties. Ramadan is the month of total abstinence for the Muslim.

The change of atmosphere is more apparent in the smaller villages, especially those in the regions where Islam is prevalent. In the bigger towns, life goes on as usual.

How ‘Id is celebrated in Indonesia

The night before the first of Shawwal, the tenth month of the Muslim calendar, marks the end of the fasting period. In the mosques and langgars, takbir or songs of praise to God the Almighty are recited, sometimes for three to seven consecutive nights. Mosque drums or bebeg are beaten throughout the whole night, which is, of course, less pleasant for those who live nearby. Often the youngsters hold competitions

President Sukarno amongst the people during ‘Id al-Fitr prayers in Djakarta

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to see who can beat the drums loudest and longest. Fireworks and “sparklers” are lit.

The following day is ‘Id al-Fitr or Lebaran holiday, the feast following the end of fasting. Early in the morning, dressed in their best clothes, people assemble in the mosques and public squares to start the day together with prayers of thanks to God. By custom, the women do not pray together with the men. These prayers, called the “al-‘Id” prayers, are non-compulsory. Afterwards, the khatib or leader of the congregation delivers a chotbach or public address. Then the congregation exchange good wishes and ask each other forgiveness for any offences given during the past year, whether wilfully or inadvertently. A special committee distributes money, food and clothes to the poor. The money, food and clothes have been given the night before by the more fortunate members of the community in order to fulfil one of their obligations as a Muslim, the zakat. Lebaran is also the day to visit the graves of deceased relations, which have been rather neglected during the last month, for the Muslim may not go to cemeteries in the fasting month.

Lunch is a festive affair, with the whole family gathered together. Extra cooking is prepared: ketupat, rice cooked in plaited bags of young coconut leaves; lontong, also rice but cooked in small columns of banana leaves; nasi gurik, rice prepared with coconut milk; and a host of accessory dishes. Biscuits and cakes are baked long before Lebaran. In many places it is the custom to bring some of the cooking to neighbours, friends and relatives. They,

in turn, will do the same. Another reason for the extra cooking, enough for two or three days, is the fact that during those days nothing is to be had at the markets. The vendors stay away to celebrate Lebaran at home with the family.

Housewives preparing ketupat for the ‘Id al-Fitr feast

Beating the drum to call the pious Muslims up for prayer

The festival is an occasion for younger people to ask their parents and grandparents for forgiveness for their past offences.

Lebaran is indeed a feast to celebrate at home with the family. Children ask their parents forgiveness for past offences. In many places the children kneel down in front of their parents and grandparents and make the sungkem showing their homage and asking for blessings for the coming year. For the same reason the younger people visit older relatives, who will later return the call.

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THE ISLAMIC REVIEW
Muslims in Arakan (Burma)*

A Brief Study of the Rohingyaas, a Muslim Racial Group of Arab Descent in Arakan

The Rohingya Poet, Alawal

By BA THA (BUTHIDAUNG)

“At a time when other indigenous races such as Tibeto-Burmans, Tai-Chinese and others were infiltrating into the fertile valleys of Burma, Arab traders who commanded both Eastern and Western waters in those days had also found Arakan a suitable land, and the local chiefs, who were very few in number, honoured these traders and warriors by giving them high positions and allowing them to inter-marry into high families, and by such inter-marriages and ardent missionary work Islam became so powerful that it became a living force not only in Arakan but also in other parts of Burma. . . . Many old religious edifices and buildings which are regarded as the legacy of influences of the Islam of those days are still found in Arakan” (M. A. Ghaffar).1

Introduction of Islam by the seafaring Arabs into Burma

History says that the early Muslims had entered Arakan firstly through its coastal parts and secondly through its mountain passes. They were the races of Arabia and India. They came to Arakan as traders, missionaries, warriors and refugees. They were welcomed and well treated by the Arakanese kings because of their honesty, loyalty, bravery and the good services rendered by them.

Arakan saw the light of Islam very early in Islamic history through an intimate contact with the Arab warriors, sailors, merchants and missionaries who used to call at the old ports of Arakan. The Arabs were a trade-loving nation and for the purpose of commerce, trade and missionary work they travelled from one country to another. In the 8th century C.E. Burma was a ready and good market for the indigenous industries and products. As there was barter system in force and no currency bar, the Arabs found a very good harbour along the coastlines of Arakan for the purpose of trade. Arakan, as history tells us, became a developed and economical country establishing active commercial relations with Arab traders. The Arabs being traders were expert in sea-piloting and commanded both the Western and the Eastern waters. The Arabs, who were masters of the Eastern seas from the 8th to the 16th century, not only had heard of Arakan and the Delta Region of Burma, but also visited them.2 During this period their influence was very strong and they controlled the maritime trade between the Persian Gulf and China, including Arakan. At that time Burma was known to them as Arakan and Lower Burma.3 The Arab geographers, missionaries and historians Ibn Khurdadbeh (844-848 C.E.), Sulayman (851 C.E.) and Ibn Faqih (902 C.E.), named Arakan and Lower Burma as Rahma.4 Their 9th century writings mention its products such as cotton, yak tails, velvet, woods, aloes, rhinoceros and precious metals — gold and silver.5

During the reign of Maha Sandra, who ascended the throne of Waithali in 788 C.E., several merchant ships were wrecked on Ramree Island. The crews were Arabs. They were sent to Arakan Proper and settled in villages.6

The king, Maha Sandra of Arakan, favoured them in every respect. They were expert in trading. They could go easily from one place to another by small local boats. Arakan is a fertile and agricultural country; therefore they did not return to their motherland, Arabia, but made their homes in the villages. They intermarried and intermixed with the indigenous races of Arakan, who changed their religion and became Muslims. They adopted the nationality of their wives and transferred their properties to them (wives). They had discarded their seafaring lives and turned to agriculture. They built mosques and started missionary work.

Some Arab and Persian missionaries

Muhammad Hanif, one of the warriors and missionaries of Arabia who came to Arakan in about 680 C.E., defeated Koyapuri, the beautiful queen of the cannibals living in the dense forests of North Arakan. Converting her and her subjects to Islam, he sought her hand in marriage.7 Amir Hamza converted King Gaulgongyi, whose territory was known as Kalapanzin Valley in Buthidaung township. He also conquered Arakan,8 but the Hindus regained their kingdom because their immigrants from Bengal were greater in number.

The Persians followed the footsteps of the Arabs. They also brought with them the religion of Islam, and by inter-marriages with those Arab settlers and through wilful conversion Islam became a living force in Arakan.

* This article is based on the book The Loyal Rohingyaas by Ba Tha but under the different pen name of M. A. Tahir Ba Tha.
1 M. A. Ghaffar, My Activities in Parliament and Outside, Part II, pp. 27 and 28.
2 G. E. Harvey, History of Burma, p. 10.
3 Ibid., p. 10.
4 Ibid., p. 10.
5 Ibid., p. 10.
7 M. K. Rahman, Burma Muslims, p. 25.
8 Ibid., p. 24.
The culture of Islam has many facets and some special features unknown to the people of Arakan. In Arakan these Arab and Persian missionaries came across a civilization which was completely opposed to the outlook of Islam in many respects. Before the 10th century C.E. Arakan was an Indian land, the inhabitants of which were Hindus similar to those of Bengal. These Hindus had developed highly the thoughtful and reflective arts. But doubtless the caste system as in India had taken root in them, under which life had little to offer to the lower classes. The power of the Brahmans had become cruel and unjust. Although they upheld the better ideals in religion their rules of caste became more and more strict and severe. The religion of the new school became the exclusive control of the Brahmans. They widened the gap between the lower and the higher classes. The knowledge to be acquired and the profession to be adopted in human life was determined by the caste system. The society of the inferior classes was under the injustice of the higher classes, who shut all doors of learning against the lower classes. They also barred the way which led the lower classes to a higher life.

All these distinctions are unknown to Islam. It gave the liberty, equality and opportunity for social, economic and development to the people who were suffering from the caste system, and it came as a revelation from on high. Its missionaries like Muhammad Hanif, Amir Hamza, Badar Shah, Babajee Shah, Hydar 'Ali Shah, Nurullah Shah, Afzal Shah, Gulmul Shah, Sikandar Shah, Kalasee Meah Shah, Husayn Shah, etc., in Arakan were men of zeal who brought the gospel of the unity of God to the neglected people, and it also brought the noblest idea of the brotherhood of human beings. It also offered a free entrance into a new social organization to the people who had willingly changed their religion and become Muslims. The prince and the peasant began to pray together in the same place of worship. They could sit in the same ranks. There was no difference of positions in the House of God. There is no other institution in the world which has the same influence in levelling out all distinctions of colour, race, caste, wealth, poverty and rank, and making people realize that all humanity is one.

The Mongolian invasion of 957 C.E. brings into being the Arakanese race

In Burma no other Muslim settlement can be found earlier than those of Arabs and Persians. These Arabs and Persians settled in Arakan even before Mongolians or Tibo-Burmans entered and made their kingdom in Arakan in the 10th century C.E. The Tibo-Burman or Mongolian invasion in 957 C.E. changed the country from Indian to Arakanese. It destroyed the Waithali kingdom. They placed Amiathu as the first king of the Tibo-Burmans on the throne, killing Sula Sanda, the last king of the Sandra dynasty of Waithali. They also brought the Pala dynasty of Bengal to an end. In Bengal the Hindus regained their kingdom in a few years. But in Arakan the Tibo-Burmans increased their number by recruiting more of them from Burma Proper, and the influx of Mongolian immigrants was decisive. They became more powerful and stronger than before. So the Hindus of Waithali failed to regain their ancestral kingdom in Arakan.

The Mongolians looked East and they cut Arakan away from India. They intermarried and intermixed with the Hindus, who were assimilated by them in the first or second generation, creating the Arakanese race. The history of Arakan in connection with the Arakanese began then and lasted eight centuries until 1794, when the country was annexed by Bodawpaya (1782-1819).

After the 10th century C.E. the religion of Islam spread at full speed all over Arakan, and it had dotted the coast from Assam to Malaya with curious mosques known as Badarmokans. There is still a Badarmokan revered by all communities in Akyab. The descendants of these early Arab settlers and converts formed a group orthodox to the extreme, retaining Islamic names, faith and culture. This group is known as the Rohingya, who later spread all over Arakan, mainly the Mayu and Akyab districts, these being more fertile than other parts of Arakan. The word Rohingya is derived from the Arabic original word Rahmah, which means kindness.

The invasion of Arakan by the Pathans from India

In 1429 C.E. Arakan was invaded by Wali Khan, the commander-in-chief of 20,000 Pathans of Nazir Shah of Bengal (at that time Bengal was under the Sultans of Gour), and he made Narameikha, the exiled king of Arakan who had taken shelter in Bengal and remained there for more than twenty-six years king of Arakan. But later joining with a discontented Arakanese chief, Anandathein, Wali Khan kept Narameikha in restraint and ruled over the country for one year and made it an Islamic kingdom. He sent some of the Pathan soldiers to the frontiers such as Maungdaw, Buthidaung, Akyab, Ramree and Sandoway for offensive and defensive purposes, and adopted Persian as the court language and also appointed qazis (administrators) for Islamic administration. Since then the qazi system has been in force in Arakan. Some of the famous qazis of Arakan were Daulat Qazi, Nala Qazi, Gua Qazi, Shiuia Qazi, 'Abd al-Karim Qazi, Muhammad Husayn Qazi, 'Usman Qazi, 'Abd al-Jabar Qazi, the Maulavi 'Abd al-Ghafoor Qazi, Muhammad Yusooq Qazi, the Maulavi Raushan 'Ali Qazi, Noor Muhammad Qazi and Zaynul Ahmad Qazi, who was the grandfather of the writer of this article.

However, Narameikha escaped from the restraint and ran away to Bengal, and with the assistance of another force under the command of Sandikhan sent by Nazir Shah, Narameikha was reinstated in 1430 C.E. on the rightful throne of Arakan. He placed this Pathan force in the neighbourhood of the capital and on the frontiers of Arakan and on the various strategical points on the banks of the Lemyo, Mingan, Kaladan, Mayu, Kalapanzin and Naaf rivers for offensive and defensive measures. With this force Nazir Shah also sent two Chief Ministers by the name of Sattar Khan and Razu Magi. From then Arakan became the vassal of Sultans of Gour for one hundred years and the Arakanese had to learn the history of Islam and Muslim rulers of India and westwards beyond who were Mongolian Muslims while the rulers of Farther India, including Arakan and Burma, were Mongolian Buddhists. It took the Arakanese a hundred years, from 1430 to 1530 C.E., to learn the doctrine.

9 D. G. E. Hall, Burma, p. 57.
11 Ibid., p. 488.
12 Harvey, History of Burma, p. 137.
13 Burma Muslims, pp. 27 and 28.
14 Arthur P. Phayre, History of Burma, p. 78.
15 Burma Muslims, p. 102.
16 Phayre, History of Burma, p. 78.
17 Burma Muslims, pp. 104 and 105.
18 Sayadaw U Nyana, Danyawaddi Razawinhtik, p. 172.
19 Burma, pp. 51, 52, 57 and 58.
from the Mongolian Muslims. During those hundreds of years of domination, the Arakanese kings paid tribute to the Sultans of Gour and learnt history and politics, and they became proficient in their Muslim studies during the reign of Minbin (1531-1555 C.E.).

Many high-ranking positions such as those of ministers, generals, doctors, etc., were held by the Rohingyas and Kaman. The Kaman is a Muslim group living in Arakan. They are the descendants of the followers of Shah Shuja, who took refuge in Arakan with the Arakanese king Sandhatudamma (1652-1684 C.E.) in 1660 C.E. This help of the Sultan Nazir Shah to Naremeikha, however, paved the way for the Muslims to strengthen their footholds and ties on Arakan. The Arabs and the Persians settled down there between the 7th and the 16th centuries, and the Pathans and the Moghuls between the 15th and the 17th centuries, and other Muslims from India during the reign of the Myauk-U dynasty.

The Arakanese adopt some Muslim ways of life

The Pathan force built historical edifices such as mosques, of which Sandikan Mosque of Kawa lung, near Myo haung, still exists. They started mission work like the Persians, though they were soldiers. Islam became stronger than before and many Arakanese became Muslims and the children of mixed marriages between the Europeans and the Arakanese women were brought up as Muslims when they were left in Arakan by their European fathers, who smuggled their mothers out of Arakan in large Martabang jars, as the foreigners residing in Arakan and even the visitors to the country were prohibited to take with them their wives and the children of such mixed marriages when they left the country, though they were allowed to make temporary alliances with the Arakanese women. Arakanese kings kept Muslim titles in addition to their own names — Min Khari (1433-1459 C.E.) was known as 'Ali Khan, Bo Saw Pyu (1459-1482 C.E.) as Kalima Shah, Minbin (1531-1553 C.E. as Zabek Shah, Min Phalaung (1571-1593 C.E. as Sikandar Shah, etc., and they even issued medallions and coins bearing the Kalima, the Muslim formula of faith, in Persian script. The Myauk-U coinage which played an important part in the history of Arakan was designed on the model of the Muslim coinage, which had opposite characteristics. It is of an inscriptive design. It does not carry a portrait figure, which the Waithali coins or Hindu coins of Arakan do. Arakanese women adopted the Purdah system. The court ceremonies were also Moghul style and many terms apparently current at the Royal Court of Arakan were Persian in form, while Persian literature was in use in Arakan. Inscriptions were inscribed in Arabic and Persian languages, which are still found in Arakan. Some of them are displayed in the Myo haung National Museum. The relics and ruins of the architects of the Rohingyas and the Kaman are still found with inscriptions in Arabic and Persian languages, which are a tangible evidence of the Muslim domination over Arakan in different periods of the history of the country.

There are still many villages in Mayu and Akyab districts bearing an Arabic name side by side with those of Arakanese, and to quote a few instances in Arabic Nurullah village (Tetchau Ywa), Arabshah village (Hlapaw Ywa), Hanifah Tanki (Maungnhama Ywa), Bandar village (Baudwet Ywa), Nine out of ten villages of Akyab town itself bear Muslim names, such as Barasah, Nazir Para, Kathit Para, Amla Para, Mauleik Para, etc., and several roads also carry Muslim names, such as Kadans Road, Kadir Road, Mauleik Road, etc. Even the name of the present Akyab itself is a Persian name given by the Prince Shah Shuja' while he was proceeding from Bengal to Myauk-U (Myo haung) via Maungdaw and Akyab, which is a corruption of the Persian words Ek-aab, one water or one island. In fact the very name Arakan is a corruption of the Arabic original word al-Rukhn, meaning the foundation of Islam in Burma, given by Ibn Battutah.

During the latter part of the 17th and the early part of the 18th centuries the influence of the Pathan Cavalry Escort and Eunuch Swordsmen and the Kamans (Archers) was so strong that they made and unmade ten kings at will between 1684 and 1710 C.E. whose reigns averaged 2½ years each. In 1692 C.E. they burnt the palace and haunted the country for twenty-six years. They carried swords, bows, arrows and flambeaus with them wherever and whenever they went. If any one of them drew his sword in anger in an Arakanese village the villagers ran away in fright.

The Rohingyas' distinctive habits and ways

The Rohingyas are of the Sunni school of thought, and take pride in their Arab descent. They are very strict in their religious performances, and in every village there is at least one mosque. Though the Arakanese and the Rohingyas have lived together for centuries, their cultures have remained distinct. The Arakanese and the Rohingya villages have also remained separate. Even in dress they are distinctive. The Arakanese wear head-scarfs (gaung-baung) while the Rohingyas wear toopes (caps) at present. The Rohingya Maulavis cut their hair to a certain length and allow it to fall back on the nape of their necks. Although the Rohingya women dress in Arakanese habit, they wear shawls, drapes and gaung-passoes which are of more ample form than in use amongst Arakanese women, and they also wear belts. The Rohingyas keep separate clothes for the purpose of prayers. In matters of food the Arakanese are more fond of pork, while the Rohingyas prefer meat and beef if slaughtered in accordance with Islamic requirements. They abstain from pork and drink no intoxicants.

Before the British rule in Arakan and Burma the Rohingyas' distinguished marks of nationality were turbans and long hair, but during the British rule a mixture of English and Indian civilization and culture took place in the Rohingya society, and marks of nationality were removed by European and Indian teachers, who made them adopt European and Indian forms of dress. Therefore the Arakanese are shouting at the top of their voices that the Rohingyas still remain alien, particularly Indian, in dress, habit and culture. As the birds are known by their feathers so also the nationality of a race or sect can be judged by its dress, language and culture. It is time now, therefore, for them to reform the dress of their ancestors.
They were not accustomed to keep Arakanese or Burmese names. But in imitation of the Kamans (Kamans keep Arakanese or Burmese names) and Burmese Muslims, and as today they are learning in Anglo-Vernacular schools, they use Arakanese or Burmese names in addition to their own, on account of the non-Rohingya teachers, especially Arakanese, who cannot pronounce Rohingya names properly or correctly. In those schools where there are no Arakanese teachers they do not appear to keep Arakanese names. If they keep them it is an admixture of the Rohingya and the Arakanese, such as Ahmed Maung Maung, Saleh Tun Sein, etc., which is also not suitable. It is better for them to take pride in that the Arakanese kings once had used the Muslim titles while they were vassals of the Sultans of Gour. The Rohingyas are not the vassals of the Arakanese.

The Rohingyas of North Arakan dislike to intermarry and intermix with the people of other religions. If any one of them has intermarried into a non-Muslim family he or she is expelled for life from the Rohingya society, as a Muslim cannot marry a non-Muslim in accordance with their religion. So the parents take care of their young sons and daughters, and give them to suitable Rohingya girls and men in marriage by a go-between system when they are of a marriageable age. The brides and bridegrooms are not allowed to meet each other freely before marriage. They celebrate their marriage ceremony in as splendid a manner as possible. An elopement is unknown in their society. Parents are always careful to prevent their sons and daughters falling in love with whom they do not agree. If any elopement takes place in a family it is always looked down upon by other families.

Many Arakanese sometimes say that the Rohingyas are Chitagonians or Kalas as they are similar to the East Pakistanis in appearance; but they are distinct in habit, culture, dress, names and language and literature. If this logic is applied we may expect to hear from the West Pakistan that the Chitagonians or East Pakistanis are Rohingyas because they are similar to them. In this connection Anthony Irwin writes: "They (Rohingyas) are generally known as Bengalis or Chitagonians, quite incorrectly, and to look at they are quite unlike any other product of India or Burma that I have seen. They resemble the Arab in name, in dress and in habit. The women, and more particularly the young girls, have a distinctive Arab touch about them. They wear bright red shawls and dresses, and hide their faces from the Unbeliever... and have long, straight black hair. As a race they have been here for two hundred years, coming at first in twos and threes."[36]

The literature, language and script of the Rohingyas

The ancestors of the Rohingyas use Arabic script, and have literature of their own. They have had time and leisure to develop their artistic and cultural talents. The present spoken language of the Rohingyas is an admixture of Arabic, Persian, Urdu, Bengali and Arakanese. The admixture in their dialect came to be adopted as they are a border race, and this generally happens with all other border races of the Union. Their language is quite different, as in the case of other indigenous races of the Union of Burma, and has continued to draw inspiration from Islam. Their literature and culture have developed on individual lines mainly influenced by Islamic traditions. During the subsequent centuries their literature was continuously enriched by their poets and writers. Their literary books written in Arabic script were saturated with Arabic, Persian, Urdu and Bengali words and phraseology, and could be easily understood by the people who knew Arabic, Persian, Urdu and Bengali. These books are still found in Arakan. One of them is in my possession.

During the Myauk-U dynasty one of the most important duties of the Muslim ministers in the Royal Court of Arakan was to choose the best Muslim names for the Arakanese kings when they ascended the throne, and encouraged the Rohingya poets and writers to write literary books for the improvement of education and culture of the Rohingyas. Some of the famous Muslim ministers in the Royal Court of Arakan were Sulayman, Mualallis, Sayyid Musa and Ashraf Khan. Magan, the Prime Minister of Sandathudamma (1652-1684 C.E.), was also a Muslim. The people of Arakan spoke highly of him because of his cleverness and education, and he had no partiality, nor did he take part in the Shah Shuja’s revolt nor supported him. Sayyid ‘Alam Shah, ‘Ali Bha’i of Bandari village, Ye Hla of Kcem village and Bo Min of Balipara were the famous generals of Arakan during the 17th and 18th centuries. The mosque built by the general ‘Ali Bha’i still exists in the Bandar village of Myohaung.

The Rohingya poet, Alawal

The Rohingya poets and writers were also encouraged by the Arakanese kings during the Myauk-U dynasty. The greatest personalities among the poets of this time were the poet Daulat Qazi and Sayyid Shah, Alawal in the Royal Court of Arakan. Daulat Qazi was skillful in mixing one language with another. He was well versed in many languages, including Arabic, Persian and Sanskrit. It was his scholarship and poetical genius that did much to raise the Rohingya language and literature and poetry in the estimation of the educated classes. His lyrical poems, called “Baramashiya”, were invaluable treasures in the Royal Court of Arakan. Alawal’s work was remarkable for its freshness and richness in beauty. He was a master of rhetoric and prosody, and a scholar of Bengali, Sindhi, Sanskrit, Hindi, Arabic and Persian. He had a passion for music and had a natural ardour for songs. He has painted the picture of this land in his several beautiful poems and books. Many changes that transferred the life of the Rohingyas took place in this land after the days of the great poet. He lit the torch of education for the Rohingyas. It is very deplorable that the great poet is not among them today, but it is a deep satisfaction to them that they are attempting to make his ideals, his image of the land of peace and prosperity, a reality. Indeed, he is a poet who holds aloft the highest values of life and conduct. The deep sincerity of his moral tone is apparent in his great works.

Magan, the then Muslim Prime Minister of Arakan, became an enthusiastic admirer of his lyrical poems and encouraged him to translate a Hindi poetry book, Chandravati Keshya, the poems of which were composed by Mir Muhammad, who was a spiritual poet. Alawal’s fame spread throughout the length and breadth of Arakan by composing and translating this book. He also translated a Persian poetry book. But unfortunately the Shah Shuja’s revolt broke out in the country of Arakan before the work was completed by him.

When the revolt came to an end Alawal was thrown into prison on suspicion that he encouraged Shuja to revolt.

37 The Union Citizenship Act, 1948.
38 Burmese Muslims, pp. 47 and 48.
39 Ibid., pp. 47 and 48.
40 Ibid., pp. 47 and 48.
41 Ibid., pp. 47 and 48.
against the Arakanese king, Sandathudamma, and also took part in it. Henceforth, though he was released from prison, he had to undergo a miserable life. He was charged with washing the images in the Buddhist temples in Myohaung by bringing water from the creek. But he never washed them because to wash an image of the Buddha and other gods is against the Islamic law and he himself was a faqir (saint). It was brought to the notice of King Sandathudamma. The king became very angry with him. The matter was explained by Magan to the king, who said that Alawal was a faqir and not an ordinary man, and to wash an image of the Buddha was against the religion of Islam. By giving 1,000 coins as a fine Alawal was released from this miserable plight. The money was given by Magan. Alawal repaid the money to Magan by writing books.42 Alawal in his old age also wrote several books of poetry. He was requested to do so by the Muslim ministers and the Rohingyas. His last days in this mortal world were full of sorrow and poverty.

Over 1,200 years ago Arakan was the gateway of Islam for Burma. Many saints and savants have lit the light of spiritualism for the people of this part of the world since then. Among them Sayyid Shah Alawal was a prominent figure. Today the Rohingyas need to understand, more than ever before, the message of Alawal, whose life story is a great inspiration to them. It is very important to translate the works of Alawal and other poets and authors into Burmese so that their life stories and messages can be carried to every citizen of Burma.

When English and Urdu were introduced the Rohingyas lost touch with their Arabic and Persian literary culture and had nothing but some poems of love and chivalry to turn to. It is noted that the poetical works of the earlier poets were written in their literary language with more Arabic, Persian and Bengali words. During the British rule Urdu was introduced in Burma at the recommendation of the Indian Muslim rulers and members in the Burma Legislative Council. Urdu has removed the ancestral literature of the Rohingyas, who had then been reduced to great poverty and distress and had lost their ancestral literary culture. Urdu was used by the Rohingyas as a written language till the British re-occupation of Burma in 1945.

The architecture of the Rohingyas

All the great architecture corresponds to the needs of the people. It is a study of religious and social customs of the Rohingyas and the natural conditions under which they lived. The Rohingyas prayed in large congregations. Their religious ceremony was simple and did not permit any symbolism and idolism. Their religion discarded priesthood. They believed in the burial of the dead. A custom grew up of building enduring monuments over their graves. Their social life was also congregational.

In Arakan the Islamic civilization developed in a land where vast and thick forests are unknown. The forms of all objects, therefore, looked well-defined and clear. The clarity and beauty of form played an important part in Rohingya architecture. Their religious performances and social customs demanded large gatherings. So the Rohingya architects had to cover large spans. They developed the arch and its adaptations, the vaulted roof and the dome. Islamic religious architectural buildings depended upon a lavish use of mortar, without which their system of construction would be impossible. The Rohingya mosques are open and spacious, and consist of large halls for congregations. They introduced new features like minars and minarets, honeycombing and half-dome double portal. They sometimes painted the buildings and used stones for creating colour effects to bring out the more prominent architectural features. They introduced the beautiful calligraphic curves into architecture. Their architecture remained Islamic in spirit. In their architecture the Saracen style had influenced them even in their earliest days of settlement in Arakan. The Sandikhan Mosque, built in 1433 C.E. by the Pathan general Sandikhan at Kawalaung, near Myonaung, one of the historical buildings in Arakan, has successfully withstood the ravages of time. The mosque, with its solid stone brickwork, monumental repose and simplicity of design, is regarded as one of the finest architectural specimens of the earliest Islamic civilization in Arakan.

The calligraphy or the art of beautiful handwriting of the Rohingyas was influenced by the Naskh and Nasta’liq characters which were used in Arabia and Persia respectively. The Rohingyas used the Naskh characters in copying the Qur’ān, the Muslim holy book, and other books in the Arabic language, and the Nasta’liq characters were used in writing their literary books. The beautiful calligraphic curves in glass frames in floral design can be seen in most houses of the Rohingyas.

Music and musicians

In music, too, the Rohingyas have built up their own traditions, and batali, the tune of the rural singers, has become very popular with the élite. and ‘Alimuddin, of Rowangyaung village, was a popular singer. He could sing a mournful song so sweetly that tears welled up in the eyes of the listeners.

Zari, the memorial song, is a very old and popular entertainment in the villages. It enacts the story of Karbala and other episodes from Islamic history. It is a sort of indigenous theatre, and music and dancing play an important part in it, although too much emphasis is not laid on costumes and settings. It is performed in a spacious courtyard or some well-to-do villagers under a canopy. It is generally performed at night, much to the delight of the simple rural folk, in the month of Muharram, in which the Imam Husayn, son of ‘Ali, was killed on the field of Karbala in 680 C.E.

In early days Qasidas (Panegyrics) were very popular in Arakan. The Rohingyas sing Qasidas in praise of God and the Prophet Muhammad whenever there is a religious ceremony. Alawal, Daulat Qazi, Shuja’ Qazi and other Rohingya poets recited Qasidas in praise of the Arakanese king who was presiding over the royal ceremony, and for this they were rewarded. The Qasida poems possessed real literary merit, though they are not famous in literature.

Rohingya music found influential supporters among Sufi saints; for example, Babae of Akyab and the Maulavi Meah Husayn Shah of Kyinuthi village were great lovers of music. Sufi musicians are to be commended for the general encouragement they give to the Rohingya music. Mārīfāti, Murshidi and Naqshbandi songs are concerned with the type of Sufi music.

Baramashya is a musical item. It is very difficult to sing. Muhammad Inu Meah of Rowangyaung village is the popular singer of Baramashya. He generally sings at midnight when the village is quiet and calm. At night in the calm-

42 Burmese Muslims, pp. 72 and 73.
ness of the village he sings so sweetly that most of the villagers get up from their beds to listen.

Today Rohingya modern songs and music can be heard over the radio three times a week broadcast by the Burma Broadcasting Service (SBS), Rangoon. The popular singers are Syed Ahmed and Abu Shama and their party of Maungdaw.

With the advent of Urdu literature during the British rule Qawali meetings were held in Arakan, and the greatest Qawal was Ja'far Ahmad of ‘Ali Khang Para. A singer in Urdu Qawali like him has not been known in Arakan for the last hundred years. He was also a great composer of songs, and was himself a musician who set his songs to his own tunes. The melody of the Urdu Qawali and songs have become very popular today.

In art and painting Rohingyas have sought inspiration from Islamic civilization and have developed their own traditions. The pictures of birds and animals, the interest in landscape, and all the calligraphic curves are Rohingya, which are all in miniature form and in floral designs which testify to the glory of the Islamic civilization in Arakan.

The descendants and the heirs of those once enriched Islamic civilization in Arakan are today in Mayu district, the predominated Rohingya area in Arakan. Therefore the cultural heritage of Northern Arakan cannot be limited to what flowered within its scope all that was noble and beautiful in Islamic civilization.

Muslims in Australia

Canberra

There is a small but active group of Muslims in Canberra, the national capital of Australia. They number about one hundred, and consist mainly of the members of the diplomatic missions of Muslim countries, students studying in Australia under the Colombo Plan, and a few permanent residents. The Canberra Mosque was built 1960 from funds provided by the Government of Indonesia, Pakistan and the then Government of Malaya. The Imam of the Mosque is Mr. S. Mashur Din, a member of the Indonesian Embassy.

In Canberra, Muslim children attend primary and secondary Government schools with children of Christians, but are given regular Islamic teaching at the Mosque. Adult Muslims and Christians attend each others' social gatherings, and on occasions the Mosque committee, by invitation, sends speakers to address Christian groups on the Islamic faith. On the academic side, the growing interest in Islamic history and culture has been recognized with the introduction of special courses in the Faculty of Oriental Studies at the Australian National University in Canberra. The Department of Indonesian Languages and Literature within the faculty has an introductory course in Arabic, and seminars on Islam and institutions for fourth-year students.

Adelaide

In Adelaide, South Australia, there is another Muslim community numbering about 200. The City also has a vigorous Islamic Society which places great emphasis on encouraging young Muslims to take keener interest in their religion. The Adelaide Mosque was completed in 1890. It was erected for the benefit of the Afghans who came to South Australia in the early days of the settlement to organize the frequent camel trains which, loaded with goods and merchandise, journeyed through the outback of South and Central Australia. The Imam of the Adelaide Mosque is Yugoslav-born Mr. Ahmad Skaka, who has led the Muslim community there for more than fourteen years.

It is in Adelaide that the official organ of the Australian Federation of Islamic Societies, The Minaret, is edited and published. The publication, a quarterly, features items of spiritual, cultural and educational value, as well as items of current world affairs.

Members of the Muslim community in Canberra outside the Mosque in Canberra after Friday prayers
COLLECTIVE FARMING

Islamic or un-Islamic?
The Meaning of the Right of the Individual in Islam

Resources of Common Use Cannot be Possessed by the Individual

By SHAMSUL ‘ALAM

A look at contemporaneous collective farming

Collective farming is one of a few institutions on which the structure of the Soviet economic system has been built. The strength of the agrarian sector of the Soviet economy depends on the Kolkhozy, i.e., the collective farms. The achievements of the Kolkhozy, though not truly great, were adequate enough to attract the attention of many emerging nations of Asia and Africa unwilling to compromise with the age-old poverty and penury. The introduction of the Kolkhozy in Soviet Russia was the logical conclusion of the Marxist conception of collective ownership of the land.

Collective farming is the form of agricultural land organization in which ownership of the land rests with the community which supplies the tools, equipment and all materials required. The managerial control is vested in a salaried manager appointed by the political organization of the community. The farm families are on hired-labour status. The size of the community differs. It may be as large as the nation itself. In such case the difference between the Kolkhozy and the Sovkhozy (State farming) disappears. In this article we assume that the community comprises the entire nation. This will enable us to ignore the difference between the Kolkhozy and the Sovkhozy.

The Bolshevik government in the U.S.S.R. initially abolished all forms of private property. The land resources of the country became State property. The introduction of collective farming was a necessity. At the beginning, the Kolkhozy could not deliver the goods expected of them. During the period of war the productivity declined by as much as two-fifths in some areas. This compelled the leaders to adopt a new economic policy which was described as “one step backward to make innumerable steps forward”. In the forward step of the First Five-Year Plan of the U.S.S.R., the productivity of the collective farms was not encouraging. In more recent times the much-publicised “Great Leap Forward Policy” of People’s China in the agricultural sector, organized on the “commune” system, is alleged to be a big failure. The dark clouds of the early history of collective farming in Russia had, of course, a silver lining.

Let us examine the causes of failure. The forced abolition of private ownership of property without any compensation was a rude shock to the farmers. Leaving aside the question of the Kulaks, a great many farm families could not withstand such a tremendous change in their status from propietor to hired labour. The farmers could not reconcile their position immediately. They lost incentive in work and became indifferent. Considering the psychological impact of it, some critics went to the length of describing the system as “nothing short of serfdom”. This was too uncharitable a remark. The psychological impact seems to be exaggerated. The status of the farming families could hardly be worse than that of hired workers in the factories. The disappointment of the people at the new system and general and economic policies aggravated the crisis. The inability of the management to shoulder such a big responsibility of organizing national agriculture contributed its full share. In 1917-21, the standard of the statecraft was not high. The faulty management and lack of planning made an unfortunate and naked appearance in almost every sphere. These and allied factors were responsible for the failure of collective farming. All too sudden and forced an introduction of the “commune” based on collective farming in People’s China were the repetition of the same mistakes.

The early losses of the Kolkhozy had been more than compensated by the succeeding gains, except in parts of Kazakhstan and the Ukraine. By the Second and Third Plan, stability in the economy came back, administrative efficiency substantially increased, and the result was encouraging. The wound of losing the proprietor-status had healed with the passing of time and the improved standard of living caused by more production and judicious distribution. The depressed psychology was boosted up by the provision of more amenities, recreational facilities; despair and disappointment were overcome by firing the imagination and enthusiasm of the workers with the fuel of the new ideology.

The economic factors contributing to the success of the Kolkhozy were the consolidation of sub-divided and fragmented holdings, large-scale farming, mechanization, the introduction of irrigational facilities, balanced manuring, etc.;
in short, the application of the science of agriculture to the art of agriculture. The psychological and irrational bottlenecks preventing the introduction of the science of agriculture could be overcome with greater ease under collective farming. The yield per acre now is substantially higher than that of lands in the under-developed countries.

**Collective endeavours highly spoken of by the Prophet Muhammad**

In most of the under-developed countries the following forms of farm organization are in practice: individual entrepreneur farming, share cropping, absentee farming, yearly or periodical lease, co-operative farming, etc. In the countries based on Islamic ideology, the import of any alien form of farm organization, especially from Soviet Russia, needs to be examined in the light of Islam. The collective farming on the style of the present Kolkhozy was unknown during the time of the Prophet Muhammad and his early Caliphs. Hence it is regarded as Bid'ah (innovation). Our analysis will clearly show that collective farming is not Bid'ah khabithah (bad practice); on the contrary, it is Bid'ah Hasanah (good innovation). If it is so we should not object to holding the opinion that collective farming is consistent with the principles of Islam. We may refer to an important principle of fisih (jurisprudence), which is that in deciding questions of dispute the scholars agreed that what was not Haram (forbidden) was Halal (lawful) or “close to Halal”. Similarly, if collective farming is not un-Islamic, it is Islamic or close to Islam. Islam came as a blessing of God to His creation. Whatever is beneficial to the real welfare and well-being of the supreme creation of God may be considered Islamic. If collective farming is appropriate for the upliftment of man, it may be considered Islamic.

Collective farming connotes two aspects: (i) collective cultivation, (ii) collective ownership. The former is a question of technique and the latter is that of principle. So far as the functional or technical aspect of collective farming is concerned, we do not think there would be any difference of opinion. The impact of the technical or functional aspect is on productivity. If collective farming leads to higher productivity, other things remaining the same, it is of course Islamic.

Collective participation in the preparation of the soil, seeding, weeding, harvesting, irrigation, construction of a dam, etc., is the translation of the social philosophy of Islam in the field of agriculture. The collective work increases the bond of unity and fraternity among the members of the community. It is an important instrument of social integration. Islam wants that men should share the joys and sorrows of one another. "Sorrows shared are sorrows lightened." In some cases we observe group work has been made obligatory. The Prophet Muhammad said, "God becomes pleased if children of Adam work together"; "Those who sit (together) listen to good words and remain under the canopy of the mercy of God"; "When some of the servants of God assemble, discuss among them to do good deeds, the angels read 'sacred words' on them, the mercy of God is showered on them". Many other similar savings of the Prophet, and his companions, can be referred to where they spoke highly of collective endeavour. The collective participation in cultivation is in the true spirit of Islam.

**The proprietor status and hired labour status**

The mechanization of agriculture, the consolidation of holdings, the introduction of irrigation facilities, the application of the science of agriculture cannot be considered un-Islamic by any test, provided these are not accompanied by unnecessary hardship and sufferings to the creation of God. The weighty criticism is that the proprietor status of labour is superior to hired-status, So Islam must look up and should not look down towards "slave labour". This argument is not of universal validity. Is it possible to convert all the hired labour in the manufacturing or extracting industries into proprietor status, leading to small-scale organization? The higher productivity demands large-scale farming. It is not advocated for its own sake, but the purpose is of improving the condition of labour through higher productivity. The higher remuneration can more than compensate the loss, though it is a question of value judgment, of the false sense of status.

**Collective ownership**

Ownership of God means ownership of the nation or the community

Let us examine the second connotation of collective farming, i.e., collective ownership. This has been a very controversial question and the basic bottleneck to the introduction of collective farming, which means that the land will be owned by the State or the community. This is the negation of private ownership. One school of Muslim thinkers is determined to uphold the right of private ownership, while the other is equally determined to oppose it.

The Qur’an declares that the ownership of the entire universe is vested in God. But He is above needs, He does not enjoy owner resources. Therefore, the ownership of God in the practical aspect implies the ownership of His creation, mankind, in the narrower perspective of the nation or the community.

The following verses declaring the ownership of God are very significant:

"Whatever is in the Heavens and whatever is in the earth is God’s."

"He it is Who created for you all that is in the earth."

"Surely the land is God’s, He causes such of His servants to inherit as He pleases."

"Verily God created the earth for the living beings."

"Tell, who can make illegal those things which God created to make the life of His servants beautiful."

"It is He Who gave everything their qualities then prescribed the use."

The above verses without any shadow of doubt declare unequivocally the ownership of God. There is no controversy among the jurists about it. As we have seen, God created everything for man. Mankind is entitled to the use of the resources of the universe.

In the general framework of the divine ownership, God gave individuals, according to one school of thinkers, the right to conditional ownership, and according to the other

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1 The Qur’an, 2: 284.
2 Ibid., 2: 29.
3 Ibid., 7: 128.
5 Ibid.
6 Ibid., 7: 32.
school, the right to conditional possession. The protagonists of private ownership draw support and inspiration from the verses, traditions and opinions of the jurists quoted below:

"Did they not perceive that verily We created with Our own hands animals of which they became owners?" 7

"Whoever brings under cultivation the fallow lands, the right of that is his." 8

"On the day of the Last Pilgrimage the Prophet said, 'Your blood, your wealth, your honour, is as respectable and as forbidden as this day'." 9

"It is not for the Imam to deprive any from anything except on sound and valid grounds." 10

"The fallow land belongs to God and His Messenger, then it belongs to you, then whoever brings it under cultivation, it is for him." 11

"If anyone reaches to water (land having water close at hand) to whom no Muslim approached earlier, it belongs to him." 12

The meaning of the "right of the individual" in Islam

We now observe what belongs to God and His Messenger may also secondarily belong to individuals, on conditions. The Prophet declared the sanctity of individual's wealth, but the individual can be deprived of it if there are sound grounds (taḥḥīb ma'rūd). The above verses and traditions recognize private rights but do not prohibit collective right. On the other hand, right is vested first in God and His Messenger, which by implication means the right of the nation or the community. From the above, even if we assume the recognition of the right of individuals, right in Islam has a different connotation.

The right of ownership in the Western jurisprudence connotes three rights: (i) the right to use, (ii) the right to misuse, and (iii) the right to misuse, provided these three rights do not interfere with similar rights of others. Does Islam grant an individual such rights? The Prophet said that no individual had any right to misuse a single drop of water even in a place of affinity. The Qur'an condemns the extravagants as "brothers of the devil." 13

The right to use is similarly taboo in Islam. The right to use is also conditioned by so many factors, of which the most important one is skilful use in the path prescribed by God. Such conditions are virtually the denial of the right of ownership. What is left of ownership is simply the possession. If God has given men right to own, He also put "too many strings". This ownership with strings is absolutely different from the prevalent Western conception of ownership.

The Caliph 'Uthman's (d. 644 C.E) testimony before a needy man sent thrice by the Prophet appears to me to solve all the riddles of ownership or non-ownership. 'Uthman's carefulness about some wheat, flake of cotton, a proper length of the wick of the lamp, disgusted the needy man, who twice refrained from seeking anything from 'Uthman, whom he mistakenly regarded to be the greatest of misers. But his generosity in contributing forty camels with all the treasures on their backs struck him with awe. 'Uthman said that the treasures under his care were God's, that he was simply the guardian, and that if God wished, he should not hesitate to give away the entire wealth under his trust, but he could not allow the misuse of some wheat or flake of cotton, or the unnecessary consumption of more oil by a raised wick. He added that if he did so he would be accountable to God for breaking the trust. This indicates that none can own but God; individuals can possess, guard and spend in the path prescribed by God. 'Uthman's testimony may be corroborated by a tradition narrated by a companion of the Prophet, Abu Zarr Ghaffary. He narrates that the Prophet once remarked, "Man cherishes his worldly belongings, hugging them to his soul, and gloating over it calls it 'my wealth, my wealth', but in reality only that much of it is his wealth which he either enjoys in the form of food or dress or spends it in the path of God to be stored up for him in the hereafter. What is left of his wealth belongs to others; he is only acting as a custodian." 14

Natural resources of common use cannot be possessed by the individual

Islam specially reserves certain forms of property for collective possession. The resources required for common use cannot be possessed by the individual. The Prophet was aware of the importance of such assets as pastureage, forests, rivers, minerals, etc. He said, "The people have common right in water, pastureage and fire" 15. This tradition establishes the general claim on the resources of common use which were vitally important to the Arabs, nomadic and settled alike. Grazing lands were the life-blood of the nomads. Some scholars suggest the acceptance of the spirit of the saying. The agricultural lands in the primary commodity-producing countries are as important as the pasture in Arabia. It is not out of tune with Islamic teaching if the tradition was accepted in its wider meaning. 16

The Prophet gave a piece of land to Ayaz Ibn Hammal. Later he learned that the place contained a salt spring the like of which in the Yemen was perennial. He withdrew his permission and kept it for the common use. 18 We observe that the individuals' rights cannot be recognized over lands required for public purposes. In view of the population explosion and chronic food shortage in most under-developed countries, there prevails a sound ground for reserving the land for public use.

It is widely agreed that the productivity of land is the free gift of nature. Original and indestructible powers of the soil is the major premise of Recardian rent analysis. Every member of the society has a right in the blessings of the earth bestowed by God. Let us read the following verse of the Qur'an: "And He bestowed blessings on the earth and measured therein to give them nourishment in due proportion in four days in accordance with the needs of those who seek." 17 The introduction of collective farming will help the realization of the spirit of this verse. The possession of land should be "in due proportion in accordance with the needs of those who seek" and should not be concentrated in a few

7 The Qur'an, 36: 71.
8 A tradition of the Prophet Muhammad quoted by Yahya Ibn Adam's Kitab al-Kharaaj.
9 A tradition of the Prophet Muhammad.
10 The Imam Abu Yusuf.
11 The Musnad of Ahmad Ibn Hanbal.
12 Abu Dawud.
13 The Qur'an.
14 A tradition quoted by Abu Dawud.
15 Quoted in Hikayah al-Sahaba of the Maulana Muhammad Zakariyya.
16 Professor Raihan Sharif in his Islamic Social Framework, p. 148.
17 The Islamic Literature for October 1949, p. 122.
18 The Qur'an, 41: 10.
hands. We observe that the present farming does not ensure the sustenance of all "the needy who seek". We infer that the State has a right to change the form of the use of land provided higher productivity can be ensured.

Public utility lands must be in the control of the State

Even if private possession of the property is good for the society, the authority of the leader of the community in changing the right is not sacrificed. The Imam Ibn Hanifah expressed his opinion in no uncertain terms: "All the parts of the Muslim territory are under the authority of the Imam of the Muslims and his authority is the authority of the Muslims."18

The Prophet Muhammad and his Caliphs distinguished between the public utility lands and private utility lands. Private possession of public utility lands was never allowed. This was elaborated in detail by the Imam Abu Yusuf,19 Abu Ubayd20 and Ibn 'Abd al-Barr.21

The Prophet despised 'al-`Afw (what remains over) in superfluous wealth. None was permitted to retain the superfluous wealth. The Prophet said, "He who has more than the genuine needs should part with the excess in favour of the poor and distribute it". The Prophet then gave examples of what he meant by 'al-`Afw, and made us realize that none has any right to surplus wealth.22 Umar said if he had known about this tradition earlier, he would have distributed the excess wealth of the rich among the poor and the emigrants.23

The jurists also held the view that the right of individuals should not be recognized over the land which is required for the general use of the members of society. We may quote a few juristic opinions.

"If someone determines the boundary and becomes its owner, so that he would deprive and prevent others and so that the people will face disadvantages and hardship, then we take away the thing from the purpose for which it had been created. This would be a great handicap in meeting the needs of the common man."24

"We further note that the Imam cannot deprive the Muslims of the wealth, be it the jungles, wells, rivers or drinking water, or salt range satisfying the people of the city. The Imam cannot deprive them of these by delegating the rights to individuals."25

From the above verses of the Qur'ān, traditions of the Prophet and opinions of the jurists, it is clear that public utility lands must be under the direct control of the State. The collective farming of these is quite consistent with the principles of Islam.

A school of thought among the Muslim jurists believes that the right of private ownership of large possessions is not recognized in Islam. The basis of this school of thought is the Qur'ānic declaration of the divine ownership of the entire universe. Abu Zarr Ghaffary, the fifth convert to Islam, was the leading exponent of this school. His interpretation of the conception of ownership and possession in Islam created a stir. The Governor of Syria, Mu'awiyah (d. 680 C.E.), was alarmed at the possibility of a civil war among the supporters and opponents of private property. At his instance the Caliph 'Uthman called Abu Zarr Ghaffary to the capital. In order to prevent a civil war among the Muslims on property rights, he advised Abu Zarr Ghaffary to go into voluntary exile. Though Abu Zarr Ghaffary was exiled, the Muslims could not forget his sayings of the Prophet as, for instance, "The sōs of man has no greater right than that he should have a house wherein he may live, a piece of cloth whereby he may cover his nakedness and a piece of bread to satisfy his hunger and a mug for water."26

Examples of Land Nationalization in Early Islam

Large slices of newly-conquered territories had been kept as Fat' (spoils of war) by the Prophet.27 After the surrender of the Banu Nadir, the Prophet kept the entire territory as Fat'. This was a flagrant breach of the ancient Arabic custom.28 The Qur'ān justifies the measure: "Whatever God gave His Messenger is his; to acquire that you were not to prepare for war. God gives His Messenger superiority over others as He likes."29 The Caliph Abu Bakr also kept the conquered territories and distributed the land among the needy and destitute.30

The land policy in Islam was crystallized during the Caliphate of the Caliph 'Umar. Vast tracts of land came under the Muslim suzerainty in Iraq and Syria. The soldiers clamoured for the distribution of land. In consultation with 'Uthman, Talhah and others, 'Umar declared the entire territory as State property (Hima), to which the State had absolute right. "This is the first example in history of legally nationalizing almost all the cultivable land in a major part of the extensive domain."31 In support of his policy, 'Umar recited the following verse: "Whatever God has restored to His Messenger from the people of the town, it is for God, and for His Messenger, and for the near kin and the orphans and the needy and the warfarer, so that wealth may not make a circuit among the rich of you. And whatever the Messenger gave, accept it, from whatever he forbids, keep back, and be careful of your duty to God. God is severe in retributing evil."32

During the days of the Caliph 'Umar, the State Hima was the land policy. Though the cultivation of fallow lands gave private persons possession (hima) over them, a rule was issued during the Prophet's time prohibiting private persons to declare property as hima if God and His Messenger did not declare so. Afterwards the rule was elaborated in detail so as to give leave to the Caliphs according to their own judgment to declare some areas to be hima as were thought analogous to those of the Prophet.33

'Umar's land policy was based on another important principle. The right to possession was based on the proper and productive utilization. The land under the possession of Bajillah had been withdrawn to the State in return for a

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18 Al-Sarakhisiy, X, p. 93.
19 The Imam Abu Yusuf.
20 The Imam Abu 'Ubayd.
21 Ibn 'Abd al-Barr.
22 A tradition narrated by Abu Sa'id al-Khudri.
23 Mirza M. Hossain in his Islam and Socialism.
24 Al-Muqni.
25 Al-Muqni.
26 A tradition in Tirmidhi's Sunan.
27 Ibn Hisham's Life of the Messenger of God.
28 F. Lokkegaard, Taxation in Classic Period.
30 Abu 'Ubayd in Kitāb Al-Awāl.
31 Khalifa Abd al-Hākim in his Islam and Communism.
33 F. Lokkegaard, Taxation in the Classic Period, p. 34.

34 THE ISLAMIC REVIEW
fixed sum as compensation from the Bayt al-Mal (the State Treasury). The incident of Bilal Ibn Harith's garden deserves mention. The garden granted by the Prophet to Bilal could not be cultivated properly by the latter. The Caliph requested him to use the land properly, and also threatened declaration of a state of hima if Bilal failed to cultivate the land by a certain period. Bilal argued that he received the garden from the Prophet and treasured it in the Prophet's memory. He swore that he would not part with the land bearing the memory of the Prophet. 'Umar also swore that he would be compelled to confiscate the land for the preservation of the laws of God and His Messenger if Bilal failed to make use of the land. 'Umar did as he ('Umar) had said.²⁴⁻²⁵

Propriety cultivation and use a condition for the right to possession in Islam

Propriety cultivation was laid down by the Prophet as a condition for the right to possession. He said, "The owner who leaves the land uncultivated for three years will not have any claim to that"²⁶. The Caliph 'Umar, in connection with giving a verdict on a dispute, said, "If one leaves the land fallow for three years, then if with the permission of the Government another cultivates it, the right of the latter is established."²⁷ The Qur'an asks the community not to leave the property in the hands of those lacking understanding. The Qur'an says: "Do not give your (community's) property which God had made for you as a (means of) support to the weak of understanding, and maintain them out of the profit of it, clothe them and speak to them words of honest advice."²⁸

In Islam, right of possession is not only a privilege, but also a responsibility. The possessors of land must make the most productive use of it, otherwise the right of possession is lost. The Qur'an denies those lacking understanding the right to possession, though they are entitled to a livelihood. The productivity of the land in many under-developed countries can be doubled if proper use can be arranged. As land is not properly cultivated under private possession, the State has valid grounds to acquire it and introduce improved techniques through collective farming. The unique importance of land as a source of food for the teeming multitude demands that the land should be properly used. The State has every right to interfere, and this is not merely a right, but also a duty.

A peep into the history of land ownership in the Muslim world reveals that Kalu‘ah al-Mushadah, or grass of common ownership (State hima) had been very common in the lands where Islam was preached by the Sahabah (Companions) and Tab‘ Tab‘in (those of the generation that followed the Companions). Ultimate ownership of all categories of land in the Ottoman empire, Mulk, Miri, Waqf, Matrouk, Mawat, etc., was vested in the State, and Mawat (fallow land) category of land had been under the direct control of the State. Mushadah was widespread in the Levant States of Palestine, Transjordan, Iraq, Iran, Turkey, Arabia, etc.²⁹ One reason was that these countries were vitally influenced by the practice based on the Islamic conception of the superior right of the State. As the Muslim domain extended and the imperial tradition grew, the conquerors were guided more by the political and strategic consideration than the principles of the Qur’an. The ideology of Islam was sacrificed at the altar of expediency. In the far-flung countries like the Indo-Pakistan sub-continent, Islamic ideals of land ownership could not get rooted.

The private possession of land on a large scale was started during the Caliphate of 'Uthman. Land allotment to the soldiers in lieu of cash payments, due to the scarcity of money on the Bayt al-Mal (Public Treasury) was started, and accelerated during later régimes. In spite of all these, collective ownership land in the form of Mushadah could not be stopped in the territories adjacent to Arabia.

The Mushadah was abolished by the Ottoman land code in spite of the opposition from the common man. The Revd. E. Post observed, "Until 1277 A.H. (1863 C.E.) of the Muhammedan era, all the lands outside the cities and their environs and Mount Lebanon were held in communal principle. . . . At that date the Government introduced the Tatwib and has steadily pressed upon the peasants the necessity of dividing the land and taking Tab‘ deeds from them severally."³⁰ The previous trend towards private land holding was in existence. The Ottoman land code completed the process.

One basic cause behind this process was weak organization of statecraft in the early days. The State cultivation of the land under the auspices of the State was a technical impossibility. The highest yield could be obtained through private farming and possession; hence private farming was a necessity.

Conclusion

Collective farming, individual, yearly or periodical lease, share-cropping, absentee farming, co-operative farming, etc., are different forms of farm organization. Under a given technique the most efficient one would be introduced in all Islamic States. Collective farming is not the only nor the unfailing method of raising productivity, but simply one of the methods to which Islam is indifferent. If the maximum production and social welfare can be attained in a feudal organization (though it can never), Islam may not object to its introduction. Farm organization consistent with maximum production and social welfare is Islamic. We observe that in the present age improved and technical methods of cultivation can be introduced through collective farming with greater ease and advantage. This leads us to conclude that collective farming is Islamic in this age of technological progress.

In the ownership aspect, our analysis reveals that ownership in principle is vested in God; in the practical aspect in mankind, the nation and the community, and the individuals are allowed the right to possess that which is sacred. Society retains the right to interfere if better organization can be introduced. Neither the practical ownership right of the community nor the right to possession of the individual is absolute, but conditioned by the twin considerations of productivity and social welfare.

³⁴ Yahya Ibn Adam in his Kitab al-Kharaj.
³⁴a Itbid.
³⁵ A tradition quoted in Itbid.
³⁶ Badruddin 'Ayni.
³⁷ The Qur'an, 4: 5.
³⁸ A. Bonne, State and Economics in the Middle East, p. 17.
³⁹ Rev. G. E. Post's Observation. Published by the Palestine Exploration Fund, Quarterly Statement. 1891, p. 105.

A P R I L  1 9 6 6

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THE ETERNAL ANSWER

By NORMAN LEWIS

God is the Eternal Answer to all thy questions.
God will light the vistas of the eternity beyond eternity; it is to Him as holding a candle is to thee.
God will guide thy footsteps upon the mountain trail; it is pleasing to Him that brave men and women take the perilous path.
God will be the Goal for thy soul's quest in the day when all goals fail.
God will be thy Reality in the day when thou dost question realities.
God will be thy Good in the day when thou dost doubt good.
God will be thy Sunlight in the hours when the sun is darkened.
God will be thy Courage when all hopes fail.
God will be thy Bounty in the days of impoverishment.
God will be thy Understanding in the day of thy bewilderment.
God will be a flaming Sword in thy hand in the day when all swords are broken.
God will be thy Peace in the day when peace hath fled the Earth.

God will be thy Heading in the day when doctors despair of thee.
God will be thy Beauty in the day when beauty dies.
God will be the Imperishable in the day when all things perish.
God will be thy Justice in the day when justice is a mockery.
God will be thy Hope in the day when all hopes are as withered flowers.
God will be thy Music in the day when disharmony maketh thee sorrowful.
God will be thy Mountain in the day when the lowlands depress thy soul.
God will be thy Candle when all candles have guttered out in darkness.
God will be thy Balm when all balms have dried in twisted tubes.
God will be thy Shelter when all shelters have been splintered in the World-Storm.
God will be thy Coolness in the heat of anger.
God will be thy Warmth in the coolness of a loveless kiss.
God will be thy Fortress in the days when fortresses crumble.
God will be thy Guide when there is no guidance.
God is the Eternal Answer to all thy questions.

"What! do they not then ponder on the Qur-an, or, are on the hearts locks thereof?" (-Qur-an, 47:24)

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THE ISLAMIC REVIEW
Islam’s First Mosque and the First Muezzin

The Abyssinian Negro, Bilal (641 C.E.), a Distinguished Companion of the Prophet Muhammad

By Captain S. A. KHAN

The beginnings of the Mosque building in Medina

On arrival in Medina, the first concern of the Prophet Muhammad was the erection of a house of prayer. The place chosen was an abandoned graveyard shaded by date palms. The land belonged to some orphans of the family of Bokhar. The Prophet offered to purchase the land, but the reply was, “Messenger of God! from you we shall accept no money, verily God will compensate us.” The land, however, being the property of orphans, the Prophet insisted on compensation being paid, and it was paid by one Abu Ayyub.

The believers — the new converts to Islam — worked hard to construct the mosque. Their zeal was augmented by the Prophet’s own share in the work. While lifting heavy stones on his back, the Prophet often used to bend because of the weight. “Messenger of God,” the converts would say, “pray let us do this for you.” On this, the Prophet would part with the stone he was carrying, only to lift another of equal size on to his back again. Thus the noble task of constructing the first mosque went on.

‘Abdullah Ibn Rawaha, a renowned Arabic poet, also lent his hand in this masonry work. The builders of the mosque, as is common with manual workers, used to sing while working, to lessen their fatigue. ‘Abdullah Ibn Rawaha heartily joined them in the chorus, as did the Prophet. A poor rendering in English the words sung by ‘Abdullah Ibn Rawaha and his companions is given below:

“One who builds a mosque,
One who reads the Qur’ân,
One who keeps awake at
Night (in meditation)
He or she is the beloved of God.”

This is the mosque which, in later times, was repeatedly enlarged, remodelled and beautified, and this is the mosque which to this day bears the name Masjid Nabawi (The Prophet’s Mosque), the foundations having been laid by the Prophet’s own hands.

A reference to this mosque is also found in the Qur’ân. Originally it was simple in form and structure, suited to the unostentatious religion which Muhammad professed and preached. The walls were of earth and brick. The trunks of the palms, newly felled, served as pillars to support the roof, which was formed of their branches and thatched with leaves. It was one thousand square metres and had three doors: one to the north, where the qiblah was afterwards established; another called the gate of Gabriel; and the third, the gate of Mercy. A part of the edifice, called Sufiah (raised platform) was assigned as a habitation to such of the believers as were without a home.

“Asked why he did not build a permanent roof to his house of prayer,” Muir tells us, “Mahomet replied, ‘the thatch is as the thatching of Moses, rafter and small pieces of wood; man’s estate is more fleeting even than this.’”

The adoption of the Adhan by the Prophet

Bilal, the first choice for sounding it

Next the Prophet considered in what manner his followers should be summoned to their prayers. He took counsel. Some suggested the Jewish trumpet, others the Christian bell, but neither appealed to the Prophet. Ultimately ‘Umar’s suggestion was accepted and, to this day, the following summons is heard from the mosque minarets throughout the Muslim world calling the faithful to the place of worship:

“God is great! God is great! I bear witness that there is no God but God. I bear witness that Muhammad is the Messenger of God. Come to prayers, come to success! God is Great, God is great! There is no God but God.”

In the call to the dawn prayer is added the exhortation:

“Prayer is better than sleep.” Could there be anything more simple, yet more impressive, more eloquent? The duty of delivering the Adhan (summons) was assigned by the Prophet to his Abyssinian follower Bilal.

Today, thirteen centuries later, the magical words chanted by the muezzins of mosques, whether from the pagoda-like minarets of China or from the magnificent minarets of Turkey, are but an echo of the magical words first chanted by Bilal from the crude, mud house-top of the first mosque in Medina.

It will not be out of place here to give a very brief life story of the first muezzin of Islam. Sir William Muir tells us that he was the son of an Abyssinian slave-girl. He was very dark, with Nego features and bushy hair, and very stalwart in appearance, uncomely but vigorous and sinewy. Bilal never apostasized. He never faltered or wavered from his faith.

His devotion to the Prophet has no parallel in history. The agony of cruel blows, the fiery pains of thirst in the burning sands of the desert, the acute pangs of hunger, the
long exposure of his body to the blazing sun upon the
scorching gravel of the valley of Mecca, and the tortures
inflicted on Bilal in various other ways — all failed to break
his iron will, all failed to break his faith in the Oneness of
God.

To the persecutors' persistent demands to renounce
Islam, Bilal's only answer was "Ahad, Ahad" (One, only
one God). One day, while the poor Abyssinian was being thus
tormented, a frail, slender, slightly-built man happened sud-
denly to appear on the scene. This was Abu Bakr, the
Prophet's bosom friend and later his father-in-law. On the
spot he negotiated the purchase of the slave and rescued him
from the tortures of his persecutors. The price paid was a
cloak and ten pieces of silver.

Bilal was the Prophet's constant attendant. History tells
us that "after chanting the call to prayer, Bilal would always
arouse the Prophet with a pious ejaculation and when the
congregation had assembled in the mosque, all eyes were fixed
upon the African, who stood in the first row and whose
 genuflexions and prostrations were imitated by the rest ".

When Muhammad made his triumphant entry into
Mecca, it was Bilal who received the keys of the Ka'bah, and
it was he who summoned the people of Medina to prayer
when the princes came from the far-off land of Hadhramaut
to embrace Islam. It was Bilal who chanted the Adhan when
the cavaliers of Islam camped in the desert to prepare for
battle with the idolaters. It is more pleasant to remember that
when the Prophet made his last pilgrimage to Mecca, the
faithful Bilal walked at his side to shade him with a primitive
screen from the noonday sun.

After the death of the Prophet, Bilal took a vow never
again to chant the Adhan, for the voice that had summoned
the Prophet of God to the house of prayer ought not, fancied
Bilal, to be heard after the departure of his master.

The voice was heard yet once again, and for the last
time, on the occasion of Caliph Umar's visit to Damascus as
Commander of the Faithful. In his inimitable language thus
describes an English writer the last Adhan of Bilal: "When,
after moments of tremulous watching, the grand voice of the
aged African rolled out amid the hush, with the old beloved
words, the old familiar tones, still deeper and clearer, 'Umar
and all those about him wept aloud, and tears streamed down
every warrior's face, and the last long notes of the chant were
lost in a tempest of sobbing."

"If all that worship Thee today
Should suddenly be swept away,
And not a muezzin left to cry
Through the silence of the sky,
'God is great!' — there still would be
Clouds of witnesses for Thee
On the land and in the sea . . .
Aye! and if these, too, were fled,
And the earth itself were dead.
Greater would remain on high;
For all the planets in the sky,
Suns that burn till day has flown,
Stars that are with night restored,
Are Thy dervishes, O Lord,
Wheeling round Thy Golden Throne?"

BOOK REVIEW

ISLAM IN THE MODERN NATIONAL STATE, by

The author, Dr. Rosenthal, is Reader in Oriental Studies
in the University of Cambridge and a Fellow of Pembroke
College. He has travelled through many Islamic countries,
and met and talked to the leaders of all the countries he
visited, and from his travels and observations he perceived
the spiritual and intellectual crisis which Islam is going
through, and it is this that he describes in his book.

The core of the crisis, he maintains, lies in the lack of
faith, or in weakened faith, as a result of the constant challenge
which the modern world creates. The birth of fresh political
ideas, new ideologies, ardent waves of nationalism — all
these are the factors which have triggered Islam in its
classical and pristine nature into an almost critical state of
transition.

The book is in two parts: the first part is devoted to
classical political thoughts in Islam as founded by the Prophet
Muhammad, together with its traditional beliefs, practices and
precepts. Then the slow destructive elements of the Islamic
classical corpus, brought about by the political philosophy and
physical domination of the West, are given their due. The
other part of the book deals extensively with Islam in the
modern national State. The reader is conducted on a tour of
eye-opening facts in various Islamic countries like Pakistan,
Malaya, Iran, Turkey, Tunisia and Morocco. In each of
them, the author lists with unbiased authority the changes
that have taken place in matters of law and the emancipation
of women.

There is an important chapter on Ibn Khaldun, and an
absorbing discussion on other important Muslim philosophers
who in their lifetime were influenced by the political thoughts
of Plato and Aristotle is delved into. The author also succeeds
in explaining the channels through which Greek thought
affected Islamic ideas and yet remained subordinated to the
main Muslim concepts and political needs.

An interesting survey of the main traditions of Islamic
political thought from the 8th century to the end of the
15th century is thoroughly undertaken. Indeed, to historians
of the medieval West as well as to orientalists this work will
prove of great benefit as it unfailingly throws light upon the
religious, political and the intellectual positions underlying the
expansion of Islam.

The outstanding feature of the book is the detailed study
of eminent figures like al-Farabi, Ibn Sina, Ibn Bajjah and
Ibn Rushd (Avicenna), all of whom radiated influence on
Western philosophy and are related to both Greek and
Islamic thought.

THE ISLAMIC REVIEW
ISLAM IN GREAT BRITAIN

By AL-HAFIZ BASHEER AHMAD MISRI

MUSLIM POPULATION IN BRITAIN

There are no means available, as yet, to determine the exact Muslim population in Great Britain. The general estimate puts it at over 200,000. Since this increase in population is of recent occurrence, the Muslims have not had time to build up their social and religious services correspondingly. There are, however, signs of great efforts being made in all parts of the country to do that. Muslim associations and organizations are springing up very fast in the towns where there is a concentration of Muslims. This spontaneous activity is a very healthy sign and will, it is hoped, pave the way for the immigrant Muslims to integrate sooner with the indigenous community.

In academic institutions, such as universities and colleges, the Muslims in Britain can be seen working in the real spirit of inter-racial and international Islamic brotherhood. Places like the Islamic Cultural Centre in London and the Woking Muslim Mission and Literary Trust in Woking, Surrey, are fairly well frequented, and becoming more well known. The Muslim Women's Association of London is also beginning to make an imprint in its field.

'ID FESTIVALS

An 'Id festival is one of the few occasions when Muslims from various far-flung parts of the world get a chance to meet one another. At the Shah Jehan Mosque, for example, we normally have a congregation of three to four thousand on such occasions. Twice a year, for many years now, arrangements are made to serve food and refreshments to those who attend; and this provides an added opportunity for them to stay longer in each other's company.

Wastage of food at 'Id festivals is a perennial source of worry for the management of the Shah Jehan Mosque. Attendance at the mosque fluctuates according to various unpredictable factors, such as weather and the day on which a particular 'Id happens to fall. Even those who have experience of this matter stretching over many years often find themselves baffled by the vagaries of nature. Rather than say to its guests "No more food, please," the management has always preferred to be on the liberal side. And there is nothing in this country which we can do with the left-over food except to throw it away!

Halal food

Some of the Muslims who come to attend 'Id prayers at the Shah Jehan Mosque have refrained from taking meals. I have been told that they did this because they thought we did not use Halal meat, i.e., meat slaughtered according to Muslim rites.

The question of Halal meat has become a rather controversial subject amongst the Muslims in Great Britain. Some believe that the meat sold at British shops is Halal, while others disagree. (The Islamic Review has tackled this subject before, and we shall soon be printing a comprehensive article on the subject.) However, keeping in mind the general rules of hospitality — that a host should respect the wishes of his guests — I have made a strict rule that we use only meat slaughtered by Muslim butchers strictly in accordance with Islamic rites.

Fixing the 'Id day

Another difficult problem in respect of 'Id festivals needs a solution. Normally, and in accordance with tradition, we fix the day for 'Id after sighting the moon. There are, however, certain exceptional circumstances obtaining in this country which demand special consideration. Employers demand from their employees advance notice for special leave; Muslims are scattered so widely in this country that they have to travel long distances to attend the prayers; invitations to non-Muslims to take part in the festivals are expected to be given weeks ahead; tradesmen who supply various equipment and material for the occasion, such as marquees, cutlery, crockery, perishable foodstuffs, groceries, etc., require orders for fixed delivery dates.

Invitations to 'Id

The present system of invitation cards for 'Id is becoming another unwieldy task. Formerly, when the number of Muslims was small, one could keep track of their addresses. With the present number of Muslims in this country, it is becoming impossible to send invitations to all of them individually. On the other hand, the very fact that invitations reach some of them may give the impression to those who do not receive an invitation that they would not be welcome. Of course it is not our intention that those who for one reason or another have not received an invitation should think that offence is intended. All are most heartily and unequivocally welcome!

INTEREST IN ISLAM

There is a rapidly growing interest in this country in the comparative study of religions. This trend is creating an increased demand on Islamic institutions for literature and speakers. This demand comes mostly from Christian organizations and schools.

Visitors to the Shah Jehan Mosque are also becoming more numerous. In addition to the Friday Khutbah, the Imam
gives a sermon every Sunday at 2.30 p.m., when Muslim as well as non-Muslim visitors are taken to the Mosque. Not infrequently parties of visitors arrive from distant places, travelling by chartered coaches. For them also, special lectures are arranged in the Mosque.

Some of the questions asked by the visitors show how little Islam is understood in this country. I have been repeatedly asked questions such as the following:

Why do the Muslims believe that women have no soul?
Why does Islam allow temporary marriages?
Why is it so easy in Muslim countries to get divorced?
Why does not Islam preach compassion, charity and forgiveness?
Do the Muslims feel as close to God as the Christians do?

**NEW MEMBERS OF THE WORLD BROTHERHOOD OF ISLAM**

A great deal more needs to be done in the field of educational facilities for the newcomers to Islam and their families. Most of them enter the brotherhood of Islam with very great hopes of taking an active role in Islamic society. In my experience a newcomer to Islam is generally a more enthusiastic Muslim than one born in the faith. When one thinks of the difficulties a convert and his family come to face in their social life, one cannot help but admire them for their steadfastness and strength of conviction.

Recently I asked a British Muslim if he were facing any difficulties since his acceptance of Islam. His reply and its simplicity almost brought tears to my eyes. He said: "Oh! they are nothing in comparison with the difficulties which the early converts had to face in Mecca."

There is a great demand for literature to promote genuine knowledge of Islam in this country. We distribute several pamphlets, some at very low cost and others free. The expense involved for us is great. We would appreciate financial contributions from Muslims interested in helping us to spread the good word of Islam in the West.

continued from page 24

There is an atmosphere of cheerfulness and a busy bustle of people everywhere. The streets are full of festively-dressed people and street-vendors selling knick-knacks and sweets. There are fairs for children in the parks or public squares.

**The lesson that fasting in Islam brings home to those who fast**

Lebaran starts where fasting ends. The denial of the daily primary wants during the fasting month is to bring people to an awareness of the suffering of the poor which will lead to a better understanding of them. The Ramadan fast is, therefore, looked upon as an exercise in mental and physical discipline, and a duty prescribed by Islam. Lebaran is the crowning of the fulfilment of that duty, the same duty summoning the believers to fast again next year.

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