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## TIME TO REVIVE SIR SYED'S EDUCATIONAL MOVEMENT

Sir Syed Ahmad Khan was born in Delhi (October 17, 1817). He was a radical in more than one way who had witnessed the trauma of the uprising of 1857, also called the First War of Independence.

In India, the colonialists launched a witch hunt against Hindus and Muslims who they suspected were behind the uprising. Their main target were the Muslims. This was the time when Syed Ahmad Khan was associated with the East India Company as a jurist. The pains of the uprising worked differently on him. He decided to build bridges between the Muslim subjects and the British and worked tirelessly to achieve that goal. He felt that illiteracy and orthodoxy were the main causes of the steep downfall of Muslims. He tried to instill rational and scientific thinking among them through his writings.

Since the British had replaced Persian with English in 1835 as the official language he thought it prudent to attract Muslims to the language of the ruling elite. He established Mohammadan Anglo-Oriental College Aligarh in 1875 to promote modern education. The College grew to become Aligarh Muslim University in 1920.

While his writings were largely appreciated, what

become hugely controversial was his exegesis of the Holy Quran where he departed from the traditional interpretation and presented his own understanding. For this he was called a deviant and his commentary of the Holy Quran never become a popular reference.

However, what is drowned in the din is the focus on the main contribution of Sir Syed, which is the need to spread modern education. In spite of the education movement launched by Sir Syed about 150 years ago, it has been said again and again that the Muslims have not risen to the desired level of literacy. Recent independent and government sponsored studies have revealed the shocking fact that Muslims are as backward educationally and economically as Dalits. Latest estimates show they are being left behind even by Dalits.

The bi-centenary celebration of Sir Syed by Aligarhians should serve as a wakeup call for Muslims in India to sift through his educational idea, save the University and pick up what is relevant today and carry them forward. Only then we have right to chant the Aligarh Tarana "*Ye Mera Chaman hai Mera Chaman, Main Apne Chaman ka Bulbul Hoon!*".

## ALLAH IS THE ORIGINATOR OF THE HEAVENS AND EARTH

*“They say: Allah, has taken to Himself a son. Glory to Him. In truth, His is all that is in the heavens and the earth, and to Him are all in obeisance. He is the Originator of the heavens and earth; whenever He decrees a matter He (merely) says, “Be, “and it is” (Surah Al-Baqrah, 2:116-117)*

It is a derogation from the glory of Allah- in fact it is blasphemy-to say that Allah begets sons, like a man or an animal. The Christain doctrine is here emphatically repudiated. If words have any meaning, it would mean an attribution to Allah of a material nature, and of the lower animal functions of sex.

The stated Ayat says that everything in heaven and earth celebrates the glory of Allah. Let anyone should think that the heavens and the earth were themselves primeval and eternal, we are told that they themselves are creatures of Allah’s will and designs. Where the word *badaa* is used as here for the creation of the heavens and earth, and *Khalaqa* is used for the creation of all things. *Badaa* goes back to the very primal beginning; as far as we can conceive it. The materialists might say that primeval matter was eternal; other things, i.e. the forms and shapes as we see them now, were called into being at some or other, and will perish. When they perish,

they dissolve into primeval matter again, which stands as the base of all existence. We go further back. We say that if we postulate such primeval matter, it owes its origin itself to Allah. If this is conceded, we proceed to argue that the process of Creation is not then completed. “All things in the heavens and on the earth” are created by gradual processes. In things, we include abstract as well as material things. We see the abstract things and ideas actually growing before us. But that also is Allah’s creation, to which we can apply the *khalaqa*, for in it is involved the idea of measuring, fitting it into a scheme of other things. On the other hand, the “*amr*” (Command, Direction, Design) is a single thing, unrelated to time, “like the twinkling of an eye”. Another word to note in this connection is *jaala* “making” which seems to imply new shapes and forms, new dispositions, as the making of the signs of the Zodiac in the heavens, or the setting out of the sun and moon for light, or the establishment of the succession of day and night. A further process with regard to the soul is described in the word *sawwa*, bringing it to perfection. *Fatara*, implies, like *badaa*, the creating of a thing out of nothing and after no pre-existing similitude, but perhaps *fatara* implies the creation of primeval matter to which further

*(Cont on Page No.10)*

## TRUTHFULNESS

(1) Abdullah Ibn Masud relates that the Holy Prophet (S.A.W.) said: “A true action leads to the path of virtue and good deeds, and virtue paves the way of a person to Paradise, and the said person continues to speak the truth till in the sight of Allah he is named Siddiq or Truthful. Lying leads to vice, and vice leads to indecent acts and if a person goes on lying till in the sight of Allah he is named a liar. *(Bukhari & Muslim)*”

(2) Hasan Ibn Ali relates that he learnt the following from the Holy Prophet (S.A.W.) “Leave alone that which involves you in doubt, and adhere to that which is free from doubt, for truth is comforting and falsehood is disturbing.”

(3) Abu Sufyan Sakhar bin Harb relates as part of his statement about Hiraclius that the later asked him what does he (i.e. the Holy Prophet (S.A.W.)), teach you, and Abu Sufyan said: He tells us: worship Allah alone and do no associate anything with Him, and discard all that your ancestors said; and he commands us to observe prayer, to tell the truth, to be chaste and to strengthen the ties of kinship by helping

those who are related to you” *(Bukhari & Muslim)*

Truthfulness generally means to speak truth but in Islam the word has a wider connotation and accordingly it includes sincerity of action also. The basis of correctness of every word and action of a person, is that his heart and tongue should be in harmony with each other, and this is called truth.

Imam Ghazali has enumerated six types of truth (1) Truth is speech (2) Truth in intention and motive (3) Truth in determination or resolve (4) Truth in carrying out determination (5) Truth in action and (6) Truth in matters of faith and religion.

It will be seen that truth is the basis of many virtues. A person who is not truthful, will have all sorts of vices in his heart; and one who is truthful will be able to achieve each and every virtue easily. A person who is well versed in these virtues can be called a perfectly truthful person.



# FIRST CHAPTER OF THE HOLY QURAN *SURAH FATIHA*

Compiled by: **Dr Abul Hayat Ashraf**

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

Praise be to Allah, the Lord of the entire universe.

The Merciful, the Compassionate,

The Master of the Day of Recompense; You alone do we worship, and You alone do we turn to for help.

Direct us on to the Straight Way,

The way of those whom You have favoured, Who did not incur Your wrath, who are not astray.

One of the many good practices taught by Islam is that its followers should begin all their activities in the name of God. This principle, if consciously and earnestly followed, will necessarily yield three beneficial results. First, one will be able to restrain oneself from a misdeed, since the habit of pronouncing the name of God is bound to make one wonder when about to commit some offence how such an act can be reconciled with the saying of God's holy name. Second, if a man pronounces the name of God before starting good and legitimate task, this act will ensure that both his starting point and his mental orientation

are sound. Third and this is the most important benefit when a man begins something by pronouncing God's name, he will enjoy God's support and succour; God will bless the efforts and protect him from the machinations and temptations of Satan. For whenever man turns to God, God turns to him as well.

The character of Surah Al-Fatiha is that of a prayer. The prayer begins with praise of the One to whom our prayer is addressed. This indicates that whenever one prays one ought to pray in a dignified manner. It does not become a cultivated person to blurt out his petition. Refinement demands that our requests should be preceded by a wholehearted acknowledgement of the unique position, infinite benevolence and unmatched excellence of the One to Whom we pray.

Whenever we praise someone, we do so for two reasons. First, because excellence calls for praise, irrespective of whether that excellence has any direct relevance to us or not. Second, we praise one whom we consider to be our benefactor, when this is the case our praise arises from a deep feeling of gratitude. God is worthy

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of praise on both counts.

It is incumbent on us to praise Him not only in recognition of His infinite excellence but also because of our feeling of gratitude to Him, arising from our awareness of the blessings He has lavished upon us.

It is important to note that what is said here is not merely that praise be to God, but that all praise be to God alone. Wherever there is any beauty, any perfection-in whatever thing or in whatever shape it may manifest-itself-its ultimate source is none other than God Himself. No human beings, angels, demigods, heavenly bodies-in short, no created beings-are possessed of an innate excellence; where excellence exists, it is a gift from God. Thus, if there is anyone at all whom we ought to adore and worship, to whom we ought to feel indebted and grateful, towards whom we should remain humble and obedient, it is the *Creator* of excellence, rather than its *possessor*.

The Arabic words “Rahman” and “Rahim” translated “Most Gracious” and “Most Merciful” are both intensive forms referring to different aspects of God’s attribute of Mercy. The Arabic intensive is more suited to express God’s attributes than the superlative degree in English. The latter implies a comparison with other beings, or with other times or places, while there is no being like unto God. Mercy may imply pity, long-suffering, patience, and forgiveness, all of which the sinner needs and God Most

Merciful bestows in abundant measure. But there is a Mercy that goes before even the need arises, the Grace which Most Gracious to all His creatures, protecting them, preserving them, guiding them, and leading them to clear light and higher life.

In Arabic the word *Rabb* has three meanings: (1) Lord and Master; (II) Sustainer; Provider, Supporter, Nourisher and Guardian, and (III) Sovereign, Ruler, He Who controls and directs. God is the *Rabb* of the universe in all three meanings of the term.

When we are deeply impressed by the greatness of something we try to express our feelings by using superlatives. If the use of one superlative does not do full justice to our feelings, we tend to reemphasize the extraordinary excellence of the object of our admiration by adding a second superlative of nearly equivalent meaning. This would seem to explain the use of the word *Rahim* following *Rahman*. The form of the word *Rahman* connotes intensity. Yet God’s mercy and beneficence towards His creatures is so great, so extensive and of such an infinite nature that no one word, however strong its connotation can do it full justice. This epithet *Rahim* was therefore added to that of *Rahman*.

God will be the Lord of the Day when all generations of mankind gather together in order to render an account of their conduct, and when each person will be finally rewarded or punished for his deeds. The description of God as Lord

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of the Day of Judgement following the mention of His benevolence and compassion indicates that we ought to remember another aspect of God as well—namely, that He will judge us all, that He is so absolutely powerful, that on the Day of Judgement no one will have the power either to resist the enforcement of punishment that He decrees or to prevent anyone from receiving the rewards that He decides to confer. Hence, we ought not only to love Him for nourishing and sustaining us and for His compassion and mercy towards us, but should also hold Him in awe because of His justice, and should not forget that our ultimate happiness or misery rests completely with Him.

The term *ibadah* is used in three senses: (I) worship and adoration; (II) obedience and submission; (III) and service and subjection. In this particular context the term carries all these meanings simultaneously. In other words, we say to God that we worship and adore Him, that we are obedient to Him and follow His will, and also that we are His servants. Moreover, man is bound to *none save God*, that none but He may be the subject of man's worship and total devotion, of man's unreserved obedience, of man's absolute subjection and servitude.

Not only do we worship God, but our relationship with Him is such that we turn to Him alone for help and succour. We know that He is the Lord of the whole universe and that He alone is the Master of all blessings and benefactions. Hence, in seeking the fulfillment of our needs

we turn to Him alone. It is towards Him alone that we stretch forth our hands when we pray and supplicate. It is in Him that we repose our trust. It is therefore to Him alone that we address our request for true guidance.

We beseech God to guide us in all walks of life to a way which is absolutely true, which provides us with a properly based outlook and sound principles of behaviour, a way which will prevent our succumbing to false doctrines and adopting unsound principles of conduct, a way that will lead us to our true salvation and happiness. This is man's prayer to God as he begins the study of the Holy Quran. It is, in short, to illuminate the truth which he often tends to lose in a labyrinth of philosophical speculation; to enlighten him as to which of the numerous ethical doctrines ensures a sound course of conduct; to which of the myriad ways and by-ways in the clear, straight, open road of sound belief and right behaviour.

If we translate by the English word "guide", we shall have to say: Guide us to and in the straight way. "For we may be wandering aimlessly, and the first step is to find the way; and the second need is to keep in the Way: our own wisdom may fail in either case. The Straight Way is after the narrow way, or the steep Way, which many people shun. By the world's perversity the straight Way is sometimes stigmatized and the crooked way praised. How are we to judge? We must ask for God's guidance. With a little spiritual insight we shall see which are the people

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who walk in the light of God's grace, and which are those that walk in the darkness of Wrath. This also would help our judgement.

"The Way of those whom You have favoured" defines the "straight way" which we ask God to open to us. It is the way which has always been followed by those who have enjoyed God's favours and blessings. This is the way which has been trodden from the beginning of time by all those individuals and communities that have unfailingly enjoyed God's favours and blessings.

Here it should be noted that the words relating to Grace are connected actively with God. Those relating to Wrath are impersonal. In the one case God's Mercy encompasses us beyond our deserts. In the other case our own actions are responsible for the Wrath, the negative of Grace, Peace or Harmony.

In the last Ayat "*Who are not astray*", makes it clear that the recipients of God's favour are not those who appear, briefly, to enjoy worldly prosperity and success; all too often, these people are among those whom God has condemned because they have lost sight of the true path of salvation and happiness. This negative explanation makes it quite clear that *inam* (favour) denotes all those real and abiding favours and blessings which one receives in reward for righteous conduct through God's approval and pleasure, rather than those apparent and fleeting favours which the Pharaohs, Nimrods and Korahs (Qaroons) used

to receive in the past, and which are enjoyed even today by people notorious for oppression, evil and corruption. Explaining this last Ayats "*Who did not incur Your Wrath and Who are not astray*", Abdullah Yusuf Ali writes: "Are there two categories? Those who are in the darkness of Wrath and those who stray? The first are those who deliberately break God's law; the second those who stray out of carelessness or negligence. Both are responsible for their own acts or omissions. In opposition to both are the people who are in the light of God's Grace: for His Grace not only protects them from active wrong (if they will only submit their will to Him) but also from straying into paths of temptation or carelessness. The negative *ghair* should be construed as applying not to the way, but as describing men protected from two dangers by God's Grace.

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processes have to be applied later, as when one prepares dough but leaves the leavening to be done after. *Badaa* (without the 'ain), implies beginning the process of creation. This is made further clear in Surah 32:7 where the beginning of the creation of pristine man from clay refers to his physical body, leaving the further processes of reproduction and the breathing in the soul to be described in subsequent verses. Lastly, *baraa* is creation implying liberation from pre-existing matter or circumstance, e.g. man's body from clay or a calamity from previously existing circumstances.

# THE PRESERVATION OF HADITH

Dr. Abul Hayat Ashraf

## Introduction:

*“We raised earlier Messengers) with clear signs and divine Book, and We have now sent down this Reminder upon you that you may elucidate to people the teaching that has sent down for them, and that the people may themselves reflect” (Surah An-Nahl, 16:44)*

“As the people of the Book had received “Clear Signs” and inspired Books before, so also Allah’s Message came to the Prophet Muhammad (S.A.W.) through the Holy Quran, which superseded the earlier revelations, already corrupted in the hands of their followers. *(Meaning of the Holy Quran by Abdullah Yusuf Ali)* In this verse, “the Holy Prophet (S.A.W.) is instructed to elucidate the teachings embodied in the Holy Quran-the “Admonition”. He is required to elucidate those teachings not merely by word of mouth. He is also required to do so by his conduct, by establishing a full fledged Islamic society under his supervision, and by establishing and operating a whole order of human life consonance with that “Admonition”. *(Towards understanding the Quran p.332 vol.IV Markazi Maktaba Islami Publishers, Delhi-6 1997).*

The role of Allah as the Law giver is emphatically stressed. The role of the Prophet as the teacher of the Divine messages, who is to give interpretations and detailed information of the messages, is equally stated. The recipients (i.e. the companions or Sahabah) are also encouraged to functionally use their intellect and to ask for guidance from the Teacher, and to formulate their own ideas where the Quran and the Teacher are not categorical". *(The preservation of Hadith, Dr. Abubakr Imam Ali Agan, the Muslim World League Journal, March, 2011, P.37)*

“This verse (also) furnishes a weighty argument against those who do not believe that human beings can serve as God's message-bearers. Likewise, it refutes the stand point of those who reject the hadith and seek to derive guidance from the Book of God alone without considering it necessary to be guided by the elucidation and elaboration of the Book by the Prophet (S.A.W.). Such people take a variety of positions. One of these is that the Prophet (S.A.W.) did not elucidate the Book. His task was simply confined to delivering it to people. Some of them take the position that what people are bound by is the Book of God, but not its

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elucidation by the Prophet (S.A.W.). Others are the the view that the Book is sufficient to guide people and its elucidation was, therefore, unnecessary. They also argue that only the Quran is proved to be *extant* in an authentic form, and that the Prophet's true elucidation of it is either no longer extant or at least is not found in any trustworthy form. Regardless of which of these positions they may take, each one of them comes into sharp conflict with the verse in question". (*Towards understanding the Quran Vol. IV, A Mawdudi Markazi Maktaba Islami Publishers, Delhi 6, 1997.*)

“As for those who regard the Prophet's elucidation as untrustworthy, this amounts to an annulment of the Quran as well as of the Prophethood of Muhammad (S.A.W.). In fact, if we were to follow this assumption, it would require acceptance of a new Prophet and a new revelation. For in this verse, God describes the Prophet (S.A.W.) as indispensable for elucidating the Book, emphasizing that a Messenger is necessary to explain the intent of the Quran. (Ibid p.333.34)

“Now, we come to those who reject the Hadith on the grounds that the Prophet's explanation and elucidation can no longer be found in the world. This inevitably leads to two conclusions. First, that the ideal character of the Prophet (S.A.W.) is no longer available to mankind for emulation. Thus, Muhammad (S.A.W.) is similar to that with the Prophets of the past such as Hud, Salih, and Shuayb (peace be on them). For we believe in them but do not consider them models to be emulated in our own lives of the

simple and obvious reason that we lack reliable information about them. If we were to hold the same view about the Prophet (S.A.W.), this necessarily calls for the advent of a new Messenger. For if that is the case, only a fool would still insist that Muhammad (S.A.W.) is not the final Messenger. The second conclusion to which this line of thinking leads is that the Quran has become incapable of guiding mankind. This is so because the Quran itself declares that without the elucidation of its teachings by the Prophet (S.A.W.), it, in itself, does not suffice man's guidance. Hence, once it is accepted that the elucidation of the Quran does not exist in a trustworthy form, the need for a new revelation and the advent of a new Messenger is automatically established. Those who deny the Hadith are therefore, undermining the very foundations of Islam. (*Towards Understanding Islam Vol. IV P.334 A Mawdudi Markazi Maktaba Publishers, Delhi-6 1997*)

### ***What is Hadith?***

The Holy Quran, however, does not elaborate any event, nor does it give the details of the Prophet's life and activities. For these as also for the chronology we have to turn to hadith, also termed sunnah. (*Sirat al-Nabi and the Orientalists, vol I A Muhammad Mohar Ali P.8, K. Fahad Complex for the printing of the Holy Quran Madina 1997 CE*). The term *hadith* is applied to the reports of the Prophet's sayings and doings, his practices and his explicit or implicit approval of the words or deeds of anyone else. It applies also to the reports of the

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statements, acts and approvals of his Companions and their immediate successors. As such these reports are of prime historical importance, being the statements and accounts given by eye witnesses and participants in the events. (Ibid p-8).

As stated:” the Quran clearly asks the Prophet (S.A.W.) to explain and elucidate its meaning and teachings to the people and he did so throughout his Prophetic life. In this task also he depended on divine guidance and instructions and did not speak anything out of his whim or imagination. Many of them were in the habit of writing down his statements and utterances (*Sahih Bukhari, No 111-113*), so much so that once he had to interfere and ask them not to write down all his statements and utterances lest those should be mixed up with the texts of the Quran” (*Sahih Muslim No.3004*)

“Incidentally, this very report shows, besides the Companion's practice of writing down the Prophet's statements, that not only was each passage of the Quran written down as soon as it was revealed, but also that the Prophet took care to see that nothing extraneous was mingled up with the sacred text, not even his own explanations” (*Sirat Al-Nabi and the Orientalist vol IA, Muhammad Mohar Ali , P.9, K Fahd Complex for the printing of the Holy Quran, Madina 1997*)

The Prophet’s elucidations and statements and his addresses to his people are extant in the works of *Hadith* which in language and style are very different from that of the Holy Quran .” The difference is so pronounced that anyone

who has the least sense of language and literature cannot dare to say that both the Quran and the material preserved in the collections of Hadith are the work of the same author. (*Towards Understanding the Quran, vol V p.72 M. A. Mawdudi , Markazi Maktaba Islami Publisher, Delhi-6 1998*)

Prof Ismail R. Al-Faruqi writes:”Its (Quran) language and style are so elegant and distinctive that not much training is needed to recognize it and separate it from other writings. But Muhammad’s own language is like that of the rest of humanity. Identifying authentic traditions of the Prophet was therefore a task demanding great care.

The *Sunnah* has come down in reports, called *hadiths*, carried by the Prophet’s companions and passed to the generations after them. Muslims are aware that the *Sunnah* was tampered with as it was transmitted between the first four generations after Muhammad. Hence, Muslims are always careful to quality of the *Sunnah* with the word *al-Sahihah* (“veritable” or “verified”). To sift the veritable from the weak or spurious *hadiths*, Muslims developed the science of textual criticism and elaborated sophisticated disciplines to ascertain the historical reliability of each *hadith*, of the chain of narrators, of the form or language, of the editing of the text, of the coherence and rationality of the content of the text and its correspondence with the Holy Quran and with other historical reality and the accumulated wisdom of human kind. Using the disciplines of grammar, syntax, lexicography, etymology,

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philology, redaction, and literary aesthetics, the Muslims developed the tools of textual, form, topical, and historical criticism to examine the texts of the *hadiths*. They further developed other disciplines such as biography, historiography, and social analysis to investigate the truthfulness of the narrators of the *hadiths*. They established canons of both internal and external criticism for this task."

Their determination could not be absolutely definitive because of the nature of the case. Hence they did not throw away what they found falling short of absolute authenticity, but categorized it as such, reminding the reader that God knows better than they. Their researches did enable them to classify all the traditions of the Prophet's doings and sayings according to their degree of authenticity in descending order. First are reports of an act of the Prophet which he taught Muslims to do and which they have performed repeatedly ever since. This is an "actional" Sunnah and is hardly capable of error, considering its universal, repeated, and public nature. Second are those *hadiths* of juridical nature which had visible and public consequences in history and had thus been verified by the incontrovertible facts of that history. Third are those *hadiths* of a religious or moral nature which are obviously consistent with the Quran and were thus meant to illustrate or exemplify its ideas and injunctions. Last are those *hadiths* which carry some creative, innovative direction or tell something that is not reported by other known narratives or traditions.

Muslims look to the Prophet's *Sunnah* under

these categories. They are careful to call the Prophet's actions that are canonized by the Quran *al-Sunnah-al-Sahih (The Verified Sunnah)*. Thus keeping the door open for the possibility of human error. It is then imperative for human beings to remove error from the precincts of the divine will which, after all, really is religion." (*Islam by Dr. Ismail R. Al-Faruqi p37-40 International Graphics 4411 41 street Brentwood, Maryland- 20722, U.S.A.*).

### HADITH AND SUNNAH

"In the context of Hadith literature these two terms are considered to be synonymous. There is, however a slight difference in them. The word *Sunnah* means a trodden path, a precedent, a practice and a custom. In technical sense, it is a model behaviour of the Prophet (S.A.W.). It represents his doings and practices."

*Hadith* originally means a news, a tale, a story, a talk or report. Technically, it denotes the report of the words, deeds, and approval or disapproval of the Prophet (S.A.W.) some scholars have differentiated them in another manner. According to them, *Sunnah* is a norm, a rule of law, a principle and a pattern, whereas Hadith is a vehicle through which this norm or law, i.e. the *Sunnah*, is conveyed. *Sunnah* is thus a behavioural concept, while *Hadeith* is the narration of the behaviour, Both are interlinked and sometimes identical." (*Sunan Abu Daud, Vol I Translated by Prof Ahmad Hasan p.XI, Kitab Bhawan , New Delhi- 110002, 2000*)

## SUNNAH AND ITS PLACE IN ISLAMIC SHARIAH

Compiled by: Dr. Abul Hayat Ashraf

*Allah says in the Holy Quran: "We never sent a Messenger but that he should be obeyed by the leave of Allah. If whenever they wronged themselves they had come to you praying to Allah for forgiveness, and had the Messenger prayed for their forgiveness, they would indeed have found Allah All Forgiving, All Compassionate" (Surah An Nisa:64)*

"This is to impress upon us that Prophets are not sent so that people may pay lip service to their prophethood, and then obey whoever they wish. The purpose of sending Prophets is that people should follow the laws of God as brought and expounded by them rather than laws devised by man, and that they should obey the commands of God as revealed to the Prophets to the exclusion of the commands of others." *(Towards Understanding the Quran Vol.II M.A. Mawdudi, P.55 Markazi Maktaba Islami, Delhi-110006, 1997)*

"The application of the injunction embodied in this verse is act confined to the life time of the Prophet (S.A.W.). It will remain in force until the Day of Judgement. The guidance the Prophet (S.A.W.) proclaimed on God's behalf, and the manner in which he followed God's direction and inspiration, will for ever remain the universal touchstone for Muslims. In fact, recognition of that guidance as the final authority is the criterion of true belief. This principle was pronounced

by the Prophet (S.A.W.) in the following words.

"None of you can become a believer until his desires become subservient to what I have brought (i.e my teachings). *Cited by al Nawai in al Arbain.*

Prophet Muhammad (S.A.W.) and the Holy Quran are two separate entities, but they are both so closely allied that we can not conceive of their independent existence. It is through Prophet Muhammad (S.A.W.) that the Holy Quran has been vouchsafed to us, and it is in his august personality that we find its visible expression. Allah says in the Holy Quran: "He it is who sent His Messenger with guidance and the religion of truth, that He may cause it to prevail over all religions. (IX:34)

The verse bears clear testimony to the fact that the fountain head of true guidance and true religion is the Prophet of Allah (S.A.W.), since he has been entrusted with the responsibility of showing to the people the path Righteousness and the path of salvation, as desired by the Lord. He is the trusted Messenger of Allah on earth, and it is through him that mankind has been able to know His Will with all its major and minor implications.

We have been told in clear terms that the Holy Prophet (S.A.W.) neither said anything nor did any thing of his own accord, whatever he said

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and whatever he did emanated from his Lord.

*“He does not speak of his own desire” (Surah An-Najm:3)*

All the utterances and deeds of the Holy Prophet (S.A.W.) are thus divinely inspired, and in them alone can one find the true meaning and the real significance of the Will of Allah.

Mere transmission of the Book of Allah to the people faithfully and sincerely does not exhaust the Prophets duties. On him also lies the responsibility of explaining the real purport of the Quranic teachings and then giving them a visible shape, so that mankind may see, along with the injunctions of Allah, the process of their transformation into reality and the out-ward forms in which they are to be crystallized. Words alone, however powerful and however pointed, cannot be fully comprehended unless these conjure before our minds definite forms and shapes. Similarly, precepts however valuable, can be best understood only when these are illustrated by living examples.

It is indeed a boundless favour of Allah to humanity that, along with His message, He also sent to us His Messengers to elaborate and elucidate it, and then transmute it into practical reality under His direct guidance.

*“We raised earlier Messengers with clear signs and Divine Book, and we have now sent down this Reminder upon you that you may elucidate to people the teaching that has been sent down for them, and that the people may themselves reflect (Surah An-Nahl; 16:44)*

As a final dispenser of the Message of Allah, the Holy Prophet (S.A.W.) alone is best fitted and, therefore, divinely authorized to determine the meanings of the Holy Quran, to unfold before

humanity the deep wisdom contained in it, and then, on the basis of this wisdom, to purify the souls of the people and elevate them to the highest pinnacle of morality and God consciousness.

*“Assuredly Allah conferred a favour on the believers when He raised into them an apostle from among themselves, reciting to them His revelations and purifying them, and teaching them the Book and the wisdom” (III): 163)*

Reciting Lord’s revelations, purifying the souls of the people, teaching the Book and the wisdom lying in it-these are the different aspects of the prophetic ministry and nothing falls outside the orbit of Allah’s revelation.

*“Whatever the Apostle commands you, accept; and whatever he forbids you, avoid (LIX:7 Surah Hashar 59:)*

What this verse implies is that the commands and prohibitions of the Prophet are not to be treated in the spirit in which are taken the wise sayings of sages or philosophers or the verdicts of rulers. The words and the deeds of the Prophet are, indeed, the perfect expressions of the highest wisdom ever conceivable, but this alone does not completely fulfill the demands of belief in prophethood. The basic point in this belief is that one should affirm with full confidence that it is Allah who speaks through the Prophet whatever he utters by way of spiritual guidance or practical legislation, and thus follow him in every walk of life with a view to achieving the love of the Lord and salvation in this world and the world to come. The Prophet is no doubt human, but his leadership is divinely inspired and none can be called a Muslim who does not accept this basic doctrine of the Holy Quran.

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It is by following Prophet Muhammad (S.A.W.) that we can achieve the cherished goal of winning Allah's favour. The question arises: Did the Holy Prophet (S.A.W.) utter not a word besides what was revealed to him by the Lord in the form of the Holy Quran? The answer obviously is: No. He did also explain the contents of the divine revelations. He gave practical demonstration of their significance by leading his life according to them, and was thus instrumental in moulding the lives of his companions after his own pattern of life. He did all this, of course, under Divine inspiration.

This is why the Holy Quran has been declared as a guide and a light and the Prophet's noble life as a model for the Muslims.

*"Indeed, there has come to you from Allah a light and a Book Luminous" (V:15)*

*"Verily in the Apostle of Allah you have the best example for everyone who looks towards Allah and the Day of Judgement" (XXXIII:21)*

It is only from the Holy Quran and the authentic record of the Ahadith that we can obtain full view of this model. Thus, next to the Holy Quran the Hadith is the second source of the Islamic Law of social and personal behaviour, because the commandment of the Holy Prophet are as binding on the believers as the Commands of Allah.

*"Whenever Allah and the Apostle have decided a matter, it is not for a faithful man or woman to follow a course of their own choice (XXXIII:36)*

Some of the misguided people suggest that the commands of the Holy Prophet (S.A.W.) were valid only during his lifetime, and that now when

he is no more amongst us, we need to follow only the injunctions of the Holy Quran and the Hadith as an account of the past which has some allusions to the life of the Holy Prophet (S.A.W.), having no practical value as a code of life. These so called pseudo-reformers little realise that a denial of the eternal validity of the Sunnah amounts to a denial of the Holy Quran's claim that the Prophet-hood of Muhammad (S.A.W.) is not time bound; it is universal and the Prophets words and deeds are the timeless expression of the will of Allah."

Muhammad (S.A.W.) is the Messenger of Allah for the whole of mankind; no new Prophet is to be raised after him. His Prophethood is thus both universal and eternal. It is, therefore, an integral part of one's faith in the prophethood of Muhammad (S.A.W.) that his words and deeds should always be taken as one of the two most reliable source of right guidance. The code of Divine guidance, which does not regard Muhammad (S.A.W.) as the supreme guide from the Lord, cannot in any way be relied upon in Islam. One could seek this guidance directly from the Holy Prophet (S.A.W.) during his life time, but now it is the authentic traditions that serve this purpose admirably well.

Right from the time of the Companions down to this day, there has been a consensus of opinion among the Muslims that whatever is transmitted to us from the Holy Prophet (S.A.W.) on the authority of reliable transmitters of *Ahadith* is the valid explanation and enunciation of Allah's commands and the opinion of any one else is subservient to it. It is acceptable only if it conforms to the sayings or the deeds of the Holy Prophet (S.A.W.) but if it conflicts with a *hadith*, it must be outright rejected.



## IMPORTANCE OF MODESTY (HAYA)

Haya is part of the fitrah or the nature of the human being that he feels humble and modest. That he feels shy from evil and shamelessness. The more a person increases his Haya, the more his Iman increases as Haya is a part of Iman. Haya is in the heart and reflects in the adab (manners), character and thinking.

The Holy Prophet (may blessing and peace of Allah be upon him) said, "Faith (Belief) consists of more than sixty branches (i.e. parts). And Haya (This term "Haya covers a large number of concepts which are to be taken together, amongst them are self respect, modesty, bashfulness, and scruple, etc.) is a part of faith." (Sahih Bukhari 1.8)

A good Believer feels shy from Allah, in the sense that He is watching him all the time. The believer feels shy to commit a sin or even utter a word that may be displeasing to Allah because He, the Almighty Sees and Hears all. This is the high level of Haya that a believer feels in front of his Lord during his prayer or any other time. Haya purifies a person and in turn purifies the society. A society with morality and bashfulness does not witness open indecency and shamelessness.

It is upon every Muslim that he develops Haya in his nature, because Eeman cannot be complete without Haya. And not having it is condemned and sinful. The Holy Prophet (may blessing and peace of Allah be upon him) said "Haya is from Iman, and Iman is from Paradise. Speacking obscenely is from coarseness and corseness is from the Fire." (Narrated by Ahmad ibn Hanbal 2/50).

Let those who speak without shame or morality know that such talk is from the fire. It is very unfortunate that today Muslims have become immodest, shameless and have no haya. Not only have they removed haya from their hearts but they feel proved of being like that. Today our societies have become corrupt with shamelessness, to the extent that people need an explanation of what morality is and the need of it? Haya has become a joke and a matter that Muslims are taking it so lightly to the extent that they feel they don't see any reason or logic of Haya; making it as something strange and to laugh on its practice. Look at what the Holy Prophet (may blessing and peace of Allah be upon him) has said: Haya and Iman are fully associated together, if one is lifted the other follows suit." (Narrated by Al-Hakim in his

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Mustadrak).

When a Muslim lifts off his *haya*, Iman follows. This is so true. We see Muslim practicing Islam well, and developing their Iman, and being modest and humble, but at times when there are gatherings of celebrations, they become careless and don't bother about *haya* and join in shamelessness, no matter how small the degree of shamelessness it is, you will see that their Iman also goes away, i.e. decreases. From that time onwards the botheration and mindfulness of Allah and His deen will not have so much importance as it used to be in his/her heart before. This becomes the state of a Muslim unless Allah guides and he/she works on developing their Iman all over again.

The Western culture of shamelessness has become prevalent in our lives. Muslims are on their way to slow and poisonous destruction. Immorality, which was once detested amongst Muslim, is becoming a part of our lives thanks to the satellite channels, media, society and just about everything, so much so that no thought is given to it or to make any changes to it. We have already made so many celebration days in our lives on top of parties, which have no other objective except mixing and having fun, talking, joking and laughing without any sense of *haya*.

The concept which destroyed the previous nations can be found in us now, "Come on! After all its Eid today, at least today..... Come on! Its marriage and wedding, after all such occasions don't come everyday..... We need to relax and enjoy after all....." Turning *haram* into *halal*

on occasions and setting ourselves loose, this is the path of destruction. Allah did not make exceptions on days to practice and not to practice in His deen. Muslims have to practice Islam everyday of their life, and may Allah guide us to realize its value and avoid Haram and shamelessness. May Allah protect us from the Shaitan who is making our lives corrupt and calling us to indecency and shameful acts.

Islam calls towards piety and righteousness. It shuns immorality. Today our culture and society has become so corrupt, look how the children are developing. We find small children indulging in immoral and shameful acts. What are we really heading to? We have not bothered in watching our children grow or what the children are learning. They are exposed to these shameless societies and the modern culture of following movie stars, they develop desires and immorality and sick character from their childhood.

Apart from these immoral "schools" of learning we have at homes; our gatherings and celebrations become the platforms for these children to "practice what they learn". The Holy Prophet (may blessing and peace of Allah be upon him) said, "Order your children to pray when they are seven years old. And spank them (to exhort them) to do it by the age of ten and separate them in their beddings." He ordered us to separate the bedding of the one who reaches 10. The method of dealing and behaviour with children automatically change when the child grows and starts understanding things.

We first enjoin piety in our children from child-

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hood and we keep an Islamic atmosphere and our behaviour needs to change and develop according to the growing age of the child. A child who is grown in such an atmosphere and upbringing is Insha Allah going to have so much haya, yet we have such rules in Islam. How about the children who don't have the Islamic upbringing and are exposed to Fahishah (indecenty), how is their thinking going to be? Our copying the western world in our lives have destroyed everything. The hugging and the kissing between relatives and friends and talking non-sense is prevalent. If we are sitting and thinking that this is something happening elsewhere then we are mistaken, because this is happening with us.

Also being a 'Mahram' does not mean that you can do all that. A father does not kiss his own daughter after she reaches puberty then how about others. Islam is ordering children who have not matured and only reached the age of 10, to separating bedding from their mother, then what about the behaviour and akhlaq we should have with other boys and girls. What about physical closeness that we practice today copying Christian methods? We turn blind eye to these things and ignore these things, because it has become acceptable in society and no one bothers so we can turn blind eye and pretend to be ignorant, the fact is that this is a very serious issue and in Islam lies true success and anything against Islam and disobedience to it leads to failures and reasons to worry.

Allah said, *"O you who believe! Let your slaves and those among you who have not*

*come to the age of puberty ask permission (before they come to your presence) on three occasions: Before morning prayer, and while you put off your clothes for the noonday (rest) and after the 'Isha (night) prayer. (These) three times are times of privacy for you. Other than those times there is no sin for you or for them to move about, attending to each other. Thus Allah makes clear His signs to you. And Allah is All-Knowing, All-Wise."* (Surah An-Noor, 58). He also said, *"And when the children among you reach the age of puberty, then let them (also) ask for permission, as those senior to them (in age ask permission). Thus Allah makes clear His signs for your. And Allah is All – Knowing All – Wise."* (Surah An – Noor, 59).

Rulings automatically change with our own child when he/she enters the age of puberty, this is our child who has grown in front of our eyes. How about the *Non – Mahram* relatives? Muslim women have an opinion today about doing hijab in front of their non – mahram relatives who till yesterday were not doing when not in puberty. No matter how light we think the matter is, if we ignore Islam's practice in it, then be sure of a problem to start from it.

Because the moment one knowingly looks at a person he is not supposed to, then being disobedient and transgressing in that matter becomes easier and he becomes more careless. His Iman and his fear of Allah that He is watching always becomes less. In other words he even starts looking at other women and after that he may even go a stop ahead

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because Shaitan is never satisfied. Similarly to even women who practice hijab, if they have exceptions, then they will become more unmindful in front of others also.

The Iman is gone once the haya is lifted. Sins cause forgetfulness and the fear of Allah and being mindful of Him is gone, so a woman who until yesterday was doing hijab sincerely for the sake of Allah and being mindful of Him, today will not even realize or value that she may be sitting and she is not covered properly or her shapes may be prevalent or that she has become shameless or whatever. It becomes a ritual of wearing hijab because Iman has left her (which means it has decreased).

The importance of Haya is something that can go on. We have the example of the Holy Prophet (may blessing and peace of Allah be upon him) to follow, who was full of Haya. Narrated Abu Sa'id Al-Khudri that the Holy Prophet was more shy than a virgin in her separate room. And if he saw a thing which he disliked we would recognize that (feeling) in his face. (Al-Bukhari 8.124)

This serves as a warning for those who ridicule and make fun of those who practice haya or any part of Islam. Allah says, "Say: Was it Allah, and His Signs and His Messenger you were mocking? Make no excuse, you have disbelieved after you had believed. If We pardon some of you, We will punish others among you because they were sinners". (Surah al-Taubah, 65-66).

Al Hamdulillah, we still have amongst us who by Allah's grace have haya, such like a six year

old girl who feels shy to undress in front of her father, such women who are fully covered without revealing anything yet when they walk on the street are filled with haya and humbleness when men pass that it shows in their walk and even such similar boys and men.

May Allah make us believers like Uthman and Ayesha and Fatima (may Allah be blessed with them all) and guide us to follow the Prophet (may blessing and peace of Allah be upon him). May Allah guide us to be mindful of Him all the time and fear Him truly and make our deeds to seek His pleasure only. May Allah protect us from all such atmospheres that take us away from piety and His remembrance. May Allah make us amongst His chosen slaves. May Allah give us pious atmospheres and pious circle of people so that we don't deviate and truly one doesn't deviate except when he is away from the people of truth and mixes with people of falsehood.

## RIGHTS OF PARENTS

*Abu Hurairah (may Allah be pleased with him) relates that a person asked the Holy Prophet (S.A.W.) who is the most deserving of a favoured treatment. The Holy Messenger (S.A.W.) said, "Your mother." The man again asked who came next. The Holy Messenger (S.A.W.) again said, "your mother." On his asking for the third time, the Holy Messenger (S.A.W.) again repeated, "your mother." When the man asked for the fourth time, the Holy Messenger (S.A.W.) said, "your father, and after him your near relatives in order of priority." (Bukhari and Muslim)*

# HUMAN RIGHTS IN ISLAMIC PERSPECTIVE

By Dr. Saud Alam

The modern phenomenon of intolerance, exploitation, oppression, injustice and subjugation of weaker nations, communities and sections of the society by the strong and powerful all over the world is matter of serious concern today for all those who cherish human rights and human values.

Abuse of power by many governments including some Muslim governments and law enforcing agencies pose grave threat to life, honour and dignity of people.

In such global scenario human rights agencies are raising their voice against the gross violation of human rights. But the Muslim Ummah has failed to prove its existence and play its legitimate role in this very crucial area. Islam was the first to introduce a code of human rights and Prophet Muhammad (S.A.W.) took every possible measure to protect and implement it particularly in his last sermon of Haj, better known as *Khutba-Hajjatul wada*, which constitutes and incorporates the principles of non-discrimination in all major human rights instruments. Islam gave an ideal code of human rights to mankind in an era when the humanity was groaning under the unbearable burden of injustice, oppression, and ignorance. The oppressed and the downtrodden were denied all human rights.

Women were treated like slaves and the treatment meted out to slave worse than animals.

## **MISSION OF THE HOLY PROPHET:**

Islam emancipated mankind from every form of oppression and subjugation. The Holy Prophet (S.A.W.) introduces the goal and mission of the last Prophet as: "Those who follow the messenger, the unlettered Prophet, whom they find mentioned in their own (scriptures), in the Taurat and the Gospel, for he commands them what is just and forbids them from what is evil, he allows them what is lawful, what is good, and prohibits them from what is bad, he releases them from their heavy burdens and from the yokes."

## **DIGNITY OF MANKIND:**

Islam greatly elevated the status of humanity and declared its superiority over all the creatures. Almighty Allah has given him special position in the universe. The Holy Quran explains, "*We have indeed created man in the best of moulds.*"

## **UNITY OF MAN:**

Islam gives a powerful impetus to man for unity, equality and brotherhood. Islam asserts that the origin of human beings is one, his Creator is also one, hence all human beings must be consid-

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ered and treated as one and equal without any discrimination on the basis of caste and colour. The Holy Qura'n says: "*O mankind! We created you from a single (pair) of male and female and made you into nations and tribes. That you may know each other (not that you despise each other) verily the most honoured of you in the sight of Allah is he who is the most righteous of you.*"

### **EQUALITY OF MAN:**

According to the teachings of the Holy Prophet (S.A.W.): "All human beings are as equal as the teeth of a comb." The Holy Prophet (S.A.W.) in his last sermon in the valley of Arafat commanded: "*No Arab has superiority over a non Arab nor is a white any way better than a black. The only criterion for the superiority and respectability is the one having for the element of piety. All human beings are the off-springs of Adam and the Adam was from clay.*"

Demolishing the distinctions on the basis of caste, colour and region of one's origin the last Prophet ensured the respect of life, honour and property of all human beings. He commanded: "O people! Every body's blood, property and prestige have become sacrosanct for others. All these are now of the same significance and sanctity as the sanctity of this day in this Holy month and in this city."

### **RIGHT TO LIFE:**

The right to life is a basic and fundamental right of man. No one can deprive him from this right. According to the Quranic teachings killing of one innocent person amounts to the killing of the entire mankind. The Holy Qura'n says: "*He who*

*killed any person unless it be a person guilty of man-slaughter, or of spreading chaos in the land, should be looked upon as though he had slain all mankind and he who saved one life should be regarded as though he had saved the lives of all mankind.*"

According to Islam Muslim is one who does not indulge in killing of an innocent person. The Holy Qura'n clarifies: "*A true Muslim is he, who does not kill a soul which Allah has forbidden, unjustly.*"

### **RIGHT TO PROPERTY:**

The right of having property is another fundamental right of the mankind and no one can be deprived from having property. The Holy Prophet (S.A.W.) in the last sermon specially emphasised this aspect. "*It is not lawful for anybody to have any thing from his brother without his consent and pleasure.*"

Taking away money forcibly from any body is strictly prohibited in the Holy Qura'n. "*Do not usurp one another's property by unjust means nor offer it to the judges so that you may devour knowingly and unjustly a portion of the goods of others.*"

### **RIGHT TO WORK:**

Islam protects one's right to choose any legitimate occupation and pursue it. It lays greatest possible emphasis on the dignity of labour. The Holy Qura'n says, "*The men shall have their due share according to what they have earned and the women shall have their share according to what they have earned.*"

The Holy Prophet (S.A.W.) is reported to have said no one can earn his livelihood better than

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the work of his own hand. The Holy Prophet further said *“Give the labourers his due wage before his sweat has dried.”*

### **RIGHT TO PROTECTION OF HONOUR:**

Respect for the honour of human beings is also an inalienable and fundamental right. Therefore, it should be treated with all the regard due to it. Islam has given special attention to the protection of the honour of mankind. Humiliation, intimidation and outraging of the basic human dignity is not acceptable in any circumstance. The Holy Qura'n commands, *“O you who have believed neither should men mock other men, it may be that these are better than they, nor should women mock other women, it may be that these are better than they. Don't taunt one another among yourselves, nor call one another by nicknames. It is an evil thing to be called by a bad name after faith.”*

Islam is particularly sensitive of women's honour due to her sex. Any body found guilty of defaming or dishonouring her is liable for harsh punishment. The Holy Qura'n says, *“Whoever took any part in it (slander) earned his share of the sin accordingly and the one who had the greatest share of responsibilities in it shall have terrible punishment.”*

### **RIGHT TO PRIVACY:**

In addition to safeguarding the honour and dignity of the man, Islam firmly believes in the right of people to privacy. Islam strongly disapproves interference in the private life of other people and peeping into the house of any individual. The Holy Prophet (S.A.W.) forbade to go after the secrets of people and said: *“If you prope*

*the secrets of people you will spoil them.”*

The Holy Prophet (S.A.W.) specially warned the ruler to look for the secrets of people and said, *“If any ruler searches for the defects of people and indulges in doubts, he will spoil them.”*

The Holy Qura'n strictly prohibited suspicion and spying into the affairs of others, *“O you who have belief! avoid suspicion as much as possible, for suspicion in some cases is a sin, and spy not on each other.”*

The Holy Qura'n also prohibited entering any body's house without his permission so that his privacy may not be disturbed. *“O believers! Enter not houses other than your own, until you have asked permission and saluted those in them' that is best for you in order that he may head (what is seemly).”*

### **RIGHT TO MARRIAGE:**

According to Islam every person is entitled to marry to establish a family and to bring up children in accordance with his religion and culture. The wife is entitled to live in the house of the husband and to receive the maintenance.

### **RIGHT TO EDUCATION:**

From the very first day of its down, Islam gave greatest importance to education. Islam not only considers it as a basic right of every body but goes much beyond it and makes it obligatory on every believer to acquire knowledge. The Holy Prophet (S.A.W.) declares, *“Seeking knowledge is compulsory on every believer, man and women.”*

According to Islam it is the responsibility of the parents to impart Proper education to their chil-

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dren. The Holy Prophet (S.A.W.) said, *“No parent gives better gift to their ward than good education.”*

Islam also holds the state responsible for the education of its people. Once the Holy Prophet (S.A.W.) warned the Asharay’s tribe: *“If you will not educate your neighbours you will deserve punishment.”*

#### **RIGHT TO JUSTICE:**

Islam is very sensitive about the dispensation of justice. Every one is entitled to get justice. This is his natural and inalienable right. No body in any circumstances can be denied justice. It does not matter at all whether he or she is a friend or a foe. All persons are equal before justice and every body will be treated strictly in accordance with the law. The Holy Qura’n commands: *“O Believers! Be steadfast in righteousness and just in giving witnesses for the sake of Allah, the enmity of any people should not so provoke you as to turn away from justice. Do justice for it is akin to piety.”*

Islam maintains that the mission of all prophets was to establish justice in the society.

According to Islamic teaching the punishment for a crime would be meted out to the guilty alone and in no case it could be extended to the family or the other members of his community. The Holy Qura’n says, *“Every soul draws the mead of its acts on none but itself, no bearer of burdens can bear the burden of another.”*

#### **RIGHT TO FAIR TRIAL:**

In the light of above mentioned holy verses jurists say that no person shall be adjudged guilty except after a fair trial and only after

reasonable opportunity for defence has been provided to him.

#### **RIGHT TO HABITATION:**

Islam has recognised the right of residence and habitation for human beings. No one can be deprived from this right and nobody can be deported from his homeland without due process of law. The Holy Qura’n criticising Jewish practice of driving people out from their homes said: *“Remember also what we made another solemn covenant with you. You shall not shed blood among yourselves nor expel one another from your homes. And you confirmed it and you are witness to it. But inspite of this, you are killing your brothers and driving them from their homes whereas their expulsion itself was unlawful for you.”*

#### **RIGHT TO ASYLUM:**

Islam had guaranteed to every human being in respect of race, religion and sex the right to seek refuge and asylum. The Holy Qura’n says, *“If one amongst the pagans ask you for asylum, grant to him, so that he may hear the word of Allah, and then escort him to where he can be secure.”*

#### **RIGHTS OF PRISONERS OF WAR:**

As Islam recognises human rights in peace times, it also recognises rights of the mankind during the war. Islam established the principles of war for the first time. Islam made distinction between combatants and non-combatants. Regarding non-combatants the Holy Prophet (S.A.W.) instructed the believers. *“Don’t kill any old person, or any woman or child. Don’t kill the monks in monastery and don’t kill the people who are sitting in place of worship.”*

## PROTECTION AND CONSERVATION OF BASIC NATURAL RESOURCES

*Throughout the universe, the Divine care for all things and all pervading wisdom in the elements of creation may be perceived, attesting to the All-Wise Maker. The Glorious Quran has made it clear that each thing and every creature in the universe, whether known to man or not, performs two major functions: a religious function in so far as it evidences the Maker's presence and infinite wisdom, power, and grace; and a social function in the service of man and other created beings.*

God's wisdom has ordained that His creatures shall be of service to one another. The Divinely appointed measurement and distribution of all elements and creatures, each performing its ordained role and all of them valuable, makes up the dynamic balance by which the creation is maintained. Over exploitation, abuse, misuse, destruction and pollution of natural resources are all transgression against the Divine scheme. Because narrow sighted self-interest is always likely to tempt men to disrupt the dynamic equilibrium set by God, the protection of all natural resources from abuse is a mandatory duty.

In the Divine scheme by which all creatures are made to be of service to one another, God's

wisdom has made all things of service to mankind. But nowhere has God indicated that they are created only to serve human beings. On the contrary, Muslim legal scholars have maintained that the service of man is not the only purpose for which they have been created.

*"And He has made the ships to be of service unto you, that they may sail the sea by His command, and the rivers He has made of service unto you. And He has made the sun and the moon, constant in their course, to be of service unto you, and He has made of service unto you the night and day. And He gives you all you seek of Him: If you would count the bounty of God, you could never reckon it."*

Similar verses in which God declares that He created His creations for the children of Adam. It is well known that God in His great wisdom has exalted purposes in them other than the service of man, and greater than the service of man. However, He makes clear to the children of Adam what benefits there are in these creatures and what bounty He has bestowed upon mankind.

Vitally important, as the social functions of all things are, the primary function of all created

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beings as signs of their Creator constitutes the soundest legal basis for conservation of the environment. It is not possible to base the protection of our environment. It is not possible to base the protection of our environment on our need for its services alone since these services are but a supporting value and reason. Because we can not be aware of the beneficial functions of all things, to base our efforts at conservation solely on the environmental benefits to man would lead inevitably to distortion of the dynamic equilibrium set by God and misuse of His creation, thereby impairing these same environmental benefits. However, when we base the conservation and protection of the environment on its value as the signs of its Creator, we cannot omit anything, for every element and species has its individual and unique role to play in glorifying God, and in bringing man to know and understand his Creator by showing him God's infinite power, wisdom, and mercy. It is impossible to countenance the willful ruin and loss of any of the basic elements and species of the creation, or to think that the continued existence of the remainder is sufficient to lead us to contemplate the glory, wisdom, and might of God in all the aspects that are intended, because species differ in their special qualities, and each evidences God's glory in ways unique to it alone.

Furthermore, all human beings, and indeed livestock and wildlife as well, enjoy the right to share in the resources of the earth. Man's abuse of any resource is forbidden, and the best use of all resources, both living and lifeless, is prescribed. The following is a discussion of the basic natural elements:

#### **Water:**

God has made water the basis and origin of life. God says, *And "We made from water every living thing. Will they not then believe"* Plants, animals, and man all depend on water for their existence and for the continuation of their lives.

God says, *"Verily.. in the rain that God sends down from heaven, thereby giving life to the earth after its death...."*

He says, *"It is He Who sends down water from the sky; and thereby We have brought forth the plants of every kind."* *And you see the earth barren and lifeless, but when We pour down rain upon it, it stirs and swells, and puts forth growth of every resplendent kind"*.

The Quran also says, *"And We send down pure water from the sky, thereby to bring to life a dead land and slake the thirst of that which We have created cattle and men in multitudes."*

God has called on man to appreciate the value of this so essential source of life: *"Have you seen the water which you drink? Was it you who sent down from the rain cloud, or did We send it? Were it Our will, We could have made it bitter, why then do you not give thanks?"*

*And He has reminded us, "Say: Have you considered, if your water were one morning to have seeped away, who then could bring you clear-flowing water?"*

In addition to this vital function, water has another socio religious function to perform,

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which is purification of the body and clothing from all dirt, impurities and defilement so that man may encounter God clean and pure. God has said in the Glorious Quran, *“And He caused rain to descend on you from heaven to cleanse you therewith.”*

God has also shown us other functions of lake, sea, and ocean water. He has made it the habitat of many created beings, which play vital roles in the perpetuation of life and the development of this world. God has said, *“It is He Who has made the sea of service, that you may eat thereof flesh that is fresh and tender, and that you may bring froth from it ornaments to wear, and you see the ships therein that plough the waves, that you may seek of His bounty,”* He also says, *“Lawful to you is the pursuit of water game and its use for food a provision for you, and for those who travel.”*

There is no doubt that conservation of this vital element is fundamental to the preservation and continuation of life in its various forms, plant, animal, and human. It is therefore obligatory, in Islamic law, whatever is indispensable to fulfil the imperative obligation of preserving life is itself obligatory. Any action that obstruct or impairs the biological and social functions of this element, whether by destroying it or by polluting it with any substance that would make it an unsuitable environment for living things or otherwise impair its functions as the basis of life. Any such action necessarily leads to the impairment or ruin of life itself, and the juristic principle is, *“What leads to the prohibited is itself prohibited”*.

Owing to the importance of water as the basis of life, God has made its use the common right

of all living beings and all human beings. All are entitled to use it without monopoly, usurpation, despoilment, wastage, or abuse. God commanded with regard to the people of Thamud and their camel, *“And tell them that the water shall be shared between that the water shall be shared between them”*, and the Prophet, upon him be blessings and peace, said, *“Muslims are to share in these three things: water, pasture, and fire,”* Extravagance in using water is forbidden; this applies to private use as well as public, and whether the water is scarce or abundant. It is related that the Prophet, upon him be blessings and peace, passed by his companion Saad, who was washing for prayer, and said, *“What is this wastage, O Saad,? “Is there wastage even in washing for prayer?”* asked Saad; and he said, *“Yes, even if you are by a flowing river?”*

The long experience of Muslim jurists in the allocation of water rights in arid lands has given rise to an outstanding example of the sustainable use of a scarce resource; an example of which is of increasing relevance in a world where resources were once abundant are becoming progressively more scarce.

#### ***Air:***

This element is no less important than water for the perpetuation and preservation of life. Nearly all terrestrial creatures are utterly dependent on the air they breathe. The air also has other functions which may be less apparent to men but which God has created for definite purposes, as we have been made aware of by the Glorious Quran such as the vitally important role of

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the winds in pollination. God says, *“And we send the fertilizing winds”* The winds are also clear evidence of God’s Omnipotence and grace, and the perfection of design in His creation. He says, *“Verily in the creation of the heavens and the earth; in the alternation of night and day in the alternation of right and day in the change of the winds, and the clouds compelled between heaven and earth surely there are signs for a people who have sense”*.

*“And He it is Who sends the winds as tidings heralding His grace: until when they have raised a heavyladen cloud, We drive it to a dead land and cause the rain to descend upon it, and thereby bring forth fruits of every kind.”*

Since the atmosphere performs all these biological and social functions, its conservation, pure and unpolluted, is an essential aspect of the conservation of life itself, which is one of the fundamental objectives of Islamic law. Again, whatever is indispensable to fulfil this imperative obligation is imperative obligation is itself obligatory, Therefore any activity which pollutes it and ruins or impairs its function is an attempt to thwart and obstruct God’s wisdom toward His creation. This must likewise be considered an obstruction of some aspects of the human role in the development of this world.

#### *The land and Soil:*

Like air and water, the land and soil are essential for the perpetuation of our lives and the lives of other creatures. God has declared in the Quran. *“And the earth He has established for living creatures”* From the minerals of the earth are made the solid constituents of our bodies,

as well as those of all the living animals and plants. God has said in the Quran, *“And among His signs is that He has created you from dust; then behold you are humans scattered widely.”* He has also made the land our home and the home of all terrestrial beings. *“And God has made you grow, as a plant from the earth; then to it He returns you, and He will bring you forth a new...”*

And as our home, the land has value as open space: *“and God has made the earth a wide expanse, that you may traverse its open ways.”*

God has made the land a source of sustenance and livelihood for us and other living creatures: He has made the soil fertile to grow the vegetation upon which all animal life and we depend. He has made the mountains to catch and store the rain and to perform a role in stabilizing the crust of the earth, as He has shown us in the Glorious Quran: *“Have We not made the earth a vessel to hold the living and the dead? And We have made in it lofty mountains and provided you sweet water to drink”*.

*“And the earth, after that He has spread it out; from it He has brought forth its waters and its pastures, and He has made fast the mountains, a provision for you and for your cattle”*.

*“And the earth, We have spread it out, and made in it mountains standing firm, and grown in it every thing in balance. And We have provided in it sustenance for you, and for those whom you do not support”*.

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*And a sign for them is the lifeless earth: We bring it to life and bring forth from it grain of which they eat. And we have made therein gardens of palms and vines.*

Finally, the Prophet Muhammad God's blessing and peace be upon him, declared that "The whole earth has been created as a place of worship for me, pure and clean." Accordingly, we are charged with treating it with the respect due to a place of worship, and with keeping it pure and undefiled.

#### ***Plants and Animals:***

There is no denying the importance of plants and animals as living resources of enormous benefits, without which neither man nor other species could survive. God-be He exalted- has not made any of His creatures worthless; every single form of life is the product of a special and intricate development by God, and warrants special respect. As a living genetic resource, each species and variety is unique and irreplaceable. Once lost, it is lost forever.

By virtue of their unique function of producing food from the energy of the sun, plants constitute the basic source of sustenance for animal and human life on earth. God has said, "Then let man consider his nourishment: that we pour down the rain in showers, and we split the earth in fragments, and therein make the grain to grow, and vines and herbs, and olives and palms, and gardens of dense foliage, and fruits and fodder- provision for you and your cattle."

In addition to their importance as nourishment, plants enrich the soil and protect it from erosion by wind and water. They conserve the water by

detaining its runoff: they moderate the climate and produce the oxygen, which we breathe. They are also of immense value as medicines, oils, perfumes, waxes, fibers, timber, and fuel. God has said in the Glorious Quran, "Have you seen the fire you kindle? Was it you who grew its timber or did We grow it)? We have made it a reminder, and a comfort for the desert dwellers."

Animals in turn provide sustenance for plants, for one another, and for man. Their dung and their bodies enrich the soil and the seas. They contribute to the atmosphere by respiration and by their movements and migrations contribute to the distribution of plants. They provide food for one another and provide mankind with leather, hair and wool, medicines and perfumes, and means of conveyance, as well as meat, milk and honey. And for their highly developed senses and perceptions and their social inter relationships, animals are accorded special regard in Islam. For God considers them living societies exactly like mankind. God has declared in the Glorious Quran, "There is not an animal on the earth, nor any being that wings its flight, but is a people like unto you".

Islam emphasizes all measures for the survival and perpetuation of these creatures so that they can fully perform the functions assigned to them. The absolute destruction of any species of animals or plant by man in no way can be justified: nor should any be harvested at a rate in excess of its natural regeneration. This applies to hunting and fishing, forestry and woodcutting for timber and fuel, grazing, and all other utilization of living resources. It is imperative that the genetic diversity of living beings be preserved both for the good of mankind and all other creatures.

*(Courtesy: Monthly Youth, July, 2003)*