

**The
SIMPLE
TRUTH
MONTHLY
July, 2018**

Vol. No.12 Issue No.7

Chief Editor
Asghar Ali Imam Mahadi Salafi

Editor
Dr. Abul Hayat Ashraf

Publisher
Mohammad Irfan Shakir

Subscription
Rupees 100/= per annum
Rupees 10/= per copy

Address:
**Markazi Jamiat-e-Ahle Hadees Hind
Ahle Hadees Manzil**
4116, Urdu Bazar, Jama Masjid,
Delhi-110006
Ph: 011-23273407
Fax: 011-23246613
website: www.ahlehadees.org
E-mail: Jamiatahlehaddeeshind@hotmail.com

inside

- 04 **Editorial**
- 06 **Guidance from the Glorious Qur'an**
- 07 **Pearls From the Holy Prophet**
- 08 **Fatwa: Injunctions on Approaching
Soothsayers and Foretellers**
- 12 **Islamic Feature: Prophet
Muhammad: The Last Resort of
the Poor and the Downtrodden**
- 16 **Islamic Feature: Prophet
Muhammad and Universal Broth-
erhood**
- 18 **Islamic Feature: Islam and Femi-
nism**
- 21 **Islamic Feature: How Islam Safe-
guards Rights of Dalits**
- 25 **Feature: Why Not The Death Pen-
alty to Rapists?**

LET HATRED AND VIOLENCE VANISH AND PEACE PREVAIL IN THE COUNTRY

The recurring incidents of violence and humiliation from various parts of the country are direct challenge thrown by arbiters of caste hegemony to the law of the land. Many of those committing atrocities and humiliations against Dalits know very well that they are in violation of the Constitutional right to equality and stringent laws like Sc/St (Prevention of Atrocities) Act. Yet they are brandishing these atrocities and heinous Acts. The surfacing of some news clips illustrates the point. One from Maharashtra where two Dalit boys were beaten and paraded naked for swimming in a village well and another from Gujarat where a 13-year-old was assaulted for dressing like a “Kshatriya”.

Another news, a Dalit groom was not allowed to ride a mare and his relatives were allegedly threatened for burning crackers during a wedding procession in Parsa village of Gandhi Nagar district on Sunday (17/06/18). The groom, Prashant Solani, an employee of Mehsanas Dudhasagar Dairy said he was humiliated on the day of his marriage.

“I had travelled from Mehsana to Parsa in car and when we reached the bride's village my relatives arranged a mare on reach the bride's house from the village entrance, But this did not go well when with some Darbar community members, who first objected to bursting crackers by my relatives and became aggressive when they saw a mare being arranged for me”. The Darbars threatened to chop off my legs if I ride the mare. The bride, Varsha Parmar, had to wait for four hours for the marriage as the Darbars did not allow Solanki to enter the village on a mare.”

Moreover, it was recently reported that a Dalit couple in the Kasganj district of UP wanted to take their marriage procession through their village which is dominated by upper-caste Thakurs. When the Thakurs refused to grant access, citing tradition, the couple approached the local authorities who also denied their request, on somewhat frivolous grounds. In this case, the individual right of the couple to celebrate their marriage came in the way of the social dominance of the upper caste.

The stated news of heinous acts is clearly calculated to humiliate Dalits and dissuade them from claiming their right to public spaces and an equal social footing with other communities.

The real danger is that incidents like Maharashtra, Gujarat, Kasganj and Gandhi Nagar may become more frequent. Therefore, preventing further atrocities and humiliation requires strong prosecutions and expeditions punishments to the culprits.

We have news clip of mob lynching and horror against Muslims too.

A 45-year Muslim cattle trader, Qasim was beaten to death and a 67-year old Shamiuddin suffered severe injuries in the mob lynching that took place on June 18. The two were brutally beaten by villagers of Thakur-dominated Baj- hera Khurd after rumours of cow slaughter. A photograph of bleeding Qasim being dragged upside down by villagers, with the police personal flanking them, forcing the UP police top brass to apologise and take disciplinary action. The three police men have been transferred to lines. Because they showed insensitivity towards the injured Qasim. Qasim from Sadiqpura in Pilkhuwa died of severe injuries while Shamiuddin by the time of this writing, is still battling for life at a private hospital in Hapur.

The mob also clicked picture and shot videos in which villagers can be heard asking the men about cows. Another video shows Shamiuddin being attacked and the mob forcing him to confess to having slaughtered a cow which he denied and said it is an allegation.

The Killing of Qasim is one of several such cases in a short span of time in UP and the country on rumour of cow slaughter. It was a design of anti-social elements to target someone by raising sentiments of local people.

The innocent minds are being indoctrinated with hatred and violence.

Right to life is a fundamental human right accepted and sanctified by all civilized citizens. It includes protection of life, property and honour of citizen. Anything against it would be regarded as a serious dereliction of duty and violation of Constitutional guarantees. Let the Supreme court take notice thereof *suo motto* to stop this subversion of due process of law and uphold the supremacy of law and protect the rights of citizens.

Unless we have a change of heart and take life as the greatest gift of God, we can not expect any change in the spate of crimes, which is engulfing and drawing our society. This is the way hatred and violence would vanish and peace prevail in the country.



INEVITABILITY OF DAY OF JUDGEMENT

“Let him who looks forward to meeting Allah know that Allah’s appointed term will surely come to pass, He is All- Hearing, All-Knowing” (Surah Al-Ankabut, 29:5)

This verse underlines the inevitability of the Day of Judgement. The case of the person who does not believe in the Afterlife, who does not consider himself accountable to anyone, who is convinced that there will never come a time when his deeds will be subjected to reckoning, is quite different. Such a person is free to remain engrossed in his negligence and to act as recklessly as he wants. A Day will surely come, however, when he will be confronted with reality, which will be quite contrary to his estimates.

As for those who recognise that one Day they will have to appear before God and will be rewarded or punished in accordance with their deeds should not delude themselves that death is a remote possibility. Rather, they should think that death is just around the corner and the term granted them to reveal their true natures is about to end. This should prompt them to do whatever they can for their own good in the Hereafter. There is no reason why they should defer efforts

to reform themselves in the vain hope that they will live a long life.

They should not succumb to the delusion that they will have to deal with an ill informed sovereign. On the contrary, the Lord before Whom they are required to appear is All-Hearing and All-Knowing. Nothing about them is hidden from Him. Abdullah Yusuf writes: "The men of Faith look forward to Allah. Their quest is Allah, and the object of their hopes is the meeting with Allah. They should strive with might and main to serve Him in this life, for this life is short, and the Term appointed for their probation will soon be over. The term (Ajal) may signify (1) the time appointed for death, which ends the probation of this life; (2) the time appointed for the life, so that we can prepare for the Hereafter; the limit will soon expire. In either case, the ultimate meaning is the same. We must strive now and not postpone anything for the future. And we must realise and remember that every prayer we make to Allah is heard by Him, and that every unspoken wish or motive of our heart, good or bad, is known to Him and goes to swell our spiritual account.

ROLE OF DESTINY

(1) Abu Hurairah (R.A.) relates Allah's Messenger (S.A.W.) as saying, "A strong believer is better and more loveable to Allah than a weak believer and there is good in every one, (but) cherish that which gives you benefit (in the Hereafter) and seek help from Allah and do not lose heart, and if anything (in the form of trouble) comes to you, do not say: If I had not done that, it would not have happened so and so, but say: Allah did that what He had ordained to do and your "if" opens (the gate) for Satan" (*Saheeh Muslim*)

(2) Ali reported that the Messenger of Allah said: No servant (truly) believes till he believes in four (things)-he bears witness that there is no deity but Allah; and that I am the Apostle of Allah Who sent me with truth; and he believes in Death and Resurrection after death; and he believes in pre-measurement. (*Tirmii, Ibne Majah*)

This Hadith is significant in the sense that it determines the role and function of Destiny in the life of a believer. To a true believer, belief in Divine Decree is a source of unfailing strength and power rather than a pretext for indolence and inactivity. Belief in Divine Decree makes a

Muslim a powerful person of invincible will and firm determination and strong conviction. Thus failures or so-called misfortunes of life neither dampen his spirit nor make him a pessimist. A true believer, faces the hardships of life bravely and manfully with the strong hope that God would help him overcome them. And if he fails to overcome them here in the earthly life, he would have his reward in the Hereafter. A believer has his eyes set on the future and hand in the living present and does not waste his time in the involvement of "its" and "buts".

Belief in Pre-destination or Pre-measurement is essential in Islam. It is said that if pre-destination is believed, man has got no free will and no responsibility for actions. Islam, however, recognises Pre-measurement as well as freedom of will within the circle of Pre-measurement. Just as a clock goes on for a month, if monthly wind is once given to it, so also man goes on for life when the wind for a lifetime has been given by God. In the act of going on, clock has got freedom in as much as man does not interfere in the meantime. Similar is the freedom of man within limited sphere.

INJUNCTIONS ON APPROACHING SOOTHSAYERS AND FORETELLERS

By Allama ‘Abdul ‘Aziz Bin Abdullah B. Baz
Translated by Dr. Abul Hayat Ashraf

Question: How is it to approach to soothsayer and people of their ilk and to believe in their utterings?

Answer: It is becoming a common practice that certain people go to soothsayers, magicians, fortunetellers, astrologers, charlatans and of this ilk in order to enquire about their future and fortune or to achieve success in marriage or examination, although a gnosis is not available to anyone except for Allah. As Allah, the Most High, said: (“He (alone is) the All knower of the Ghaib (unseen); and He reveals to none His Ghaib (unseen). Except to a Messenger (from mankind) whom he has chosen (He informs him of the Unseen as much as He likes), and then He makes a band of watching guards (angels) to march before him and behind him” (Sura Al-Jinn: 26-27)

Again Allah Says: “Say: None in the heavens and the earth knows the Ghaib (unseen) except Allah, nor can they perceive when they shall be resurrected.” (Surah An-Namal:65)

Allah and His Apostle (S.A.W.) has elaborated upon misleadings of soothsayers, fortunetellers, magicians and other people of this ilk, as well

as the dreadful consequences which will afflict them in the life hereafter. It is also explicated here that these people do not know anything about Al-Ghaib (unseen distant realities), but narrate false storeys and relate them to Allah intentionally and knowingly.

(“They followed what the Shayatin (devils) gave out (falsely of the magic) in the lifetime of Sulaiman (Solomon). Sulaiman did not disbelieve, but the Shayatin (devils) disbelieved, teaching men magic and such things that came down of Babylon to the two angels, Harut and Marut, but neither of these two (angels) taught anyone (such things) till they had said: “We are only for trial, so disbelieve not (by learning this magic from us). And from these (angels) people learn that by which they cause separation between man and his wife, but they could not thus harm anyone except by Allah’s leave. And they learn that which harms them and profit them not. And indeed they knew that the buyers of it (magic) would have no share in the Hereafter. And how bad indeed was that for which they sold their own selves. If they knew”. (Surah Al-Baqra, 102)

Another place Allah said: (*“That which they have made is only a magicians trick and the magician will never be successful, to whatever amount (of skill) he may attain”*) (Surah Taha: 69)

Another place Allah, the Most High, said: (And We revealed to Musa (Moses) (Saying); Throw your stick, and behold! It swallowed up straight away all the falsehood which they showed. Thus the truth was confirmed, and all that they did was made of no effect”) (Surah Al-A’raf: 117-118)

From these gracious verses, it became evident that magicians shall fail in both this world as well as the Hereafter and no good can be expected from him.

Moreover, his learning and teaching of the magic can not benefit him in any way except for causing harms. This is the same fact, as Allah, the Most High, has Commanded that their “knowledge” is nothing but falsity. The same is attested by the sound tradition of the Apostle of Allah (S.A.W.) when he informed:

“Save yourself from the seven destroyers “The companions asked: “O Messenger! What are those?” He (S.A.W.) said: To associate anything with Allah, Sorcery (magic), without any just cause killing a life, Allah has forbidden taking interest (usury), usurping the wealth of orphans, turning back from the battle field, and making a false charge (accusation) against the chaste but

unmindful women (i.e. they never even think of anything touching chastity” (Bukhari & Muslim)

This tradition declares the magic to be a great crime, as Allah, the Most High, has described the magic in connection with Shirk (polytheism) and has stated that this a devastating thing. Moreover, magic is infidelity, because it can not be availed of without indulging in infidelity. As Allah, the Most High, Said:

“But neither of these two (angels) taught anyone (such things) till they had said: “We are only for trial, so disbelieve not (by learning this magic from us”) (Surah Al-Baqrah, 102)

The Holy Apostle (S.A.W.) said: “The punishment for the sorcerers/magicians is that he be struck with the sword” (executed)”.

Umar Bin Al Khattab (may Allah be happy with him) ordered: “Execute every sorcerer or sorceress. This tradition is proved with sound chain of authority. The same command is proved by, companion of the Holy Prophet (S.A.W.), Jundub Al-Khair Al-Azdi and mother of believers, Hafsah, (may Allah be happy with them). In another tradition, narrated by mother of believers, Aishe (may Allah be happy with her), she said that people asked Allah’s Messenger (S.A.W.) about the *kahins*. Allah’s Messenger (S.A.W.) said to them. It is nothing (i.e. It is a mere superstition). They said: O Allah’s Messenger! They at times narrate to us things which we find true. Thereupon Allah’s Messenger (S.A.W.) said: That is a word pertaining to truth which a jinn snatches away

and then crackles into the ear of his friend as the jinn does. And then they mix in it more than one hundred lies”.

In another tradition narrated by Abdullah Bin Abbas (may Allah be happy with them), the Holy Apostle (S.A.W.) said: “Whoever learns a part of Astrology (drawing knowledge from stars) has learned a part of sorcery (magic). Those who learn more are getting that much more (sin to their credit)”.

In another tradition Abu Hurairah (may Allah be happy with him) is reported to have said: “Whoever tied a knot and blow on it, has committed shirk. Whoever wears an amulet or talisma will be subjected to its control.

From this tradition, its came to our knowledge that magic is shirk (polytheism) because it can not be learned without the worship of Jinns whereas worshipping the Jinn is an act of polytheism.

Soothsayer is a person who claimes to know the affairs of Ghaib (unseen distant realities) and, generally they are such people who observe stars in their effort of ascertaining the coming terms of events or they seek help from shayateen (Satans) present among Jins and has just been narrated in the tradition. Those people also fall in the same category who give the impression of knowing the Ghaib by drawing some lines on the ground or by gazing a bowl or a palm or by opening a book deceptively. All such people are infidels on account of their faith in their magical practices, because they are claiming their partnership in a particular attribute of Allah, the

Most High, viz gnosis of Ghaib. Further, they falsify this gracious verse of the Holy Quran in which Allah, the Most High, has declared: (*“Say, “None in the heavens and the earth knows the Ghaib (unseen) except Allah” (Surah An-Namal: 65)*)

They even refute this verse of Allah, the Most High, (*“And with Him are the keys of the Ghaib (all that is hidden), none knows them but He).” (Surah Al-Anam: 59)*)

They even refute this verse in which Allah said to His Apostle (S.A.W.):

(*“Say O Muhammad (S.A.W.) “I do not tell you that with me are the treasures of Allah, nor (that) I know the unseen; nor I tell you that I am an angel. I but follow what is revealed to me” (Surah Al-Anam:50)*)

Anyone who goes to these soothsayers and believes in the affairs of Ghaib as foretold by them, he is an infidel, because Abu Hurairah (may Allah be happy with him) narrated that the Holy Apostle (S.A.W.) said:

“Whoever visited a soothsayer and believed in his words, has denied the Revelation to Muhammad (S.A.W.) (i.e. the Holy Quran)”

In another tradition narrated by Abu Hurairah (may Allah be happy with him) the Holy Apostle (S.A.W.) said: “Whoever visits a fortuneteller or a soothsayer and believes in his words, has disbelieved in what was (revealed) to Muhammad (S.A.W.)”

In another tradition the Holy Apostle (S.A.W.) said:

“Whoever goes to a fortuneteller and asks him something and believes in his words, will have his prayer (Salat) rejected for forty days”

Imran bin Husain (may Allah be happy with him) narrated the Holy Apostle (S.A.W.) said:

“He is not from us who seeks omens or has omens interpreted for him (i.e. Al-Tiyyarah); or who practices fortunetelling or has his fortune told, or who practices sorcery or magic or goes to have it done for him; and whoever goes to a *kahin* (fortuneteller) and believes in what what he says has disbelieved in what was revealed to Muhammad (S.A.W.)”.

From the above mentioned traditions of the Apostle (S.A.W.) a truth seeker can understand it very well that astrology, fortunatelling, bowl-reading and all other so-called “sciences” of this very nature are delusions of Jahiliyyah (pre Islamic period) which have been forbidden (declared Haram) by Allah and His Apostle (S.A.W.) and Islam, having declared their activities to be falsity and baseless rituals, has commanded us to keep aloof of them and has prohibited explicitly from approaching them, enquiring them and or attesting them, because these endeavours are related to the genesis of Al-Ghaib which is a special dominion of Allah.

Any person who is associated with these affairs, I advise him to seek Taubah and Istighfar from Allah, to adopt religious (Shara-ee) instruments and means, to have total trust only in the Being of Allah with regard to all his affairs, to avoid these practices of Jahiliyyah, to follow Allah and His Apostle (S.A.W.) with true obedience, to

safeguard his Deen and faith, to remain secure from the wrath of Allah, to keep a distance from the causes of polytheism and infidelity, to keep aloof from these imports and to avoid enquiring from them and/or attesting them. We pray in the presence of Allah, the Most High, for remaining safe from this evil and seek His refuge from all those things which are sure to become a means of going against the Shariah and of His wrath. We also pray Allah, the Most High, that He confers the true understanding of the Deen upon all Muslims as well as the conformation of remaining steadfast on it, and that He saves us from all mischiefs, trials, abominations and misdeeds. Indeed, He posses the power and authority of granting this.

YOU ARE ANSWERABLE TO ALLAH

“Surely you have nothing to do with those who have made divisions in their religion and became in sects. Their matter is with Allah and He will indeed tell them (in time) what they have been doing. Whoever will come to Allah with a good deed shall have ten times and much, and whoever will come to Allah with an evil deed, shall be required with no more than the like of it. They shall not be wronged.” (Surah Al-Anaam:159-160)

PROPHET MUHAMMAD: THE LAST RESORT OF THE POOR AND THE DOWNTRODDEN

By Prof. U. Muhammad Iqbal

All Prophets were interested in the welfare of humanity in general and of the poor and the downtrodden in particular. For example, Jesus identified himself with the poor and said, Blessed are the meek for they shall inherit the earth (Matt. Chap.5). He narrated the parable of Lazarus the beggar who was admitted to heaven and kept in the company of Prophet Abraham. This parable reassures the poor and forewarns the rich. Jesus went to the extent of saying, "It is easier for camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God." (Saint Mark, 10:25)

The Prophet's tilt towards the poor may be due to the fact that the poor find it difficult to breathe in the oppressive gloom and despondency of their lives and desperately need a ray of hope and a promise of bright prospects. The Holy Prophet's mission was to raise the status of the poor and downtrodden who promptly responded to God's Message and the Prophet's call.

The rich, the affluent, the opulent have made a success of their worldly lives. Having reached

the top of the ladder, they compliment themselves on their talents and skills, remain at the helm of affairs, mould public opinion, and set the social agenda. When they are in the drivers seat, they overfeed their ego and refuse to be led by others. When Samuel appointed Saul King, the rich objected saying, "*He is not even gifted with wealth in abundance.*" (Al-Quran, 2:247) When Prophet Muhammad (S.A.W.) went to Taif to spread the message of Islam, one of the three leaders of Thaqeef said, "Could not God get a more suitable person than you?" Wealth corrupts and huge wealth corrupts hugely. It is but natural that the Prophetic mission and the poor section of humanity are made for each other and they march hand in glove. Religion emancipates them from the stranglehold of emotional frustration and inculcates in them a positive outlook and breathes into them a new spirit of courage, determination, and dynamism to ameliorate their condition. The poor and the downtrodden pledge their loyalty to religion and persecution only strengthens their resolve to dedicate every ounce of their energy to promote the cause of religion. Hazrat Bilal,

Sumayya, Yasser, (may Allah be pleased with them) were illustrious examples of this symbiotic relationship between the poor people and the cause of Islam.

Like all Prophets preceding him, Prophet Muhammad (S.A.W.) made no bones about his preference and partiality for the unprivileged classes of humanity.

As a first step in this direction, he used the identify himself with them to the extent of showing empathy explicit: "O Allah! Let me blessed with the life of a Miskin, and with the death of a Miskin and let me be blessed with resurrection in the company of the poor." According to a Tradition of *Saheeh Bukhari* the Miskin is not the one who goes round asking people for a meal/date or two but the one who does not have enough money to make ends meet and whose condition is not known to many so that they may feel obliged to give something in charity and whose self-respect prevents him from begging.

As the Holy Prophet (S.A.W.) lived up to the Holy Quranic precepts, the following verses indicate how he would have espoused the cause of the poor and the downtrodden.

(A) "*And give to the kinsman his due and to the Miskin and to the wayfarer.*" (17:26)

(B) "*Speak unto them a soft, kind word.*" (17:28)

(C) "*And come not near to the orphan's property except to improve it, until he attains the*

age of full strength." (6:152, 17:34)

(D) "*Therefore treat not the orphan with oppression and repulse not the beggar.*" (93:9-10)

(E) "*Have you seen him who denies the Recompense? That is he who repulses the orphan (harshly) and urges not the feeding of the poor.*" (107:1-3)

These precepts influenced the Prophet's outlook and he persuaded Hazrat Abu Bakr Siddique to continue his financial grant to that poor family one of whose members participated in the character assassination of Ayesha. The injustice to his own daughter Abu Bakr was persuaded to overlook.

When Hazrat Zaid came to him as a slave to run errands for him, the Holy Prophet (S.A.W.) treated him with such unique affection that he refused to go back to his kith and kin in the company of his father and uncle. The Holy Prophet (S.A.W.) appreciated this attachment by adopting him as a son and when he came of age he arranged for his marriage with his cousin in spite of disparity of tribal origins between them.

He set personal example by marrying some widows and guaranteed that widows deserved a better deal in society.

When the poor died leaving debts unpaid, he repaid their loans on their behalf by withdrawing sums from the state Exchequer. He established the institution of Zakat under God's or-

ders and this institution extended help to those including the poor, the needy, the Zakat personnel, the neophytes, the emancipation of the slaves, the debtors, the way of God the way farers.

He advised Muaz bin Jabal to ensure the collection of Zakat from the rich people of Yemen for the benefit of the poor.

Prof. Khalid Alawi in his *Insane-Kamil* (Lahore, 1947, 77-78) says in a very effective manner. "The exalted Prophet (S.A.W.) conferred self respect upon the poor. He told Saa'd bin Abi Waqqas once that it was on account of the poor that one was given all help and provisions. He informed Usman bin Zaid that standing at the entrance of heaven he saw that it was mostly the poor and the downtrodden who had been admitted to heaven.

The slaves were subjected to despicable treatment in that society. He extended to them special affection. He used to say, "These are your brothers; feed them with what you feed yourselves on; clothe them with the finery you prefer for yourself." He set free all those slaves who were given into his ownership. He described the emancipation of slaves as the most blessed act. The terms of address he preferred for the slaves were "Son" and "Brother."

The last advice he tendered in his terminal illness was, "Fear Allah while dealing with the slaves."

Among those who readily responded to his preaching a large number consisted of the poor and the slaves. Likewise he took special care of the orphans and the widows who were exploited in the Arab society, Misappropriation of the orphan's property was common. Orphan girls were ill-treated and widows had no sympathiser. In Makkah, the Holy Prophet (S.A.W.) had no enforcing power and so he confined himself to highlighting moral duties. He used to remonstrate against the atrocities perpetrated by the wicked Quraish, when he assumed reins of power in Madinah, he defined principles for the welfare of the orphans and arranged for the protection of their property and their wealth. He observed that the worst Muslim home is that wherein an orphan is ill-treated. By his personal example he transformed that social structure into an abode of affection for the orphans. After Makkah was conquered, he ordered Hazrat Bilal, a negro, to pronounce the Azan at the Holy Kaa'bah. The widows were scorned. They had no share in the property of their deceased husbands. To lead a dignified existence they had to strive very hard. The Holy Prophet (S.A.W.) came to their help and gave them the right of inheritance and formed rules for their re-marriage to enable them to uphold their dignity. Service rendered to an indigent widow was described as an eminently virtuous deed. He said, "One who is proactive in the service of the widow and the poor is like the one who is engaged in the service of God."

The narrator of this Hadith had an impression that the Holy Prophet (S.A.W.) also said that such a person could be likened to a Muslim who never grows weary of a devotional act or who never breaks his fast. A Bukhari tradition likens the pro-orphans and pro-widow social worker to a crusader in the way of God and makes him equal to one who fasts during the day and prays during the night.

His abiding interest in the welfare of the orphans and the poor was a fact, acknowledged by friends and foes alike. One cannot encompass the greatness of a citizen whose societal concerns have reached such maximal limits. The Holy Prophet participation in *Hilful-Fudul* is a living example of social service, people friendliness and human welfare. One of the tenets of the treaty was that the oppressed would be helped and oppressors would be restrained from the act of repression.

When Abu Bakr assumed office as the first Caliph, he declared that he would defend the weak against the strong. Caliph ‘Umar used to say that he would be responsible before God, if a sheep died of starvations on the bank of the Tigris. Such observation were the result of the training they had under the supervision of the Holy Prophet (S.A.W.).



SOME SALIENT FEATURES

(1) Anas bin Malik relates that the Holy Messenger (S.A.W.) said: "there are three qualities; whosoever has them may taste sweetness of faith: firsts, one who loves Allah and His Messenger above all else; secondly, one who loves someone simply for the sake of Allah; and thirdly, one who abhors to return to disbelief after Allah has rescued him from it, as he abhors being thrown into the fire (of hell)" (Bukhari & Muslim)

(2) It is narrated on the authority of Abbas bin Abdul Muttalib that he heard the Messenger of Allah (S.A.W.) saying; He relished the flavour of faith (Iman) who became pleased with Allah as Lord, with Al-Islam as the code of life and with Muhammad as the Messenger (of Allah). (Saheeh Muslim)

(3) It is reported on the authority of Anas bin Malik that the Messenger of Allah (S.A.W.) said: "None of you is a believer till I am dearer to him than his child, his father and the whole of mankind" (Saheeh Muslim)



PROPHET MUHAMMAD AND UNIVERSAL BROTHERHOOD

The Prophet Muhammad (S.A.W.) was the last corner –stone of the structure of Messengers and Prophets that were sent to mankind. He was a descendant of Prophet Ibrahim through his son Ismail. Just as Jesus came to fulfil the laws of Moses, not to abolish them. Prophet Muhammad’s (S.A.W.) mission was continuation and completion of the previous messages. It agrees with their original principles yet it differs in the details and comprehensive coverage of all aspects of life.

The Holy Prophet Muhammad (S.A.W.) was the centre of action and attention in the Muslim community. He taught and guided people to the best possible conduct and served as the model for the entire world. The most important aspect of his mission was its universality because he was sent to the entire world. The Holy Quran says: *“And we have not sent you except as a giver of glad tidings and a warning to all people, but most people know not”* (34:28)

He is a universal Messenger and his Message is for all, irrespective of caste, race, colour

and creed, and Islam is the last, final and universal Message.

The Holy Prophet (S.A.W.), as the Holy Quran says, was sent as mercy to mankind. *“We have not sent you but as a mercy to mankind”* (21:107). He preached love, affection, brotherhood among the people. The universal brotherhood of his teachings is based on the following basic facts:

1. Islam confirms that all human beings are off springs of a single man and woman (Adam and Eve) and were made into tribes and nations to know and respect each other. Therefore, all human beings belong to one family and no one has superiority over other. The Holy Prophet (S.A.W.) declared: *“You are all sons of Adam, and Adam was created of clay. The blacks have no precedence over the whites or the whites over blacks. ...The best amongst you is one who is more pious, God fearing!!* The Holy Quran says: *“O Mankind! We have created you from a single (pair) of male and a female and made you into nations and tribes that you may know each other”* (49:13)

2. All human beings are equal in the sight of God; none has a special place or relationship with God, as the case of some religions of the world. There is no partiality or favourism in the rules of God made for a specific group of mankind. This idea serves as a basis for mutual respect and strengthens the bond of brotherhood.

3. Islam recognizes the need for cooperation among different nations and believers of different faiths for the good of all human beings. This policy was started by the Holy Prophet (S.A.W.) and has continued throughout the Islamic history. The Holy Quran says: *“Help one another in virtue and righteousness” (5:2)*

We must not start hostility or aggression into a friend. The Holy Quran teaches us: *“Nor can goodness and evil be equal. Repel evil with what is better. Then will he between whom and you was hatred become as if he were a close friend” (41:34).*

4. One of the important and basic teachings of the Holy Prophet (S.A.W.) is showing love and kindness not only to the human beings but also to all creatures. The Holy Prophet was very kind and affectionate to everyone. He always helped the poor and needy. He gave instructions to his followers to be kind to other human beings because it is the foundation of the universal brotherhood.

On one occasion the Holy Prophet (S.A.W.) said: “The most virtuous of all acts, after embracing the faith, is to love all human beings.”

The Holy Prophet placed much emphasis on extending help to the needy and poor because it develops a sense of brotherhood and fraternity. He said: “We proudly claim to be Muslims and followers of the Holy Prophet (S.A.W.). We must ask ourselves whether we are practicing his teachings. We are responsible for bringing the Message of the truth to all mankind. Dawah (calling people to Islam) is one of the difficult tasks. We must show love, affection and compassion to all and should strive hard to win the hearts and minds of people through knowledge, wisdom, humbleness and virtuous deeds.

Here following points should be duly considered:

(a) The Muslims should take initiative, every where and in any form to serve mankind, with whatever resources at their disposal.

(b) The Muslims ought to emerge as a moral force in the society of any country and every country.

(c) They should never be according to the injunctions of Islam, either aggressive or abrasive, rather than being peaceful and polite.

(d) Islam, properly and effectively practised, ought to be taken as the strongest positive means against all the negative instruments deployed by the powerful adversaries, equipped with the most lethal weapons of history.



ISLAM AND FEMINISM

By Fasiha Sheikh

Feminism, by definition, is the belief that men and women should have equal rights and opportunities. It is a movement that ensures the economic liberty and legal protection of women.

In Islam, Allah has given both men and women equal opportunities to achieve what is the ultimate goal of every believer attaining paradise. We know that by verse 35, of Surah Ahzab in the Holy Quran:

“Indeed, the Muslim men and Muslim women, the obedient men and obedient women, the truthful men and truthful women, the patient men and patient women, the humble men and humble women, the charitable men and charitable women, the fasting men and fasting women, the men who guard their private parts and the women who do so, and the men who remember Allah often and the women who do so for them Allah has prepared forgiveness and a great reward.” So religiously, man and woman have the task of fulfilling the exact same requirements to achieve ultimate success.

In this world, the two genders also share the same general responsibility which is established by verses 71 of Surah Ahzab: *“The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give Zakat and obey Allah and His Messenger. Those Allah will have mercy upon them. Indeed, Allah is exalted in Might and Wise”*.

Why is it then that the question of equality of the two genders remains a constant subject of conflict? That when in the eyes of Allah, the measure of our rights, responsibilities and rewards are completely equal? It is the process in which men and women are supposed to fulfil their requirements of Deen and Duniya that people, Muslims and non Muslims, begin to question.

To further explore the idea of Islam and whether it truly believes in the equality of the two genders, we must understand the situation of the 7th century Arabia and how it was steeped in misogyny and moral degradation and how men publicly abused their women, buried their girl

children alive and worse. For a people that prided themselves in their culture and tradition, actions and behaviour, it is miraculous how it took 23 years only to reshape their outlook of life. These were a people that for decades upon decades, despised the birth of a girl child and about them Allah says in the Holy Quran: *“And when one of them is informed of (the birth of) a female, his face becomes dark, and he suppresses grief”*. (Surah An-Nahal, 58). The Holy Prophet Muhammad (S.A.W.) honoured the birth of a daughter by saying: “He, who brought up two girls properly till they grow up, he and I would come (together) (very closely) on the Day of Resurrection, and he interlaced his fingers (for explaining the point of nearness between him and that person).

They went from a society that oppressed and beat down their women to a society where women were given the Islamic right to be born and live, the right to seek education, the right to choose a spouse, the right to seek or give a divorce and remarry, the right to inherit and more.

The women of Madinah were nurses, business women, scholars of religion, teachers landowners and more. Surely, a religion that brought about such a drastic social transformation can be anything but sexist. Why then is Islam not called a “feminist religion”? It is because feminism, i.e. equal rights and opportunities is a part of Islam, just like

cleanliness, and not the central message of our faith. It is the complete guided way of life, offering both men and women the same guidance.

By now it is an established fact that men and women are indeed equal. However, the execution of our responsibilities is different because we are not similar, and yet Allah has made us equal in our distinctiveness. This idea is quite contrary to the western concept of feminism, which is women trying to accomplish the same thing as men in order to become their equals, and in the process, losing their female identity thereby replacing strength with masculinity. The Holy Prophet (S.A.W.) said: “Paradise lies under the feet of your mother, and by saying this, elevated the status of a woman and honoured motherhood, much unlike the west, which tries to devalue the idea of women staying home to raise a family. It is the beauty of this faith that gives her the choice to exercise her right to obtain and operate wealth while maintaining a family.

For the systematic functioning of any social unit, each individual within that unit must understand their own role and responsibility and the importance of coordinating with the other members. Hence, it is to ensure the soundness and morality of society that a man and a woman need not only to understand their duties and their role in society but also to follow some basic

ground rules that are set by Allah and His Messenger.

For example, Allah says in the Holy Quran: *“Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts) (Sura An-Noor; 30) and “O Prophet tell your wives and your daughters and the women of believers to let down upon them their overgarments. This is more proper, so that they may be known, and not be given trouble. And Allah is ever Forgiving, Merciful”.*

Most Islamophobes relish in using the *Hijab* as an opportunity to call Islam and its teaching backward and oppressive when in reality, the commandment of the *hijab* is the most liberating thing to happen to women in the history of the world. It became a means for women to leave their homes protected from the disgustingly objectifying and sexualising gaze of society, in order to fulfil their dreams and accomplish their goals. In fact, it is very contradictory of the “feminist” values of Islamophobes to tell a woman she is oppressed and therefore what she should wear when most Muslim women are simply exercising their God-given right and choosing to cover themselves so society recognises them for who they are and what they do as opposed to what they look like. It is a means of emphasizing the intellectual value of women and to me; there is nothing more liberating than that.

To the enemies of Islam that call our Deen misogynist, the correctness of our Principles of equality merely serves as a mirror of how self-contradictory their own ideas of equality are. It is therefore very important now more than ever for Muslim men and women to advocate the feminist ideas of our faith and not be afraid to openly believe in gender equality, as our religion was not the very beginning of the revolution, it was the revolution. The Holy Prophet (S.A.W.) encouraged women to educate themselves, go to the masjid and be involved in society.

It is up to the men and women of our community to know what feminism means to them and educate themselves about the rules and responsibilities of Deen. We must understand that issues like why there are not any female imams have clearly nothing to do with rank and equality as Muslim women have gone and continued to go above and beyond by being accomplished scholars of faith whom both men and women learnt from. The women of Madinah were bold, empowered and opinionated and did not hesitate to challenge society. They knew that there was nothing more important than the commands of Allah and His Prophet (S.A.W.), and so every thing that came after was irrelevant. Just like that, we must pick and choose our battles and understand that gender equality is truly the first step in progress.



HOW ISLAM SAFEGUARDS RIGHTS OF DALITS

Jamil Farooque Presents Islamic Solution of Dalit Problems

Islam is an egalitarian system that regulates and guides all aspects of human life. It is based on equity and justice and tries to maintain human dignity at all levels and in every sphere. At the very outset Islam condemns division of human beings into high and low, superior and inferior, privileged and unprivileged groups. Islam treats all human beings equal as they are the creatures of Allah the Lord of the universe and the progeny of the same father and mother. The Prophet said: "All of mankind is (like) the family of God. The dearest among them in the sight of God is the one who is the most helpful to His family (mankind)". All persons, rich and poor, king and pauper stand together shoulder to shoulder for prayers. Islam tries to unite the entire humanity into one ideological community, which is dedicated and committed to the Divine order and tries to establish it on the earth. Thus, Islam roots out the source of the emergence of inequality in general and of dalits in particular in society. There is no possibility of the emergence of a group, which may be characterised as dalit or may be subject to such condemnation in an Islamic society. The Qur'an, the holy book of Islam, categorically instructs people not to make

any derogatory remark to other or consider them inferior because they are brethren and have to respect one another. In an Islamic set-up it is the duty of society in general and of the government in particular to maintain and safeguard the dignity and honour of individuals and groups. If these organisations fail to perform their duties they have to face punishment from the Lord Almighty.

Poverty, backwardness and social disability are not the result of the past life of individuals. They are also not considered hereditary in Islam. As such they do not attach any stigma to the incumbent. They are the products of unjust system and inefficient planning as well as of human nature of grabbing all privileges and denying them to others. They are the social problems, adequate planning proper measures, mutual help and developing a distinct attitude among the people. Islam sets up a system where everyone has right to live, grow and survive according to his/her own choice. In this process no one has any superior right and no one is permitted to suppress and exploit others for his/her own sake or interest. It is a sin for which he/she will be accountable before the Lord. Instead,

it is the duty of each individual to take care of the needs of others and extend all possible material and spiritual help to them to live adequately and survive meaningfully. A person earns merit and reward by doing this act. In this way Islam creates an environment based on harmony, peace and tranquility where humans through love, sympathy, mutual understanding and help meaningfully interact with one another, materialise the purpose for which they are created and perform their role on earth.

Islam by its ideological bases removes the conditions that create groups like *dalits* in a society. It is against its basic principles and as such it never allows such conditions that deprive individuals or groups of individuals from their basic right of existence and development. However, if there exists a group which is poor, downtrodden, undeveloped or backward, Islam guides, helps and brings it to the mainstream through three sub-systems: social, economic and political.

Social system provides adequate and sound guidelines according to which one has to live in this world along with other fellow human beings. The problem is to determine the nature and purpose of human operation in this world. How one has to interact with animate and inanimate objects and establish relation with them? Generally most of us are interested and busy in meeting biological needs. Humans are so much engaged in this act that they consider it the sole purpose of life and want to attain as much material gain and comfort as possible even at

the cost of others. In this attempt they forget their basic duties as human beings and often go wild. They do not hesitate even to shed the blood of their own brethren, deny them their basic rights and make their lives miserable. The result is the division of society into privileged and unprivileged sections or groups. The privileged one manoeuvres the entire situation in its favour, grabs all power and privileges and subjugates the other. The one becomes more and more powerful and the other weaker and weaker day by day, and reaches the lowest ebb of society. Islam stops this process and impresses upon human beings that the satisfaction of human needs is not the purpose of human life but is the means to attain the most noble and sublime purpose that is to lead life according to the guidance of Allah, the Creator and Sustainer of the universe as well as to establish His order on the earth. Grabbing power and privileges cannot give one contentment and peace of mind because there is no limit of these substances, the more one has the more one wants and ultimately develops lust and greed. Moreover, the excess of these things corrupts a person and damages his human quality. Islam keeps a tight rein on human desires and ambitions and directs human beings to lead a righteous, virtuous and moral life. Humans have to give the same right of existence to others as they enjoy themselves. They have right to live but at the same time should also let others live.

Human relation in Islam is not based on 'give-and-take' principle. It is based on the relation

of human with the Creator. A human being has to establish relation with others not to get one's own pleasure or to satisfy one's ego or to get some kind of benefit or advantage but only to seek the pleasure of Allah, which is the most auspicious act. This principle determines the entire gamut of human relations and actions in this world. Islam encourages human to live in peace and harmony, join together and cooperate with each other in good faith and with goodwill to follow the Divine guidance and implement it on the earth. The social life that emerges through this process is based on the fear of Allah and thus, full of love, sympathy and understanding. It is devoid of suppression, exploitation and oppression. There is in no room for discrimination. Humankind is a large family where all have to struggle jointly to fulfill the purpose of their creation.

Islam is not a religion restricted only to certain acts of worship or performance of certain rituals. It is a comprehensive system encompassing all aspects of human existence. It is a way of life and tells us how one has to live and make one's stay more beneficial and comfortable in this world. It lays down guidelines in whose light one has to earn subsistence, perform economic activities and initiate economic transactions. Human beings have to generate means of subsistence within a particular framework. Economic activities are not determined by the availability of goods and the nature of demands with a view to earning maximum profit but by the benefit and welfare of people and society at

large. As such no one is allowed to extract undue advantage and benefit from the critical situation as well as from the weakness and helplessness of others. Hoarding and unnecessary rise prices are condemnable acts. Economic transactions should be made in the larger interest of society and in a judicious way. Proper wages should be given to the workers, preferably immediately after the end of the work. Those who have enough resources should take care of the needs of others and extend all possible help to them. Before taking meal one has to provide it to neighbour if he/she is hungry. These principles stop economic exploitation and enable weaker sections to share the joy and privileges of life with others. Further, the institution of *zakat* checks the hoarding of wealth and creates a proper avenue to help the needy. Moreover, these provisions help to remove poverty voluntarily.

Most of the problems relating to the low status of people are due to the unequal treatment of the government, which, by and large, tilts towards its constituent elements and serves their interest in one or the other way. The government neglects those who are unable to play a determinant role in its formation. The government does not pay much attention towards the progress and development of such groups. Sometimes the government intentionally formulates such policies as do not permit such groups to change their condition and achieve high status. In the political structure of Islam power rests with Allah. Humans are only representatives who have to

act on His behalf. They have to execute His will and administer the affairs of the state according to His laws. Thus no question of domination of a group arises. Those who are in charge of the administration face wrath of Allah if they fail to discharge their duties, or do injustice and discriminate people on any ground. In Islamic system sovereignty lies in God and not in state or in people. God in Islam is not a parochial or racial deity but the Lord of the universe and Master and Saviour of all mankind. He does not want that persons who execute His laws deprive any section of its basic rights.

It is the foremost duty of the state in Islam to take care of the people and cater to their needs. The state provides social security to its citizens irrespective of caste, creed and color. Caliph Umar used to go round the city to know the welfare of the citizens, and at the time of need supply the necessary materials. The protection of life and property as well as the welfare of citizens falls under basic responsibilities of the state. The preponderance of Islamic law assures the safety and welfare of citizens including minorities and minimizes the possibility of suppression, repression, exploitation, discrimination and injustice. It is evident from the annals of history that caliphs and administrators fully safeguarded even the minorities during their reign. Khalid ibn Walid during the caliphate of Abu Bakr assured Christian population that no harm would be done to the churches and cathedrals and granted them full religious freedom to practise their religion

particularly ringing of church bells. Similarly Amr ibn al-Aa's during the caliphate of Umar allowed Christians to possess all properties of churches and use them as they liked. The government in Islam is the government of Allah, which, cutting across all human barriers, assures over all development and welfare of humankind in this world and in the hereafter. The fact is that there is no concept of dalit in Islam as all human beings are the creatures of Allah and deserve His benevolence and bounties.



INVITATION TO PARTICIPATE

The letters to the Editor Section wants to hear from you.

Are you concerned about certain issues that are being talked about?

How do you like the articles, analyses & views expressed in the Magazine?

Your opinions are important to us.

Kindly convey your messages and views to us.

Please address your correspondence to the Editor:

The Simple Truth

Ahle Hadeeth Manzil, 4116, Urdu Bazar, Jama Masjid, Delhi-110006



WHY NOT THE DEATH PENALTY TO RAPISTS?

By Dr. Abul Hayat Ashraf

Following the brutal gang rape of a 23-year old paramedic's woman in Delhi on December 16, 2012 by six persons including a juvenile, Justice Verma Panel was appointed to look into amendment of law for rape punishment. Justice Verma Committee's report released on January 23, 2013 is a seminal document. Even though there was a strong public demand for the death penalty for rapists, chemical castration and changes in the Juvenile Justice Act, the panel rejected the popular demands. It means "No death, No mercy for Rapists!! It has sought full life term prison for rapists and has also brought other issues like stalking, marital rape, intentional touching without consent and the use of obscene words in-to the offences list. They should be treated as sexual assault and guilty should get 3 to 5 years in jail. The panel rejected the demand to reduce the age of juvenile from 18 to 16.

This is not the first case of this kind. There are numerous cases which show we are not serious for the dignity, respect and honour of the women. The readers should not forget horrific cases of unfortunate women.

1973: Aruna Shaunbag: A junior nurse at King Edward Memorial hospital in Mumbai, tied with a dog chain, assaulted and raped by ward boy. She lost her eyesight and has been in a vegetative state since. SC turns down mercy killing.

1978: Geeta and Sanjay Chopra were kidnapped for ransom in Delhi in the infamous Ranga-Billa Kidnapping case. The culprits raped Geeta before killing them both.

1982: Tulasa Thapa, a 12-year old Nepali girl, was repeatedly raped before being sold into prostitution. Ten months later, she was brought to JJ Hospital in Mumbai where she died of brain tuberculosis and three sexually transmitted diseases.

1990: A 14-year-old school girl was raped at her residence in Calcutta and killed by a security guard. Dhananjoy Chatterjee was executed in August 2004, the country's first hanging since 1995.

1996: A 16-year-old girl was sexually harassed and assaulted continuously for 40 days by 42 men in Kerala. In 2000, a special court sentenced 35 persons to rigorous imprisonment but the Kerala High Court acquitted them in 2005.

1996: 25-year-old law student Priyadarshini Mattoo was found raped and murdered at her house in Delhi. Ten years later, the Delhi High Court found Santosh Kumar Singh guilty.

1999: The estranged wife of an Indian Forest service officer, Anjana Mishra's car was stopped at a desolate place on the outskirts of Bhubaneswar. She was gangraped in front of the friend she was traveling with.

2002: A fourth year medical student was gangraped at knifepoint on the terrace of the Khooni Darwaza monument situated on the busy Bahadurshah Zafar Marg in the capital.

2003: Shari S. Nair, a teenaged girl hailing from Kiliroor, Kottayam, Kerala, was sexually abused after being promised roles in TV serials. Shari later died after giving birth to a daughter.

2004: 32-year old Thangjam Manorama was tortured and allegedly executed by personnel of the paramilitary force of 17 Assam Rifles stationed in Manipur, after being picked up from her house.

2005: A Delhi University student was gangraped by four men inside a Santro for several hours and dumped in south Delhi, unconscious and without clothes.

2009: Two young women were raped and murdered in Jammu under mysterious circumstances, allegedly by CRPF personnel. One of them was two months pregnant at the time.

2010: A 30-year-old BPO employee was raped by five men near her home in south Delhi. The

woman was pulled into a mini truck, raped repeatedly and thrown out two hours later.

2011: A nine-year-old mentally disabled girl was raped on a Mumbai train in front of five other passengers. The child could not scream or shout or speak because she was disabled.

Feb 2012: A 37-year old woman was gangraped in a car on Calcutta's Park Street after coming out of a bar. Mamata Banerjee first said the case was cooked up to embarrass her government.

Dec 2012: An eighteen month old baby, the daughter of pavement dwellers, was found by her mother one morning covered in blood. Doctors said she had been raped and tortured.

Dec 2012: A two-year old girl was raped, allegedly by her maternal uncle, and thrown into a thorny bush in Baroda, Gujrat. She died after being taken to the hospital.

Dec 26, 2012: A 20-year old woman was allegedly gang raped by 10 people on the banks of Manimuktha river near Virudhachalam in Tamil Nadu, according to police.

After the Nirbhaya incident which had shaken the conscience of the nation to a great extent and the response from all and sundry made us believe that that case was going to be a defining moment. But on the contrary, the situation has gone from bad to worse physically and statistically.

Kathua, Unnao and several other such gruesome rape cases in different parts of the country mark social and moral decadence at its lowest ebb

and remind us to the worst form of inhumanity we are witnessing today.

These are few examples to remind the readers where we stand?

Following the suicide of a gang-raped 13 year old girl in the National Capital on August 12, 2000, the public memory might recall a solemn promise made in the Bharatiya Janta Party (BJP) manifesto, which was also publicly reiterated, at least thrice, by the Union Home Minister. The promise was that the rapists will be awarded death penalty. What has happened to the commitment?

Our law pertaining sexual crimes being what it is, it is doubtful that the victim's tormentors shall be awarded capital punishment.

The maximum punishment for a proven rapist of a minor in the existing law is just 10-year rigorous imprisonment. Section 376 (2) of the Indian Penal Code provides that in case of rape of a child below the age of 12 years a punishment "not less than 10 years shall be imposed". However, it also provides that "for special and adequate reasons "a lesser sentence could be awarded. In the light of this lenient approach, what can the victims expect?

Extent of De-Humanisation:

The truth is that the extent to which some of our brethren belonging to the majority community, have degraded rather de-humanised women, is nauseating. For example, how would you philosophies the marriage of a 4-year old minor,

Anju to a dog in Haringhta on July 13, 2000. This was to ward off the evil eye!

Not long ago, a 4-year old Topas Murmu was sold off for 10 paise to one Ravi Mallick, under the belief that would end the family's adversity.

Facts and Figures:

In 2011 alone the top five states in terms of the number of rapes Madhya Pradesh, West Bengal, Uttar Pradesh, Rajasthan and Maharashtra witnessed 3406, 2363, 2042, 1800; and 1701 cases of rape respectively were recorded. For the same year in India 35565 is the number of kidnapping and abduction of women and girls, 24206 rape, 8618 dowry death, 42968 molestation, 8570 sexual harassment and 80 trafficking of girls is recorded.

These shattering details boil down to the point that woman in our Indian society has been forced to give up her self-esteem and dignity. First of all, her very birth is prevented. If that dose not succeed, she is discriminated against and harassed; she is raped, she is sold; she is subjugated; she is burnt alive. She has ceased to be recognized as a person; an individual with some rights; she is married to dogs, of course to gods, also she is sacrificad at the altar of deities as well. And all this has, directly or indirectly, been legitimized by religion. Therefore, she lives at the margins of society. Her day begins with humiliation and ends at distress. She suffers as a class.

As a ritual March 9 is observed as International Women's Day. But that makes little difference to her. The core question involved is. Is the punishment of just 10 years or 20, commensurate

with the crime? Are the said cases not fit enough to have a second look at the laws pertaining to sexual crimes?

It is Islam. "Islam promotes a modest society and culture and discourages vulgarity and obscenity. In Islam Hijab creates the psychological atmosphere to resist the calls for deviation, and builds an internal immunity in both men and women. It suggests to the woman that she should present herself to do so by veiling her beauties. The Hijab represents to a large extent a means of blocking the roads that lead to deviation".

Islam prescribes that *Zina* (illicit sex relation) includes sexual intercourse between a man and a woman not married to each other. It therefore applies both to adultery (which implies that one or both of the parties are married to a person or persons other than the ones concerned) and to fornication, which, in its strict signification, implies that both parties are unmarried. The Law of marriage and divorce is made easy in Islam, so that there may be the less temptation for intercourse outside the well-defined incidents of marriage. This makes for greater self-respect for both men and women.

Islam regards the act of illegitimate sexual intercourse as a penal crime. Moreover, if such an act is committed by a married person, the severity of the offence increases. The offence becomes more severe because of the fact that a legitimate means was available to a married person to satisfy his sexual urge, but he still resorted to unlawful means to satisfy himself.

Unlawful sex (with consent or by force) is viewed by Islam as a crime which, if no steps are taken to curb it, strikes at the very root of humanity and civilization. Islam Commands sex purity, for men and for women, at all times before marriage, during marriage, and after the dissolution of marriage.

"Do not approach fornication" is directed both at individuals and at society. Individuals are required not only to shun fornication, but also to strictly stay away from all that leads to it. As for human society, it is incumbent upon it to root out fornication as well as the causes and factors which lead to it. Islam also seeks to remove factors which prompt or provoke people into illegitimate sexual relations or which provide opportunities for engaging in the same. To this end, all possible measures legislation, education, reform of public life, and a healthy restricting of society all should be effectively employed.

In Islamic way of life, fornication is declared cognizable offence. Rules designed to prevent pro-miscunity and to ensure the observance of grace and modesty in the public appearance of women, and to minimize the chances inducing sexual excitement were laid down; intoxicants, music, and the spread of every kind of lewdness and obscenity were forbidden; dances and pictures which are closely linked with, and impel people towards illicit sex were prohibited, and a set of rules for conjugal relationships encouraging people towards formal marriage and eradicating the causes of illicit sex were promulgated.

The Holy Prophet said: “Even to look at an unknown woman (with a passionate eye) is also a sin!! Other steps towards adultery are prohibited by the Holy Prophet in the following words:

“The adultery of legs is waking (with bad intention towards a woman who is not lawful for a man) and the adultery of the hands is touching and patting (such a woman) and the adultery of eyes is casting passionate glances (at her) !!

There are definite *Hadd* punishment mentioned in the Holy Quran and Sunnah for adulterers. Like: *“If any of your women are guilty of adultery, take evidence of four (reliable) witnesses from amongst you against them and if they testify, confine them to houses until death do claim them, or Allah ordains for them some (other way)” (Sura An-Nisa, 4:15)*

The second revelation covered both men and women: *“If two persons among you are guilty of adultery, punish them both. If they repent and mend, leave them alone; for Allah is oft-returning, Most Merciful!! (Surah An-Nisa, 4:16)*

The third revelation prescribed a specific punishment for adultery, it reads:

The woman and the man guilty of adultery or fornication, flog each one of them with a hundred stripes; let not compassion move you in their case, in a matter prescribed by God if you believe in God and Last Day and let a party of the believers witness their punishment!! (Surah An-Noor, 2)

When this verse was revealed, it was understood that those guilty of adultery should be given

hundred lashes as a punishment. The Holy Prophet clarified the injunction:

“Take from me accept from me. Undoubtedly God has now shows path for them (adulterers). For married persons (guilty of adultery), the punishment is one hundred lashes and an exile for one year. For married adulterers, it is one hundred lashes and stoning to death.” (in public). Islamic law first takes into consideration the condition and helplessness of the fornicator, and only then does it prescribe the punishment.

The idea behind awarding for adultery such a severe punishment in an open place is that it should serve as a deterrent to the evil-minded persons in the society. That is why Islam reveals the most severe attitude against offenders of public order and morality as such a thing occurred in the street of the capital Delhi on December 16, 2012.

Suggestions:

1. More attention should be given to removing the causes of crimes than punishing the criminals. Inculcation of fear of God, accountability to Him can surely produce a heightened sense of responsibility in the hearts and minds of citizens. It is the minds of men and woman in which love, hate and temptation, sexual desires and crimes are born, therefore defences against crimes should be built there from the childhood (school syllabus must include moral education).
2. If India wants to end violence against women, the mindset of society has to be changed
3. India should not be converted into a pleasure oriented society like the West.

4. The existing laws lack sensitivity towards women.

5. Fast-track courts all over India must be established to hold quick trials of adultery with consent and rape cases.

6. Most of the working women these days are subject to similar harassment in offices, courtesy their immoral male bosses and their sound-proof chambers. Therefore a high degree of responsibility is cast on persons in authority to practise and maintain the highest standards of rectitude.

7. Homosexuality is shameful, unnatural and detrimental to family system, and therefore, it should be declared prohibited. All religions regard it as a sin. The endeavours should include banning all sex outside marriage including live-in-relationship, implementing sober dress code for students, especially girls, in Colleges and universities, banning production, sale and consumption of alcohol and drugs and banning publication of obscene pictures in newspapers and magazines etc.

According to a news report, published by widely circulated Urdu daily Inquilab, Akhil Bharatiya Mahasabha's senior vice president and Vishva Hindu Sena's President Swami Omji, which are traditionally against Muslims and Islam, has openly come out for Sharia punishment to rapists. He has said, as Islamic Sharia Law punished crimes of rape and fornication, Indian Law should impose the same laws and Parliament should amend the laws accordingly.

8. Women are increasingly becoming sex symbols and nude models for commercial products, striptease dancers in night clubs, bare breast waitresses in bars and restaurants should be banned.

9. Liberal portrayal of sex and violence, and vulgar scenes in films and media are also responsible for spurt in sexual crimes. Violent videos are also increasing day by day. Therefore they should be banned and prohibited.

10. It is high time to include a provision in the existing Juvenile Justice to amend the law and award death penalty for rape.

11. Islam prescribes to remove the factors which prompt or provoke people into illegitimate sexual relations or which provide opportunities for engaging in the same. The moral depravity that our society has been witnessing today in the form of ever rising cases of rape, molestation, bride burning, female foeticide, live-in-relationship, same sex-marriage, nudity and pornography is the natural corollary of man's total dependence on man-made laws in utter disregard to the divine guidance.

12. Investigating officers of an adultery and rape must be a woman.

13. Since India is a democratic country and our Constitution makers borrowed all the suitable points from other nation constitutions. Therefore we feel it right in suggesting to borrow laws and guidelines, pertaining the adultery and rape cases from some other countries.

