

SURAT IKHLAS (CHAPTER 112): THE ONENESS/PURITY

BACKGROUND

1. Surat Ikhlas is probably one of the first chapters to be revealed to Prophet Muhammad PBUH.
2. It is a Meccan Surat by the fact that it has the characteristics of Meccan chapters such as being poetic and concepts of Tawheed.
3. It derives its name from the word **Ikhlas** which means '*purity of Allah*' which is the main theme of the Surat.
4. The chapter discusses one main theme i.e the concept of monotheism or oneness/purity of Allah.
5. It is a short chapter with only four verses.
6. It was revealed as an answer to the questions raised by the Meccan Quraish before the prophet PBUH about the Nature of Allah.
7. The Meccans on hearing the prophet PBUH preaching against their gods thought that he was possessed by evil spirits or he wanted material gains or leadership in society.
8. As a result they sent a man called **Utbah bin Rabia** with cunning proposals to the Prophet PBUH to convince him to stop preaching against their gods but he refused.
9. He assured them that he was neither possessed nor in need of any material or economic gains or power from them but he wanted them to believe in only one God, Allah.
10. They were not satisfied with the prophet's explanation and they approached him again and asked him the nature of his God.
11. It is said that hardly had he answered them when he received the message contained in chapter 112 describing the Nature of Allah.

12. That is why the chapter starts with the expression ‘say’, an indication that Allah was responding to the question raised by the Quraish Meccans.

THE THEMES OF SURAT IKHLAS

The main theme of Surat Ikhlas is describing the divine nature of Allah by dealing with Islamic monotheism in the strict sense of the word.

THE CONTENT/TRANSLATION AND GENERAL MEANING/INTERPRETATION OF SURAT IKHLAS

In the Name of Allah the Most Gracious the Most Merciful

Verse 1: “Say” ‘He is Allah, the One and only’

This is a permanent command to the prophet PBUH and all mankind to understand Allah as one with no partner in His Lordship, Attributes and Nature. He is one; He has been and will ever be one.

He is the creator, provider and sustainer and worth of worship. All other deities are false in Islam.

Verse 2: ‘Allah, the Eternal and Absolute’

In this verse, Allah is considered Eternal in a sense that He is to stay after every creation has perished yet before Him nothing existed. This means that Allah is Everlasting without beginning or end.

Allah is also absolute because He is complete and does not need to depend on any of His creation but all creation depend on Him for their sustenance.

Verse 3: ‘He does not produce nor was He produced’

This means that Allah does not produce and He was not produced. So attributing children to Him is like imposing human attributes to Him.

The verse talks of Allah as having not been produced. So He has neither a father nor a mother as He did not succeed anyone and He will not be succeeded.

Verse 4: ‘And there is none like unto Him’

The verse means that Allah does not look like any of His creatures nor there is any creature that looks like Him. He remains one without comparison and beyond human imagination.

This verse negates the Christian belief of trinity which maintains that there exist 3 persons in one God head. Surely, one who adheres in the 3 God-Head is a disbeliever.

RELEVANCE OF SURAT IKHLAS TO THE MUSLIMS

1. It encourages Muslims to read the Qur'an because from the prophet's report, the recitation of Surat Ikhlas is equivalent to a third of the Qur'an.
2. The increase in the recitation of Surat Ikhlas is a means of attaining the love of Allah as reported by Aisha about the man who led Muslims in prayer and consequently read Surat Ikhlas.
3. Whoever reads Surat Ikhlas ten times a day, Allah will build for him a house in paradise.
4. It is the only chapter of the Qur'an that deals with monotheism in the strict sense of the word by describing the best qualities of Allah like eternity.
5. It signifies that Allah desires ease for the believers. Instead of reading the whole Qur'an, a Muslim can only read Surat Ikhlas three times and gets rewards of a person who reads the whole Qur'an.
6. It is reported from Lady Aisha that the prophet PBUH used to recite Surat Ikhlas, Faraq and Nans at least three times before going to bed. So recitation and deliberation over Surat Ikhlas creates deep attachment of the worshipper to Allah.
7. It is the only chapter in its complete form that differentiates between Islam and Christianity by emphasizing Tawheed against all other forms of beliefs like trinity, Judaism, Zoroastrianism and many others.
8. It is a lesson that Allah is the source of sustenance and that all mankind should turn to Him whenever there is need.

9. It encourages Muslims to observe prayer (Duwa) because the prophet PBUH said that whoever recites it when entering his house, Allah eradicates poverty from his house and neighbourhood.
10. It is reported that the prophet PBUH said that constant recitation of Surat Ikhlas increases angels at the time of death who console the believer faced with death.
11. It refutes the Christian belief that man was created in the image of Allah. This is evidenced from the last verse of the chapter which suggests that the image of Allah is beyond human imagination.

THE CONCEPT OF MONOTHEISM IN SURAT IKHLAS

QN: What does Surat Ikhlas teach about Tawheed (Monotheism)?

1. Monotheism is the belief in the Unity of Allah i.e He is one and pure without any associate.
2. From verse 1 of Surat Ikhlas, Muslims are required to keep proclaiming that Allah is one. No one can share His Lordship or essence with Him. This is the primary principle of Tawheed.
3. The concept of Tawheed suggests that Allah is the Supreme Being and the source of all creation. He is the only one to whom all worship, praise and glorification are due. This is all what Surat Ikhlas is about.
4. According to the concept of Tawheed, Allah is Eternal i.e everlasting with no beginning or end. This is what verse 2 of Surat Ikhlas suggests.
5. Allah is regarded as absolute under the concept of Tawheed i.e He is complete and does not depend on His creation but all His creation depend on Him for their sustenance. This excellent principle of Tawheed is described in verse 2 of Surat Ikhlas.
6. Verse 3 of Surat Ikhlas states that Allah does not produce. This is in agreement with Tawheed which requires a Muslim not to conceive Allah as having a son or a daughter because this would mean imposing human qualities to Him.
7. It further suggests that Allah has no parents as He succeeded no one and therefore will not be succeeded by anyone. It is the same teaching that Tawheed puts across.

8. According to the concept of Tawheed, Allah is not comparable to any creature. Verse 4 of Surat Ikhlas holds that attribute that Allah is not like any of His creature and He is beyond human imagination.
9. The expression 'Allah the one' is in total agreement with the concept of Tawheed which negates the Christian concept of trinity.
10. The concept of Tawheed refutes the Christian belief of sonship which presupposes that Allah has a son. This is what Surat Ikhlas stresses in verse 3.

Revision questions

1. *Outline the background and circumstances that preceded the revelation of Surat Ikhlas.*
2. *Examine the meaning of Surat Ikhlas.*

SOCIAL TEACHINGS OF THE HOLY QUR'AN

FEATURES AND UNIQUENESS OF THE ISLAMIC SOCIAL SYSTEM

1. The Islamic social system is a principled and civilized society which is different from modern societies. It is built on the following pillars;
2. Unity of mankind:

According to Islamic social system, all people are united by their common origin and ancestry (Adam and Hawa). Allah says in **Q (49:13)**;

“O you mankind! We have created you from a male and female and We have divided you into tribes and sub tribes so that you may recognize one another”

The Prophet PBUH said; “O you mankind! Your God is one and your ancestor is one...”

Thus, originally, all people were alike with no distinction between them but as they increased in number, they started living in various climates and

environments. As a result, they developed different races, languages, customs and colours.

Such differences are recognized by Islam but none of them shows superiority of one nation or tribe or race over the other. They are only meant for people to know one another so as to benefit from each other's national pride.

2. Equality of mankind.

Having been created from a single pair of male and female, all people are equal in the sight of Allah. It is only the most righteous who is considered better than others before Allah. He says in **Q (49:13)**

"... surely the most honoured among you in the sight of Allah is he who is the most righteous of you."

Thus, Islam does not recognize class distinctions or any other differences based on prejudice like language, colour, tribe, status and others because all men are equal before Allah except the most righteous.

In Islamic social system, if a person believes in Allah and His messengers, he will be admitted in the community of Islam no matter which race he belongs to or colour or language he speaks.

All those who join Islam will have the same rights and social status without being subjected to any racial or class distinction of any kind. Since Islam aims at building a civilized society, no person is regarded as high or low, inferior or superior.

In Islam, man's merit depends on whether he is better than others in moral conduct, righteousness and piety.

The Islamic social system considers all people equal by virtual of common destiny (Allah). From Allah we come, for Him we live and to Him we shall return.

3. Man's natural responsibility to the society in which he lives.

According to Islamic social system, an individual is responsible for doing all what he can to see that there is harmony and development in the society.

However, the society is also responsible to Allah for the welfare of such an individual.

When the individual is well-off, he is the contributor and the society is the beneficiary. Likewise, if the individual is poor or needy, the society is the contributor and the individual is the beneficiary. There is no question of one exploiting the other.

4. Maintenance of social morals and ethics.

According to Islamic social system, every individual in the Muslim society is charged with enforcing good morals and fighting evil. He is responsible for inviting others towards good and guarding them against committing evil using all his possible means. A person who is indifferent to his society is a selfish sinner, his morals are in trouble and his faith is low.

Allah states in **Q (3:104)**; *“Let there arise out of you a group inviting to all that is good, enjoining what is right, and forbidding what is wrong: they are the ones to attain felicity (happiness)”*

The Prophet PBUH said;

“Whoever invites others to do well is like the doer of that good and will be rewarded accordingly; and whoever instigates evil is like the doer of that evil and will be punished accordingly.”

5. Mercy for the young and respect for elders.

In an Islamic social system, a true believer must be merciful to the young and respect their feelings. He also has to respect the elders irrespective of their religious affiliations.

6. Sympathy and social solidarity

A believer should be sympathetic to fellow Muslims in distress. For example, he should visit the sick, comfort and console the aggrieved and others. He should have genuine feelings of brotherhood.

A Muslim should have respect for other people's rights such as the right to life, property and honour. He should be with them in time of joy like marriage and aqiqah celebrations.

The Prophet PBUH said; *"Whoever relieves a human being from the grief of this world, Allah will relieve him the grief of the Day of Judgement."*

7. In his farewell speech, the Prophet PBUH summarized the Islamic social system by stressing that people's lives and property should be honoured, wives must be treated equally, that there is no need for bloodshed and that Muslims are members of one brotherhood.

ISLAMIC TEACHINGS ON MARRIAGE

1. Marriage is the legal union of man and woman for life with the aim of love and procreation.
2. It is a matrimonial contract between man and woman whose validity depends on proposal by the man and acceptance by the woman.
3. In Islam, marriage is a permanent relationship and continuous harmony not only between man and woman but also between them and Allah.
4. It is a religious duty, moral safeguard and a social necessity.
5. Marriage is an obligatory act incumbent upon every Muslim of defined qualifications and a rule every Muslim must observe unless there is a special reason barring him.

Allah says in Q (24:32); *"Take in marriage those women among you who are single and those male and female slaves who are honest. If they are poor, Allah will enrich them from His own abundance"*

6. From the above verse, being poor is not a sufficient excuse for not marrying because the poor are assured of Allah's enrichment from His wealth.
7. Islam encourages self-satisfaction but it does allow free satisfaction of sexual desire. Therefore, any conjugation outside marriage is not allowed.

8. Though marriage is optional, it is the most encouraged and necessary act in Islam without which the deeds of a believer are not fully accepted. The Prophet PBUH is reported to have said that one who cannot marry should fast always.
9. Free intimacy is not allowed and everything possible has been ordered by Allah to eliminate it. A Muslim must enter a marriage contract unless otherwise.
10. The Prophet PBUH is reported to have said that marriage was his recommended custom and whoever turns away from it turn away from him.

THE SIGNIFICANCE OF MARRIAGE IN ISLAM

1. It is necessary for obtaining natural and mutual benefit by a man and woman that human morals are protected by means of nikah. Without the Ihsan free mixing of opposite sexes is unnatural. This is a cause of mischief for not only human morals but also for human culture. If such bad conduct becomes common in any society it cannot maintain its very survival for a long time nor can human life remain balanced in such society.
2. Marriage acts a cure of certain diseases in grown up men and women such as backaches and boredom. This is because it gives peace of the mind and contributes to the physical beauty of the married couple.
3. Furthermore, with marriage, an idle man is turned into an active one and his mind is set up to thoughts and actions which were dormant before marriage.
4. It is through marriage that society is procreated, thereby bringing about multiplication of the human race. Allah says in **Q (16:72)**;

“Allah has given you wives from among yourselves, and through them He has granted you sons and daughters and grandchildren and provided for you sustenance of the best...”

5. Marriage is the basis of the family which is the real unit of the human race and the first cohesive force which makes civilization possible. So, marriage is a

means of uniting the different elements of humanity and consequently bringing about civilization.

6. In addition, marriage leads to the development of the feelings of love and service. Marriage love is described in the holy Qur'an as a sign of Allah as per Q (30:21).
7. Marriage helps to satisfy the natural sexual urge, failure to satisfy it may lead to either deviation or maladjustment. It is thus a means of checking unruly sexual feelings and falling into sin.

The Prophet PBUH said; *"Marriage is the best check on lustful eyes and effective help to maintain chastity"* (Bukhar).

He also said; *"Oh you young people! Whoever of you who can marry, let him do so. Those who cannot afford it should keep fast, because it may protect them against sin"* (Bukhar).

8. In marriage, there is comfort of the soul, beauty to look at, company and play, all of which relieve the heart from its burdens and make the mind able to concentrate during worship.
9. Marriage enhances the status of the married couple because of the added responsibilities one gains after getting married. Living with a spouse trains one in accommodating oneself in new experiences, hence gaining respect in society.
10. It fulfills half of Muslim's faith because in marriage one learns a number virtues like patience, kindness, gentleness and social responsibility, all of which are important for one's faith.
11. Marriage is a form of worship and therefore rewardable by Allah. This is because of the family responsibilities one gains in marriage.

The Prophet PBUH said; *"A man will be rewarded for what he spends on his wife, even for putting a piece of food into her mouth."*

He also said; *“Whoever performs prayer correctly and spends on his children in spite of his modest means and does not speak ill of others will be in paradise as close to me as these two fingers of mine”*

PROCEDURES OF CHOOSING A MARRIAGE PARTNER IN ISLAM

1. Marriage is recommended for partners who share a common way of life and should be able to fulfill their purpose of creation as defined by Allah.
2. Partners should share the common goal of building a well-integrated Muslim community and be able to work harmoniously towards it.
3. When man and woman decide to marry, they should have every intention to make it a lasting success for good or for bad, for better or for worse.
4. The holy Qur'an enjoins Muslims to select partners who are good and pure.

Allah says in **Q (24:26)**; *“Women of purity are for men of purity and men of purity are for women of purity.”*

5. The Prophet PBUH recommended Muslims to select those partners who are best in religion and character.

He said; *“A woman may be married for four reasons: for her property, for her rank, for her beauty and for her religion. So marry the one who is best in the religion and character and prosper.”*

6. The consent of both man and woman is important because Islamic marriage is not forced. Therefore, the mutual choice of the would-be-spouses is given the highest consideration.

Allah says in **Q (2:232)**; *“... do not prevent them from marrying their husbands when they agree themselves in a lawful manner.”*

The prophet PBUH said; *“Give women in marriage to men they approve of.”*

7. The process of choosing a marriage spouse should not stop the influence and consent of parents/guardians nor should the parents/guardians ignore the wishes and consent of the would-be spouses.

8. Beauty and physical compatibility is another factor in choosing a marriage partner.

The Prophet PBUH said; *“The best woman is the one who is pleasing to look at, who carries out instructions when you ask her with solemnity of oath, who responds favourably and in your absence she protects your trust in herself and your property.”*

9. Falling in love is not a pre-condition for marriage in Islam but for purposes of selecting an appropriate spouse, the would-be-spouses are allowed to lawfully see and or talk to each other.

The prophet PBUH said; *“When one of you seeks a woman in marriage, and then if he is able to have a look at whom he wishes to marry, let him do so.”* (Abu Darwooda)

10. The would-be-spouses are allowed to see each other for matrimonial purposes under the direct supervision of their nearest relatives but this must be done with piety and modesty.

The Prophet PBUH said; *“No man has a right to be in the privacy with a woman who is not lawful to him. Satan is their third partner unless there is a relative.”*

11. The would-be-spouses living in non-Muslim societies are recommended to enter into pre-nuptial commitment to safeguard Islamic values and Muslim personal law.
12. The would-be-partners should not deceive each other or conceal a defect during the selection process because it can have serious implications if exposed after marriage.
13. It is not allowed to marry an ill-natured man (bad tempered) because he can mistreat the wife and at the same time the bride-to-be should be avoided if she lacks good nature. Such a woman make the life of her husband miserable.

14. The messenger of Allah PBUH gave great emphasis on taking into consideration a good family background when choosing a marriage partner.
He is reported to have said; *“Marry in the lap of a decent family, since the semen and the genes have effect.”*
15. Regarding the giving away of girls in marriage, the Prophet cautioned Muslims to be careful when giving away their daughters in marriage.
He said; *“Giving away a girl in marriage is almost like giving her into slavery. Therefore, be careful and see where you are depositing your daughters”*
16. It is not allowed to marry a foolish and insane person. This is because his/her company is a distress and the children also get wasted.
17. The physical and mental health of the partner-to-be should be considered.
The Prophet PBUH said; *“When one intends to marry a woman, he should ask about her hair just as he asks about her face since the hair is one of the two beauties of a woman.”*
18. When choosing a marriage partner, one should consider the fact that sharia places certain restrictions on the choice of a spouse depending up on blood relationships and religious affiliations.
19. Man is also advised to choose for marriage a woman who will be affectionate to him and bear him children.
The prophet PBUH said; *“Marry a lovely woman who can give birth to children so that on the day of judgement, I will be delighted by your crowd compared to other nations.”*
20. The factor of age should not be ignored as well. It is reported that the Prophet PBUH refused to give Fatimah to Abu Baker and then Umar bin Khattab because she was still young but he accepted Ali bin Abu Talib who was also young and ready to marry her.
21. The man should make a proposal of marriage either to the woman he wants to marry directly or through her parents/guardians. It then becomes illegal for other men to propose to her until the first man fails or has been rejected.

The Prophet PBUH said; *“A man must not propose to a woman when his Muslim brother has done so already until the first proposer withdraws.”*

22. A certain time should be allowed to pass before marriage is concluded between the would-be-spouses. This period is necessary for them to find defaults in their marriage and correct them or otherwise.

THE ESSENTIALS OF A MUSLIM MARRIAGE COVENANT

1. In Islam, marriage is a social agreement and a legal contract between the husband and the wife and with Allah as their Supreme witness.

Allah says in **Q (4:21)**; *“And how could you take it when you have gone in unto each other, and they have taken from you a solemn covenant?”*

2. Negotiating and signing a marriage contract is a requirement under Islamic law and certain conditions must be upheld in order for it to be valid.
3. Consent of partners: There must be a mutual agreement of both the groom and the bride to their marriage. Both must agree that none of them has been forced into their marriage ties.
4. However, they should be sexually pure. That is, a chaste lady should not be married to unchaste man or a chaste man to unchaste lady unless both are impure.
5. Consent of parents/guardians: The parents of the marrying partners should also give consent especially those of the woman. The woman can only be given in marriage by her father unless otherwise but a fellow woman cannot give her away.
6. Giving dowry (Mahr): The bride has a right to receive a gift from the bridegroom, which remains her own property as security in the marriage.

Q (4:4) states; *“And give the women on marriage their dowry as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer.”*

Dowry can be given in form of cash or property or service rendered by the bridegroom to the bride herself as long as it is preferred by the bride.

Dowry is intended to assure the bride that she is wanted, loved and that the bridegroom is ready to meet his marital obligations. It is the bottom line of the marriage contract that legalizes sexual intercourse between the two couples.

7. Presence of witnesses: Two reliable male witnesses are required to verify and witness the marriage vows. They should be adult trustworthy Muslims able to hear the language being used. They act as referees in case there comes misunderstandings among the couples.
8. Registration of the marriage. To ensure the best marriage contract, one free from doubt of any kind, it is in accordance with the Islamic law that marriage is registered and a marriage certificate issued to the bridegroom.
9. Delivery of the sermon. The marriage sermon should be delivered before or after the announcement of the marriage. The purpose of the sermon is to give marriage a sacred character and to educate them about their mutual rights and duties for a purposeful marriage.
10. Publication of the marriage function. The marriage function should be publicized to distinguish it from adultery and fornication. The mutual consent of the couples-to-be does not constitute a marriage unless expressly publicized in presence of witnesses.
11. The publicity should be by gathering in a public place, beating drums or performing it from the mosque. It can also be at the groom's place or in any Islamically convenient place to the couples.
12. Marriage feast. After concluding the marriage contract, the couples should serve their invited guests with a simple feast depending on their economic status. Everything possible must be done to avoid extravagance.

The Prophet PBUH said; *"The most blessed woman is one whose wedding does not involve too much expense."*

PROHIBITED MARITAL RELATIONS IN ISLAM

1. In Islam, there are forbidden marriages i.e people a believer should not dare to take in marriage. Allah says in Q (4:22-23);

“And do not marry women whom your fathers married except what is past, it was shameful and odious, an abominable custom indeed. Prohibited to you for marriage are; your mothers, daughters, sisters, father’s sisters, mother’s sisters, brother’s daughters, sister’s daughters, foster mothers, foster sisters, your wives’ mothers, your step daughters under your guardianship, born of your wives to whom you have gone in; no prohibition if you have not gone in, wives of your sons proceeding from your loins and two sisters in wedlock at one and at the same time except in the past... Also prohibited are women already married except those whom your right hand possesses...”

2. From the above verse, the following marital relations are not allowed in Islam:
3. The marriage to mothers is absolutely forbidden. The mothers are everyone to whom you are related by childbirth. These include mothers (gave birth) and grandmothers.
4. Marriage to daughters is also absolutely prohibited. These include every female related to you by birth such as the daughter who springs from your own loins or daughters of sons and daughters.
5. Also absolutely forbidden to marry are the sisters from three directions; from the same mother and father or from just the father or just the mother (uterine sisters).
6. Marriage to paternal aunts, sisters of the father from three directions are forbidden, also the sisters of grandfathers through the father or mother, whether the grandfather is immediate or distant and whether he inherits or not.
7. Marriage to maternal aunts; the sisters of the mother from three directions are forbidden and all the sisters of grandmothers in the line of descent.

8. Marriage to nieces and any woman related the brother by birth is forbidden. This puts into consideration the daughters of the sisters as well.
9. Forbidden for marriage also are the foster mothers. They are the ones who have suckled you, their mothers and grandmothers and every woman related to them in any way.
10. Marriage to the mothers of wives is forbidden. Whoever married a woman, then everyone who is a mother to her by lineage or suckling, whether close or distant in relation becomes forbidden to him.
11. Marriage to stepdaughters is also prohibited. They are not forbidden except by consummation of the marriage with their mothers, including those under their guardianship. They include every daughter of the wife by lineage or suckling, close or distant in relation.
12. In addition, marriage to daughters-in-law is absolutely forbidden. That is, marriage to wives of one's sons and grandsons through lineage, suckling, whether close or distant in relation.
13. Furthermore, marriage to one's step-mothers is prohibited. That is, the wife of one's father whether he is close or distant in relation or whether he is related by lineage of suckling or whether still in marriage or divorced.
14. It is prohibited to be married to two sisters at the same time, whether they were sisters because of lineage, suckling, from the same mother and father, from one father or one mother and irrespective of whether the marriage to the sisters took place before or after consummation.
15. It is also forbidden to marry a woman and her paternal or maternal aunt at the same time.

The Prophet PBUH said; *"One cannot be married to a woman and her paternal aunt or a woman and her maternal aunt at the same time."*

16. In addition, it is forbidden to marry women who are already married i.e chaste women who have protected their private parts from adultery through marriage.
17. Suckling prohibits that which lineage prohibits. Every woman that is forbidden due to lineage is also forbidden due to suckling e.g mothers, daughters, sisters, paternal and maternal aunts and nieces.
The Prophet PBUH said; *"What is forbidden by lineage is likewise forbidden by suckling."*
He also said; *"Suckling makes unlawful what birth makes unlawful."* (Muslim)
18. Islam further prohibits Muslims from marrying a Mushirk. People who associate partners with Allah.
Allah says in **Q (2:221)**; *"Do not marry unbelieving women until they believe... nor marry your girls to unbelievers until they believe..."*
19. It is forbidden to marry a pregnant woman until she gives birth and breastfeeds her baby for 2 ½ years.
Q (65:4) states; *"...and for those who carry life in their wombs, their period is until they deliver their burdens..."*
20. It is not allowed to marry a divorced woman unless she completes her **IDDA** period which is 90 days. This is intended to determine whether she is pregnant or not as **per Q (65:1)**.
21. It is prohibited for a divorced woman to remarry to her formal husband unless she is taken by another man who formally divorces her and then the first husband takes her back as **per Q (2:230)**.
22. Another form of prohibited marriage is called **Shighar**, a form of marriage in Jahiliyya where one man would give his daughter or sister in marriage in exchange for another man's daughter or sister without paying dowry. It was forbidden because it denies the woman her right of dowry.
23. Temporary marriages are forbidden in Islam. This is a form of marriage in Jahiliyya that is meant to last for a specified period in exchange for a certain

amount of money. This is not allowed in Islam because marriage is a permanent relationship and continuous harmony not only between man and woman but also between them and Allah.

THE DUTIES AND RIGHTS OF FAMILY MEMBERS IN ISLAM

THE RIGHTS OF A WIFE IN A FAMILY

1. The rights of a wife in a family are the obligations of a married husband in his home on how he should treat his wife and handle their home as the family head.
2. It should be noted that once a woman is married, she does not lose any of her rights which she possesses as an individual member of the society. She just acquires new responsibilities in life which carry with them new rights.
3. In the first place, we must know that both the husband and wife have rights and responsibilities over each other in the family and that they are guardians of one another. They are rulers of one another.

The Prophet PBUH said; *“Your body has a right over you and your soul has a right over you and your wife has a right over you.”*

4. Secondly, the husband must fulfill the promises he made to the wife at the time of contracting their marriage.
5. The wife is entitled to maintenance by the husband according to his means. This includes feeding, clothing, shelter and general care.

Allah says in **Q (65:6)**; *“Let the women live in the same style as you live according to your means.”*

6. Although the residence of the wife should be according to the means of the husband, it must be adequate to provide her with privacy, comfort and independence.
7. The wife is entitled to good and kind treatment even if the husband does not like her.

Allah says in Q (4:19); *“...on the contrary live with them on a footing of kindness and equity. If you dislike them, it be that you dislike a thing and Allah brings about through it a great deal of good.”*

The Prophet PBUH said; *“The most excellent of you is he who is the best to his family and I am the best of you to my family.”*

8. It is the husband's obligation to provide protection to his wife against any aggressors on her chastity and defend her against humiliation or defamation.
9. The husband should not subject his wife to insecurity and uncertainty. He should not keep warning her of inflicting harm on her or hindering her freedom.
10. If the husband does not have love and sympathy for the wife, she has the right to demand divorce from him.
11. The husband should be relaxed with his wife and always cheer up with her by making agreeable jokes. The Prophet PBUH himself used to joke with his wives like running in competition with them.
12. He should call her with sweet nicknames because the Prophet PBUH himself used to call his wives nicknames.
13. The husband should see to it that his wife has sufficient knowledge of her religious obligations and to ensure that religion is practiced in their home.
14. The husband should not harbour suspicion about his wife anyhow by allowing fanciful thoughts to engage his mind and behave in a spying manner towards her but rather he should depend on mutual trust to live a happy marriage.
15. He should jealously guard her wife against any provocative situations and should not remain indifferent when his wife is undergoing corruptive influences but his jealousy should be of legitimate cause.

16. The husband should avoid dwelling on simple mistakes committed by the wife and blaming her frequently because no man is perfect. He is advised to ignore minor faults her wife commits.
17. He should always appreciate the good things his wife does for him because the holy Qur'an is clear that Allah does not want the ungrateful.
18. The husband should do everything possible to keep the secrets of their family as much as possible especially the sexual matters with his wife.
19. It is the obligation of the husband to satisfy his wife sexually to prevent her from being tempted to go for adultery if she is not satisfied.
20. The husband should caress his wife before having sex with her in order to make sex enjoyable but not painful for her.
21. The husband should honour his wife's parents and sometimes buy them presents for her to feel secure.

THE RIGHTS OF THE HUSBAND IN THE FAMILY

1. When she gets married, a Muslim woman assumes new responsibilities which in one way or the other are the rights of her husband. The obligations of the wife in the family originate from the holy Qur'an.

Allah says in **Q (25:74)**; *“And those who pray, ‘Our Lord! Grant unto us wives and offspring who will be the comfort of our eyes and give us the grace to lead the righteous.’”*

2. For the husband to benefit from the above prayer, the wife must fulfill certain obligations which are imposed up on her by the marital relationship she enters into under the marital covenant.
3. The first obligation of the wife is to create a conducive environment in which she and her husband can live together happily, by being faithful, trustworthy and honest to him.
4. She must not allow other people to have sexual access to her because it is an exclusive right for her husband.

5. Likewise, a married Muslim woman must not talk to strangers or to people whom her husband does not approve and must not admit them into their house in his absence.
6. The wife is bound to protect her husband's property from loss or waste because it is a trust in her which she must discharge wisely and diligently.
7. The management of the husband is the responsibility of the wife because in one tradition of the prophet she is described as the ruler of her husband's house and children.
8. The wife should not be too demanding but must be considerate, appreciative and contented with any service rendered to her by the husband. She should not insist on buying for her expensive things beyond his means to afford.
9. She should always appear attractive, charming and desirable to her husband. A shabby and indifferent woman makes love undesirable and therefore creates a distance between herself and the husband.
10. The wife should regard their marital home as her own place of residence and she must not leave it except in company of her husband or with his permission.

The prophet PBUH said; *"A woman who leaves her husband's home without permission from her him is cursed by the angels until she returns."*

11. When she goes out for a legitimate cause, the wife should be properly dressed and should walk and behave in a dignified manner. For example, she should lower her gaze and should not strike the ground with her feet to attract the attention of other men.
12. A wife should be respectful and obedient to her husband as the natural family head. However, her obedience should be in the reasonable limits and in matters acceptable in Islam.
13. The wife should not refuse to go to bed with her husband for sex unless there is an Islamic reason for it e.g sickness, menstruation and others. In fact, when

she intends to fast voluntarily, she can do so only with permission from her husband partly for that reason.

14. The wife should do everything possible to keep the secrets of their family as much as possible especially the sexual matters with her husband.
15. The wife should not deceive her husband by deliberately avoiding conception because it deprives him of children.

RESPONSIBLE PARENTHOOD

(Duties of Parents to their Children)

1. In Islam, children are the joy of one's life as well as the source of pride. Therefore, parents should avoid indulging in overconfidence, false pride and being on guard against the misdeeds of their children which may arise out of love for them.
2. Parents/guardians must pray to Allah before having sex so as to bless them with God-fearing children and guard them against other satanic temptations.
3. It is the responsibility of parents/guardians to develop their children's personality by making them dependent on them and exhibiting good morals to them in their tender age.
4. Parents/guardians must provide their children with the three major rights; the right to life and equal chances in life, the right to legitimacy (having a legal father) and the right to good upbringing and general care.
5. Parents/guardians are required to perform aqiqah for their newly born babies and all other related rituals like adhan and iqama and giving them good names.
6. Parents/guardians are supposed to give their children good education especially Islamic education in Qur'an and Sunna of Prophet Muhammad PBUH. Secular education should always be given second consideration.

7. According to Islam, the best mothers are those who are the most affectionate to their young ones by showing them maximum love but also avoid false pride in them.
8. Discrimination among children is prohibited in Islam. Male children should not be preferred to female children nor should the latter be to the former.
9. However, Islam stresses the importance of taking special care of the daughters because of their diligence. They need extra kindness due to their softheartedness.
10. It is the responsibility of male Parents/guardians to help their children to marry when they reach the right age.
11. Muslim Parents/guardians must be fond of their children and be kind to them. They should always be seen by people of other faith exhibiting love to their children.
12. Children deserve the best care from either the state or relatives whether Parents/guardians are alive or deceased, present or absent, known or unknown. They should not be left to starve.
13. Parents/guardians should establish full justice when dealing with their children to avoid leaving the children divided due to unfair judgement among them.
14. Parents/guardians are required to ask their children to do only those tasks which they can afford. Overburdening children with heavy work beyond their capacity is an abuse of parental love and authority.
15. Parents/guardians especially mothers are asked to avoid cursing their children but to always ask for Allah's blessings for them because Allah answers their prayers directly.
16. Parents/guardians should train their children religious practice at an early age e.g at the age of seven, they should ensure that they start praying.

Allah says in **Q (31:13)**; *“Behold! Luqman said to his son by way of instruction; ‘O my son! Do not join others with Allah in worship. For shirk is a grave sin.”*

Allah in **Q (31:17)** says; *“O my son! Establish regular prayer, enjoin what is just, and forbid what is wrong...”*

17. Parents/guardians should avoid being too demanding from their children. This is because over demanding usually results in disobedience to Parents/guardians by their children.
18. Female relatives must not expose their bodies to mature male children. Only parts like the head, face, neck and mid upper arm to the fingers and lower parts of the feet may be shown to them.

HOW CHILDREN SHOULD TREAT THEIR PARENTS

(Responsibilities of children to their children)

1. In Islam, good treatment of parents is a form of worship commanded by Allah in the holy Qur'an. Allah says in **Q (17:23)**;

“Your Lord has enjoined you to worship none but Him, and to show kindness to your parents.”

2. A child must show every kind of patience and speak to Parents with nice words especially at the old age. Allah says in **Q (17:24)**;

“If either or both of them attain old age with you, show them no sign of impatience nor rebuke them but speak to them with kind words.”

3. We must treat our parents with humbleness and sensitivity and always pray for them whether dead or live. Allah states in **Q (17:24)**;

“Treat them with humbleness and tenderness and say ‘Lord! Be merciful to them. They nursed me when I was an infant.”

4. Parents need respect from their children because they are the reason we exist on earth. They love us and care for us like mothers who carry us in their wombs for nine months.

5. Respect is also accorded to them due to the pain they go through while bringing up children.

Allah says in Q (31:14); *“And We enjoined on man to show kindness to his parents, for weakness and weakness his mother bears him and he is not weaned before he is two years of age.”*

6. A good child must take time and thank his parents for what they did for him even if for him sees nothing in that case. That is a command from Allah as He says in Q (31:14);

“We said: ‘Give thanks to Me and to your parents.’”

7. It is an obligation of the child to always meet his parents with a smiling face. Though this is an act of kindness to others, it is a necessity to the parents.
8. Allah commands us to lower ourselves before our parents and not to speak any words that may show displeasure to them.

He says in Q (17:24); *“... nor shout at them but speak to them with kind words and out of your kindness lower yourselves to them.”*

9. Kindness and respect must be extended to both parents, mother and father, whether they are Muslims or not because Allah does not categorize them.
10. Disobedience to parents is extremely condemned in Islam unless they tell us to commit shirk or to disobey Allah, but even then, we have to do it in a polite way.

Allah says in Q (29:8); *“We ordered man to show kindness to his parents. But if they bid you to associate with Me what you do not know, do not obey them.”*

11. Prophet Muhammad PBUH said that the child's paradise is under his parents' feet. So whoever disobeys them denies himself chance to enter paradise.
12. In Islam, mothers are preferred to fathers in the division of the child's love. The prophet PBUH said that they take $\frac{3}{4}$ (75%) of his love due to the pain they

go through in carrying the womb for nine months and giving birth to him and other strong reasons in that case.

13. A child should be extra careful and patient to his parents when they grow old. This is because at this age they grow physically weak and mentally feeble, accompanied by impatience and misjudgment. So one must control his temper to them.
14. It is among good moral for a child to listen to his parents while speaking to him. It is totally irreligious for him to interrupt their speech or argue with them.
15. In Islam, among the everlasting benefits (sadaq) a parent can be proud of even after death is a good child left on earth that can pray for him or do things that can benefit him e.g building a school or mosque for him.
16. A good child is obliged to provide necessities of life to his parents and to always visit them especially when they grow old. In doing so, he should give them according to his standard.
17. Male children are charged with a duty of balancing the love for their parents and wives. They should not love their wives at the expense of their mothers but they should strike a harmonious and reconciliatory relationship between them.
18. A good child should maintain friendship and respect of his parents' friends. This is because he finds consolation in them and comfort in absence of the parents.
19. Finally, insulting parents is one of the grave mistakes a child should never commit to them. Abusing one's parents or the parents of others must be avoided.

MARITAL FAITHFULNESS

1. This is the commitment and fulfillment of marital obligations expected of each partner in a marriage bond in order to maintain a permanent and joyous marriage.

2. In order to have a long and lasting marriage, the married couples should observe following pillars in Islam.
3. They should not engage in adultery because it is a major evil that has led to family breakdown in society today.
4. Each partner should ensure sexual satisfaction to each other in order to eliminate cases of marital rape and adultery in the family.
5. They should endeavor to look attractive to each other e.g having a pleasant face, being smart, clean and having a good scent.
6. They should not entertain rumours because it is the major source of family quarrels. The Prophet PBUH said; *“If one does not have what to say should keep quiet.”*
7. Women are asked to seek permission before leaving their husbands’ homes to avoid suspicion and quarreling with them in cases they do not find them at home.
8. Islam encourages Muslims to choose partners they love. They should not be forced in marriage because it will not serve its purpose of harmonious living.
9. They should keep the secrets of their marital affairs to themselves without revealing them to unconcerned people.
10. They should be open to each other. If one has disappointed the other, he/she should tell her/him in order to solve the problem amicably.
11. Islam prohibits superstition and witchcraft because apart from being shirk, it disrupts the peace and unity of the family.
12. Islam emphasizes that marriage should be based on love and sympathy. This will encourage partners to forgive each other.
13. Each partner should tell the other their whereabouts. They should not just move out especially men without informing their people at home.
14. Partners especially wives are not allowed to receive gifts which may be tempting and hence make them unfaithful to their partners.

15. Partners are asked to avoid being in company of members of opposite sex without their brothers or sisters or husbands/wives because this reduces temptations.
16. Women are not allowed to entertain visitors in their homes when their husbands do not approve them or when they are not present to avoid suspicion.
17. Where there is misunderstanding, partners should settle their issues amicably and the one in wrong should apologize.
18. In case of serious misunderstandings, partners should refer their differences to their parents for guidance and if necessary to their witnesses during their marriage covenant.
19. There should be mutual trust between the husband and the wife if they are to have a successful marriage relationship.
20. However, having faith in Allah and sticking on Islamic morals is the major foundation on which a pure and stable marriage is built.

POLYGAMY IN ISLAM

1. Polygamy is a situation where a man possesses more than one wife at a time. As a matter of fact, Islam recognizes only the union of man and one woman as a valid form of marriage.
2. However, under exceptional cases, it allows the man to marry more than one wife but it does not allow a woman to have more than one husband (polyandry).
3. The permission to marry more than one wife is got from the holy Qur'an.

Allah says in Q (4:3); *"If you fear that you cannot treat orphans with fairness, then you may marry such women of your choice, two or three or four; but if you fear that you cannot do justice, then marry one only or those you possess. This will make it easier for you to avoid injustice."*

4. From the above verse, Muslims have a liberty to marry as many as four wives at maximum but note must be taken that it is not a rule or an article of faith for them.
5. Furthermore, the verse allows polygamy on condition that the man will be able to deal justly between the wives in matters such as feeding, dressing, housing and division of time.
6. Anyone who lacks assurance to this justice must marry only one wife. The Prophet PBUH said;

“Anyone who marries two wives and does not treat them equally shall come on the Day of Judgement dragging his part of the body which shall be hanging down.”
7. The fair treatment of wives mentioned by the prophet PBUH in the above hadith relates to the rights of the wives but not love because for it, he said that it is hard to divide it equally.
8. However, the husband should not expressly show them that he loves one wife more than the other as this may bring grudges among them.

CONDITIONS UNDER WHICH POLYGAMY IS ALLOWED IN ISLAM

1. According to Q (4:3), polygamy is allowed only when one has orphans to look after and he fears that they will not be treated well. In this case, one can marry the mother of the orphans or one of the orphans or some other elderly woman so that the orphans' welfare is catered for, hence polygamy.
2. If a man has a number of female orphans to look after but he is unmarried and there is a danger of him falling in love with one of them. In this case, he is allowed to marry one or more of them to avoid committing Zina with them, thereby betraying his trust with Allah.
3. If a man is married and his wife fails to treat the orphans properly, he is allowed to marry one of the female orphans so that she can look after her fellow orphans in a separate home.

4. If the young relatives of the man like brothers and sisters become orphans and finds out that his existing wife cannot look after them properly, he can marry a suitable mature woman who can treat them like a mother.
5. If the man is afraid that the orphans under his care being strangers, he may not treat them fairly as he should have done. He may establish direct relationship with them by marrying one of them.
6. If a man has a large number of orphans under his care and he finds out that he cannot do full justice to them without marrying another wife, he is permitted to do so to the limit of four only.
7. However, although the subject matter of **Q (4:3)** talks about polygamy in relation to orphans only, it is important to note that there are other situations which may give rise to polygamy. In this case, polygamy is seen as a solution to social and moral evils. These include;
8. There are certain women who are barren and yet men marry to get children. Since barrenness can be known after marriage, the barren woman should not be divorced or neglected because if it is done, she may go in for prostitution in search of a child. The solution for the man is to marry another wife and at the same time keeping the barren one to also enjoy her conjugal rights.
9. There are some men whose sexual desires are too strong for one woman to bear. Since this one is found out after marriage to a particular woman, it should not necessarily call for divorce but for the man to have another woman so as his sexual lust is shared among them, hence polygamy.
10. Certain women naturally have long menstrual periods or chronicle diseases which may not permit sexual intercourse yet the husband may find it hard and suppressive of his sexual desires during these periods. The only solution besides patience is having another woman.
11. There are situations when women outnumber men especially after wars. Under such circumstances, it is in the interest of Islam and for the women in particular to accept and become co-wives to a man instead of spending their entire lives without being married.

12. If a Muslim man converts to Islam with more than four wives, he cannot stay with them but Islam advises that he chooses four from them and then divorces the rest.
13. If the woman is too harsh to the man and there is no peace in the home. So the unhappy husband is allowed to look for another wife to give him comfort and satisfied marriage life whereas the woman is allowed to ask for divorce if the man is harsh to her.

ADVANTAGES OF POLYGAMY

1. Polygamy allows more women to get married instead of remaining single for most of their lives.
2. If there are more than two wives, then in the absence of the husband, the wives can help each other out with household duties and taking care of the children.
3. It creates social relationship between the husband and different families.
4. It brings responsibility and commitment in the husband.
5. It prevents prostitution among barren women.
6. A husband who does justice among his wives gets rewards from Allah.
7. It brings respect to the man.
8. It brings about increase in Muslim community.
9. It promotes sexual satisfaction among men.
10. It creates care for parents in old age due to many children born.
11. It gives men opportunity to have children of different characters from different women.
12. Many wives and the children they produce are a source of labour and income in the family.

DISADVANTAGES OF POLYGAMY

1. It leads to transmission of diseases.
2. It increases financial burden in the family.
3. It leads to injustices among wives by unfair husbands.
4. It leads to shirk among wives fighting for more love from the husband.

5. It creates disunity among the children especially after the death of the father.
6. It creates jealousy among wives.
7. In case of broken marriages, bitter relationships emerge with the divorced wife.
8. It is one of the causes of street children especially due lack of maintenance.
9. It may result in adultery among wives if the husband fails to satisfy them sexually.
10. It leads to divided attention and love among couples.

HOW HAVE MUSLIMS MISUSED THE INSTITUTION OF POLYGAMY

1. Many Muslims fear to practice polygamy even though they have genuine reasons for it.
2. Other Muslims are influenced to practice polygamy even when they cannot afford it.
3. Some men show economic unfairness to their wives.
4. Some Muslims exceed the maximum number of four wives allowed in Islam.
5. Some women practice social evils in their marriages as a result of polygamy like witchcraft.
6. Some women divorce when their husband marry a second wife.
7. Some men give their wives little time and do not satisfy them sexually.
8. Sometime children are neglected and mistreated by step mothers.
9. Some Muslims marry two sisters at ago which is forbidden in Islam.
10. In some polygamous families, men are controlled by their wives.
11. Some men marry polytheists in the process of practicing polygamy.
12. Some women neglect religious duties because their husbands have acquired second wives.
13. Some Muslims have misinterpreted the institution of polygamy in Islam by making it a compulsory act to the Muslims.
14. Fighting and hatred among wives is common among polygamous families.

ISLAMIC TEACHINGS ON DIVORCE

1. Technically, Muslim jurists define the term divorce as the legal dissolution of a marriage bond established between man and woman so that they are no longer husband and wife.
2. Although marriage is a permanent relationship, Islam recognizes the necessity under exceptional circumstances of keeping the way open for its dissolution when the couples can no longer live happily as husband and wife.
3. This is because there is no point in keeping a nominal contract when the two couples cannot honour its vows and therefore they are living as enemies in their home.
4. Instead of the married partners turning their home into hell, it is better for them to separate peacefully than persisting on indefinitely and harm each other.
5. However, although divorce is allowed in Islam, it is the most hated act in the sight of Allah.

The prophet PBUH said; *"Of all things allowed in Islam, divorce is the most hated"*

He also said; *"The woman who asks her husband to divorce her without a cause, the smell of Paradise is forbidden on her."*

"There are three things which, whether done in joke or in earnest, shall be considered serious and effectual, namely; marriage, divorce, and taking a wife back."

6. In the holy Qur'an, Allah approved the prophet's decision of insisting that his adopted son, Zaid, keep his wife whom he had divorced.

Q (33:37) says; *"And remember when you said to the man whom Allah and yourself have favoured! Keep your wife and have fear of Allah..."*

7. Everything possible must be done to avoid divorce. Firstly, the two couples are asked to try and settle their differences themselves.

8. Secondly, if they fail, two arbiters (mediators) from either side of the woman and man are sought to make peace between them.

Allah says in Q (4:35) says; *“If you fear a break between a man and his wife, appoint an arbiter from his people and another from hers. If they wish to be reconciled, Allah will bring them together...”*

9. If the mediators fail to bring peace between the couples, then divorce will follow.

Allah says Q (2:227); *“But if their intention is firm for divorce, Allah hears and knows all things”*

GENERAL CAUSES OF DIVORCE IN ISLAM

(Conditions under which divorce is allowed in Islam)

1. If the husband has been by any cause deprived of his organ of generation. In this case the wife can obtain instant divorce if the defect occurred before marriage. Cases of evident madness and leprosy are treated in the same way.
2. If the husband is proved impotent after marrying the wife, divorce is sought because if the two are left together, the woman may indulge in adultery to get sexual satisfaction.
3. Apostasy from Islam. When a man or woman apostatizes from Islam, then an immediate dissolution of the marriage takes place, whether the apostasy.
4. Insufficient dowry. If the stipulated dowry is not given when demanded, divorce takes place if the husband promised to pay it in future and fails to fulfill his promise, the wife has a right to divorce her.
5. Refusal of Islam. If one of the parties embrace Islam, and the other one refuses to embrace the new faith, then divorce takes place.
6. If a husband charges his wife with adultery, the charge is investigated, but if there is no proof, and the man swears his wife is guilty, and the wife swears she is innocent, then divorce must be decreed.

7. When a husband makes a vow not to have carnal intercourse with his wife for no less than four months, and keeps the vow unviolated, an irreversible divorce takes place.
8. Reason of property. If a husband become the proprietor of his wife (a slave), or the wife the proprietor of her husband (a slave), divorce takes place.
9. An invalid marriage of any kind, arising from incomplete *nikah* (marriage ceremony) or from affinity (compelled by a kin without one of the couple's consent), or from consanguinity (a blood relationship).
10. Difference of country. For example, if a husband flee from land of enmity i.e. a non-Muslim country to country of Islam and his wife refuse to perform *flight* to accompany him, she is divorced.
11. If a man converts to Islam with more than four wives, he is asked to divorce some of them and remain with a maximum of four as allowed in **Q (4:3)**.
12. Cruelty of one partner. If one partner is constantly cruel to another, instead of hurting each other if they are forced to stay together, Islam allows them to divorce.
13. Difference in race or tribe. A woman cannot be compelled to marry a man who belongs to a tribe she does not want and in case of such a marriage she may ask for divorce.

FORMS OF DIVORCE

1. **Woman initiated divorce (Khul'a)**

- This is a form of divorce asked by the wife if she feels that she has reasons no longer binding her with the husband in marriage.
- Islam allows it on condition that the Muslim judge is satisfied that the couple can no longer live together happily and the wife can pay back dowry unless the husband is caught in dirtiness. It may be due to the following conditions;
- *Inability of the husband to look after her in matters like dressing, shelter, feeding and other.*
- *Inability of the husband to satisfy her sexually.*

- *If the husband denounces Islam.*
- *If the woman was forced into marriage.*
- *If both were non-Muslims and the wife converts to Islam.*
- *If the husband is imprisoned for life.*
- *If the husband commits adultery.*
- *If the husband goes missing for a while without her knowing his whereabouts.*
- *If the husband's male organs are amputated.*
- *If the husband becomes insane or attacked by chronic diseases.*

2. L'ana

- This is a form of divorce in which the husband accuses the wife of adultery but has no visible evidence to support his accusation while the woman denies it.
- If the husband insists that his wife committed adultery, L'ana (cursing) is sought to separate them whether the accusation is true or false.
- Authority to this form of divorce is given by Allah in **Q (24:6-9)**;

"And for those who accuse their wives and have no evidence except their own, let each of them testify by swearing four times by Allah that his charge is true, calling down in the fifth time up on himself the curse of Allah if he is lying. But they shall spare her the punishment if she swears four times by Allah that his charge is false and calls down Allah's wrath up on herself if it is true."

- If both have sworn and each has borne witness of his or her truthfulness and called for the wrath of Allah on himself or herself if he or she told a lie, they are separated forever.

3. Husband initiated divorce (Talaq)

- This is a form of divorce in which the husband decides to let the wife go i.e a divorce initiated by the husband. It may be due to the following conditions;

- *If the wife commits shirk.*
- *If the woman is caught in adultery.*
- *If the wife becomes mentally unconscious (insane).*
- *If the wife turns away from Islam.*
- *If the wife refuses to embrace Islam in case the husband becomes a Muslim.*
- *If the wife denounces Islam.*
- *If the wife denies her husband sex.*

4. Fask

- This is a form of divorce sought by the couple through the Qadhi's court. It may be due to the following conditions;
- *Impotence of the husband.*
- *Serious defects in the marriage contract.*
- *Failure by the husband to maintain the wife.*
- *In case one partner becomes an apostate.*
- *If the husband goes missing for no genuine reasons.*
- *Imprisonment of the husband for life.*
- *When one of the partners denounces Islam.*
- *Immigration of the husband to another country for permanent residence while the wife is not ready to follow him.*
- E.t.c

5. Mutual divorce

- This is a form of divorce as a result of mutual agreement between the husband and wife to end their marriage after getting satisfied that they cannot live together. This is done in presence of the Qadhi and some witness.
- However, the husband must spend three months looking after the wife but without sex to ascertain that she is not pregnant.

RULES AND PROCESSES FOR EFFECTING DIVORCE

1. Divorce is permitted in Islam as a last resort if it is not possible to continue a marriage.
2. Certain steps need to be taken to ensure that all options have been exhausted and both parties are treated with respect and justice.
3. When a marriage is in danger, couples are advised to pursue all possible remedies to rebuild the relationship. Divorce is allowed as a last option, but it is discouraged.

The Prophet Muhammad once said; *"Of all the lawful things, divorce is the most hated by Allah."*

4. For this reason, the first step a couple should make is to really search their hearts, evaluate the relationship, and try to reconcile because all marriages have ups and downs, and this decision should not be arrived at easily.
5. Couples should evaluate their own needs and weaknesses and think through the consequences. They should try to remember the good things about each other, and find forgiveness and patience in their hearts for minor annoyances.
6. They should communicate with each other about their feelings, fears, and needs. During this step, the assistance of a neutral Islamic counselor may be helpful for some people.
7. If, after thoroughly evaluating their marriage, and find that there is no other option than divorce, there is no shame in proceeding to the next step. Allah gives divorce as an option because sometimes it is truly the best interest of all concerned.
8. Nobody needs to remain in a situation that causes personal distress, pain, and suffering. In such cases, it is more merciful that they each go their separate ways, peacefully and amicably.
9. It should be recognized, though, that Islam outlines certain steps that need to take place both before, during, and after a divorce. The needs of both parties are considered. Any children of the marriage are given top priority.

10. Guidelines are given both for personal behavior and legal process. Following these guidelines may be difficult, especially if one or both spouses feel wronged or angry but they should strive to be mature and just.
11. The couples should remember Allah's words in the Quran: *"The parties should either hold together on equitable terms or separate with kindness."* **Q (2:229).**
12. Selecting arbiters. Before a decision is made about divorce, it is only fair to involve family elders in an attempt to reach a reconciliation because they know each party personally, including their strengths and weaknesses, and would hopefully have their best interests at heart. If they approach the task with sincerity, they may be successful in helping the couple work their issues out.

Allah says in Q (4:35); *"And if you fear a breach between the two, appoint an arbiter from his relatives and an arbiter from her relatives. If they both desire reconciliation Allah will effect harmony between them. Verily Allah has full knowledge, and is aware of everything."*

13. If this attempt fails, after all due efforts, then it is recognized that divorce may be the only option. The couple proceeds to pronouncing a divorce. The procedures for actually filing for divorce depend on whether the move is initiated by the husband or the wife.
14. When a divorce is initiated by the husband, it is known as *Talaq*. The pronouncement by the husband may be verbal or written, and should only be done once. Since the husband is seeking to break the marriage contract, the wife has full rights to keep the dowry (*Mahr*) paid to her.
15. If the wife initiates a divorce, there are two options. In the first case, the wife may choose to return her dowry to end the marriage. She forgoes the right to keep the dowry since she is the one seeking to break the marriage contract. This is known as *Khul'a*.

Allah says in Q (2:229) *"It is not lawful for you (men) to take back any of your gifts except when both parties fear that they would be*

unable to keep the limits ordained by Allah. There is no blame on either of them if she gives something for her freedom. These are the limits ordained by Allah so do not transgress them”

16. In the second case, the wife may choose to petition a judge for divorce, with the cause. She is required to offer proof that her husband had not fulfilled his responsibilities. In this situation, it would be unjust to expect her to also return the dowry. The judge makes a determination based on the facts of the case and the law of the land.
17. In any Islamic divorce procedure, there is a three-month waiting period called **Iddah** before the divorce is finalized. During this time, the couple continues to live under the same roof but sleeps apart. This gives them time to calm down, evaluate the relationship, and perhaps reconcile.
18. During the waiting period, the husband and wife are free to resume their relationship at any time, thus ending the divorce process without the need for a new marriage contract.
19. Another reason for the waiting period is a way of determining whether the wife is expecting a child. If the wife is pregnant, the waiting period continues until after she has delivered and breastfed the child.
20. During the entire waiting period, the wife has the right to remain in the family home and the husband is responsible for her support.
21. If the waiting period is completed without reconciliation, the divorce is complete and takes full effect. The husband's financial responsibility for the wife ends, and she often returns to her own family home.
22. It is best for the couple to formalize the divorce in the presence of the two witnesses, verifying that the parties have fulfilled all of their obligations. At this time, the wife is free to remarry if she wishes.
23. Islam discourages Muslims from going back and forth about their decisions, engaging in emotional blackmail, or leaving the other spouse in limbo.

Allah says in Q (2:231); *"When you divorce women and they fulfill the term of their Iddah, either take them back on equitable terms or set them free on equitable terms; but do not take them back to injure them, (or) to take undue advantage. If anyone does that, he wrongs his own soul..."*

24. If a couple decides to reconcile, after the divorce is finalized, they must start over with a new contract and a new dowry (*Mahr*). To this effect, there is a limit on how many times the same couple may marry and divorce. If a couple decides to remarry after a divorce, this can only be done twice.

Allah says in Q (2:229); *"Divorce is to be given two times, and then (a woman) must be retained in good manner or released gracefully."*

25. After the third divorce, the couple may not remarry again. First, the woman must seek fulfillment in marriage to a different man. Only after she is divorced or widowed from this second marriage partner, would it be possible for her to reconcile again with her first husband if they choose.
26. This seemingly strange rule is intended to prevent the husband from initiating a third divorce in a frivolous (playful) manner, knowing that the decision is irrevocable and Secondly, it helps to show the two individuals that they were simply not a good match for each other.

The wife may find happiness in a different marriage or she may realize, after experiencing marriage with someone else that she wishes to reconcile with her first husband after all.

THE CUSTODY OF CHILDREN AFTER DIVORCE

1. In the event of divorce, children often bear the most painful consequences. Islamic law takes their needs into account and makes sure that they are cared for.
2. The financial support of any children both during a marriage and after divorce rests solely with the father. This is the children's right upon their father, and courts have the power to enforce child support payments, if

necessary. The amount is open for negotiation and should be in proportion with the husband's financial means.

3. The Quran advises the husband and wife to consult each other in a fair manner regarding their children's future after divorce.
4. According to **Q (2:233)**, infants who are still nursing may continue to breastfed until both parents agree on the period of weaning through "mutual consent and counsel." This spirit should define any co-parenting relationship.
5. Islamic law stipulates that physical custody of the children must go to a Muslim who is in good physical and mental health and is in the best position to meet the children's needs.
6. Different Muslim jurists have established various opinions of how this might best be done. Some have ruled that custody is awarded to the mother if the child is under a certain age, and to the father if the child is older.
7. Others would allow older children to express a preference. Generally, it is recognized that young children and girls are best cared for by their mother.
8. Since there are differences of opinion among Islamic scholars about child custody, one might find variations in local law. In all cases, however, the main concern is that the children are cared for by a fit parent who can meet their emotional and physical needs.

DISADVANTAGES OF DIVORCE

(Reasons why divorce is hated in Islam)

1. It leads to disintegration of the family which is a very important institution of the Islamic social order.
2. People who divorce lose respect in society.
3. It denies children parental love.
4. Child grow up poorly disciplined due to lack of parental love.
5. The woman loses her protector and may not get another comforter.
6. The virtues that are derived from marriage are lost.
7. It leads to misunderstandings between the man and his in-laws.

8. It leads to spread of venereal diseases if the divorced couple resort to adultery.
9. It may lead to shirk by a partner who want to bring back his/her love.
10. It leads to loneliness which is not easy to cope up with.
11. It leads to street children which is a social problem in the world today.
12. Marriage secrets are exposed especially by the woman.

THE POSITION OF A WOMAN IN ISLAM

1. The position of a woman in Islam is unique with no similarity with any other systems. From the material as well as the spiritual point of view, Islam recognizes the position of a woman to be the same as that of man.
2. In Islam, a woman has been given rights and privileges which she has never enjoyed under other religious or constitutional systems.

POSITION OF WOMEN IN ANCIENT CIVILIZATIONS AND RELIGIONS

3. A close observation of the status women had in the pre-Islamic civilizations and religions would be a good introduction to highlighting Islam's rather respective view of women.
4. Reviewing examples and textual evidences from the thought of ancient civilizations and religions, and the behavior of their followers, and comparing them to the sound Islamic approach of social thought and behavior, must present anyone who seeks truth with fair findings.
5. Over the succession of nations, women suffered many an injustice that denied them even the most basic human rights and put them, in most times, in a lower position in terms of training and ranking.
6. The Sumerian, Assyrian and Babylonian civilizations in Mesopotamia treated women with contempt and held their opinion to be simply irrelevant. The Hammurabi law would blame women for assumed wrongdoings they did not actually commit, and unlike in the case of killing a man, no one may lose his life if he takes a woman's.

7. The Manu law in India considered women as inheritable properties who had no right to education; for women's task was to provide pleasure and lust for men. Even worse, a woman's life should end with the death of her husband, as habits had that a woman shall be burnt with her dead husband at the stake.
8. As for the Chinese civilization, women were considered a bad omen and a byword for misery, which prevented them from going out of their home or looking to people in the face.
9. In the Greek tradition, Women were portrayed as stained creatures, described by Hesiod as having *"a dog's mind and a thievish disposition"*.

The Greek orator Demosthenes once said: *"We keep prostitutes for pleasure, we keep mistresses for the day to day needs of the body, we keep wives for the begetting of children and for the faithful guardianship of our homes."*

10. The Romans considered the woman as an unclean animal that shall be banned from entering temples, and thus disqualified from entering paradise. They viewed her femininity as one reason for her legal incompetence.
11. The Torah holds Eve responsible for tempting Adam, as we read in the Genesis, Chapter 3, Adam saying: *"The woman whom God gave to be with me, she gave me fruit of the tree, and I ate."*
12. The wife was considered as an integral part of her husband's properties, so she shall concede on her human and material rights.
13. The Children of Israel used to sacrifice girls to please Molech. In the Book of Jeremiah, Chapter 32, it reads: *"and their daughters to pass through the fire unto Molech which I commanded them not"*.
14. In pre-Islamic times, the Arabs attached less importance to the person of a woman. She was taken as a mere property of her husband and herself would not own any property nor carry out transactions in her own name.
15. The Arabs were ashamed of having female births, and burying girls alive was widespread. They believed that they were a sign of poverty and misfortune.

16. Still in Pre-Islamic, a woman had no right to inheritance but instead she was inherited by even her far distant relatives.
17. In other parts of the world, a woman was taken as a product of the devil. Man was placed as the dominant lord of the woman who had no choice but to surrender to his dominance. A question was always asked as to whether or not a woman has a soul in her.
18. In the Eastern communist world or the Capitalist countries, a woman is in no better position. She has to work so hard to live and sometimes she may be doing the same job like that a man does but her wage is less than his.
19. It is true that the woman of today has got rights but these were not granted voluntarily or out of kindness to her. She had to pay painful sacrifices and give up many of her natural rights. But even then, she has not acquired what Islam has established by Allah in the Qur'an for a Muslim woman.

THE STATUS OF WOMEN AS DEFINED BY ISLAM

1. Islam recognizes a woman as a mother and it is said that "Paradise lies under her feet." In an authentic hadith the Prophet (PBUH) was asked by a man: *'Who is the one most worthy of my care?'*. The Prophet replied: *'Your mother'*. The man asked: *'Then whom?'*. He replied: *'Your mother'*. The man further asked: *'Then whom?'*. He replied: *'Your mother'*. The man asked: *'Then whom?'*. And in this fourth time the Prophet replied: *'Then your father.'* This shows how important the mother is in Islam compared to the father.
2. In his farewell speech, the Prophet PBUH stressed the status of women in society when he said;

"O people! Surely there are rights in favour of your women which are incumbent up on them ... I command you to treat women well because they are like captives in your homes."
3. While addressing the issue of parents in the holy Qur'an, Allah does not distinguish between father and mother but rather He addresses them in the same voice.

Allah says in Q (17:23); *“Your Lord has decreed that you worship none but Him and that you be kind to parents. When one or both of them attains old age in your life, say not to them a word of disrespect, nor repel them but address them in terms of honour”*

4. Referring to a woman as a daughter, Islam addresses them in the same as it addresses her male brothers that they are born of the same family and from the same womb.

Allah says in Q (42:49); *“He bestows female (offspring) upon whom He wills, and bestows male (offspring) upon whom Him wills.”*

The Prophet PBUH said: *“Women are the equal sisters of men”*.

5. A woman is also recognized as a wife who is a source of comfort for her husband just as the husband is to her:

Allah said in Q (2:187): *“They are like a garment to you and you are like a garment to them”*

6. A woman is recognized by Islam as a full partner of man in procreation of mankind. He is the father and she is the mother and both are essential for life. By this partnership, she has an equal share with the man in every aspect of life.
7. A woman's responsibility in faith is exactly the same as that of a man. She is accountable for her belief in Allah and the Prophet (SAW) even if her closest of kin, like her father, husband or brother disagrees with her in this. She is rewarded for her good deeds the same way Allah rewards man.

Allah says in Q (3:195); *“Their Lord answers them, saying ‘I will deny no man or woman among you the reward of their labour. You are offspring of one another.’”*

8. A woman is equal to man in the responsibility of seeking knowledge. When Islam instructs man to seek knowledge, it makes no distinction between man and woman.

The Prophet PBUH said; *“The pursuit of knowledge is incumbent up on every Muslim, man and woman.”*

9. Women make up half of society and they are responsible for the nurturing, guidance and reformation of the subsequent generations of men and women. It is the female who instills principles and faith into the souls of the nation. It is probably because of this that a child's "Paradise lies under her feet."
10. A woman is entitled to freedom of expression as much as man is. Her sound opinions must be put into consideration and cannot be disregarded just because of her sex as a woman.

Allah says in **Q (58:1-4)**; *“Allah has heard the words of her who pleaded with you concerning her husband and made her complaint to Allah. Allah has heard the arguments of both of you. He hears all and observes all.”*

11. A woman is free to participate in public life just as man is. According to Islamic traditions, women participated in public life with the early Muslims e.g they could accompany Muslim army to the battle field nursing the wounded, preparing supplies and serving as warriors. This alone shows how man and woman are equal.
12. In terms of good or bad deeds, God makes no difference between men and women. What is lawful shall be so for both men and women, and what is wrong shall be so for both men and women. Women are no longer seen as the devil's associates or just objects for sensual pleasure. Unless their feminine disposition prevents them to do so, women should assume their responsibilities in everything just as men do.
13. Likewise, the Quran underlines their equality with men in bearing charges and assuming their responsibilities in religion.

Q (74:34); *“Every soul will be held in pledge for its deeds...”*

14. At the same time, Allah discharges Eve from seducing Adam, as they were both ordered to keep away from the tree and therefore, she is not the origin of

the sin as Christians allege. They were both tempted by Satan, they confessed and asked for forgiveness together.

Allah says in Q (7:19); *“To Adam He said ‘Dwell with your wife in Paradise and eat whatever you please but never approach this tree or you shall both become transgressors.’”*

15. The Holy Quran also stresses the likeness of creation for both men and women and, therefore, the likeness of responsibility and retribution. None of them holds a higher position than the other, except through good deeds. Women in the Holy Quran are not considered as dependent upon men, but rather as independent human beings.

Allah says in Q (4:1); *“Men, have fear of your Lord, who created you from a single soul...”*

16. People are differentiated in Islam according to their faith, God-consciousness and good conduct and not by their sex. Therefore, man and woman are equal in the sight of Allah.

Allah says in Q (49:13); *“O mankind! We created you from a single (pair) of male and female, and made you into nations and tribes, that you may know one another. Verily, the most honoured of you in the sight of Allah is (he who is) the most God-fearing”*

17. The Muslim woman, like the Muslim man is called upon to believe in Allah, the Day of Judgement, the Books, the Angels, and the Prophets, etc. She is also asked to perform prayers, pay out the Zakat duty, fast in the month of Ramadan and perform Pilgrimage to the Holy Places if she can do so. She must also call for the good and forbid evil in addition to being responsible for the well-being of the Muslim community.

Allah says in Q (9:71); *“The believers, men and women, are guardians, one of another: they enjoin what is just, and forbid what is evil.”*

18. The Hudud punishments that are prescribed in the Sharia are the same for men and women; the female thief is punished the same way as the male thief, the adulteress is punished like the adulterer, the female wine-drinker is punished like the male wine-drinker, and the female who wages war on Allah and the Prophet is punished like the male who does so.

In Qisas (retribution), the woman's soul is equal to that of the man. The murderess is like the murderer and the murdered woman is like the murdered man. Qisas is exacted from a man if he kills a woman exactly and as equally as when he kills a man. Blood money rules do not discriminate between male and female.

19. A marriage is not valid in the Sharia of Allah without the approval, acceptance and consent of the woman and it is forbidden by the Sharia that she be forced to marry someone that she does not accept. That means that man and woman are equal.

Allah says in Q (2:232); *“... do not prevent them from marrying their husbands when they agree themselves in a lawful manner.”*

20. The woman has full financial status that is no less than that of the man. She has the right in the same way that a man does to possess all types of wealth whether it be in the form of assets, real estate or cash. She has the right to use her wealth in any manner she wishes to as long as it is approved by the Sharia. So she can buy, sell, trade, barter, provide grants and loans, incur loans, exchange assets etc. All these actions do not require the consent of any male whether this be her father, husband, or brother.

Allah says in Q (4:32); *“...For men is a portion of what they earn and for women is a portion of what they earn.”*

Al-Bukhari reports; *“A woman is permitted to free slaves and give gifts to someone other than her husband, unless she is mentally deranged.”*

21. The Quran addresses everyone, men and women, equally, an indication that both sexes are equal since Allah, the exalted Creator, does not discriminate between them.

Allah says in Q (33:35);

“The Muslim men and Muslim women, the believing men and believing women, the worshipping men and worshipping women, the truthful men and truthful women, the pious men and pious women, the alms-giving men and the alms-giving women, the fasting men and fasting women, the men who are chaste and the women who are chaste, the men who remember Allah much and the women who do likewise, Allah has prepared a forgiveness and a great reward for all.”

He also says in Q (33:36); *“It is not for a believing man or woman, when Allah and His messenger have decreed a matter that they should have any option in their decision.”*

He again says in Q (24:30-31); *“Say to the believing men to lower off their gaze and be chaste for this is more pure for them and God knows what they do. Say to the believing women to lower off their gaze and be chaste...”*

22. A woman is entitled to a share of inheritance much just as her male counterpart is unlike in Pre-Islamic Arabic where he was not only denied inheritance but she was also considered as a property to be inherited. In Islam, whether a woman is a daughter or a wife or a mother or a sister, she receives a certain share of her deceased kin's property.

Allah says in Q (4:7); *“Women shall have a share of what the parents and near relatives leave...”*

23. In conclusion, Islam recognizes man and woman as equal partners of one another. However, it also recognizes that both sexes are not the same based on their biological, physiological and psychological aspects. They belong to different sexes and therefore, they have separate and distinguished functions in life.
24. Islam maintains equality between man and woman where there is a natural ground for it and differentiates between them where there is but natural reason for it.

INSTANCES WHERE ISLAM DIFFERENTIATES BETWEEN MAN AND WOMAN

1. Regarding her share on inheritance, man receives double the woman's share. This is so because man in Islam is burdened with all financial responsibilities in the home including looking for his wife while the woman has no financial responsibilities except her personal expenses which are just luxuries.

Thus, instead of doing injustice to either side, Islam gives man a large portion of the estate of a deceased relative to help him to meet family responsibilities and at the same time not forgetting the woman altogether. She is given a portion to satisfy her personal needs.

2. Standing of women behind men in prayer does not in any sense indicate that a woman is inferior to men. This is a regulation of discipline in prayer and not a classification of importance. Prayer involves actions and motions such that if men and women were to mix in the same line, the believers would experience emotional disturbances, hence denying them attention in such a noble practice.

Women are also not allowed to lead prayers because of their attractive nature such that if by coincidence any part of her body is uncovered, it can corrupt the concentration of her followers more so men. It is for this reason and some others that women do not talk loudly in prayer.

3. In giving witness, two men are required alone or one man and two women. This is not a sign that women are inferior to men but a measure of securing the rights of the contracting parties because naturally a woman is not much experienced in political life as man. Islam requires that at least two women should bear witness with one man so that if a woman forgets or makes an error, the other can remind her or help to correct her. It is a precautionary measure to guarantee honest and proper dealing between people.
4. A woman is commanded to cover the whole of her body and to lower her gaze when she meets a man. The Muslim dress is not intended to minimize her because of her sex but to save her soul from weaknesses, her mind from

indulgence, her eyes from lustful looks and personality from demoralization. It also saves her from being bothered by men with a disease in their hearts about Zina.

5. A woman is entitled to demand from her prospective husband dowry. This does not mean that she is a bought property of the man but rather an instruction and a right given to them by Allah. It is a sign of love to her and guaranteed security from her prospective husband at home.
6. As a mother, a woman enjoys 75% of children's love. This is a privilege enjoyed by mothers over fathers because of the pain they go through for nine months carrying a baby in her womb, labour and delivery pains.

Moreover, it is the mother that suckles the baby with her milk, giving out of care, nurturing the child, the effects of which remain with him throughout his life.

7. In one saying, the Messenger (SAW) said that women are less than men in mind, religion and fortune. However, he has explained this saying in a manner that is consistent with the texts cited concerning the rights, dignity and honour of women. The lesser degree in religion does not mean a lesser degree of faith.

Belief that she is less human means that she cannot rise to the highest ranks. This is because Allah Himself has exempted her from certain forms of ritual worship at certain times, such as prayers and fasting during her menstruation periods and during her bleeding time after delivery.

The lesser fortune only means that in some cases of inheritance, a woman's share is less than that of a man's. The Messenger (SAW) did not generalize this to other rights or to anything indicating a lesser status. The lesser mind is concerning the status of a woman's testimony in certain matters like debts and sale contracts, and in Hudud punishments. It does not imply anything other than this and is not generalized to degrade women into being inferior to men.

Indeed, in this regard, it should be pointed out that there are certain matters which only accept the testimony of a woman and not that of a man.

Furthermore, women are unanimously accepted as narrators of hadith (the sayings of the Prophet PBUH), and this means that their testimony in narrating hadith is treated like that of a man.

In addition to this a woman is responsible towards her duties to her faith and she has full independence in her right to possess, and in her right to make contracts. If she was supposed to have a lesser mind, the contracts and other dealings would have required the assistance of a male.

8. Fasting Ramadhan. This is compulsory on all Muslims of defined qualifications including women but the later are among those exempted during menstruation, breastfeeding and pregnancy. However, they may be required to make up for the missed days when they are in good condition.
9. In short, these differences are due to the separate functions that have been accorded to the male and the female. It is because of these complimentary and necessary distinctions that a man becomes attracted to a woman and a woman becomes attracted to a man and marriage can be a happy, constructive and a healthy one.

Revision questions

1. *Women were liberated from the time the holy Qur'an was revealed 14 centuries ago. With the help of Qur'anic teachings, assess the validity of this statement.*
2. *Islam has been accused of keeping women backward. Basing on the Qur'anic teachings, refute this accusation.*

ISLAMIC TEACHINGS ON DRESS

1. In Islam, there is no specified fashion of dressing but various rules and regulations have been prescribed to determine the mode of dressing for the Muslims.
2. It puts much stress on the dress for both male and female Muslims. However, much stress has been set for the female group due their attractive nature.
3. Allah says in Q (7:26);

“O children of Adam! We have bestowed up on you raiment to cover your shame and as adornment and the raiment of the righteous is the best...”

He also says in **Q (7:31)**; *“O children of Adam! Wear your beautiful apparel at every place of prayer, eat and drink but do not be wasteful, because Allah does not the wasters.”*

4. From the above verse, ‘beautiful apparel’ does not only mean clothes but also toilet manners, cleanliness, attention to hair and other small personal details which no self-respecting man and woman can neglect.
5. Thus, Muslims must be well dressed at every occasion of worship. However, one should not be extravagant in any aspect like dressing, eating, drinking, and clothing e.t.c because Allah does not love wasters.
6. In Islam, there are three categories of dressing i.e compulsory dressing, recommended dressing and forbidden dressing.
7. Compulsory dressing is the mode of dressing which covers the nakedness of the body. The Prophet PBUH said that the nakedness of man lies between the navel and the knees while that of the woman is the whole body except the face and the hands.
8. Recommended dressing is that form of dressing that is somehow beautiful and clear. Here, a Muslim dresses according to his/her economic means so as to be grateful to Allah but putting into consideration that He does not love wasters.
9. Forbidden dressing is that form of dress which is not allowed in Islam. For example, a woman wearing a man’s dress or putting on a dress on the basis of pride or one that exposes one’s nakedness.

THE PRINCIPLES GOVERNING THE DRESS FOR A MUSLIM MAN

1. As regards the principles governing dress, Islam is clear on both man and woman’s dress.

Allah says in **Q (24:30)**; *“Say to the believing men that they should lower their gaze and guard their chastity. That is pure for them...”*

2. From the above verse, the rules concerning the dress for male Muslims are summarized. In the first place, they are asked to lower their eyes whenever they meet their opposite sexes except those who are not lawful for them to marry.
3. A male Muslim must cover the nakedness of his body which lies between the navel and knees. However, it is discouraged to expose other parts of the body save for the face, head, hands, legs and arms.
4. He must not put on tight clothes so as to reveal the shape of his body like chest packs and heaps.
5. Thin and light clothes are discouraged for a male Muslim. He must put on thick clothes to avoid revealing the colour or handsomeness of his skin.
6. Muslim men must not put on very beautiful clothes so as to attract the attention of others. This is because it is a way of showing-off that is haram in Islam.
7. Muslim men are forbidden to wear silk and gold. This is the prophet PBUH attributed it to a dress of a man with no character. He also plainly said;
“Do not wear silk because those who wear it in this life shall not wear it in the hereafter.”
8. A man is not supposed to dress like women. Use of ornaments and earrings and other items known for women is openly prohibited e.g beads, necklaces, lipstick and others.
9. He is not allowed to put on like non-believers or to wear clothes identified with non-believers. The prophet PBUH is reported to have said that whoever identifies himself with a group is a member of that group.
10. Muslim men are asked to shorten their garments above their ankles. Long garments are associated with arrogant and proud Jahiliyya Arabs.
11. It is recommended for Muslim men to grow their beard and trim their moustache and other parts of the body like pubic places.

12. Wearing long or short hair is one's preference. However, braided hair or use of dye is not allowed, including hair styles in the head.
13. The use of perfume is strongly recommended for Muslim men especially on special days like Friday and Idd days.

THE PRINCIPLES GOVERNING THE DRESS FOR A MUSLIM WOMAN

1. As regards the dress for Muslim women, Allah says in **Q (24:31)**;

“And say to the believing women that they should lower their gaze and guard their chastity; that they should not display their beauty and ornaments except what is apparent of; that they should draw veils over their bosoms and not display their beauty except to their husbands, their fathers ... and that they should not strike their feet in order to draw attention to their hidden ornaments...”

The prophet PBUH said; *“When a girl reaches the menstrual age, it is not proper that anything should remain exposed except this and this. He pointed to the face and hands.” (Abu Dawud)*

2. From the above verse, Islam holds women in very high esteem and the Islamic rules of covering are intended to protect and guard her dignity and honour.
3. A Muslim woman is asked never to display her beauty or figure or appear in an undressed manner to people she can get married to, except her father, husband, near relatives and the like.
4. In all, the prophet's wives and those of the believers are enjoined to dress in a proper manner so as to avoid any danger of attracting evil minds towards them.
5. In order for them to be protected from the bitter anger of Allah and to minimize temptation from the opposite sex, the following dress rules have been prescribed for them:
6. A woman must cover the whole of her body except the hands and the face. However, the extent of the covering depends on the environment e.g if the woman is in her house or her father's house with people she cannot marry, she can dress in a simple way.

When going outside to the public or to meet a visitor or to perform prayer, she is supposed to cover the whole of her body except the hands and the face.

7. She must put on loose clothes so that the swells of her body are not exposed i.e. he should avoid tight dresses that can reveal her natural beauty like bust line, buttocks, thighs, breasts, waist and others.
8. She must not put on thin or light clothes that can expose the colour or beauty of her body skin. The dress should be thick and relatively dark to avoid attracting the opposite gender.

The Prophet PBUH said; *“In the later generation of my Ummah, there will be women who will be dressed but naked ... curse them because they are truly cursed.”*

9. The dress of a woman should not resemble that of a male costume. The prophet PBUH is reported to have cursed women who dress like men e.g. putting male trousers, shirts, caps and jackets.
10. Her dress should not resemble the costume for non-believers. This requirement is derived from the general rule of sharia that Muslims have their distinct personality and they differentiate their practices and appearance from those of unbelievers.
11. In addition, her dress should not be a dress of fame, pride and vanity so as to attract the admiration of others. Fancy dresses are forbidden in Islam.

The prophet PBUH said; *“Whoever wears a dress of fame in this world, Allah will cloth him in a dress of humiliation on the day of judgement ...”*

12. The overall appearance of a Muslim woman must be average so as not to be too beautiful or attractive to avoid capturing the attention of the opposite sex.
13. Women are also asked to lower their gaze and to avoid lustful looks on people of the opposite sex. This is intended to protect and preserve their beauty.
14. A woman is permitted to put on silk and jewelry or ornaments. They are also free to put on gold.

15. A woman is allowed to braid their hair as long as it is to bring beauty or admiration of her husband.
16. Women are allowed to dye their hair but it is undesirable for them to put holes in their tongues or eye bows or tattoos on their bodies.
17. Any addition of hair, real or artificial, to one's hair such as wearing wigs, braids, hair pieces and the like is not allowed. The prophet PBUH termed it as false or forged hair.
18. Muslim women are not allowed to put on long-heeled shoes because while walking, they can stamp their feet and attract the attention of the opposite sex.
Allah says in **Q (24:31)**; *"... and that they should not strike their feet in order to draw attention to their hidden ornaments..."*
19. It is not allowed for a Muslim woman to remove her eye-bows and replace them with pencil colours unless it is done to please her husband and if he approves it.
20. The dress for a Muslim woman should not be perfumed. This prohibition applies both the body and the clothes.

GENERAL PRINCIPLES GOVERNING A MUSLIM DRESS

1. The Muslim dress has no fashion but rules and regulations governing it.
2. It is intended to give a Muslim external covering of the body which houses the soul and general personal dignity.
3. It is divided into compulsory, recommended and forbidden dressing.
4. It should cover the nakedness of the body.
5. Even when having sex, sharia forbids lovers from seeing their nakedness. The prophet PBUH said;
"When one of you goes to his wife, he should mind his shameful parts. They should not both strip their clothes off their bodies and become naked like donkeys."
6. A Muslim is not allowed to sleep or remain naked even if he is alone in the house.

7. It should not be tight to reveal the swells of the body e.g skin-tight and body-hugging clothes are discouraged.
8. Clothings worn by Muslims should be clean and decent, neither excessively flashy nor ragged.
9. It should not be thin and light to expose the beauty of the body e.g see-through clothes are not allowed because they reveal the colour of the skin and shape of the body underneath.
10. It should not be a dress of fame or vanity.
11. It should not resemble the costume known for non-believers.
12. A Muslim should not put on a dress for the opposite sex.
13. Muslims must lower eyes when they meet their opposite sexes.
14. They should put attention to extra details of the body like finger nails, shaving and the like.
15. Dresses of shouting colours are not recommended for Muslims.
16. Extravagance should be avoided whether in dressing or eating because Allah does not love wasters.
17. Muslims must appear beautifully dressed at every occasion of worship.
18. Beyond clothing, one must be modest in behaviour, manners speech and appearance in public.

SOCIAL AND MORAL IMPLICATION OF A MUSLIM DRESS

1. It gives respect to the Muslim by making him/her decent and guarding her chastity.
2. It is good for one's health by protecting the body from extreme heat and coldness.
3. It guards a believer from being tempted into the sin of Zina by covering all the attractive beauty of the body.
4. It represents a Muslim's submission to his/her Creator and her connection with the faith especially Hijab for women.
5. It is a form of identity for the believers because the dress is exclusive to them only.

6. It is a form of worship which accords rewards for a believer who actually observes it.
7. It minimizes vain talks about the makeup of a person which would result in social evils like slander.
8. It is a test for the Muslim and when he/she wears Islamically, he/she is obeying and submitting to Allah.
9. It distinguishes believers from non-believers.
10. It is a proper economic measure by prohibiting the wearing of gold and silk.
11. It also combats luxuriant and extravagant living that is a social injustice to the poor.
12. It helps man to cover his nakedness hence distinguishing him from animals.
13. The prohibition of dresses of opposite sex is a measure against the likelihood of cases like lesbianism and homosexuality.

CIRCUMSTANCES THAT LED TO THE REVELATION OF VERSE Q (33:59)

1. The verse **Q (33:59)** is found in Surat **Al-Ahzaab**, the Confederate (Allied) states.
2. It was revealed in Madiina after the prophet's migration from Mecca to Madiina.
3. Surat Al-Ahzaab, which is the 33rd chapter according to the arrangement of the holy Qur'an deals mainly with family laws.
4. Most of its subject matter gives guidelines on how the Prophet should treat his wives and daughters and how they should behave towards him.
5. It also teaches how believing men and women should treat each.
6. **Q (33:59)** was revealed after Umar's suggestion to the Prophet PBUH about the dressing of his wives and daughters.
7. One day, Umar bin Khattab visited the prophet's house and while there, his wives came to greet him.
8. Umar noted that the prophet's wives were dressed in a manner that exposed their beauty to other men.

9. He felt concerned and suggested to the Prophet PBUH to tell his wives to veil themselves especially when going out of their houses.
10. Immediately Allah sent angel Jibril with the message contained in Q (33:59) instructing the Prophet PBUH to tell his wives and daughters and the wives of believing men to veil themselves.
11. Allah says in Q (33:59);
“O Prophet! Tell your wives and daughters, and the believing, that they should cast their outer garments over their persons; that will be better, that they should be recognized and not molested! And Allah is ever forgiving and merciful.”
12. From then onwards, the prophet’s wives and daughters and believing women started veiling the whole of their bodies except for both eyes to see the way, outer palms of the hands or one eye.

ISLAMIC TEACHINGS ON INHERITANCE

Inheritance is the passing of title to an estate up on death or what a person is entitled by sharia to receive from the estate of his/her deceased person.

Death is inevitable. As a result, Islam being a complete way of life has spelt out how the deceased’s estate should be shared among his heirs.

Allah says in Q (2:180);

“It is decreed that when death approaches, those of you that leave wealth shall bequeath it equitably to parents and kindred. This is a duty incumbent on the righteous. He that alters that (the will) after hearing it shall be accountable for his crime. Allah is hearing and knowing.”

He also says in Q (4:7); *“Men shall have a share in what their parents and kinsmen leave, and women shall have a share in what their parents and kinsmen leave; whether it be little or much, it is legally theirs.”*

TERMINOLOGIES APPLIED IN THE LAW OF INHERITANCE

1. **Estate**; this is the entire property a deceased leaves behind such as houses, cars, clothes, furniture, land, farm, jewelry, cash (at hand and in bank), shares, bonds, and so on including socks and underwear; everything.
2. **Bequests or Legacy** - These are specific grants made, viz, grants made to the particular members of the family or allotments made to the poor or for the advancement of religion, etc.
3. **Mirath - Gross Inheritance**: This is all movable or immovable property left behind by the deceased whether the deceased earned it, inherited it or was gifted this property.
4. **Warith - Heir**: This is a relative who may potentially inherit from the wealth of the deceased.
5. **Wassiya – Will (Testament)**: An order for allocation of certain amount of property of the deceased after death based on his/her order. This is not allocated during the person's lifetime rather is asked to be allocated after death.

A will of up to $\frac{1}{3}$ of the property is allowed. If a will is made in excess to this proportion then only $\frac{1}{3}$ will be spent on it. A will cannot be made for a person who is already entitled to receive a share as heir (Warith).

6. **Testator (Musi)** - He is the person making a Will.
7. **Executors (Wasi)** - Persons appointed by the testator, to execute, administer and distribute the estate in accordance with the Will. They are also known as Administrators or Trustees.
8. **Beneficiaries (Musa Lahu)** - These are persons with the right to inheritance. They are also as heirs or legatees.
9. **Walad (awlaad)** - Children: This include any one of the following: son, daughter, son's son, son's daughter, son's son's son, son's son's daughter.

10. **Ikhwa - Siblings:** A total of 2 or more persons alive from real, paternal or maternal brothers and sisters, irrespective of their type or gender
11. **Real brother and Real sister:** siblings who have same parents as the deceased.
12. **Paternal brother and Paternal sister:** siblings who have same father as the deceased but have different mothers (step-siblings with a common father)
13. **Maternal brother and Maternal sister:** siblings who have same mother as the deceased but have different fathers (step-siblings with a common mother)
14. **Dhil – Furoodh** - 1st tier of heirs who have a prescribed proportion of share under different circumstances.
15. **Asbah - Residuary:** 2nd tier of heirs. Their proportion is not fixed, rather after applicable distribution among Dhil-Furoodh, the rest is entitled to the closest relation among Asbah. Asbah are male relatives related through a chain of males (exception: real sister and paternal sister)
16. **Dhil-irham:** 3rd tier of heirs after Dhil-Furooz and Asbah. If there is still left over property after distribution to Dhil-Furooz, and there are no Asbah then Dhil-irham may be entitled to have a share. The closest in relationship will get all the remaining share.
17. **Kalala** - A person who at time of death does not have any living child or grandchildren or living father or grandfather.

It should be noted that when a Muslim dies, the obligations to be taken out of his estate (in order of priority) are:

- a) Kafn (shroud) and other basic expenses relating to the funeral like grave digger's wage, transportation to cemetery, e.t.c if they are to be paid for. A surviving husband is responsible for the shroud and burial expenses of his deceased wife if she is not endowed.

There is difference of opinion in respect of a wealthy woman. Some scholars said that the husband is still responsible while others are of the view that they should be paid from her estate.

- b) Repayment of his outstanding debt. The Messenger of Allah (Peace Be upon Him) said:

“A believer’s soul remains in suspense (cannot enter Paradise) until all his debts are paid off.”

He also said: *“By Him in whose hand Muhammad’s soul is, if a man were to be killed in Allah’s path then come to life, be killed again in Allah’s path then come to life, and be killed once more in Allah’s path then come to life owing a debt, he would not enter Paradise till his debt was paid.” Bukhari.*

Generally, a debt can be owed to fellow humans or to Allah e.g. unpaid *Zakat*. The former has to be repaid, no questions about that.

Scholars differ as regards repayment of debt due to Allah. Some are of the view that it should be repaid while others are in support of non-repayment.

A third view is that it should be repaid if and only if the deceased instructs the same.

- c) Fulfilment of his will: Provided it does not exceed one-third (1/3) of the entire estate and it is not in favour of an heir. If any or both of these conditions are not satisfied, the validity of the will is subject to approval of all the heirs, otherwise, its void.
- d) The rightful heirs then inherit the remaining estate.

TYPES OF HEIRS

There are two types of heirs in Islam. These are fixed heirs and residual heirs.

FIXED HEIRS

Fixed heirs are the closest family members to the deceased who inherit a fixed share of the estate. Under no circumstances can these individuals be denied their fixed share because their rights are outlined in the Quran and cannot be taken away regardless of family dynamics.

They include husband, wife, son, daughter, father, mother, grandfather, grandmother, full brother, full sister, and various half-siblings.

Exceptions to this automatic, “fixed” inheritance include disbelievers i.e Muslims do not inherit from non-Muslim relatives, no matter how close, and vice versa.

Also, a person who is found guilty of homicide (either intentional or unintentional) will not inherit from the deceased. This is meant to discourage people from committing crimes in order to benefit financially.

The share that each person inherits depends on a formula which is described in the Quran. It also depends on the degree of relation, and the number of other fixed heirs.

RESIDUAL HEIRS

These are more distant relatives who may have a share in the deceased's estate. They include aunts, uncles, nieces, and nephews, or other distant relatives if no other living close relatives remain.

Once the calculations are done for the fixed heirs, the estate may have a remaining balance. This balance is then further divided to “residual heirs”.

MALE HEIRS

Male heirs of a deceased are fifteen (15):

1. Son. This refers to a legitimate male child. A man can only have a legitimate child after contracting a legally acceptable marriage with a woman outside his prohibited degree; while a woman can have a legitimate child with or without a formal marriage contract.

Allah says in **Q (4:2)**; *“Give orphans the property which belongs to them. Do not exchange their valuables for worthless things or devour their possessions adding them to yours; for this would surely be a great sin.”*

2. Grandson or his descendant. Everyone has two categories of relatives: agnates and cognates. Agnates are relatives whose connection is traceable through the father or male line such as paternal grandparents, paternal uncle, paternal aunt, etc.

Cognates are relatives whose connection is traceable through the mother or the female line like maternal grandparents, maternal uncle, maternal aunt and so on.

Now, only agnates are eligible to inherit the estate of a deceased; meaning that all cognates are **NOT bona-fide heirs** except uterine brothers/sisters and maternal grandmother to whom the Qur'an assigns a share. Therefore, the grandson referred to here as a male heir is the one through a son. The grandson through a daughter is a non-heir.

3. Father. This is straight forward. A father shall inherit from his son or daughter.
4. Paternal grandfather or his ascendant. By now it's clear that maternal grandfather is a non-heir. So, a paternal grandfather will inherit from his grandson or granddaughter in the absence of his son.
5. Full brother. This is a person who has the same father and same mother with the deceased.
6. Consanguine brother. This is a person who has the same father but different mother with the deceased. (Related by blood with the deceased).
7. Uterine brother. This is a person who has the same mother but different father with the deceased.
8. Full brother's son or his male descendant. In the absence of the son, the grandson replaces him. If the grandson is also absent, the great-grandson "jumps" and take the place of the son.

If a female appears, she equally has the privilege of "jumping," then the line terminates. The difference here is that the descendants all have to be males; such that when a full brother is absent, his son replaces him and the trend continues. Whenever a female emerges, she is not entitled to "jump," and the line terminates. That is what is meant by "male descendants."

9. Consanguine brother's son or his male descendant.

10. Full paternal uncle. Father's elder or younger brother from the same father and mother.
11. Half paternal uncle. Father's elder or younger brother from the same father but different mother.
12. Full paternal uncle's son or his male descendant.
13. Half paternal uncle's son or his male descendant.
14. Husband. A husband will inherit from his wife if she dies before him. Likewise, if a man divorces his wife with one or two pronouncements (i.e. revocable divorce) and she dies WHILE in her *Iddah* (i.e. waiting period), he will inherit from her because technically, she remains his wife. However, if the divorce is irrevocable (three pronouncements), he will **not** inherit from her whether the *Iddah* has expired or not.

Allah says in **Q (4:12)**; *"You shall inherit the half of what your will leave if they die childless. If they leave children, a quarter of what they leave shall be yours after payment of any bequest they may have bequeathed or debt."*
15. Patron. A man who sets a slave free will inherit from the slave if the later has no heir.

FEMALE HEIRS

Female heirs are nine (9):

1. Daughter. A daughter will inherit from her father and mother. This provision does not extend to her children. That is to say, her children cannot replace or represent her to inherit from their (maternal) grandfather or (maternal) grandmother in her absence.
2. Son's daughter. If a son has a daughter, she will inherit from the son's father or mother (her paternal grandparents) in the absence of the son. The rule also applies to son's son's daughter, son's son's son's daughter, and so on. This has been explained earlier under "grandson or his descendants."
3. Mother. When a son or daughter passes on, his/her mother is entitled to a part of his/her estate. She cannot be excluded no-matter what happens.

4. Either grandmother. In the absence of mother, both grandmothers i.e. maternal and paternal will inherit from a deceased. Here, the “ascendant rule” applies, such that if one or both grandmothers is/are absent, the great-grandmothers will take their place(s) and inherit from the deceased.

5. Full sister. Allah says in Q (4:176);

“They ask you. Say ‘Thus Allah instructs you regarding the person who has neither parents nor children. If a man dies and has a sister, she shall inherit half of what he leaves...”

6. Consanguine sister.

7. Uterine sister.

8. Wife. A wife will inherit from her late husband. She cannot be excluded.

Allah says in Q (4:12); *“Your wives shall inherit one quarter of what you leave if you die childless. If you leave children, they shall inherit one eighth, after payment after payment of any bequest you may have bequeathed or debt.”*

She will also inherit from him if he dies after divorcing her with one or two pronouncements (revocable divorce) provided her *Iddah* has **not** elapsed. But if the divorce is irrevocable (three pronouncements), she will not inherit from him whether her *Iddah* has elapsed or not.

However, if the husband were to be “insensitive” and divorces his wife irrevocably DURING his final illness in which he dies, the four schools of Islamic jurisprudence have divergent opinions:

- a) As-Shafi’i - She will NOT inherit from him whether or not the *Iddah* has expired.
- b) Abu-Hanifa - If the *Iddah* has not expired, she will inherit from him, otherwise, she will become a non-heir.
- c) Ahmad ibn Hambal - She has the right to inherit from him whether the *Iddah* has expired or not provided she has not married another person.

d) Malik - She will inherit from him even if the *Iddah* has expired or she has married another person.

9. Patroness. A woman who sets a slave free will inherit from him/her so long as he/she has no heir.

NON-HEIRS

Non-heirs are those relatives not entitled to any part of the deceased's estate. They include:

1. Daughter's sons and daughters and their descendants.
They will inherit through their father's (daughter's husband's) line only.
Their mother's line is cognate.
2. Sister's sons and daughters and their descendants.
This refers to all the three types of sisters: full, consanguine and uterine.
Their children will inherit through their father's line only as the case with daughter's children.
3. Daughters of full brother.
4. Daughters of consanguine brother.
5. Daughters of full brother's son.
6. Daughters of consanguine brother's son
7. Sons and daughters of uterine brother.
8. Sons and daughters of uterine sister.
9. Daughters of full paternal uncle.
10. Daughters of half paternal uncle.
11. Daughters of full paternal uncle's son.
12. Daughters of half paternal uncle's son.
13. Paternal aunt, her children and their descendants.
14. Maternal uncle, his children and their descendants.
15. Maternal aunt, her children and their descendants.
16. Maternal grandfather's mother.

Given that maternal grandmother (the wife of maternal grandfather) is an heir in the absence of mother, if the maternal grandmother is also absent,

who takes her place? Her mother. Not her husband's mother. Therefore, maternal grandfather's mother is a non-heir.

17. Paternal grandmother's father.

A paternal grandmother is an heir in the absence of mother; but in her absence, her mother replaces her, not her father.

IMPEDIMENTS TO INHERITANCE

Impediment in this case means barring an heir from getting his/her share of the deceased's estate due to certain circumstances. These include:

1. Murder.

An heir who deliberately murders the deceased will neither inherit from the latter's estate nor from the blood money. If the murder is accidental, he/she will inherit from the deceased's estate but not from the *blood money*.

2. Difference of religion.

A Muslim does not inherit from a non-Muslim relative no-matter how close they are, and vice-versa. For instance, a Muslim father who has a non-Muslim son will not inherit from him and the other way round.

3. Simultaneous death.

When two or more people who are rightful heirs of one another like father and son, husband and wife, etc die at the same time maybe under a collapsed building or in similar circumstance, and it is uncertain who died first, they will not inherit from each other. But if it's clear that the husband died before the wife for instance, she will be listed among the surviving heirs of the husband and given her share of his estate. Thereafter, her heirs will inherit her estate plus her share of the husband's estate.

4. *Li'an* (Cursing for adultery).

This happens when a man denies the fatherhood of his wife's pregnancy and they end up swearing and cursing themselves as prescribed by Allah in the Qur'an (24: 6 - 9).

“And for those who accuse their wives and have no evidence except their own, let each of them testify by swearing four times by Allah that his charge is true, calling down in the fifth time up on himself the curse of Allah if he is lying. But they shall spare her the punishment if she swears four times by Allah that his charge is false and calls down Allah’s wrath up on herself if it is true.”

The child that results will inherit from his mother only.

5. Slavery.

A slave and everything he owns belongs to his master. As far as he remains a slave, he will not inherit from his relatives and they will not inherit from him. The logic is that if he inherits, whatever he gets belongs to his master and if his relatives are to inherit from him, they will actually be inheriting part of the master’s estate.

6. “Emergency marriage”.

This refers to a marriage that takes place when either the bride or groom is in a state of ill-health with a 50:50 percentage of survival and death or the percentage of death is higher. The healthy partner will not inherit from the sick one if he/she dies as a result of that illness. Conversely, the sick partner will not inherit from the healthy one supposing the latter incidentally dies before the former. But if the sick partner fully recovers, then either of them dies, this rule will not apply.

MAKING A WILL

1. Writing a will is recommended in Islam. The Prophet Muhammad once said:

“It is not permissible for any Muslim who has something to will to stay for two nights without having his last will and testament written and kept ready with him.” (Bukhari).

2. Especially in non-Muslim countries, Muslims are advised to write a will to appoint an Executor, and to affirm that they wish their estate to be distributed according to Islamic guidelines.

3. It is also advisable for Muslim parents to appoint a guardian for minor children, rather than relying on non-Muslim courts to do so.
4. The will should expressly show one's wealth (physical and cash), debts (lent and borrowed), wives and children and all people he/she looks after or under his care.
5. As regards to the amount of wealth one can bequeath, the Prophet PBUH said that up to **one-third** of the total assets may be set aside for payment of a bequest of one's choice.
6. The *Will* cannot be made for someone who is already getting a share in inheritance, that is, the beneficiaries of such a bequest may not be "fixed heirs" - family members who inherit automatically according to the divisions outlined in the Quran.
7. Making a bequest to someone who already inherits a fixed share would unfairly increase the share of that individual over the others. the Prophet PBUH said;

"Allah has appointed for everyone who has a right what is due to him, and no bequest must be made to an heir." (Abu Dawud & Ibn Majah)
8. One may, however, bequeath to individuals who are not one of the fixed heirs, other third parties, charitable organizations, etc.
9. The *will* cannot deny anyone their due share. It can be used for someone who will otherwise not get a share (e.g: orphan grandchild, non-Muslim family member, e.t.c) or can be used in charity.
10. Under Islamic law, all legal documents, especially wills, must be witnessed. A person who inherits from a person cannot be a witness to that person's will, as it is a conflict of interest.
11. It is recommended to follow the laws of one's country/location when drafting a will so that it will be accepted by the courts after your death.

12. A *Will* is only applicable/actionable after death. It can be changed and updated again and again during life time of a person. The final version will be used.
13. It should be updated from time to time because one's wealth and debts also keep on changing and one's preferences in the will may also change.
14. Making a wrong will is a major sin e.g bequeathing more than **one-third** of wealth, making a will in favor of a heir who is already getting a share or denying share from a legitimate heir. It should be corrected during life of the person, otherwise heirs should correct it after the death of the deceased.

The prophet PBUH said; *“A man may do good deeds for 70 years but if he acts unjustly when he leaves his last testament, the wickedness of his deed will be sealed upon him, and he will enter the Fire. If a man acts wickedly for 70 years but is just in his last testament, the goodness of his deed will be sealed upon him and he will enter the Garden (of Paradise).”* (Musnad Ahmad & Ibn Majah)

15. A will can be **written or verbal** but in any case it must be witnessed by two people who are believers, honest, and do not have any conflict of interest in inheritance or *will*.
16. A will written under force or fear/intimidation is not valid and cannot be relied on in Islam.

SIGNIFICANCE OF THE ISLAMIC LAW OF INHERITANCE

1. It is one instrument that distinguishes Muslims from non-Muslims.
2. It is a source of wealth for Muslim community in cases where one dies and leaves no heirs or relatives.
3. It helps to eliminate cases of disputes over property distribution after one's death.
4. It is one device applied by Islam to bring about equality among people.
5. It is a form of Ibadat and one who follows the right procedures gets rewards from Allah.

6. It promotes justice among the relatives of the deceased especially the heirs.
7. By writing a will and revisiting it strengthens the faith of a believer by thinking about death.
8. It helps to eliminate murder and man-slaughter in society because victims are not lawful beneficiaries of the deceased's estate.
9. It is one measure introduced by Prophet Muhammad PBUH to uplift the status of women in society.
10. It shows how principled and civilized the Muslim society is compared to other religions.
11. It is a form of Sunna and one who follows it fulfills the prophet's order of writing a will.
12. It shows the purity of Islam because a Muslim does not inherit from a non-Muslim relative no-matter how close they are, and vice-versa.

ISLAMIC TEACHINGS ON EQUALITY AND BROTHERHOOD.

EQUALITY

1. Islam teaches that in the sight of Allah, all people are equal, but they are not necessarily identical. There are differences of abilities, potentials, ambitions, wealth and so on.
2. The limitations in these examples are natural. The social limitations are those imposed by the society as a result of experience and practice; they are intellectual attitudes to aforementioned traits.
3. There is for example, the established difference between the ignorant and the learned. No one would assign a major responsibility in society to an ignorant person.
4. Yet, none of these differences can by themselves establish a status of superiority of one man or race over another.
5. The stock of man, the colour of his skin, the amount of wealth he has and the degree of prestige he enjoys has no bearing on the character and personality of a person as far as Allah is concerned.

6. The only distinction which Allah recognizes is the difference in piety; the goodness and spiritual excellence of a person.
7. In the holy Qur'an, Allah says **Q (49:13)**;
"O mankind! Indeed We created you from a male and female, and have made you into nations and tribes, that you may know one another. Indeed the most honoured of you in the sight of Allah is the most righteous. Indeed Allah is Knowing and Acquainted."
8. From the above verse, no nation is created to be above other nations or to rise above them. Man's worth in the eyes of men and in the eyes of Allah is determined by the good he does and by his obedience to Allah.
9. The differences of race, colour or social status are only subsidiary. They do not affect the true stature of man in the sight of Allah.
10. Further still, equality does not depend on where one lives or comes from. Allah says in **Qur'an (2:177)**;
"Righteousness does not consist in whether you face towards the east or west. The righteous man is he who believes in Allah, and last day, in the angels and the book and the prophets..."
11. Furthermore, the value of equality is not simply a matter of constitutional rights or the agreement of noblemen or condescending (superior) charity.
12. It is an ultimate duty of every Muslim to understand the principle of equality and to adhere to it seriously as it is illustrated in the holy Qur'an.
13. The principle of equality in Islam is based on the following perceptions;
14. All men are created by one and eternal God, the Supreme Lord of all.
15. All mankind belong to the human race and share equally in the common parentage of our father Adam.
16. Allah is just and kind to all His creatures. He is not partial to any race, age or religion. The whole universe is His Dominion and all people are His creatures.

17. All people are born equal, in the sense that no one brings any possession with him, and they die equal in the sense that they take back nothing of their worldly belongings.

18. All people are equal before Allah because no man is immortal as per Q (3:185);

"Every soul shall taste death. You shall receive your rewards only on the Day of Resurrection."

19. Allah judges wrongdoers on the basis of everyone's evils and according to his own deeds. Therefore, all men are equal.

Allah says in Q (9:68); *"Allah has promised the hypocrites, both men and women, and the unbelievers, the fire of hell."*

20. In the same way, Allah rewards good doers without discrimination. So we should also not discriminate our fellow human beings in our daily lives.

Allah says in Q (16:97); *"We shall reward the steadfast according their noblest deeds. Be they men or women, those that embrace the faith and do what is right We will surely grant a happy life; We shall reward them according to their noblest actions."*

21. Allah has conferred on man a title of honour and dignity.

22. All people have the same mission on earth and that is to worship Allah as per Q (51:56).

"I did not create Jinn and mankind except to worship me"

23. The concept of equality in Islam leaves no room for prejudice or persecution, oppression or suppression among the nations and peoples of the world.

24. In addition, cases of 'chosen and gentile people', words such as 'privileged and condemned races' and expressions like 'social classes and citizens' are meaningless according to equality in Islam.

25. While emphasizing the concept of equality, the Prophet PBUH said;

“O mankind! Your Lord is one and your father is one. You all descended from Adam and Adam was created from earth. He who is most honoured among you in the sight of Allah is the most upright. No Arab is superior to a non-Arab, nor a black to a white or a white to a black, except by piety.”

26. In another tradition, the prophet PBUH was asked *“who among men is the most favoured by Allah?”* He replied *“A man who does the most good to people.”*
27. Therefore, it would be unrealistic to assert the absolute equality of human beings some are naturally talented while others are not but they may be equal in other things, a morally upright person supersedes a crook in terms of behaviour but they may be equal otherwise.
28. Another clear illustration is the position of a woman in Islam. A woman is equal to man in all spheres of life but they are not identical in trait, gifts and abilities.

CASES OF INEQUALITY IN SOCIETY TODAY

1. Harassment such as inappropriate jokes, name-calling or displays like posters or cartoons directed to a person because of their race, colour, sex, or gender, sex orientation e.t.c.
2. Wage discrimination e.g a woman being given a lower wage than her opposite sexual mate doing the same job.
3. Discrimination in hiring e.g failure to pass job interviews based on inappropriate questions about one's religion or health limitations or child care arrangements.
4. Sex discrimination e.g a woman being fired due to pregnancy.
5. Discrimination based on disability e.g the injured being laid off or failure to secure a job due disability.
6. Discrimination based on family status e.g failure to get an apartment because the landlord does not want children.
7. Racial prejudice e.g the Africans vs Europeans.

8. Discrimination based on colour.
9. Discrimination based on language.
10. Social discrimination e.g social stratification in kingdoms, urban dwellers and rural people.
11. Economic inequality i.e between the rich and the poor.
12. Political discrimination where political leaders are given due consideration what they call 'layman'
13. Cultural inequality i.e that some cultures are better than others and that kings are semi-gods.
14. National inequality i.e that some countries are super powers and therefore they harass the weak ones.
15. Physical discrimination e.g some girls are unmarried because they are 'ugly' and some boys because they are not 'handsome.'

CAUSES OF INEQUALITY IN SOCIETY

1. Difference in education standards. Educated people are better than the illiterates.
2. Cultural and traditional beliefs e.g in some societies women are lower in status than men.
3. Inheritance i.e some people are richer than others because they inherited from the parents/guardians.
4. Death; some people are orphans while others are not.
5. Regional imbalances due to difference in resource endowment.
6. Racism and nepotism.
7. Difference in skills and natural talents e.g professional footballers are better off than locally established footballers.
8. Difference in religious righteousness i.e the most honoured in the sight of Allah are the righteous.
9. Physical differences e.g some people are born lame, stammering while others are dumb and deaf.
10. Difference in personal creativity and aggressiveness for wealth.

11. Illnesses such as chronicles which make some people permanently weak and unable to work for themselves and disseminated in society.
12. Permissiveness and natural hatred i.e some people discriminate others as a matter of fact while others without a reason.
13. Military and economic superiority of some countries vs weak countries e.g USA and Western countries vs African and Asian countries.
14. Poor land tenure system especially in Africa.
15. Lack of Islamic knowledge among Muslims regarding equality and brotherhood in Islam.

BROTHERHOOD

1. Islam is the religion of peace, love and affection. It teaches a lesson of brotherhood between Muslims which is referred to as Muslim brotherhood.
2. Islamic brotherhood is divided into three types. That is, blood brotherhood, special brotherhood and religious brotherhood.
3. Blood brotherhood is a natural relationship whereby a person shares the same blood with another person and therefore, they have a common descent (ancestry). This is the most emphasized in the holy Qur'an. Allah says in Q 17:36, "And give your relatives their due..."

Allah further says in Q 16:90 *"Allah commands justice, the doing of good and tolerance to relatives and He forbids all shameful deeds and injustice and rebellion..."*

4. From the above verse, a Muslim must be tolerant to his relatives and talk to them politely, give them priority in giving charity and restrain from distancing them.
5. Special brotherhood is the relationship that develops as a result of people living in the same community like school, village, district, country and others. It occurs irrespective of whether people are of the same religion, ancestry or race.
6. According to Islam, the entire world is a brotherhood of Allah's people whom He created. However, it establishes brotherhood on the basis of faith.

The Prophet PBUH said; *“If a person loves his brother, he should inform him of his fact”*

7. Muslim brotherhood is the basis of the Muslim Society and making friends among Muslims opens the way toward better understanding and building a better Muslim community.
8. Muslim brotherhood is not based on economic interests, race or colour but on the rejection of falsehood and acceptance of the truth as revealed by Allah (that is Islam).
9. Brotherhood in Islam is not only based on faith but it is also part of faith. The Prophet PBUH said;

“You cannot enter paradise unless you become a total believer and you cannot become a total believer unless you love each other.”

10. Furthermore, all acts of worship that are declared pillars of Islam have a collective form which shows the importance of Muslim brotherhood that one should get the benefit while doing with other Muslim brothers.
11. In addition, in the holy Qur'an, Allah addresses **believers in general** but not **an individual believer**. So believers are brothers in religion just as Allah described them in the **Q (49:10)**;

“The believers are nothing else than brothers. So make reconciliation between your brothers and fear Allah, that you may receive mercy.”

12. Muslims are brothers because they all share the same beliefs, work towards the same goals and share the same code of behaviour.
13. Muslim brotherhood is further based on the fact that all people have the original parentage i.e we are all descendants of Adam and Eve.

Allah says in **Q (49:13)**; *“O mankind! Indeed We created you from a male and female, and have made you into nations and tribes, that you may know one another. Indeed the most honoured of you in the sight of Allah is the most righteous. Indeed Allah is Knowing and Acquainted.”*

14. From the above verse, all mankind is but one family, brothers and sisters.
15. Still, the verse clarifies that the criteria for judgement in the eyes of Allah do not depend on colour, profession, gender, or wealth but on piety. Anyone who is righteous is honoured in the eyes of Allah.
16. Allah said another verse, **Q (3:103)**;
“Hold firmly to the rope of Allah all together and do not become divided. Remember the favour of Allah upon you, when you were enemies and He brought your hearts together and you became brothers by his favour.”
17. From the above verse, Allah commanded us to stay united because He made us brothers by creating love in our hearts.
18. More so, brotherhood in Islam means purifying one’s heart of all enmity, hatred, and grudge for those who have faith, right from the prophet’s time to date.
Allah says in **Q (59:10)**; *“They say: ‘Our Lord! Forgive us and our brothers who preceded us in faith and do not put in our hearts any resentment toward those who have faith. Our Lord, you are kind and merciful.”*
19. In Islam, the Muslim society is like a building which is supported by its bricks all together. Therefore, Muslim brotherhood is necessary for a strong Muslim community to enable us fight off the enemies of Islam and save our embattled Muslims brothers.
The Prophet PBUH said; *“The Muslims are like a single man. If the eye is afflicted, then the whole body is afflicted. If the head is afflicted, then the whole body is afflicted.”*
20. According to Islam, Allah helps and blesses a Muslim who helps a Muslim brother. Such a person will also be helped in the hereafter. The Prophet PBUH said;
“He who relieves the hardship of a believer in this world, Allah will relieve his hardship on the day of judgement. He who makes easy what is difficult, Allah will make it easy for him in the world and the hereafter. He who conceals his faults of a

Muslim, Allah will conceal his faults in the world and the hereafter, for Allah helps the servant as long he helps his brother."

21. As brothers, Muslims are prohibited from looking down upon others with contempt, seeking faults in and being unduly suspicious of one another. Allah says in **Q (49:12)**;

"O you who believe! Avoid suspicious as much as possible; for suspicion in some cases is a sin. And do not spy on each other behind their backs. Would any of like to eat the flesh of his dead brother? No, you would abhor (detest) it..."

22. From the above verse, vices such as defamation, scoffing, nicknaming, backbiting, spying and suspicion are condemned because they destroy the solid foundation of Muslim brotherhood.
23. In conclusion, a Muslim must treat all people with due respect whether believers or non-believers, family members or just fellow human beings to portray the true picture of Islam.

ECONOMIC TEACHINGS OF THE HOLY QUR'AN

FEATURES AND UNIQUENESS OF THE ISLAMIC ECONOMIC SYSTEM

1. The Islamic economic system is unique in its kind, combining the best features of capitalism, communism and socialism without their shortcomings.
2. It is built on solid foundation and divine guidelines unequalled in the present existing economic systems of the world.
3. It involves principles prescribed to check on the economic activities of a Muslim, involving production, exchange and distribution of wealth within the limits of Islam.
4. These features/principles include the following;
5. Under the Islamic economic system, all the sources of wealth belong to Allah and as such no single class of people is justified to claim exclusive rights over them.

Allah says in **Q (3:189)**; *"And to Allah belongs the dominion of the heavens and the earth and Allah has power over all things."*

From the above verse, all the wealth got from the natural resources like lakes, rivers, land and space belong to all people. No man is free to use them exclusively except in accordance with the commercial ethics of Islam.

Accordingly, man is a mere trustee of the wealth on earth and must not behave as if he was the absolute master because real ownership and mastery lie with Allah. He will be answerable before and accountable to Allah for the way in which he uses the trust given to him.

6. Islam allows man full liberty to exploit all the natural resources of the universe i.e moon, sun, mountains, oceans e.t.c and thereby earn a living from them. He is free to turn them into what can enable him earn wealth.

Allah says in **Q (45:12)**; *“It is Allah who has subdued to you the ocean so that ships may sail upon it at His bidding; so that you may seek His bounty and render thanks to Him.”*

He also says in **Q (45:13)**; *“He has subjected to you what the heavens and the earth contain; all is from him. Surely, there are signs in this for thinking men.”*

A Muslim is free to do any kind of work provided it is lawful in sharia. There is no work in Islam that is contemptible as long as it is done in the limits of Islam because one's work is his dignity. The prophet PBUH said;

“It is better that a person should get a rope and bring a bundle of wood on his back to sell so that Allah may preserve his honour than begging from people regardless of whether they give him or refuse.”

7. A Muslim is free to earn wealth from agriculture, industry, trade or any lawful profession in Islam. Agriculture is encouraged because it has been made easy for him as a divine favour. However, caution must be taken not grow unlawful crops which are harmful for eating or which have no any other use except what is harmful.

As far as industry is concerned, the Qur'an mentions many industries and it terms them as Allah's favour and bounty. A Muslim is free to carry out any lawful industry he likes.

The prophet PBUH said; *“No one earns his food better than the one worked with his hands and the prophet of Allah, David, earned his food by working with his hands.”*

The holy Qur'an encourages Muslims to involve in trade and commerce. They are advised to undertake journeys for trade, which Allah refers to as *'seeking the bounty of Allah.'* Allah says in

Q (2:198); *“It shall be no offence for you to seek the bounty of your Lord...”*

A Muslim is free to seek employment in the service of government, organization or an individual. However, he should be able to do the job satisfactorily as required of him by his employers.

8. In doing business, a Muslim must follow certain rules laid down by the holy Qur'an. One must write financial contracts in presence of witnesses to avoid possible misunderstandings.

One is required to ensure proper management of weights and measures by avoiding fraud. Qur'an (83:1-3) warns against giving false weights and measures.

Usury is strongly condemned in Islam because of its spiritual, social and economic implications in society.

Allah says in **Q (2:188);** *“Do not usurp one another's property by unjust means, nor bribe with it the judges in order that you may knowingly and wrongfully deprive others of a part of their possession.”*

Islam declares it unlawful for a Muslim to beg without a genuine reason, thus losing his dignity. The prophet PBUH said;

“He who begs without need is like a person holding a burning charcoal in his hand.”

It further condemns slavery because it reduces the dignity of man by owning him as one's legal property, thereby extracting cheap and forced labour from him.

9. Under the Islamic economic system, a Muslim has freedom to enterprise and private ownership of wealth but his ownership is not absolute because Islam does not allow some people to live extravagant life while others are suffering.

It therefore prohibits Muslims from accumulating too much wealth because it prevents money from entering into circulation and according to Q (3:180, 9:34-35), such accumulated wealth shall turn into fire that will burn their bodies and eat up their limbs on the day of judgement.

To ensure that money is not kept in the hands of the few, Islam establishes several measures such as the institution of zakat, the law of inheritance and others, intended to redistribute income.

10. Islam allows man to spend the wealth he obtains in a manner that fits his interest but in the limits of sharia. The Prophet PBUH advised that the best expenditure is the one in the cause of Allah e.g feeding the poor, wayfarers and others.

Islam strongly warns against squandering wealth and the holy Qur'an refers to wasters as brothers of the devil. Allah says in Q (17:26-27);

"...Do not squander wastefully, because the wasteful are the devils' brothers; and the devil is ever ungrateful his Lord."

Furthermore, Islam discourages Muslims from giving money to careless people who may corrupt or misuse it either due to lack of reason or bad management. That is why orphans have to be tested first before caretakers appropriate their inheritance to them.

11. In conclusion, Islam sets appropriate measures for a proper and stable economic system which makes it a unique one from the other modern systems.

LABOUR AND WORK ETHICS IN ISLAM

1. Labour is defined as human effort both mental and physical that is directed towards production. Physical labour is the use of manual effort to do work while mental labour uses skills to perform work.
2. The holy Qur'an recognizes both physical and mental labour. For example Q (11:37-38) tells us how Prophet Nuhu physically constructed his Ark while Q (34:13) praises artisans during Prophet Sulaiman.
3. Islam encourages us to work hard to improve our lives by exploiting the natural resources of Allah. However, exploiting these natural resources requires labor as a primary factor of production.
4. Prayer is the fundamental act of worship but Allah says that immediately after completing prayer, Muslims should disperse in the universe and look for Allah's bounty.

Allah says in Q (62:10); *"disperse in the land and seek the bounties of Allah"*

5. Labour is a potential act of worship because all legitimate activities and efforts used with pure intentions are possible acts of worship in the meaning of Islam.

Allah says in Q (18:30); *"...Indeed, Allah will not allow to be lost the reward of any who does a good work"*

6. The work we do on earth is not only evaluated and rewarded by our fellow human beings but it is also appreciated and rewarded by Allah.

The prophet PBUH said; *"Allah loves, when one of you is doing something, that he/she does it in the most excellent manner"*

7. Islam discourages abuse of welfare systems or exploit people's kindness when the person is able to seek work and earn his living.

The prophet PBUH said; *"Charity is not permissible for someone who is rich or to someone who is able-bodied."*

8. Since work is one of the highest forms of worship, Islam does not recognize any kind of mutual reliance because the prophet PBUH himself was a work.

9. In Islam, work must be done seriously because one's success in worldly affairs as well as in the hereafter relies upon how hard he works.
10. While working, man has to endure hardship in order to win better life and happiness. Allah says in **Q (94:6)**; *"Indeed, with every difficulty there is relief."*
11. According to Islam, work is a trust from Allah which a person must perform hoping to be accountable and answerable before Allah on the day of Judgement.
12. Work must be done carefully and patiently because patience is considered very important in a Muslim's life in order to be successful in his work.
13. In Islam, all works must be done sincerely for the sake of pleasing Allah since it creates relationships between man and God, man and nature and society and even man and his soul that seeks to bring all these into one path- the path which leads to worship of Allah.
14. In doing work, a Muslim must practise justice among Allah's creatures because in Islam, it is considered as the unity of spiritual and material values.
15. Time is important in a Muslim's life. Therefore, it should be used properly in whatever he does because he will have to account for every second of his life in the hereafter.
16. A Muslim's work should be directed towards production of what is lawful in Islam. For example, the production of wines or other intoxicants is prohibited in Islam. Likewise, any activity connected with gambling, prostitution or other "indecentcies" is restricted.
17. The method of one's work should not cause excessive harm to Allah's given resources that are meant to benefit of all mankind. The Qur'an speaks repeatedly against spreading mischief or corruption in the land. Prophet Muhammad PBUH spoke of the punishment of anyone who kills a sparrow without a legitimate reason e.g. for food, or one who cuts a tree for no good reason.

18. The production process of one's work should not cause harm to others e.g. building a noisy factory in the middle of a residential area or preventing access to natural resources e.g. beaches or waterways. This is based on the instruction of the Prophet: *"One should not harm himself or others."*
19. In a situation where some harm is inevitable, a careful weighting of relative harms and benefits should be made. Furthermore, a party that may be harmed must be compensated, based on the cardinal rule in Islamic Law that harm must be removed or compensated if inevitable.
20. According to work ethics, productive resources are not to be left idle in the name of private ownership, especially resources that are crucial to the lives of people.

The Prophet PBUH said; *"If one of you possesses a piece of cultivable land, let him cultivate it. And if he is not able to cultivate it by himself, let him give it to his brother"*

21. . In Islam, work is sacred and a Muslim should not despise a fellow Muslim for the work he does as long as it is lawful in sharia.

The Prophet PBUH said; *"It is better that a person should get a rope and bring a bundle of wood on his back to sell so that Allah may preserve his honour than begging from people regardless of whether they give him or refuse."*

22. For production to be efficient, Islam emphasizes that health and strong labour should be employed. Prophet Shu'aib employed Moses for this reason as per Q (28:26).
23. Labour should be educated and trained in order to perform better and efficiently because in the Qur'an Allah makes it clear that the learned are better than the illiterate.
24. Islam allows a person to move from one place to another or from one occupation to another in search of greener pasture.

Allah says in Q (4:100); *“He that flees his homeland for the cause of Allah shall find numerous places of refuge in the land and great abundance.”*

25. In Islam, a worker must be paid for his services before his sweat dries up. That is immediately after finishing his work.
26. Workers must be treated by their bosses as members of the same family. According to the prophet PBUH, slaves and servants must be given the same food and clothing as their employees.
27. Workers should not be burdened with the work which they cannot do but rather they should be given work that is within their ability.
28. Workers should be given wages appropriate to the work they do and should never be cheated after completing their tasks.

The prophet PBUH said; *“Allah will be an enemy of three persons on the day of judgement...the third person is the one who employs a person and gets full work from him but does not pay him his wages”*

29. The worker is liable to suitable medication from his employer in case he falls sick and should not be denied his pay because of sickness.
30. Employers are encouraged to first spend on their workers and children if they are to give charity.
31. Islam advises that jobless members of the society should be catered for by the state through unemployment fund.
32. It is totally forbidden for employers to cause any form of harm to their workers e.g abusing, beating or molesting them.
33. The employer must always be kind and sympathetic to his workers. It is Islamic for the boss to visit his servants and ask them about their health.
34. Workers should be paid adequate compensation for the accidents they suffer while at their work places or during work.

35. Workers should be given good accommodation so that their health and efficiency are not affected by the poor living conditions.
36. Employers should not fine their workers for minor mistakes committed at worker unless they prove that mistakes were done deliberately and purposefully.
37. If a worker is given any form of work, he should do it efficiently and honestly. Here, the prophet PBUH said;

“If any of you undertakes to do any work, Allah loves to see him doing it well and efficiently.”

COMMERCIAL ETHICS IN ISLAM

1. These are rules and regulations that govern business transactions in Islam.
2. Every Muslim doing any business must follow them because in Islam, some businesses are lawful while others are unlawful.
3. Allah says in Q (2:275); *“... but Allah has permitted trade and has forbidden interest.”*

He also says; *“Then when prayer is over, spread over the globe and seek the bounties of Allah ...”*

4. The Prophet PBUH was himself a trader and transacted as an agent of Lady Khadija. He once said;

“Take to trade because there are nine portions in trade out of ten portions of provision.”

5. Islam prohibits trading in “unlawful” items that are used to commit sin such as wine, intoxicants, idols and others.

The prophet PBUH said; *“When Allah prohibits a thing, He prohibits the eating of its price as well.”*

6. A Muslim must deal in things he legally acquired. Legitimacy of the method of acquisition of property to deal in excludes theft, force, cheating of other of other people's property and other crooked ways.

Allah says in **Q (4:29)**; *"Believers! Do not consume your wealth among yourselves illegally, but rather trade with it by mutual consent."*

7. A Muslim should be pay whatever is due on the property he is dealing in as determined by Allah (Zakat) for Allah to purify and bless his business.
8. Furthermore, one should not hide any known defect in an item offered for sale. The buyer should be informed about such defect and it is up to him/her to accept to buy it or not and at what price.
9. Honesty in all dealings is an ethical requirement, including the fulfillment of all contracts and commitments. Allah says in **Q (23:8)**; *"And those who keep their trusts and promises"*
10. One aspect of honesty in business required by Islam is to give the full weight and measure.

Allah says in **Q (17:35)**; *"And give full measure when you measure, and weigh with an even [honest] balance. That is good and better at the end"*

He also says in **Q (26:181-182)**; *"Give full measure and do not be of those who cause loss [to others]. And weigh with an even [honest] balance"*

11. A Muslim should refrain from the exploitation of the ignorance or desperate needs of others by giving them less than a fair price or wage.

Allah states in **Q (7:85)**; *"...Give just weight and measure and do not defraud others of their possessions..."*

12. One form of exploitation which the prophet PBUH forbade is where persons who do not intend to buy a commodity simply keep bidding the price

upwards often in conspiracy with the seller, so as to get others “stuck” in the deal.

13. Islam encourages Muslims to allow sellers to reach the market and get full knowledge of market prices. Therefore, it is forbidden for some middlemen to go to the outskirts of the town where there is a frequented market and intercept out-of-town merchants or farmers who are bringing their products to sell in the market.
14. Islam prohibits the sale of an item which is not available and whose delivery is doubtful. For example selling fish in the river or selling agricultural products before the plant becomes viable and takes roots. Exception to that are made for necessity, where fairness is ascertained.
15. Islam prohibits unfair monopolies which are designed to create an artificially higher price or to create artificial shortages. The prophet PBUH said; *“He who monopolizes is sinful”*
He further said; *“Whoever monopolizes foodstuff for forty days, he has dissociated himself from Allah and Allah has dissociated Himself from him.”*
16. The Prophet forbade also the practice where a town dweller withhold and store foodstuff that belongs to a desert dweller, wait until the price goes up possibly due to this artificial shortage, then he sells that foodstuff and thus get a higher commission for his services.
17. It is lawful in Islam for sellers to compete in order to attract buyers. However, attempting to “snatch” a customer who has already negotiated a deal with another seller is regarded as unethical, unless the earlier negotiation broke down or was cancelled for some other reason.
18. It is the responsibility of every individual Muslim to ensure that Islamic business ethics are enforced. It is the appeal to the person’s conscious, “fear” of Allah and the desire for His blessings in this life and in the life hereafter. Allah says in Q (2:281);

“And fear a Day when you will be returned to Allah. Then every soul will be compensated for what it earned, and they will not be wronged.”

19. Both men and women are allowed to sell and buy from one another. There should be no sex discrimination in business. However, every transaction must be in the confines of Islam.
20. It is discouraged in Islam to sell land. The Prophet PBUH recommended that one should sell his land or house when he is going to the money to buy another land or house.
21. The taking of oath when selling anything is prohibited in Islam. The prophet PBUH said that swearing produces a ready sale but blows out the blessings.
22. The buying or selling of stolen property is prohibited in Islam. The prophet PBUH said that one who buys a stolen property with the knowledge that it was stolen, shares in the sin and shame of stealing.
23. Furthermore, Islam forbids seeking wealth through taking usury (ribah) whether the rate of usury is high or low. Allah curses the usury giver, taker and witness.
24. Credit transactions by mutual consent are expressly allowed in Islam. The prophet is reported to have obtained grains on credit from a Jewish trader and used his coat of mail as a security.
25. It is allowed for a Muslim to make advance payment on a commodity he intends to buy as agreed upon with the seller. However, transactions which involve uncertainties are not recommended.
26. Earning wealth through gambling is totally forbidden in Islam. This means getting something too easily without working for it.

ISLAMIC TEACHINGS ON WEIGHTS AND MEASURES

1. Islam puts much emphasis on weights and measures. It fundamentally discourages cheating by means of weights.

Allah says in **Q (17:35)**; *“Give full measures whenever you measure and measure with a balance that is correct. That is the most right and the most advantageous in the end.”*

2. The holy Qur'an commands Muslims to weigh with full justice. Allah states in **Q (16:125)**;

“Call men to the path of your Lord with wisdom and mild appeal. Reason with them in the most polite manner.”

3. Allah describes people who cheat by weights and measures as tricksters. That is people who cheat by deceiving others.
4. The holy Qur'an in **83:1-3** describes people who cheat others by weights and measures as having no empathy (kind feelings for others).
5. Cheating by means of weights and measures break Islamic brotherhood because such people are after themselves only yet the Prophet PBUH said;
“A Muslim is the one who wishes for his brother what he wishes for himself.”
6. Allah promises to handle the fraudsters (impostors) on the day of Day of judgement because here on earth, it is hard for man to find out fraud (deceit).
7. Cheating by weights and measures is a grave sin which led to the destruction of a nation of Madyana where Prophet Shu'aib was sent as per **Q (7:85-93)**.
8. Prophet Muhammad PBUH is reported to have prayed to Allah to bless honest dealers. He prayed;
“O God! Bless the measure of the people of Madina.”
9. The prophet PBUH further emphasized that goods should be measured or weighed before being sold to any potential buyer.

ISLAMIC TEACHINGS ON RIBAH (USURY)

1. Literally, the word Ribah means to increase, to grow, to exceed, or be more than but in sharia, it means a term that is used when two parties exchange an item of the same kind, and in return one party receives extra of what he gave.

2. The most common application of Ribah is on monetary transactions relating to “loans” and “credits” and such transactions like advancing money on interest, keeping deposits in a bank for the sake of earning interest, or getting concessions in rates of goods or commodities against advance payments of price, mortgaging e.t.c
3. Islamic law does not limit Ribah application to Loan or financial transactions only. In fact the image of Ribah is spread across larger transactions involving any exchange of items between two parties, as far as the items are of same kind, and one item is exchanged for the other for either more or less.
4. Ribah is considered amongst the seven terrible sins namely, shirk, magic, suicide, consuming ribah, unlawfully taking orphan’s money, fleeing from battlefield and accusing chaste- believing women.

Allah states in Q (3:130):

“O you who have believed, do not consume usury, doubled and multiplied, but fear Allah that you may be successful.”

He also said in Q (2:175); *“Allah has permitted trade and has forbidden interest”*

5. The Prophet PBUH said in his farewell sermon:

“God has forbidden you to take Ribah, therefore all ribah obligation shall henceforth be ignored. Your capital, however, is yours to keep...”

6. Quran openly prohibits Ribah, and since it is an undisputed source of guidance, all Muslims unanimously agree on the prohibition of Ribah without any difference of opinion among any school of thought on prohibition of Ribah in Islamic Sharia.
7. According to Islam, a person who deals with Ribah will stand on judgment day as one who is being beaten by Satan into insanity. Here Allah made it clear that “trade” and “ribah” are not the same, and that He forbade “ribah” and allowed “trade”.

8. He further stated that whoever accepts guidance of Allah must immediately stop dealing in Ribah, and those who return to Ribah after Allah's guidance has reached them are dwellers of fire, because Allah destroys "Ribah" and He reward those who give Charity.
9. Prophet Mohammad (PBUH) cursed the one who deals with Ribah. He cursed the receiver and the payer of ribah, the one who records it and the two witnesses to the transaction because they are all alike.
10. Islamic law considers Ribah as tool of oppression and a means to unjustly take others money by exploiting their needs and circumstances. Hence it forbids Ribah and promotes Charity as an alternative.
11. Islamic law also consider Ribah as a medium for hoarding money by the crooked, and it warns against those who accumulate wealth with this unjust way.
12. Alternatively, Islam on one hand distributes wealth by implementation of Charity, Zakat and Laws of Inheritance, and on other hand, vigorously encourages spending of money to help the needy.
13. The crimes of dealing in Ribah are so serious that Allah has declared war against those who deal in Ribah. The Prophet (PBUH) has cursed anyone who deals with Ribah, the one who takes it, one who pays it and one who records it, they are all "equal"
14. Muslims around the world traditionally avoid eating pork and alcohol, whereas, Ribah is considered much worse than that.
15. The Prophet (PBUH) declared consumption of Ribah worse than adultery: worse than "to a man committing adultery with his own mother".

1. Ribah is a means of consuming people's wealth unjustly. Allah says in Q (4:161);

"And for their taking of usury while they had been forbidden from it, and their consuming of the people's wealth unjustly. And we have prepared for the disbelievers among them a painful punishment."

2. Allah prohibits accumulating wealth by consuming Ribah. Allah states in Q (3:130);

"O you who have believed, do not consume usury, doubled and multiplied, but fear Allah that you may be successful."

3. Islam promotes giving out wealth in charity and prohibits accumulating it, especially when it is unjustly accumulated like Ribah. Allah says in Q (2:276);

"Allah destroys interest and gives increase for charities. And Allah does not like every sinning disbeliever."

4. Ribah eaters are beaten by Satan into insanity. Allah states in Q (2:275);

"Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity..."

5. Allah wants us to give up ribah because He sent divine guidance to teach us how to amass wealth.

He says in Q (2:278);

"O you who have believed, fear Allah and give up what remains of interest, if you should be believers."

6. Allah vowed to declare war on ribah dealers as He says in Q (2:278-279);

"O you who have believed, fear Allah and give up what remains [due to you] of interest, if you should be believers. And if you do not, then be informed of a war [against you] from Allah and His Messenger..."

7. The Prophet (PBUH) cursed people who deal in Ribah. He cursed the receiver and the payer of ribah, the one who records it and the two witnesses to the transaction and said: *"They are all alike"*

8. It is a grave sin which the prophet PBUH said that it is more dangerous than a person who commits adultery.

The Prophet (PBUH) said: *"Ribah has seventy three segments, the least serious being equivalent to a man committing adultery with his own mother."*

9. Ribah is prohibited because it carries a heavy punishment from Allah on the day of judgement.

The Prophet (PBUH) said: *"On the night of Ascension I came upon people whose stomachs were like houses with snakes visible from the outside. I asked Gabriel who they were. He replied that they were people who had received ribah."*

He also said: *"God would be justified in not allowing four persons to enter paradise or to taste its blessings: he who drinks consistently, he who takes ribah, he who usurps an orphan's property without right and he who is undutiful to his parents."*

10. Ribah creates an environment of selfishness, self-centeredness, and heavy heartedness. This attitude is prohibited in Islam as it creates hatred, hostility in society, and destroys mutual trust and kindness.

11. Islam promotes giving out. As the Prophet (PBUH) use to say that giving hand is better⁷⁶. Hence, Islam always promotes charity and helping hands. Allah says in Q (30:39);

"And whatever you give for interest to increase within the wealth of people will not increase with Allah. But what you give in zakat, desiring the countenance of Allah – those are the multipliers"

12. It was prohibited to protect the wealth of people so that no one takes it away by illegal or in unjust means as today Ribah is legalized, even when it is inherently unjust and illegal!

13. Islam is pure and it promotes purity in food, in life, in spending, in earning and in thoughts. Its purpose is to purify us inwardly and outwardly. Hence it

ask people to find pure and just ways to earn money where is no injustice or disguise. "One man earning should not be other man's loss".

14. Ribah reinforces the tendency for wealth to accumulate in the hands of a few, and thereby diminishes human beings to concern their fellow men.

HOW TO AVOID RIBAH

1. Having faith that Allah will provide for us and our families.
2. Not taking out loans that incur interest.
3. Choosing lawful investments.
4. Renting and saving cash for a home instead of mortgage.
5. Being cautious (wary) of the contracts we sign and having a student of knowledge to check them.
6. Opening up bank accounts without interest i.e chequing accounts.
7. Making bill payments on time so as not to incur a late penalty.
8. Borrowing money from family or friends where possible.
9. Not buying what you simply do not have the money for i.e live within your means.
10. Dealing with Islamically compliant banks.
11. Accepting/organizing a 'Goodly Loan', this is a loan by means of which one intends to show kindness to another, which does not involve ribah.
12. Attending seminars and events on halal (lawful) investments.
13. Learning from others how they have done it to get out of the current ribah systems.

SUMMARY

1. Islamic law prohibits ribah in all its form.
2. Ribah is a tool of oppression that allows elites and rich to suck the block of poor and needy.
3. Ribah consumer are at war with Allah and his Messenger Prophet Mohammad (PBUH)
4. Linguistically the word Ribah means to increase, to grow, to exceed, to be more.

5. The basic example of Ribah is in monetary credit transaction, where borrower has to pay “interest” on loaned amount.
6. In Sharia meaning “Ribah” is a term that is used when two parties exchange item of same kind, and in return one party received extra (or in excess) of what he gave. A simple example is when gives 100 units of Gold and received 120 units of Gold in return. The extra or excess 20 units are considered “Ribah”.
7. Ribah is opposite of Charity (Zakat). While it seems to ribah-consumer that their money increase with Ribah, but in reality money decrease with Ribah, and money increase with Charity (Zakat). This is testified by Allah in Quran. However, a ribah-eating brain cannot comprehend such noble thought.

Q 2:276 *“Allah destroys interest and gives increase for charities. And Allah does not like every sinning disbeliever.”*

8. Islamic law promotes Charity and forgiveness. If a needy person cannot repay loan, it is considered Kamal to forgive his loan.

Q 2:280 *“And if someone is in hardship, then [let there be] postponement until [a time of] ease. But if you give [from your right as] charity, then it is better for you, if you only knew.”*

9. Ribah cannot be justified by any reason. It is neither like “trade”, nor like “rent”, nor like “profit”. In fact, it is a reward of laziness where lender wants to make money without working.
10. Prophet (PBUH) prohibited giving ribah, taking ribah, consuming ribah, recording of ribah, and witnessing ribah, and considers them all alike.
11. Whoever live in ribah will have his eternal abode in hellfire.

Q 2:275 *“But whoever returns to [dealing in interest or usury] – those are the companions of the Fire; they will abide eternally therein.”*

ISLAMIC TEACHINGS ON ZAKAT (POOR’S DUE)

DEFINITION OF ZAKAT

1. The word Zakat comes from the Arabic verb **zakat**, which means to grow, to increase and to purify. When said about a person, it means to improve or to become better. Consequently, Zakat means, blessing, growth, cleanliness and betterment.
2. In the Sharia, the word Zakat refers to the determined share of one's wealth prescribed by Allah to be distributed among the deserving categories of those entitled to receive it.
3. Zakat is a divinely ordained institution and is regarded both as a right of Allah as well as the right of the poor. In fact, an Islamic government can forcibly take Zakat from the rich if they withhold it.
4. Zakat is the third pillar of Islam and it is always mentioned alongside prayer. For example, prayer and Zakat are interlinked in 28 places in the Qur'an. It is only in two verses that it is mentioned alone.

Allah says in Q (2:277); *“Those that have faith and do good works, attend to their prayers and pay zakat, will be rewarded by their Lord and will have nothing to fear or to regret.”*

5. Zakat is an act of worship and as emphasized in the Qur'an; its major objective is to purify the payer and his wealth as per Q (9:103).

According to Islam, Zakat washes away sins and impurities in the same way that prayer washes away sins and impurities. This is why it is mentioned in the sayings that Zakat carries the “dirt” of people.

6. The individual who sincerely pays his Zakat most definitely becomes the recipient of the promised rewards and approval of Allah.

Q (2:276) states; *“Allah will deprive usury of all blessing, but will give increase for deeds of charity: For He does not love the one who is ungrateful and wicked.”*

7. Prophet Muhammad (peace be upon him) explained the above verse in the following words:

“When a slave of Allah pays Zakat, the Angels of Allah pray for him in these words: ‘O Allah! Grant abundance to him who spends (in your cause) and destroy him who does not spend and restricts himself to his wealth.’ (Bukhari)

8. According to Islam, when a Muslim pays Zakat, Allah increases his wealth, although this is abstract to many people. However, the Prophet PBUH said;

“Charity does not diminish wealth.” (Muslim)

9. Furthermore, as regards the payment of zakat, the majority of jurists stipulate that intention is a prerequisite for paying zakat since it is an act of worship and all forms of worship require intention.

10. As regards the punishment for zakat defaulters, Prophet Muhammad PBUH said;

“He who is given wealth by Allah but he does not pay its Zakat, that wealth is made for him, on the Day of Judgment, into the form of a huge bald serpent with two horns, encircling that person and squeezing him all day, then holding him by lips telling him, ‘I am your wealth, your treasure that you hoarded.’”

11. Not only did the Prophet PBUH issue a stern warning with regard to the punishment in the Hereafter, but he went on to warn of a punishment in this life as well, both from Allah and from the State. He said;

“Zakat is never intermingled (combined) with any amount of wealth without destroying and rotting it.” (Bukhari).

12. From the above hadith, if a person does not pay zakat, the part that would have been paid will be a cause for ruining that wealth and if a person takes Zakat as a recipient without deserving that it and mixes it with his wealth, it will be a reason for rotting all his wealth.
13. It is the duty of the Muslim leader to enforce the payment of zakat and to fight the zakat defaulters. This was one of the causes of the Riddah after the prophet’s death, during Abu Bakar’s caliphate.

14. As for delaying the Payment of Zakat, it may be delayed for certain valid reasons, such as when there is a lack of liquid funds, otherwise the delay or negligence in the payment of Zakat is not permitted and is in fact sinful.
15. As regards the transference of zakat to another Area, the general principle is that it must be distributed in the same area where it is collected. The local poor and needy have a priority since the Zakat is collected from their neighbours, kith and kin.

HISTORY OF ZAKAT

1. Zakat before the Advent of Islam

- a) The history of Zakat is the same as that of prayer. It is evident from the Qur'an that like prayer, its directive always existed in the Sharia of the previous Prophets. When the Almighty asked the Muslims to pay it, it was not something unknown to them.
- b) All the followers of the religion of Prophet Ibrahim were fully aware of it. For this very reason **Q (70:25)** describes it as *"A specified right."* Thus it was a pre-existing practice which the Prophet (peace be upon him), with necessary reformations, upheld at the command of the Allah.
- c) The Qur'an gives examples in several verses telling us how Zakat was imposed on the previous Prophets. For example: Zakat of Prophet Ismail is mentioned in **Q (19:54-55)**;

"Then you shall tell of Ismail; he, too, was a man of his word, an apostle and a prophet. He enjoined prayer and zakat on his people and his Lord was pleased with him."

- d) Zakat of the Jews is mentioned in **Q (2:83)**:

"And when We made a covenant with the Children of Israel: Worship none save Allah and be good to parents and to kinfolk and to orphans and the needy and speak kindly to mankind; and establish prayer and pay Zakat."

- e) Zakat to the children of Prophet Ishaaq and Prophet Yakuub is stated in Q (21:73):

"We ordained them leaders to guide at our behest and enjoined on them charity, prayer and zakat."

- f) Zakat of Prophet Isa is mentioned in Q (19:30-31);

"He said: Lo! I am the slave of Allah. He has given me the Scripture and has appointed me a Prophet. And has made me blessed wherever I may be and has enjoined upon me prayer and Zakat so long as I remain alive."

2. Zakat in the time of the Prophet (peace be upon him)

- a) The first verses to be revealed to the prophet PBUH about zakat in Mecca were in the general form of voluntary payments and it was left to the faith and the brotherly feelings of individuals to decide what and how much to give in Zakat.
- b) It was in Madina after the arrival of the Prophet PBUH that zakat became an obligation on Muslims. The verses in Madina gave clear directives, ordering the payment of Zakat and since that time the Prophet PBUH used to send out Zakat workers to collect and distribute the due Zakat.
- c) The Qur'an does not give the definition of the wealth on which zakat is payable, except in a few cases, only the general principles are given without the details, e.g:

1. Gold and silver:

"And there are those who hoard gold and silver and spend it not in the way of Allah. Announce unto them a most grievous penalty." Q (9:34)

2. Crops and Fruits:

"Eat of their fruit in their season, but render the dues that are proper on the day that the harvest is gathered." Q (6:141)

3. Earnings of Trade:

"O you who believe, give of the good things which you have earned." Q (2:267)

4. Wealth from beneath the earth:

"And of that which we have produced for you from the earth." Q (2:267)

5. Furthermore, the Qur'an mentions Zakat in general and the word **amwal** (i.e. property or wealth or earning) is used as in the **Q (9:103)**;

"Out of their wealth take sadaq thereby purifying and sanctifying them."

Q (51:19); *"In their wealth and properties is the right of the poor, the beggar and he who is in deprivation."*

6. It was Prophet Muhammad PBUH who gave detailed specifications of the kinds of Zakatable wealth, the minimum exempt of each of them and the applicable rates. He also gave the details of the categories of people that should receive Zakat.

WHO MUST GIVE ZAKAT?

In general, most Muslim jurists agree that Zakat is obligatory on a person who fulfills the following qualities:

1. The person should be mature i.e. has reached the age of puberty.
2. The giver must be sane because nothing good or bad is done by a mad person.
3. The giver must be a freeman because captives or those in bondage are among its recipients.
4. The person must be owning the prescribed Nisab amount. The net amount of one's wealth liable for zakat.
5. The wealth from which one is to pay zakat should be of a productive nature i.e one from which a profit can be got e.g business merchandise, livestock, agricultural harvests e.t.c
6. However, there is disagreement amongst Muslim jurists on whether or not Zakat is compulsory on the wealth of minors and the insane.
7. Imaam Shafi'i reports the Prophet (peace be upon him) said:

"Invest the fund of the orphans so they may not be used up by Zakat."

This Hadith implies that there is an obligation of Zakat on the wealth of minors and the insane. Such obligations become the responsibility of their guardians.

WHAT WEALTH IS SUBJECT TO ZAKAT?

1. The Qur'anic reference to items subject to Zakat is rather general. In Q (9:103), Allah mentions the word "*amwal*" (*wealth*) while in Q (2:267) He mentions, "*What you have earned,*" and "*What we have produced for you from the earth.*"
2. Hence, in the time of the Prophet (peace be upon him) it became clear that Zakat was levied on camels, sheep, gold, silver, agricultural output and goods designated for trade.
3. Certain items were exempted, these included things used for personal purposes such as clothes, household furniture and durable commodities, etc.
4. It must be noted in this regard that Zakat was imposed on agricultural products, livestock, and trade inventories, gold and silver.
5. Except for personal and family things, nothing of substantial value, of the time, was left outside the domain of Zakat. Land was almost worthless unless it was used in agriculture, and houses were commonly inexpensive.
6. On the basis of such texts, Muslim jurists have formulated various opinions and rules about what wealth are subject to Zakat. These may be categorized as follows:
 - a) those who believe that only items specifically prescribed in the Qur'an and Sunna are subject to Zakat, for example dates, raisins, wheat, sheep, camels, assets acquired for the purpose of resale, gold and silver.
 - b) those who include items similar in nature to those mentioned above but not specifically mentioned by the Prophet (peace be upon him), e.g. vegetables, debts, wages, salaries, professional income and the return generated by fixed assets.

- c) those who include all the above as well as contemporary items of income and wealth – including fixed assets. Muslim jurists agree that we do not pay zakat from personal and consumable wealth.
7. Furthermore, they agree that even from among the wealth that is generally subject to Zakat, Zakat is only taken if this wealth fulfills the following conditions:

Ownership: The wealth must be fully owned by the potential payer. This ownership must be absolute and not restricted, except as provided by the law of the country.

Growth: The wealth must have the ability to grow or increase or multiply, or is itself a result of a process of growth, such as animals or agricultural products.

However, Muslim scholars also deem money, gold, silver and merchandise to have the potential of growth as it is usually made to grow through trade.

Zakat is meant to help relieve the poor without impoverishing the rich, by having the rich to pay from their surplus, i.e. taking a little from the plenty. Imposing Zakat on wealth that does not grow reverses this purpose, since Zakat is paid year after year, over and above other living expenses.

Nisab: For wealth to be subject to Zakat it must first attain a minimum value. In several Hadith, the Prophet (peace be upon him) established certain minimum values for the different wealth and exempted anyone who owns less than the minimum from the payment of Zakat.

However, once a person owns the minimum of any wealth, then the whole amount of that wealth becomes subject to Zakat.

The amount of Nisab must be over and above what is required to satisfy the immediate basic needs of the payer, including family responsibilities and due debts.

Passage of one year: Since Zakat is a yearly obligation, the wealth should be held for a year before it is charged with Zakat.

However, this condition is restricted to livestock, money and business assets and does not apply to agricultural products, fruits, honey, extracted minerals and found treasure as the latter are subject to Zakat at the time of harvest or when discovered.

In summary, the following are items on which zakat is payable:

Cash; zakat is payable from saved money after deducting all the required basic needs, held in cash or bank after a year. The Nisab is 2 ½ % of the money saved.

Business merchandise; zakat is payable on all merchant goods irrespective of whether they were got through buying, gift, marriage, booty or inheritance, provided the goods were intended for sale at the time of possession. The amount to be paid is 2.5% of the Nisab value.

Buried treasure; precious materials like gold and silver are subject to zakat payment irrespective of whether they are in form of coins or dust as long as the amount owned constitutes Nisab. The Nisab for gold is 2.5% from a minimum of 82.5 grams while for silver, Nisab is 577.5 grams with 2% paid in zakat.

Agricultural produce; zakat is paid from both livestock and crops. For livestock, zakat payable depends on the kind and number of animals owned e.g the Nisab for sheep is 40 sheep and one year female sheep is paid while out of 121 sheep, two female sheep are given.

The Nisab for goats is 40 goats and a one year she-goat is payable in zakat while between 121 and 200 goats, two she goats are given out.

When sheep and goats are mixed, the Nisab is 40, depending on what is more than the other. If there are more goats than sheep, a female she-goat is given in zakat.

The Nisab for cattle and buffalos is 30. Between 30 and 40 heads of cattle, a one year young calf is given out in zakat. When they reach 40, a cow of two years is given in zakat.

The Nisab for camels is 5. Between 5 and 19 camels, one sheep/goat is given in zakat. When they reach 20, one year she-camel is given out, at 36 camels, a two year old she-came is given and at 46 camels, a three year she-camel is payable.

As for crops, zakat depends on the nature of production. If the land was irrigated by rain, 10% of every 240kgs is given out in zakat and if the land was artificially irrigated, 5% of every 240kgs is paid out in zakat.

RECIPIENTS OF ZAKAT

THE DISTRIBUTION OF ZAKAT

According to Islam, there are eight categories of people who should receive zakat. The Prophet (peace be upon him) is reported to have said:

“Allah verily did not accept the judgment of a Prophet (peace be upon him) or anybody else in the distribution of Zakat, so He gave the Judgment on it. He divided it into eight parts.”

1. The prophet’s words refer to the message in **Q (9:60)** which says;

“Sadaq (i.e. Zakat) is for the poor, the needy, those employed to administer [the funds], those whose hearts have been reconciled [to the truth], for those in slavery, those in debt, in the cause of Allah and for the wayfarer; [thus it has been] ordained by Allah, and Allah is full of knowledge and wisdom.”

2. From the above verse, the following are the eight categories of people to receive zakat.

Al-Fuqara: The Poor; According to the majority of Muslim jurists, the poor are those who do not have any assets and have no means by which they can earn their living.

However, the **Hanafi** jurists defined the poor as those who have money lesser than the amount on which Zakat is payable and that they are worse than the needy in regard to satisfying their basic needs. However, some scholars hold the opposite view.

Al-Masakin: The Needy; According to the majority of jurists, the needy are the people whose earnings do not cover their basic needs.

However, the **Hanafi** jurists identified them as *“those who have no earnings at all.”*

The **Hanafi** and **Maliki** jurists consider them to be more deserving of Zakat than the poor.

However, the Hambali and Shafi'i jurists put the poor as being more deserving of Zakat.

Actually, this dispute in categorisation has no effect, since both the poor and the needy are among the categories entitled to receive Zakat.

Al-'Amilina 'Alayha: Administrators of Zakat; this term applies to all those serving in the field of Zakat, including those responsible for collecting, storing, guarding, registering and distributing it. They shoulder all Zakat related activities.

Al-Mu'allafati-Qulubuhum: Reconciliation of Hearts (The new converts); This term applies to people who have embraced Islam or who are inclined to the Truth of Islam.

Fir-Riqab: For those in Bondage or War captives; Zakat may be allocated to help Muslims free themselves of bondage (slavery) or as ransom to set free war captives.

Al-Gharimin: Those in Debt; Zakat may be used to pay off debts that the debtor is struggling to pay off, so long as these debts were not incurred in an act contrary to Islamic law.

Fi-Sabilillah: In the Cause of Allah; Muslim jurists differ on who or what can be covered under this category, although most seem to agree that it can be used in the defense of Islam. In the wider sense, however, this category covers all methods of promoting the Islamic value system, whether through propagation or intellectual confrontation.

Ibnas-Sabil: The Wayfarer; A wayfarer refers to a traveler who left his home for a lawful purpose and for whatever good reason does not possess enough money to return home, even if he is rich in his own country.

3. As regards the Manner of Distributing zakat, the zakat giver is freed from its obligation as soon as he grants full ownership and possession of it to any of the above-mentioned categories.

This can be done either by giving a certain amount of money to meet his basic requirements or by giving him a means of production or tools of trade to help him in becoming self-empowered.

4. The proceeds of Zakat at the time of the Prophet (peace be upon him) was in most cases distributed immediately after collection, as reported by many workers who often said that they used to come back from their Zakat missions empty handed, the way they started their journeys, since everything collected used to be distributed on the spot.

NON-RECIPIENTS OF ZAKAT

Muslim jurists agreed that Zakat cannot be given to the following people:

1. The rich (except when such are among the workers of Zakat or the wayfarers).
2. Those capable but not willing to work.
3. Non-Muslims and those who fight against Islam.
4. Ascendants, descendants and wives of the payer.
5. The family of the Prophet (peace be upon him).

IMPORTANCE OF ZAKAT IN ISLAM

1. Zakat helps the giver to attain guidance on earth and success in the hereafter. Allah says in

Q (31:4-5);

“Those who perform prayer and give zakat and they have faith in the hereafter with certainty; such are on guidance from their Lord and such are the successful.”

2. Zakat purifies the wealth of the giver as Allah says in Q (9:103);

“Take zakat from their wealth in order to purify them and sanctify them with it and invoke Allah with it...”

3. Zakat cleanses the giver's heart from all kinds of social mischiefs e.g cruelty and greed and misery. Thus, he no longer keep envy and jealousy.
4. It instils in the giver the sense of social responsibility as well as in the receiver the sense of social security and belonging to the Muslim community.
5. It reduces the tension that might have cropped up in the Muslim community between the rich and the poor. This is because without zakat, the poor have no good feelings for the rich and always wish them misfortunes.
6. Zakat is mentioned repeatedly in the holy Qur'an side by side with prayer. The qualities of a believer are described as establishing prayer and practicing regular payment of zakat.
7. Zakat is the third pillar of Islam, so it is a form of worship which has to be fulfilled by every Muslim of defined qualifications.
8. Zakat is a means of closing the gap between the rich and the poor. The concentration of wealth in hands of the few is checked using zakat.
9. It is a charity paid in the cause of Allah that is used to develop the Muslim community by building schools, hospitals, and mosques and in forbidding evil.
10. Zakatil Fitir helps a believer to purify his fast of the month of Ramadhan from the faults committed in the holy month as well as enforcing the enjoyment of the poor and needy on Eid-al-Fitir.
11. Zakat acts a link of all Allah's messengers because it was an obligatory duty for all. Verses such as Q (21:73), Q (5:12), 19:55 and Q (19:31) refer to zakat for different prophets.
12. Allah mentions zakat as the means by which to attain Allah's mercy as Allah says in

Q (7:156); *“With My Punishment I visit whom I will; but My Mercy extends to all things. That (Mercy) I shall ordain for those who have God-*

consciousness and give their Zakat and those who believe in Our Signs."

13. Also, zakat is a precondition to achieve victory as Allah mentions in Q (22:40-41);

"Allah will certainly aid those who aid His cause; for verily Allah is Full of Strength, Exalted in Might, they are those who, if We establish them in the land, establish regular prayer and give their Zakat, enjoin the right and forbid wrong: with Allah rests the outcome of all affairs."

14. Zakat is a sign of brotherhood in religion. Here Allah says in Q (9:11);

"But if they repent, establish regular prayers, and give their Zakat, they are your brothers in Faith."

15. Zakat is a distinctive feature of the faithful community. The holy Qur'an describes believers as protectors of one another who enjoin what is just and forbid what is evil: they observe regular prayers, pay their Zakat and obey Allah and His Messenger.

PROBLEMS FACING ZAKAT COLLECTORS AND DISTRIBUTORS IN UGANDA

1. Disunity among Muslims. This has made it hard for the Muslims to know who is to give zakat.
2. Ignorance among Muslims about zakat. Many Muslims in Uganda do not understand the details of zakat e.g what it means, when and how to give it e.t.c
3. Some areas are far deep in villages such that it is very difficult for zakat collectors to reach them.
4. Majority of the Muslims are poor. So zakat collected is very little.
5. Lack of enough information to determine the number of Muslims who should give and receive zakat.
6. Muslims have a problem of paying zakat and other government taxes because Uganda is not a Muslim country.

7. Language barrier is also a problem for the collectors of zakat because Uganda is a country with many tribes speaking different languages.
8. Low levels of faith among the rich who are supposed to pay zakat. They see no need of paying zakat.
9. Corruption and embezzlement of funds in the Uganda Muslim Supreme Council has also discouraged many able Muslims from paying zakat.
10. Political instabilities in some areas have also made it hard to collect and distribute zakat.
11. Lack of qualified personal charged with the work of collecting and distributing zakat.
12. Poor transport and communication in some areas is also a problem for zakat collectors and distributors in Uganda.
13. There is a problem of nepotism whereby the zakat distributors give it to their close relatives.
14. Zakat collectors are affected by bad weather conditions like rain and sunshine.

ZAKAT AND SADAQ

Sadaq is any voluntary work a person done in the service of Allah. Sadaq is rendered willingly by a person and it can be in any form like a gift or physical help like fetching water for an elderly person.

DIFFERENCES BETWEEN ZAKAT AND SADAQ

1. Zakat is compulsory while sadaq is optional.
2. Zakat is a pillar of Islam while sadaq is not a pillar of Islam.
3. Zakat has a fixed amount from which it is paid but sadaq is not fixed.
4. Zakat is paid once in a year but sadaq can be paid several times.
5. Zakat is paid by only rich Muslims while sadaq is paid by both the rich and the poor.
6. Zakat **must** be paid to Muslims only while sadaq can be offered to any person.
7. Zakat purifies the wealth of the giver while sadaq does not.

8. Failure to pay zakat is punishable by Allah but one who fails to offer sadaq is not punishable.
9. Zakat must be collected but sadaq is not collected.
10. Zakat is collected from five specific categories of items but sadaq is given in any form.
11. Zakat is paid to eight categories of people but sadaq is offered to any person.

POLITICAL TEACHINGS IN ISLAM.

Features and uniqueness of the Islamic political system

1. The Islamic form of government is unique in its structure, function and purpose. It is not based on party politics nor is it unconstitutional.
2. It is different from modern governments which stand for expansion, aggression, and exploitation of the weak.
3. The Islamic state is based on democracy in the truest sense of the word. The Islamic political system is based on the following features (pillars);
4. Sovereignty: In the Islamic state, sovereignty does not belong to the ruler nor to the people themselves but it belongs to Allah. The people just exercise it as a trust from Allah so as to enforce His law and establish His will. Allah says in Q (67:1);

“Blessed is He in whose hand is the kingdom and has power over all things.”

5. Constitution: In a Muslim state, the holy Qur'an is the supreme law of the land. The ruler and other people in authority must rule and judge by it. Failure to judge by the Qur'an without a genuine reason renders the rulers and the ruled transgressors.

Allah says in the Q (17:9); *“This Qur'an guides to what is most right.”*

However, if the Qur'an is silent about an issue, Muslims resort to the other principle sources of sharia such as Hadith, Ijma, Qias and R'ay.

6. Office of the head of state: Under the Islamic political system, the head of the state is both a political and spiritual leader. In performing his duties, the leader considers himself responsible to Allah first and then execute his political authority in accordance with the Islamic law.

7. Election: The head of the Islamic state must be elected by the people from the people and for the people on the basis of adult majority vote. The ruler must be chosen from the best qualified citizens on the basis of his proved past services, fitness to rule, fear of Allah and regard for other people's rights. Family background, wealth, race, language and age are secondary features in choosing a leader. Only faith is the best quality. Allah says in **Q (49:13)**;

“...the most honoured of you in the sight of Allah is he who is the most righteous of you.”

The same criteria should be applied when appointing other officers of the state to assist the ruler. The prophet PBUH said;

“Whoever entrusts a man to a public office, whereas in his society there is a better man than this trustee, has betrayed the trust of Allah, of the messenger and of the Muslims.”

He also said; *“When government is entrusted to those undeserving of it, then wait for the doom.”*

8. Oath of allegiance: Once the leader is elected by Majority of the people, all the male citizens of the country must swear their allegiance (commitment) to him. Historically, Prophet Muhammad PBUH received an oath of allegiance when he was made the head of the state of Madina and all the orthodox caliphs received theirs on assumption of office.
9. Supremacy of the law: In an Islamic state, all people including the leader are equal before the law. The prophet PBUH established an Islamic state in which the authority of the head of state was controlled and the law was one for all, including the prophet PBUH himself.

Apart from the fixed salary which is paid to him from the public, the head of state has no special privileges. In his capacity, he can be sued in courts of law like other members of the community. For example, Umar bin Khattab, second caliph, was once sued in court of law and had to defend himself.

10. Division of labour: Under the Islamic political system, the leader has to carry out administration with the help of ministers and other public servants. Over centralization of power has room in an Islamic political system.

11. Consultation: The head of the state must work in consultation of the advisory council. All important state matters must be decided through consultation of any kind.

The prophet PBUH said; *"To consult is an essential part of religion. Whoever does not have anything good to say should keep quiet."*

He also said; *"When people consult each other, they are guided to the right course in their affairs."*

12. Obedience: It is compulsory for all Muslims to respect the laws of the Islamic government and to follow its orders as long as they do not involve disobedience to Allah and His messenger. Allah says in **Q (4:49)**;

"O you who believe! Obey Allah and obey the messenger and those in authority among you and if you differ in anything, refer it to Allah and His messenger."

The prophet PBUH said; *"Hear and obey even though a Negro slave is appointed to rule over you."* **Bukhar**

He also said; *"To hear and obey authority is wajib so long as one is not commanded to disobey Allah; he should hear and obey."*

He further said; *"He who obeys me, obeys Allah and he who disobeys me, disobeys Allah, and he who obeys the Amiir (leader) obeys me and he who disobeys the Amiir disobeys me."*

13. Good service: The head of the Islamic state and his officials are required to work for the good of the people, to be gentle to them and desist from causing any harm to the nation.

They are asked to live a simple life, to be accessible to those who need their immediate attention, to be God-fearing, to help the poor and protect Muslim interests.

Allah says in **Q (22:41)**; *"Those who, if We give them power in the land, establish worship and pay the poor due and enjoin kindness and forbid inequity."*

The Prophet PBUH said; *“Whoever Allah grants to rule people and does not manage their affairs for good, will not smell the scent of paradise.”*

14. Justice: This is the major aspect of the Muslim state. A ruler is not expected to make distinction when exercising justice. He should be fair to all people including enemies and haters. Justice must be made regardless of colour, race or religion as long the people are law binding and peaceful citizens. Allah says in Q 38:26);

“O David! Surely We have made you a ruler in the land, so judge between men justly.”

15. Fundamental rights: One of the main responsibilities of the Islamic state is to maintain the fundamental rights of the citizens, such as freedom of thought, expression, developing talents, approve or disapprove things according to their honest judgement and others.

However, in exercising his freedom, one should be in the limits of Islam and must not go against public interest. Again, his independent opinion should not go against the majority opinion of other people, provided the majority view is line with Islam.

Allah says in Q (3:103); *“And hold fast all of you together to the cable of Allah and do not separate.”*

16. Supervision: Under Islamic political system, every Muslim has a right to supervise the conduct of the administration and question its handling of public affairs, using his best means.

If the administrators misuse their power, they are removed from office and Muslims have power to put in new ones.

17. Independence: The Islamic state must be independent of the control of political parties or any foreign interests. It has to exercise its due authority on behalf of Allah and in His cause only.

ESTABLISHMENT AND ADMINISTRATION OF JUSTICE IN ISLAM

1. Justice refers to fair treatment of people or the characteristic of being fair when making a reasonable judgement.
2. According to the holy Qur'an, Muslims must establish justice while executing their duties since Allah Himself is the best of judges. Allah says in **Q (95:8)**;

"Is Allah not the best of judges?"

Q (4:135) says; *"Believers, conduct yourselves with justice and bear true witness before Allah even though it be against yourselves, your parents or your kinsfolk..."*

3. Islam teaches that shirk is the greatest injustice to Allah and that is why He does not forgive one who commits it.
 4. According to Islam, Prophet Muhammad PBUH is the greatest example of a just ruler the world has ever had. Allah says in **Q (33:21)**;
- "You have a good example in Allah's Apostle for anyone who looks up to Allah and the last day and remembers Allah always."*
5. One of the basic responsibilities of the Islamic State to its citizens is to provide justice and to practically establish institutions to run its affairs.
 6. One such institution is the Judiciary. It is established to administer justice among the people.
 7. Islam lays down that to maintain a proper standard of justice it is necessary that recompense of a good should in no case be less than what a person has earned.
 8. Likewise, the penalty for a wrong should not exceed the wrong or transgression committed.
 9. The Islamic moral system encourages justice because it is a source of peace in society as Allah says in **Q (7:29)**; *"Say; My Lord enjoined justice..."*
 10. Even if it means one to give witness on himself or his parents, he should do so with utmost justice.
 11. Justice means that richness or wealth or status or pride cannot force a Muslim to commit injustice because all of them count nothing before Allah.

12. According to the holy Qur'an, one of the reasons for sending messengers is that Allah wanted them to administer justice among men. (57:25) says;

"We have sent our apostles with clear signs and brought down with them scriptures and the scales of justice so that men might deal with fairness."

13. The holy scriptures which Allah sent with the messengers were intended to act as reference when standing out for justice. For example Allah says about the Qur'an that it judges to the most right.

Q (17:9) states; *"This Qur'an will guide to that which is most right..."*

14. Establishing justice is one of the shields against punishments on the day of judgement. Prophet Muhammad PBUH said that a just person will be in Allah's shadow the day when there will be no shadow apart from that of Allah.
15. Justice is important in all aspects of life including buying or selling, judging or being judged, even it is to an enemy.
16. In order to enforce justice, Islam allows freedom of worship and does not force a person to do what he cannot bear. Allah says in Q (2:286);

"Allah does not charge a soul with more than it can bear, but it will be requited for whatever good and whatever evil it has done."

Prophet Muhammad PBUH also allowed freedom of worship while drafting the Madina constitution, doing justice to the Jews.

17. For effective justice to be established, Islam requires that before Hudud punishments are administered, there must be witnesses in order to reach fair judgement.
18. It is Islamic to pay judges handsome wages and promptly, in order not to be corrupted while administering justice. This was a common practice of caliph Umar bin Khattab.
19. Likewise, for actual justice to be done in courts of law, Islam necessitates that the judges and the offender should be able to understand each other. The medium of communication should be understandable to all.

20. In Islam, real justice can be implemented only when the holy Qur'an is the constitution of the land because it guides to what is most right.
21. Justice must be practised even at home especially in polygamous families. The husband must practise justice among the wives.
- Allah says in **Q (4:3)**; *"...marry such women as seem good to you: two, three or four of them. But if you fear that you cannot do justice, marry one only..."*
22. Justice must also be done on war captives. A war captive has the option to remain under the custody of the Islamic state or to be ransomed by his native country.

THE CONCEPT OF LEADERSHIP IN ISLAM

Leadership is the ability to persuade others to seek defined objectives with devotion. It is the human factor which binds a group of people together and motivates it towards the set goals.

In Islam, leadership is a trust from Allah and it is a sacred position that can solve the problems of people and guide them to the eternal betterment of here and hereafter.

QUALITIES OF A GOOD LEADER

1. Faith; the leader must believe in the core Islamic beliefs, and considered as a true Muslim by his words and deeds. So, if anyone does not believe in Islamic beliefs and ideology, he must not be considered as a leader of Muslims **Q (49:13)**
2. The second basic quality of a good leader is that has to be a Man, not a woman.

Allah says in **Q (4:34)**; *"Men have authority over women because Allah has made the one superior to the other and because they spend their wealth to maintain them."*

In Islamic history we also find the proper implementation of this condition. No woman was appointed as a leader of a state in the early era of Islam, even

in the so called Islamic reign of Umayyad and Abbasid period woman did not hold that position.

3. The leader must be of a mature age with sound mind and physical condition. Maturity gives him the experience and patience to face the modern challenges using his mental and physical strength.
4. The leader should be a citizen of that territory where Muslims are the majority of total population or where the other Muslims are living peacefully with full religious freedom. This condition is also important for selecting the head of the State, not for the leader of smaller group as per Q (8:72).
5. Piety; a good leader has to be pious and perfect in his conduct and behaviors to the others; Ethics and moral lessons of Islam should be applied in all of his works. In fact, righteousness is that virtue on which the leadership of Islam is based.

Allah declares in Q (21:105); *“And verily we have written in the Scripture, after the reminder: My righteous slaves will inherit (lead) the earth.”*

6. Justice; this is the fair treatment of people in all matters of life. It is an essentially fundamental characteristic a leader must possess.

Allah Ordered in Q (5:8); *“O you who believe! Be committed witnesses for Allah in equity, and do not allow your hatred for other men to turn you away from justice. Deal justly, justice is nearer to piety...”*

Even in the circumstances where judgment goes against one's interest, Islam commands Muslims to be fair and just.

Allah says in Q (4:135); *“O you who believe! Stand out firmly for justice, as witness to Allah, even if it be against yourselves or your parents or your kin and whether it be against rich or poor, for Allah protects both.”*

Prophet Muhammad PBUH said; *“One who will be under the shadow of Divine mercy on the day of judgement is one who accepts a trust when it is offered to him and restores it willingly to the rightful claimant when he is asked to do so and is the one who judges others exactly he would do to himself.”*

7. Patience and tolerance: this is also an essential quality for a leader as it helps him to face criticism positively, failure in desired success, and debate on decision making e.t.c.

Allah says in **Q (47:31)**; *“Surely, We shall test you till We test those who strive hard and the patient...”*

8. Trust or trusteeship; this is an important concept of Islamic leadership. It is a psychological contract between the leader and his followers in which he promises his best to guide, protect and treat them with justice. A leader must enjoy this trust with highest degree of responsibility.

9. Dependence on Allah; this quality means that a leader must completely surrender to Allah his plans, policy and strategy for the successful result of his works. If he does so, then any kind of failure does not make him frustrated. Besides this, gives him courage to take proper decisions in facing any problem.

Allah says in **Q (3:159)**; *“...when you have made a decision, put your trust in Allah, certainly, Allah loves those who put their trust in Him.”*

10. Consultation; a leader must share views and exchange opinions in any vital matter with his followers.

Allah says in **Q (3:159)**; *“And consult with them in affairs and when you are have reached a decision, put trust in Allah.”*

Consultation was a common practice in the history of early Islamic leadership that not a single decision was made without consulting the followers. Even prophet PBUH used to consult with his companions.

11. Accountability; this is a vital component for the leadership. A leader is responsible for his deeds and he is accountable to his followers and Allah.

Prophet PBUH clearly said; *“Each of you is a shepherd and each of you is responsible of his flock. The Amir (ruler) who leads people is a shepherd and is responsible for his flock.”*

12. Knowledge and wisdom; a good leader should be knowledgeable in Qur'an and hadith to enable him comprehend issues wisely and come up with wise decisions.

He should have knowledge of sharia, current political situation, contemporary trends of international politics, proper utilization of limited resources, demands and psychological needs of his followers etc.

13. Spirit of sacrifice. A good leader should sacrifice his interests for the interest of the state and his followers to avoid attracting chaos and disorder in the land.

14. Honesty; a good leader must refrain from lying, cheating or stealing. He should never bear testimony of falsehood. He should always tell the truth irrespective of whether it affects him, relative, friend or enemy.

15. Kindness; the leader should always feel sympathetic to the aggrieved members of the state. He must extend help to the poor, old, young and other feeble members of the society and he should always be with them both in time of joy and sorrow.

16. Power; a good leader should have power to control the people and cope with situations bravely enough to implement tough decisions.

17. Forgiveness; a good leader should be forgiving to those who annoy him just as Allah forgives the sins of His servants. Q (15:85) says; *“So forgive! O Muhammad with a gracious forgiveness.”*

THE RESPONSIBILITIES OF A LEADER

1. Establishing justice; Q 57:25 and 38:26

2. Provision of good service; by being simple and working for the good of the people.
3. Enforcing Islamic practices like prayer, fasting, zakat, dressing, forbidding evil e.t.c Q 22:4
4. Enforcing fair judgement and resolve cases without bias.
5. Maintenance of internal security and stability in the state.
6. Enforcing punishments as prescribed by sharia and dealing with those who go against it.
7. Formulating Ta'azir punishments in absence of divine law.
8. Supervising state affairs and the working of the state officials.
9. Appointing competent and honest officials in offices of responsibility and on merit.
10. Establishing a sound financial administration to create a self-sustaining economy by ensuring the payment of zakat.
11. Guarding the territorial boundaries of the Islamic state against external aggression.
12. Fighting the critics of Islam but after failing to embrace Islam.
13. Promoting fundamental rights such as freedom of speech, expression, work e.t.c
14. Seeking counsel from his subjects to avoid working as a dictator.

RESPONSIBILITIES OF THE LED (CITIZENS)

1. Electing the head of state from the best qualified candidates on the basis of faith, fitness and proven past services Q 4:58
2. Swearing an oath of allegiance by all Muslim men to the ruler.
3. Obeying the ruler and his officials as per Q 4:59.
4. Supervising state affairs and those in authority using their best means.
5. Deposing 'corrupt' rulers who misuse their authority.
6. Being law-abiding citizens as per Q 7:85 unless war is waged against them.
7. Inviting towards good and forbidding evil Q 5:3.
8. Defending their state against external invasion.
9. Fighting oppressive and dictatorial rule in the land.

10. Honouring one another's life and property just like the Prophet PBUH said in his farewell speech.
11. Paying zakat and other dues necessary to run the state.

THE NATURE, ROLES AND DUTIES OF AN ISLAMIC GOVERNMENT

THE NATURE OF AN ISLAMIC GOVERNMENT

1. The Islamic state is a universal community based on complete equality, regardless of considerations of race, colour and ancestry.
2. According to the holy Qur'an, Islam is not only a religion but also a unifying social bond under the Islamic state.
3. Under the Islamic state, believers are a single community distinct from other people because they believe in one God and in His Messenger, Muhammad.
4. The Islamic state however, recognizes the presence of people of other faith and must co-exist in peace and harmony as fellow citizens.
5. Furthermore, in expanding its territories, the conquered people should not be regarded as people of the new territories as subjects but as citizens.
6. The Islamic state is perceived as a vehicle of achieving order and security in the community, and implementing the basic mission of Islam. That is commanding good and forbidding evil.
7. The main duty of the Islamic state is to enforce sharia and it is a necessity only if it can fulfill this purpose.
8. Protecting the faith and implementing the law of Islam is a *fundamental duty of the state* as we read to this effect, in the **Qur'an (3:110)**;

*"You are the best **Ummah** created for mankind. You command good and you forbid evil and you believe in Allah."*
9. In a Muslim state, the holy Qur'an is the supreme law of the land. It is the source of laws which the ruler and other people in authority must use.

10. Islam proposes a welfare state and this is known from the overall emphasis in the Qur'an and the Sunna on helping the helpless, the needy and the poor. The Qur'an thus speaks plainly of a basic right when it stipulates:

Q (51:19) *"And in their wealth there is a right for the one who asks and the destitute"*

The prophet PBUH said; *"He whom God has made an administrator over the affairs of Muslims but remains indifferent to their needs and their poverty, God will also be indifferent to his needs and poverty."*

11. It is not only the state in Islam but also the individuals who must play their role in community's welfare efforts by giving what they can of their property and service to those who need help. The Qur'an thus condemns those who refuse to grant a small kindness when they can easily afford it:

Allah says in **Q (107:4)**; *"Woe to those worshippers who neglect their prayer, who make a show, yet refuse a small kindness".*

12. Authority in the Islamic state is entrusted in the office of the **Imam**. He is the central figure in the state who is entrusted by the community with general authority by virtue of the contract of representation upon his election.
13. The **Imam** then delegates his power to other officers of state, ministers, governors and judges, all of whom represent him in their various capacities.
14. With the exception of judges whose position in respect of enforcing the sharia is parallel to that of the Imam himself, all other officials act in effect as delegates and assistants to the head of state.
15. In an Islamic state, the head of the state is both a political and spiritual leader. In performing his duties, the leader considers himself responsible to Allah first and then execute his political authority in accordance with the Islamic law.

16. The Islamic state is also a consultative state. It is bound by the requirement of consultation and due regard for the wishes of the community and the general consensus of the advisory council.

The prophet PBUH said; *“To consult is an essential part of religion. Whoever does not have anything good to say should keep quiet”*

17. The powers of the head of state are also limited by reference to the fact that he acts in the capacity of the trustee of both God and the community of which he is an employee and representative.
18. In an Islamic state, the community is entitled to depose the head of state in the event of a serious breach of trust, open deviation from the Sharia, or loss of capacity to discharge his duties.
19. Furthermore, government officials, including the head of state, are subject to the rule of law in precisely the same way as other members of the community. They are accountable for their conduct and enjoy no special immunity or privilege before the court of justice.
20. The head of state is elected by the community through consultation, nomination and pledge of allegiance.

ROLES AND DUTIES OF THE ISLAMIC GOVERNMENT

1. It is charged with enforcing fair judgement and forbidding evil.
Allah says in **Q 3:110**; *“You are the best nation that has ever been raised up for mankind. You enjoin justice and forbid evil.”*
2. It is responsible for the welfare of the needy and poor member of community.
Allah says in **Q 51:19**; *“...they used to sleep but little ... and in their wealth was a due to share to the beggar and to him who is proud to beg.”*
3. It liable for promoting the teachings of the holy Qur'an and the Sunna of Prophet Muhammad PBUH.

Allah in Q 4:59 states; *“O believers! Obey Allah and obey the apostle and those in authority among you. Should you differ in anything refer it to Allah and His messenger...”*

4. It should promote the rule of law (democracy) and absence of despotism in the land and ensure that the rights of the ruled take part in the management of their public affairs in a way that is consistent with national interest.
5. It should manage freedom of opinion, of belief, of education, of ownership and personal freedom. Personal freedom includes freedom of movement, right to security and right to shelter.
6. It is responsible for promoting equality of all mankind without discrimination, based on sex, ethnic origin, language or creed. That means that people in the same circumstances must be judged by the same rules.

The prophet said: *“Your God is one; your father is one; the red are not preferred to the black, nor the Arabs to non-Arabs, except in piety.”*

7. Protection of the faith is one of the responsibilities of the Islamic state. This implies that all state powers must not act in contrary with Tawheed or the values drawn from it.
8. Protection of life is another duty of the Islamic state. Rulers are directly responsible for protecting human life and capital punishments must be safeguarded severely and with complicated reviews.
9. The state must take full responsibility for providing health and education to its citizens which must be done under socially accepted standards, approved by society.
10. It should honour treaties with other states and with the non-Muslims and fight those who break agreements with it.

Allah says in Q (9:4); *“Proclaim a woeful punishment to the unbelievers except those idolaters who have fully honoured their treaties with you and aided none against you.”*

11. The government is responsible for developing and exploiting natural resources of the state both in the interests of the present and future generations.
12. It has the obligation to develop the country's economy organizing competitive markets and production centres. It must also ensure production of lawful commodities and establishment of infrastructures like roads.
13. The government is responsible for protecting the property of its citizens and guarantee them rights to own homes, productive assets and developing their human capital.
14. Furthermore, the government must ensure ribah that does not exist in the land because it is a form of exploiting the poor. Therefore, zakat collection must be among its cardinal duties.
15. It is further supposed to keep the territorial integrity of the nation and ward off external aggression.

RIGHTS OF NON-MUSLIMS IN AN ISLAMIC STATE

1. The right to life and honour; Islam regards the life of a non-Muslim as sacred as that of a Muslim. He cannot be deprived of his right to life save in accordance with sharia and If he suffers the loss of life or property at the hands of a Muslim, the offender will be dealt with in accordance with the law and he will have to make good for that.

The prophet PBUH said; *"He who wrongs a man to whom a covenant has been given or burdens him above his capacity, I shall advocate against him on the Day of Judgement"*

2. A Muslim can neither torture a non-Muslim nor can he insult him in any way.

The Prophet is reported to have said: *"He who tortures a non-Muslim is like the one who has frustrated me. I shall frustrate against him on the Day of Judgment who has counteracted him."*

3. Islam allows its non-Muslims the freedom of movement and profession but they are restricted from going to certain places such as mosques and settling in holy places. Such restrictions are also necessary from the law and order point of view because if non-Muslims enter the sanctuaries of Muslims and something unusual happens, it will injure the feelings of one another and jeopardize their cordial relations.
 4. Similarly, they are also permitted to visit foreign countries in connection with their business activities subject to certain conditions common for all. They are, however, not allowed to visit a state or states hostile to the Islamic state.
 5. They are entitled to ransom. If a non-Muslim living in a Muslim state is held captive, he must be ransomed by the Islamic state just as it can do to its Muslim citizens.
 6. Islam does not permit the rulers of the Islamic state to detain or arrest a non-Muslim citizen unless he actually breaks the law of the land.
 7. Islam grants non-Muslims the right to education using their own beliefs. They are also allowed to stick to their ancient cultural patterns and preserving their native languages.
 8. Like its Muslim citizens, the Islamic state guarantees to the non-Muslim citizens the right to family and its secrecy. No one can enter their houses without their permission.
 9. Likewise, non-Muslims have been given a choice to get their civil cases decided either according to the Islamic law or according to their own personal laws. Legal relations among themselves shall be governed by the law of their own religion unless if they opt for sharia.
- However, in punishing the crimes against humanity, such as adultery, murder, theft, robbery, assault e.t.c, the same law was applicable to all and sundry in the state.
10. Islam does not impose its own way of life or faith on others because according to the teachings of Qur'an "there is no compulsion in religion". However, this does not mean that Muslims should not preach Islam. Muslims may invite

non-Muslims to the fold of Islam but in a decent, cultured and behaving manner. They are, however, forbidden to compel others to embrace Islam. It follows that non-Muslim minorities of the Islamic state can freely and fearlessly perform their religious ceremonies in places of their worship.

11. Likewise, non-Muslims are allowed to perform their rituals within the places of their worship. In towns where they are in majority, they may also perform their religious functions outside their churches and synagogues. They have also been given the liberty to beat their trumpets for religious ends any time in the day or night but must respect Muslim prayer time.
12. In fact, in safeguarding the rights of non-Muslims, Islam has given them such liberal concessions as to give them the liberty of maintaining even those practices which are forbidden to Muslims. For example, the consumption of intoxicants is forbidden to Muslims but the non-Muslims have the liberty not only of consumption but also of its manufacture.
13. Islam provides equal opportunities to its non-Muslim citizens in the economic field of their life. They are given the freedom to adopt any profession subject to the common law of the country. However, they cannot practice Ribah which is prohibited for all and sundry in the Islamic state.
14. It is important to note that if any of the non-Muslims becomes destitute, crippled or sick, he has as much claims on the state treasury as any other Muslim.
15. A non-Muslim citizen of the Islamic state cannot offer his services for any political office for which he is not fit just as a Muslim is in the same state. Nor of course, a non-Muslim can be overburdened with such responsibility because political services in the Sharia are not their rights.
16. Non-Muslims have a right to fair representation in the legislative assemblies. Trustworthy persons from among the non-Muslims may also be entrusted with other important responsibilities that involve no matter of belief of the Muslim population. In fact, the most amazing feature of the Abbasid caliphate

has been the preponderant number of non-Muslims in the different departments of the state.

17. What the Islamic state demands of the non-Muslims is loyalty to the state in the matter of its stability and law and order. Their loyalty to the state is like that of the Muslim citizens. Hence their loyalty should not be suspected until otherwise proved.

QUR'ANIC TEACHINGS ON INTERNATIONAL RELATIONS

1. International relations refers to how countries and people of the world relate with each other. It includes matters such as foreign policies, boundary disputes, immigration and travel regulations and international agreements.
2. Islam advocates for the prevalence of international peace and harmony so as to remove any possibility of friction and wars. Allah says in **Q (8:72)**;

“Those that have embraced the faith and migrated and fought for the cause of Allah with their wealth and their persons, and those that sheltered and helped them, shall be friends to each other.”

3. Islam promotes international peace because all peoples of the world are the same and are brothers and sisters after being created from a single soul.

Allah says in **Q (4:1)**; *“O men! Have fear of your Lord, who created you from a single soul. From that soul He created its mates and through them He bestrewed the earth with countless men and women.”*

4. Another justification for harmonious international relations is found in **Q (49:10)**;

“The believers are nothing else than brothers. So make reconciliation between your brothers and fear Allah, that you may receive mercy.”

5. The Prophet PBUH emphasized the importance of international reconciliation during his farewell speech. In his remarks, he underlined that all people are equal before Allah irrespective of colour.

“O mankind! Your Lord is one and your father is one. You all descended from Adam and Adam was created from earth. He who is most honoured

among you in the sight of Allah is the most upright. No Arab is superior to a non-Arab, nor a black to a white or a white to a black, except by piety."

CAUSES OF INTERNATIONAL CONFLICTS

1. Feeling of national pride and superiority. Some countries are militarily and economically superior to others which forces them to pursue aggressive policies against the weak ones.
2. Domination of one group by another in domestic sphere or of one people by another in the international sphere is a significant cause of international conflicts.
3. The attempt by one nation to take undue advantage of the weakness of other nations e.g Israel against Pakistan, Russia against Ukraine.
4. International dislikes and jealousies cause international conflicts e.g countries like U.S.A and Israel do not believe in the existence of Muslim countries and they are envious of their progress and Islam.
5. Failure on part of some countries to honour international agreements with other countries.
6. Unsatisfactory policies between governments and their subjects which create civil wars in their countries.
7. Political institutions that are unable to manage differing group interests peacefully, to provide adequate guarantees of group protection, or to accommodate growing demands for political participation, can fracture societies.
8. Balance of power in the world like the need to keep the top position as 'super power' has landed USA and North Korea in conflict almost on verge of war while Russia and USA have remained in conflict for decades.

9. Advancement in technology. Countries like North Korea have developed modern technology that has helped them to produce nuclear weapons and therefore they feel strong enough to fight the 'super powers' of the world.
10. Colonial legacy; colonial masters sowed seeds of hatred

ISLAMIC SOLUTIONS TO CURRENT INTERNATIONAL CONFLICTS

1. Islam teaches equality of all mankind. Allah says in **Q (49:13)**;

"O mankind! Indeed We created you from a male and female, and have made you into nations and tribes, that you may know one another. Indeed the most honoured of you in the sight of Allah is the most righteous. Indeed Allah is Knowing and Acquainted."

From the above verse, Islam eliminates the false belief of superiority of one nation over the other and the attitude of racial prejudice that are sources of international conflicts.

2. It further prohibits Muslims from deriding (ridiculing) one another. This means that a developed country or 'super power' should not despise another nation because it may be that the nation despised today may lead the other tomorrow.
3. In case of breakout of international conflict or war, Islam advocates for reconciliation. So it is better to solve the conflict amicably before resorting to war.

Allah says in **Q (49:11)**; *"The believers are nothing else than brothers. So make reconciliation between your brothers and fear Allah, that you may receive mercy."*

4. Islam encourages Muslims to honour people's lives and property. This condemns any form of human exploitation that causes international conflicts.

Allah says in **Q (2:189)**; *"Fight for the sake of Allah those that fight against you but do not be aggressive. Allah does not love the aggressors."*

- Allah says in **Q (9:1)**; *“A declaration of immunity by Allah and His apostle to the idolaters with whom you have made agreement.”*

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Allah says in Q (8:61); *“If they insist on peace, make peace with them and put your trust in Allah. Surely Allah is the Hearing the Knowing. Should they seek to deceive you, Allah is all-sufficient for you.”*

13. However, if one party violates the agreement, Islam says that they should be fought.

Allah says in Q (8:56); *“If you fear treachery from any of your allies, you may throw back to them their treaty fairly. Allah does not love the treacherous.”*

14. Islam advocates for the formation of an international body like the United Nations to arbitrate between the warring nations by bringing them into peaceful reconciliation.
15. Furthermore, during the negotiations, countries which are not part of the conflict should act as mediators but not to involve in the conflict or to side with one party.
16. Finally, Islam stresses good service by governments to their subjects and ensuring prosperity for all. This is intended to minimize cases of oppression that usually lead to wars.

THE FIGHT AGAINST OPPRESSION AND AGGRESSION

1. Oppression means exercising authority or power in a cruel or unjust manner while aggression means violent conduct towards a person or group of persons or nation. Islam does not tolerate any form of harassment and hostility because they are forms of tyranny.
2. Various kinds of oppression include insulting, degrading, abusing or imprisoning a person; also accusing a person falsely or hurting a person physically. The Noble Quran says in (16:90);

“Allah commands justice, good conduct, and tolerance to kith and kin, and He forbids immorality, bad conduct and oppression.”

The Prophet said narrating from Allah: *“My servants, I have made oppression unlawful for Me and unlawful for you, so do not commit oppression against one another.”* (Muslim)

3. Another form of oppression is to usurp someone's property or to take it out without the owner's permission, or not to return the rights of it to its owner etc.
4. Similarly, another way of usurping a right is to forcefully take up a position reserved for someone else.

The Prophet PBUH said: *“No doubt! Your blood, your properties, and your honor are sacred to one another like the sanctity of this day of yours, in this sacred town (Mecca) of yours, in this month of yours.”*

The Prophet repeated this statement again and again. After that he raised his head and said, *‘O Allah! Haven't I conveyed Your Message to them? Haven't I conveyed Your Message to them’?*

5. While describing a bankrupt person on the day of judgement, the prophet PBUH said that he is an oppressor who threw abuses upon others, brought calumny (defamation) against others and unlawfully consumed the wealth of others and shed the blood of others and beat others.
6. Helping an oppressor in any way whatsoever is unlawful e.g. to hand over a cane to someone so that he can beat an innocent person, or to help in any way to confine him in a specified space. Both are equally responsible for the act of injustice.
7. There is no difference between the actual oppressor and the one who support him because it is possible that if there is no one to assist the oppressor he may not be able to oppress.
8. The Holy Quran has highlighted the root causes of oppression and tyranny. Allah says in **Qur'an (42:27)**;

“And if Allah were to enlarge the provision for His servants, they would have committed tyranny throughout the earth. But He sends down in an amount which He wills...”

He also says in **Q (96:6-8)**; *“Indeed, man transgresses all bounds, because he sees himself self-sufficient. Verily, to your Lord is the return of all.”*

From the above two verses, wealth is one of the causes of oppression. The rich oppress the poor and needy because they think they are self-sufficient and expect nothing from them.

9. In order to fight against oppression and aggression, the prophet PBUH taught us the following prayer;

“In the name of Allah, my Lord, I seek refuge in You from falling into error or going astray, or wrongdoing others or being wronged, and from behaving or being treated in an ignorant manner.”

10. The prophet PBUH further condemned oppression by warning believers of a punishment on the Day of Judgment. He said;

“Whoever has wronged his brother, should ask for his pardon before his death, as in the Hereafter there will be neither a Dinar nor a Dirham. He should secure pardon in this life before some of his good deeds are taken and paid to his brother, or, if he has done no good deeds, some of the bad deeds of his brother are taken to be loaded on him in the Hereafter (Bukhari)

FORMS OF OPPRESSION AND AGGRESSION

1. Fighting; in Islam fighting is openly forbidden as a form of harassing and insulting a person. Fighting is allowed only in instances of combating oppression and the tyranny of non-Muslims.

Allah says in **Q (22:39)**;

“Permission [to fight] has been given to those who are being fought, because they have been oppressed. And indeed, Allah is competent to give them victory.”

2. Threatening With a Weapon: Pointing a piece of iron, such as a dagger, knife, sword, or a gun at a person, even in fun, has the effect of creating grief and fear. It also puts the person in danger so it is forbidden for a Muslim to frighten another person, or put him at risk. The prophet PBUH said;

"He who points a weapon towards his brother, the angels invoke curse upon him even if he is his real brother." (Muslim)

3. Intimidation: This is an act of threatening someone else and frightening that person enough to make him or her do what the oppressor wants. The Messenger of Allah PBUH said:

"Whoever points at his brother with a piece of iron, the angels will curse him until he stops it, even if it is his brother through his father and mother."

4. Verbal oppression: This includes name calling, abusing, dishonoring, cursing, mocking, taunting, teasing and verbal threats etc. It also involves verbal threats of violence against someone's personal property.
5. Dishonouring: It is not permissible to disgrace or humiliate anyone even a sinner. Prophet PBUH said;

"The most prevalent kind of usury is going to lengths in talking unjustly against a Muslim's honour."

If someone is abused then he is allowed to pay back but should not exceed the limits. Exceeding the limits may be uttering the bad words twice. So the oppressed one becomes the oppressor. The prophet PBUH said;

"When two persons indulge in hurling (abusing) one another, it would be the first one who is a sinner so long as the oppressed does not transgress the limits."

He also said; *"The most hated man in the Sight of Allah is the one who is the most quarrelsome of the opponents."* (Bukhari)

However, it is highly appreciated that a person forgives and does not take revenge by abusing back. The prophet PBUH said;

"The believer, who mixes with people and endures patiently their hurtful words, is better than the person who does not mix with people nor show patience under their abuse." (Bukhari)

He also said: *"And if a man abuses and shames you for something which he finds in you, then do not shame him for something which you find in him; he will bear the evil consequences for it." (Abu Dawud)*

6. Cursing: This is a form of oppression which involves blaspheming a person. The Holy prophet did not allow cursing even if it is an animal.

The Messenger of Allah said; *"A true believer should not be an invoker of curse." (Muslim"*

7. Mocking: It is not permissible in Islam to make fun of someone's actions, traits or habits in a way that people find it funny and laugh. Whether it is done verbally or by actions or gestures, there is no doubt that such a behavior is intolerable. Mimicking by actions or gestures is more averse than verbal mocking, because it contains more intense scorn.

8. Taunting: This means to provoke someone with insulting remarks or reproach (blame) someone in a disrespectful way. To make jokes or taunt the Prophet and Muslims was the act of the unbelievers of Mecca in the Prophet's times. The Messenger of Allah PBUH observed:

"He who believes in Allah and the Last Day should either utter good words or better keep silence; and he who believes in Allah and the Last Day should treat his neighbor with kindness." (Muslim)

9. Harshness: Islam strongly condemns coarseness and violence but gentleness, mercy and kindness are its essence. Allah says in the Glorious Quran (3:159);

"And by the Mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away from you."

10. Misconduct: To behave in an improper, immoral or unlawful manner is called misconduct and it is not allowed in Islam.

The messenger of Allah PBUH said: *“The most perfect believers are those having the finest character.”* (Abu Dawud)

He also said; *“The worst people are those whom the people desert or leave in order to save themselves from their dirty language or from their transgression.”* (Bukhari)

11. Obscenity: This originates from fierceness and shamefulness. It is either motivated by the intention of hurting others or is a practice acquired from socializing with evil and immoral people, who are accustomed to insulting others. Whatever the case, Allah The Almighty has forbidden crude language in the verse **Q (7:33)**;

“Say: the things that my Lord has indeed forbidden are: shameful deeds, whether open or secret; sins and trespasses against truth or reason; assigning of partners to Allah, for which He has given no authority; and saying things about Allah of which you have no knowledge.”

12. To Remind Someone of a Favor: This is normally done by niggard (miser) and conceited/arrogant people who feel that by doing a favour to someone, they have done something great. This torments the person being given hence subjecting him to oppression and aggression. The Holy Prophet PBUH said:

“Allah will not talk to three types of people on the Day of Judgment: the one who gives people things in order to remind them of his favors upon them...”
(Muslim)

13. Social alienation: This means distancing of people from each other or boycotting them. This shows a lack of sympathy which oppresses the one being boycotted unless it is done as a Ta'azir punishment. Allah's Messenger (may peace be upon him) said:

“It is not permissible for a Muslim to have estranged relations with his brother beyond three nights, the one turning one way and the other turning the other way when they meet; the better of the two is one who is the first to give a greeting (salaam).” (Muslim)

This hadith highlights the merit of Salam (salutation), a specific and easy way for resuming the relation, because it paves the way for talk and reconciliation.

14. Character Assassination: This refers to making false and damaging statements about someone either due to hostility, hatred, malice or envy. This is totally forbidden in Islam.

Allah says **Q (18:4)**; *“And those who accuse chaste women, and not produce four witnesses, flog them with eighty stripes, and reject their testimony forever. They indeed are the liars.”*

15. Suspicion: This means thinking ill of people or uttering ill about them. As it is prohibited for us to talk to others about people’s defects, it is not lawful to us to think ill of them. The believer should think well of others, presume the best and keep away from doubt and suspicion that have no base, because Allah says in **(Quran: 49:12)**:

“O, you who believe! Avoid suspicion as much (as possible): for suspicion in some cases is a sin.”

Avoiding suspicion is one of the means of peace of mind, happiness and tranquility, because suspicion encourages one to search and try to find out, and it may lead to spying, and that is usually accompanied by depression, anxiety and distress.

The Messenger of Allah (PBUH) said; *“Beware of suspicion, for suspicion is the worst of false tales.”* (Muslim)

16. Arrogance: The prophet PBUH defined arrogance as “contempt of people and a degrading of the truth”. Arrogance is normally caused by delusion (misunderstanding) i.e when every human being has rejected the truth that was shown to him, then oppression and falsehood prevails. As long as people do not unite on the way of truth, they will not unite on falsehood, and at that time the strongest one will enforce his will. The results of this would be oppression, terrorism, hostility, and sanctity of people’s honours and rights.
17. Envy (Hasad): This refers to the feeling that a person desires for the destruction or removal of a blessing that another person has, a destruction

which the bearer of this feeling would himself carry out if he had the power to.

This is quite different to wishing such blessings for one while not desiring for them to be removed from others, because that is, indeed, a positive and commendable wish that leads to contest.

The Messenger of Allah (PBUH) said: *“And two will never be gathered in the heart of a believer: Faith and envy”*

Envy (Ḥasad) is the most destructive emotion which a person may have towards his fellow human being. It causes him to wish evil for others and to be happy when calamity befalls them. The Prophet PBUH said;

“Avoid suspicion, for suspicion is the gravest lie in talk and do not be inquisitive about one another and do not spy upon one another and do not feel envy with the other, and nurse no malice, and nurse no aversion and hostility against one another. And be fellow-brothers and servants of Allah.” (Muslim)

HOW DOES ISLAM ATTEMPT TO FIGHT OPPRESSION AND AGGRESSION?

1. Prompting the Concept of believing in the hereafter. The concept of believing in the hereafter plays a significant role for preventing oppression. According to this belief Allah will resurrect all human beings after their death, and He will gather them from their graves to hold them answerable for their deeds in this world.

On the Day of Judgment, Allah will issue verdicts on His slaves. He will reward the maltreated for his sufferings and punish the oppressor for his injustice. The Prophet said:

“No pain, hardship, sickness or grief befalls a believer, not even worry that befalls him, but some of his bad deeds will be expiated (compensated).” (Muslim).

Allah says in **Q (50:18)**; *“Not a word does he utter but there is a watchman by him, ready to note it.”*

He also says in Q (17:36); *“Do not follow what you do not know. Surely, the hearing, sight and heart, about all these you shall be questioned!”*

2. Excellent Politeness and Forgiveness: In Islam, releasing the desire to punish someone for an offense is a state of grace. The Holy Quran says in (41:34):

“Good and evil deeds are alike. Requite evil with good and he, between whom and you is enmity, will become your dearest friend. But none will attain this save those who endure with fortitude and truly fortunate.”

That's why Allah has ordered the Muslims to respond kindly and gently, because sometimes this principle, gentleness and kindness can change your peer into the closest friend.

3. Reconciling: Allah commands making peace between Muslims that fight each other. The Messenger of Allah said:

“He is not a liar who reconciles between people, saying good things and conveying good things.” (Muslim)

He also said: *“Do not hate one another, do not envy one another, and do not turn away from one another. Be, O slaves of Allah, brothers. It is not permissible for a Muslim to forsake his brother for more than three days.”* (Muslim)

4. Reporting to concerned Authority: Telling someone of being oppressed or harassed is also a best way for reducing its frequency. This may include parents, a teacher, Qadhi, an organization, police or anyone who can play an influential role for preventing it.

Allah's Apostle said; *“Help your brother, whether he is an oppressor or he is an oppressed one.”* People asked, ‘O Allah’s Apostle! It is all right to help him if he is oppressed, but how should we help him if he is an oppressor?’ The Prophet PBUH said, ‘By preventing him from oppressing others.’ (Bukhari)

5. Following the Sunna of Prophet Muhammad PBUH because Allah said that we have got a good example in the messenger of Allah.
He says in Q (33:21); *"You have a good example in Allah's apostle for anyone who looks to Allah and the last day."*
6. Obedience to authority. When one obeys his authority, he will develop fear for oppression to others because they have power to punish him. Allah says in Qur'an 4:59;
"O you who believe! Obey Allah and obey the messenger and those in authority among you and if you differ in anything, refer it to Allah and His messenger."
7. Islam teaches that in trying to do business, one should not be aggressive and cause harm to others e.g building a noisy factory in the middle of a residential area or preventing access to natural resources e.g. beaches or waterways, roads and others.
8. It encourages her followers to be mindful of what we say to others and the Prophet PBUH said that if we do not have what to say, we should keep quiet. This can eliminate verbal oppression.
9. Promoting and spreading salaam. The prophet PBUH is reported to have said that if we spread salaam among ourselves we shall attain love of one another.
10. Islam encourages Muslims to honour people's lives and property. This condemns any form of human exploitation, aggression and oppression. Allah says in Q (2:189);
"Fight for the sake of Allah those that fight against you but do not be aggressive. Allah does not love the aggressors."
11. Islam does not condemn oppression on Muslims only but also on people of other faith. Their lives and property are as sacred as those of the Muslims.
12. It further prohibits Muslims from deriding (ridiculing) one another. This means that a rich should not despise a poor/needy one because it may be that the poor/needy despised today may be better than the rich tomorrow.

13. Islam introduced the institution of zakat to cleanse the hearts of the rich of all kinds of mischiefs such as cruelty, greed that would cause envy and jealousy from the poor.
14. In addition, zakat imparts a wisdom of responsibility in the giver and suppresses in him the tendencies of arrogance, hence reducing oppression in the community.
15. Islam warns of a strong punishment for the oppressors and aggressors. The Prophet PBUH said that once an oppressor dies without pardon from the oppressed, his good deeds will be paid to one he oppressed and if he does not have them, he will be given more bad deeds from his victim.
16. Islam promotes the principle of equality of mankind, having been created from a single pair of male and female, and that all people are equal in the sight of Allah save for the most righteous. Therefore, one cannot oppress the other based on prejudices like language, colour, tribe, status, wealth and others.
17. Islam prohibits ribah because it is considered as tool of oppression and a means to unjustly take others money by exploiting their needs and circumstances. Hence it forbids promotes Charity as an alternative.
18. Furthermore, under Islamic brotherhood, Muslims are prohibited from looking down upon others with contempt, seeking faults in and being unduly suspicious of one another.

Allah says in Q (49:12); *“O you who believe! Avoid suspicion as much as possible; for suspicion in some cases is a sin. And do not spy on each other behind their backs. Would any of you like to eat the flesh of his dead brother? No, you would abhor (detest) it...”*

From the above verse, vices such as defamation, scoffing, nicknaming, backbiting, spying and suspicion are condemned because they are part of oppression and aggression.

19. Under the Islamic economic system, Islam also fights oppression and aggression by declaring that all the sources of wealth belong to Allah and as such no single class of people is justified to claim exclusive rights over them and thus oppress others using them or the wealth from them.

Allah says in **Q (3:189)**; *“And to Allah belongs the dominion of the heavens and the earth and Allah has power over all things.”*
20. Islam allows divorce partly to fight against aggression in marriage arising from cruelty of one partner against the other. If one partner is constantly cruel to another, instead of hurting each other if they are forced to stay together, Islam allows them to separate.
21. Likewise, Islam looks at Zina as one form of oppression, where the adulterer or adulteress violates the virginal purity of the non-adulteress or non-adulterer. Therefore, Allah says in **Qur’an (24:36)**;

“Unclean women are for unclean men, and unclean men for unclean women. But for good women are for good men and good men for good women...”
22. Islam strongly recommends justice as an essentially fundamental characteristic a leader must possess to enable him avoid oppressive policies. Allah Ordered in **Qur’an (5:8)**;

“O you who believe! Be committed witnesses for Allah in equity, and do not allow your hatred for other men to turn you away from justice. Deal justly, justice is nearer to piety...”

Even in the circumstances where judgment goes against one’s interest, Islam commands a leader to be fair and just. This is a clear solution to oppression and aggression.

THE JUSTIFICATION OF JIHAD

1. Jihad is a religious war waged against the enemies of the mission of Prophet Muhammad PBUH enjoined purposely for the advancement of Islam and repelling evil from society.

2. The term jihad appears forty one times in the Qur'an and frequently in the idiomatic expression 'striving in the way of Allah.'
3. In modern times, the term jihad simply means striving to live a moral and virtuous life, spreading Islam as well as fighting injustice and oppression.
4. Western countries especially America and her allies understand jihad as 'military confrontations by Muslim militias against non-Muslims.' Such militias are branded 'Fundamentalists or Fanatics'
5. A person who engages in jihad is called a Mujahid and if they are many they are called Mujahidin.
6. Jihad is an important religious duty for all Muslims and some Sunni scholars refer to it as the sixth pillar of Islam, though this is not true. Muslim scholars have divided jihad into various types.
7. Firstly, Jihad Nafsi (Jihad of the heart): This is the form of jihad in which one guards himself against the devil and its temptations towards evil.
8. This form of jihad involves putting Allah and His messenger ahead of our loved ones, wealth, worldly ambitions and our lives. It is regarded as the greater jihad. Allah says in **Qur'an 2:218**;

"Those that have embraced the faith and those that have left their land and fought for the cause of Allah, may hope for Allah's mercy..."

9. Secondly, Jihad in the cause of Allah (Jihad fi-sabiil-LLAH): This is the use of one's wealth and life to spread or defend the Islamic faith. Allah says in **Q (49:15)**;

"The true believers are those who have faith in Allah and His apostle and never doubt; and who fight in His cause with their wealth and persons. Such are the truthful ones."

He also says in **Q (61:10-12)**; *"O believers! Shall I point out to you a bargain that will save you from a woeful scourge? Have faith in Allah and His apostle and fight for His cause with your wealth and persons...?"*

10. Thirdly, Jihad by one's hand (Jihad bil-yad): This is the use of one's hand to combat evil and establish justice in the land.

11. Islam allows physical jihad which involves the use of physical force by the Muslims to defend themselves against oppression by the enemies of Allah, His messenger, mission and the Muslim Ummah at large. Allah says in Q (2:190);

"Fight for the sake of Allah those that fight you but do not be aggressive. Allah does not love the aggressors."

12. Allah commands Muslims to lead peaceful lives and not to transgress against anyone. If they are persecuted and oppressed, Allah allows them to migrate in search of peace in a tolerant place. Allah says in Q (2:218);

"Those that have embraced the faith and those that have left their land and fought for the cause of Allah, may hope for Allah's mercy..."

13. If Muslims cannot migrate, then Allah allows them to defend themselves against oppression by fighting those who fight against them. Allah says in Q (22:39-40);

"Permission is hereby given to those who are attacked because they have been wronged. Allah has power to grant them victory; those who have been unjustly driven from their homes only because they said 'our Lord is Allah..."

14. In Islam, the sincere believers are those who are anxious to sacrifice their lives and wealth in the way of Allah and fight against oppression. Allah says in Q (9:112);

"Those that repent and those that serve Allah and praise Him; those that fast and those that kneel and prostrate; those that enjoin justice, forbid evil and observe the commandments of Allah shall be richly rewarded."

15. When jihad becomes incumbent upon Muslims and remain indifferent, they are similar Bedouin Arabs who claimed to have faith but had no true and complete faith in their hearts.

16. If Muslims abandon jihad, it is a source of destruction both in this life and hereafter because Allah will deny them His mercy.
17. Jihad is not considered a personal duty but only a general duty which, if accomplished by a sufficient number, the rest will not be condemned for the neglect of that duty. Thus, the administration of jihad is a duty of administration in power.

RULES GOVERNING JIHAD

1. Jihad should be pronounced by the highest ranking office of the Muslim state i.e Office of Commander-in-Chief of the Muslim army (Amir al-Mumin).
2. Before the Muslim Ummah wages war in the cause of Allah or against any kind of evil, there must be justification for it.
3. The justification may be against oppression or aggression by non-Muslims attacking the Islamic state or standing in the way of spreading Islam or fighting sharia.

Allah says in **Q (2:190)**; *“Fight for the sake of Allah those that fight you but do not be aggressive. Allah does not love the aggressors.”*

4. In case of antagonism, where a foreign country attacks a Muslim country, jihad is justified for self-defense.
5. Jihad is allowed in case of dishonouring treaties signed thereby disrupting peace in the land as Allah says in **Q (49:9)**;

“If two parties of believers take up arms against each other, make peace between them. If either of them commits aggression against the other, fight the aggressor until they submit to Allah’s judgement. When they submit, make peace between them in equity and justice...”

6. Jihad is allowed in case of resistance against the spread of Islam or performance of Islamic principles e.g adhan, prayer, pilgrimage.
7. Jihad should be resorted to as the last resort. All possible opportunities should be given to peaceful negotiations.

8. While fighting, Muslims should keep within the limits of Islam e.g fighting only the active combatants.
9. Before the war, Muslims should be ready and well prepared for it e.g having enough army and equipment. Allah says in **Q (8:60)**;

“Let the unbelievers not think that they will escape. They do not have the power to do so. Muster (gather) against them all men and cavalry at your disposal so that you may strike terror into the enemies of Allah and your enemy...”

The prophet PBUH said; *“And equip yourselves against them with much force as you can. Behold! Power lies in archery. Behold! Power lies in shooting.”*

10. The fighters must exercise mercy and kindness to the captives e.g they should be allowed to embrace Islam if they wish to, they should be released if they pay ransom or they should be allowed to stay if they prefer remaining under the Islamic state.
11. Patience is very vital in fighting jihad. This is got from the prophet's experience in the various battles like Badr and Uhud.
12. Proposals of truce from any of the warring party should not be rejected on grounds of suspicion that it is acting dishonestly or buying time so long as it is not apparent. Allah says in **Q (8:61)**;

“If they insist on peace, make peace with them and put your trust in Allah. Surely Allah is the Hearing the Knowing. Should they seek to deceive you, Allah is all-sufficient for you.”

13. However, if one party violates the agreement, Islam says that they should be fought.

Allah says in **Q (8:56)**; *“If you fear treachery from any of your allies, you may throw back to them their treaty fairly. Allah does not love the treacherous.”*

14. During the course of fighting, jihadists should avoid causing unnecessary destruction and damages e.g poisoning wells, burning plantations and killing animals unless for food.
15. Fighters should spare innocent people who are not part of the conflict such as women, the aged, children, nurses and others unless they are used in direct confrontation.
16. The places of worship should be spared and left intact such as mosques and churches unless the enemies use them as hiding places to attack the mujahidin.
17. If war is over and enemies are defeated, Islam should not be forced on them but they should be given chance to decide their own fate.
18. In case a neutral state comes in to mediate between the warring parties, the mujahidin should welcome the mediations unless the enemies refuse.
19. Furthermore, during the reconciliation, countries which are not part of the conflict should act as mediators but not to involve in the conflict or to side with one party.
20. Hypocrisy should be avoided and hypocrites should be killed instantly including one's relatives if they turn out to be pretenders.
21. As regards the war booty, the spoils belong to those who participated in the war and must be divided after, not before, winning the war. The general rule on the subject is that one fifth is reserved for the state to be used in public works, and the remainder is to be distributed among the participants.

Allah says in **Q (8:41)**; *“And know that whenever you have taken as booty, a fifth thereof is for God and for the Messenger, and for the kinsmen and orphans and the needy and the wayfarer”*

SIGNIFICANCE OF JIHAD IN ISLAM

1. Jihad is a yardstick which tests the faith of Muslims to identify the steadfast in faith and the hypocrites like Abdallah Ibn Ubbay's pretense during the battle of Uhud.

2. It is a source of rewards for believers because Allah ranks it as the highest form of Ibadat (worship). Allah says in **Q (61:10-12)**;
“O you who believe! Shall I guide you to a trend that will save you from a painful torment? ... strive hard and fight in the cause of Allah with your wealth and your lives.”
3. Jihad keeps a believer alive even after death. This is because the holy Qur'an prohibits believers from thinking of the mujahidin as dead but as alive with Allah. Allah says in **Qur'an 3:169**;
“Do not think of those who are killed in the way of Allah as dead. No! they are alive with their Lord and they have provision.”
4. It is a way of protecting Islam right from the prophet's time. This is because Allah says in Qur'an **8:60** that jihad strikes fear in the hearts of unbelievers.
5. It encourages Muslims to be active in their religion because Qur'an 4:95 maintains that mujahidin are incomparable in faith.
6. It is a yardstick to measure the degree of one's obedience to Allah and his messenger and the implication therefrom if he disobeys e.g what happened to the Muslims at Uhud after disobeying the prophet's orders.
7. Jihad acts as a lesson through which Muslims learn some virtues of Islam e.g position of women, children, nurses and aged in the war.
8. Jihad Nafsi is a means of consolidating one's faith in Islam. In this case, he invites people to the doing of good and forbidding evil.
9. Jihad through wealth is a means of spreading Islam and improving the conditions of the poor and needy members of the community as well as appreciating Allah's blessings.
10. It is important to secure and maintain the rights of Muslims which would otherwise be denied by the unbelievers e.g freedom of worship, adhan, dress and others.

11. Jihad is a means of self-exertion in peaceful and personal compliance with the dictates of Islam. The Prophet Muhammad PBUH is also reported to have said;

“Best form of Jihad is to speak the truth in the face of an oppressive ruler”.

12. It is through jihad that the Islamic state is expanded and extended in different parts of the world e.g caliph Umar bin Khattab carried out conquests that led to the spread of Islam up to North Africa. R
13. It instills panic in the hearts of non-Muslims and therefore, plan not to attack Muslim communities.