

THE AUTHENTICITY OF THE QUR'AN

M.M. AKBAR

**THE AUTHENTICITY OF THE QURAN
VOL- I**

NICHE OF TRUTH

the authenticity of the qur'an

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The universe has a Creator, the Most Merciful God who provided air and water so that life may flourish on this planet. Through the periodic message He sent through messengers, God instructed us how we should live and what should be the ultimate aim of our lives. We are accountable to God for all our actions and after we die, we shall be rewarded for our good deeds and punished for our crimes. Hence, a man's only way to spiritual salvation is to live according to the directions given by God Almighty, The Qur'an is the last code of such revelations made by the Creator. It was through Prophet Muhammed that these invaluable instructions reached mankind. Amongst men there are some who have received the supreme knowledge and others who have not It is the obligatory duty of everyone who has received the message to convey it to others.

NICHE OF TRUTH is an organization which makes dedicated efforts to convince Muslims of this duty and to enlighten others of the excellence of Islam, its teachings and values.

O' Lord! This is a humble venture intended for the propagation of the Religion of Truth, an earnest attempt to fulfil the responsibility that Thou hast entrusted us. I beseech Thee that this endeavour may be justly rewarded (Ameen).

**Director,
Niche of truth**

TRANSLATOR'S FOREWORD

“And we have revealed unto thee (O Muhammad) the Book as an exposition of all things, and as a Guide, a Mercy and Glad tidings to the Muslims.” (cf. Q. 16: 89)

It is an uncontested fact today that few books have influenced the making of human history as the one that was revealed to Muhammad (ﷺ) of Arabia fourteen hundred years ago. In the course of the intellectual development of man, it goes without saying that a book that commands such influence must have come in for criticism at one point or the other in time during the fourteen centuries of its existence. It certainly has had to face a lot of criticism. It has been vehemently criticized and the carrier of its message, Muhammad (ﷺ), has been vilified right from the first days of its revelation. The Qur'an itself has addressed this with a challenge that has found few takers in history: “Or do they say: ‘he has forged it’? Say: ‘Bring ye then ten *Suras* forged, like thereunto, and call (to your aid) whomsoever ye can, other than Allah - if ye speak the truth.” (cf. Q 11: 13)

The vituperative campaigns mounted against the Qur'an notwithstanding, the Book has continued to mould the character of the

human race with a consistency and resilience unheard of in the annals of civilization. As Edward Gibbon wonderingly remarked in his *History of the Saracen Empire*: “It is not the propagation but the permanency of his (i.e., Muhammad’s) religion that deserves our wonder; the same pure and perfect impression which he engraved at Mecca and Medina is preserved, after the revolutions of twelve centuries.. The intellectual image of the diety has never been degraded by any visible idol; the honours of the Prophet have never transgressed the message of human virtue; and his living precepts have restrained the gratitude of his disciples within the bounds of reason and religion.”

Thus not only has the message of the Qur’an not become subject to the vicissitudes of time and the conspiracies of its enemies, it has gone ahead even further and has consolidated itself within the conscience of humanity and the making of civilization. The impartial observer is prone to positively comment on the civilizational role of the Qur’an because of the treatment given by it to all those aspects of man’s private and social life which have a direct, or indirect, bearing upon the cultural transformation of human society - a transformation to which the Qur’an itself refers to as a progression from ‘darkness into light’. One Western writer has commented thus: ‘ Every subject connected with heaven or earth, human life, commerce and various trades is occasionally touched upon, and this gave rise to the production of numerous monographs forming commentaries on parts of the Holy Book.’

In this way, therefore, the Qur’an has become the prime mover behind every discussion, debate, even controversy, that ultimately bode well for the advancement in human culture and learning. These discussions have, over the years and centuries, come to be associated with individuals and groups that can be classified at several levels. One classification that would do well is that of the ignorant seeker of the truth who raises his doubts - doubts that genuinely seek classifications. Another class of people would be those given to a blind criticism, very often of the hostile kind, that seeks not the truth as its last objective but the degradation of the object of their attacks. The combination of the two different responses to these lines of inquiry and

intellectual discourse brought about by the two above mentioned classes constitute what has been the contributions of the Qur’an to human advancement.

These responses may simply be categorized as the apologetic and the uncompromising types. Interpretations of the Qur’anic diction from the standpoint of the apologist serves, by implication, the function of exposing the sense of inferiority of the apologist himself in that he sets out to present a version of the Qur’anic viewpoint that is more or less in consonance with the general mood of the majority. Indeed, the apologist for the Qur’an harbours within himself a certain ailment - a weakness of faith - that compels him ever to doubt the authentic nature of God’s revelation. As God Himself sought to explain, “ In their hearts is a disease and God has increased (for them) their disease. This is so as they have been false unto themselves.”(cf. Q.)

The uncompromising response, on the other hand, while presenting the picture of the Qur’anic message cares little for the power and dominance of the unbelieving majority. It is not offset by the apparent ‘progress’ of the audience that it addresses nor is it overawed by the material advancement of the antagonist. The uncompromising response simply seeks to put forward the truth, unambiguously and without fear or favor, before the world.

It is into this genre of uncompromising writings aimed at the proactive defense of the Qur’anic viewpoint that the book *The authenticity of the Qur’an* essentially falls. Written in the original as responses to some of the many, sometimes positive but more often prejudiced, questions and criticisms made against the Qur’an, the book makes an excellent introduction to the history, nature and compelling power of the Qur’anic revelation.

Compiled in the form of questions and answers, the presentation is free from the monotony usually associated with scholarly works on the subject. Indeed, given the context of the times we live in today, a question and answer format tends to attract the attention of the casual reader with its direct appeal to the numerous contemporary doubts and misgivings that are bound to come up in his or her mind. The success of the first and second editions of the original Malayalam

version of the book is ample testimony to this fact.

For the translator, the job of transforming the Malayalam version into English has been an enlightening and rewarding experience. While every effort has been made to stick to the meaning and spirit of the original, it is natural that the flow and eloquence of the author might be found wanting in the English rendering. This must be accepted as the shortcoming of the translator, and not as the fault of the author, as perfect translations hardly exist.

I conclude with a prayer to Allah that the English translation of the successful Malayalam original may, if not successful in greater measure, at least be as successful in bringing the lasting appeal of the Qur'an before the reading public. And there can be nothing from us except as God wills.

BIJU ABDUL QADIR

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PREFACE

The Qur'an has made clear, by the use of the two similes, the difference between truth and falsehood: "He sends down water from the skies, and the channels flow each according to its measure: but the torrent bears away the form that mounts up to the surface. Even so, from that (ore) which they heat in the fire, to make ornaments or utensils there with, there is a scum disappears like froth cast out; while that which is for the good of mankind remains on the earth. Thus doth God set forth parables". (cf. Q. 13:17)

Indeed, in as far as life in the world is concerned, it is a fundamental truth that is spelt out by these words. For, it has always been the inconsequential froth and foam that have formed the upper layers anywhere. As for those who are on the look out for only the superficial aspects, they confine themselves to the view that these (i.e. the froth and the foam) constitute the reality and they stand enthralled and dazed in that belief. It is only after a while that the froth and foam gets transformed into the waste that is of no significant consequence. It is only those who are endowed with vision who can realize this beforehand. They realize that it is, in reality, the pure and sparkling water and the residue that lies beneath which is of fundamental value.

Such a conception is of relevance to while judging ideas and books as well. There are inconsequential superficial ideas alongside the deep and fundamental ones. There are books that can intoxicate their readers with their style and language. And there are also books that enlighten the human mind with fundamental truths. It is in this later category of books that M.M. Akbar's *The Authenticity of the Qur'an* essentially falls.

It is not possible for those fascinated by inconsequential ideas to seek out the fundamental truth in the Qur'an. Indeed, such people have, through out the course of the past fourteen centuries, criticised the divine Scripture. At the same time the intellectuals - the sober and impartial thinkers - belonging to various nations have sought out the authentic nature of Qur'an and the contents within its pages and have conveyed it to multitudes of openminded readers. Indeed, hundreds of thousands of people belonging by the Greek, Roman, Persian and Egyptian civilizations were attracted to the authentic nature of the Qur'an right from the time of the companions of the Prophet (pbuh). These include scholars, thinkers, physicians and philosophers. It was possible for the great reformers of the age like Al- Ghazzali and Ibn Taymiyyah to raise aloft the authentic nature of the Qur'anic concepts without succumbing to the blinding glare of the Greco- Roman ideologies in which many Muslim intellectuals found themselves in during those years of remarkable awakening of sciences in the Muslim World. Even when there was talk of science defeating God and of the spectre of Marxism raising high the banner of atheism, although a few Muslim intellectuals wavered in their conviction, it was, nevertheless, possible for the well - informed analytical inter - disciplinary Islamic thinkers to present to the modern world the incredible relevance and applicability of the Qur'anic concepts to all regions and to all ages. In this regard it is especially pertinent to appreciate the role played by the western intellectuals who found the truth within Islam and the Holy Qura'n after a thorough study of various ideologies of the day.

As far as the impartial seekers of the ultimate truth are concerned, they need not be provided with too many evidences with regard to the super-human nature of the Holy Qur'an and the authoritative nature of its contents. For they will be easily convinced of the fact that it is certainly a revelation from the omniscient God and that it is impossible for a desert dweller of fourteenth centuries ago to compose such a work when they set out to scrutinise with care the references in the Qur'an to the origin of man and the vicissitudes of human life.

However, in all ages and in all lands there continues to exist a very many number of people who are fascinated and addicted to such

commonplace literature and who involve themselves with the bare surface of the reality of all things. Indeed, it would be quite a difficult task to channel the thought of many of these people towards ultimate truths. But quite a few of these are those who have had their minds altered by misunderstandings. It would not be too difficult a task to divert their minds to fundamental truths if some of their doubts are cleared. Doubtless, *The Authenticity of Qur'an* will prove beneficial to such people.

Despite the fact that (Islamic) propagation has gathered momentum in a very systematic fashion in our country, there are a large number of people who still hold on to the view that it was Prophet Mohammed (ﷺ) who had established Islam, that the Qur'an was the book the he himself had written, that there are laws in the Qur'an which are unjust towards woman and that the punishments prescribed by the Qur'an are barbaric to the extreme. Indeed, there are, even amongst the Muslims, many who do not realize the authentic nature of the guidance provided by the Holy Qur'an in the varied facets of life. In writing several articles and some of his more famous treatises in order to present the facts in a manner that is easily comprehensible to such people, the notable Islamic scholar and orator, M.M. Akbar, has made several valuable contributions to the field of Islamic propagation. Indeed, in their contents and style of presentation, there writings of Akbar, who has deeply studied both the Islamic and contemporary issues that are involved, exhibit an authoritative and comprehensive nature.

In providing satisfactory answers to the questions and doubts that those involved with the propagation of Islam have to face and in, thereby, exposing the hollow nature of the allegations made, this book will, without doubt, be of great use to them. Indeed as far as the students of comparative religion and civilisation are concerned, it is of immense value to know what the Bible, the Vedas the Upanishads as well as the materialistic ideologies have to say with regard to each subject along with the recommendations of the Holy Qur'an which shed its own light on the issues in focus.

CHERIYAMUNDAM ABDUL HAMEED

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ABOUT THE QUR'AN.....

What is the Qur'an?

The Qur'an is the last scripture that has been revealed to mankind by the Lord Creator and Protector. It was through the Last Messenger, Muhammad (ﷺ), that the world first heard of it. It certainly is the divine scripture that is to be accepted by all, upto the very last man.

The term 'Qur'an' has the meanings of 'the recitation', or 'that which is to be recited' and of 'that which is recited.' Indeed, the Qur'an itself has employed the connotation 'the scripture that is recited' in connection with this term (13:31). Unlike the earlier scriptures, the Qur'an is never a compilation of legal pronouncements or code of laws (Taurat), or hymns (Zaboor) or a collection of Gospel or good news (Injeel). It is highly probable that the Qur'an has been named as the last scripture because each one of its words is to be repeatedly read by thousands upon thousands of its believers and is to be so etched into their hearts so as to mould their very lives according to its guidelines. As for the actual reason, it is the Lord Who sent it Who knows the answer thereof.

As far as its believers are concerned, the Qur'an is but the benchmark to distinguish truth from falsehood. They understand that all that has been commanded therein constitute the good and all that has been prohibited therein constitute evil. In fact, the Qur'an introduces itself as *Furqaan* (2:53, 2:185, 3:4, 25:1) which means 'the criterion to distinguish between truth and falsehood.'

The Qur'an also describes itself as *Kitab* (book), *Dhikr* (guidance), *Burhaan* (evidence), *Shifa* (cure), *Kayyim* (that which is pure), *Muhaymin* (that which preserves the previous scriptures) and the like. Through these attributes the reader of the Qur'an is exposed to the clear picture of the morality enshrined within. What is the meaning of 'Book of Vedas'? The term Veda is a sanskrit word which means knowledge, learning etc. According to the vedic vision, the Vedas signify *Shruthi* (or 'that which is heard'). It is believed that the contents of the Vedas comprise the words of the Lord Creator as heard by the Rishis. The Rig Veda states that the Vedas originate in the *Parampurush* (10:90:9). In any event, the term Veda has been used in India to mean divine scripture. In due course of time, even the followers of the semitic religions in India have tended to describe their own religious scriptures as Vedas.

The term which the Qur'an has employed to refer to revealed scripture is *Al-Kitab* which, in turn, simply means 'the Scripture'. The Qur'anic view is that the religious scripture consists of the revelations made to the messenger by the Lord Creator Himself. divine revelations have been referred to as *Wahy* and as far as a revealed scripture is concerned, it contains *Wahy* alone. However, it is not necessary that all *Wahy* made to all messengers should find mention in a scripture. In fact, it is only that portion of the *Wahy* which has been received with the special command for its inception in the scriptural text, that ultimately finds expression in it.

What is the purpose of the revealed scripture?

The Qur'anic view contends that the primary purpose of revealed scriptures is to unite mankind. Look at what the Holy Qur'an has to say: '**Mankind was one single nation. And Allah sent Messengers**

with glad tidings and warnings; and with them He sent the Book in truth, to judge between people in matters wherein they differed.' (2:213)

It becomes evident from this that religious scriptures were revealed in order that a divine ruling, of a final nature, may be made in the matters in which mankind differed. Thus, the Qur'an declares that it, too, was revealed so that mankind may be freed of the dissensions that were rife amongst themselves. '**And We sent down the Book to thee so that That thou shouldst make clear to them those things in which they differ, and that it should be a guide and a mercy to those who believe.'** (16:64)

In order that the fate of the people of the book, who had boasted of their own high status, by which they were ultimately led to dissension and anarchy, not fall upon its believers, the Qur'an exhorts them to stick fast to the last of the scriptures as well as to its practical manifestation as enshrined in the life and conduct of the Prophet. "**And hold fast, All together, by the Rope which Allah (stretches out for you), and be not divided among yourselves."** (3:103) The commentators are unanimous in their opinion that the 'rope of Allah' mentioned here indicates the Qur'an.

In short, therefore, the first and foremost duty of the Scripture is to lead people unto the truth and to eliminate, thereby, all dissension and anarchy.

What does the Qur'an say about the scriptures that preceded it?

The Qur'an recognizes all the scriptures that had been revealed before its own time. However, the Qur'an does not, in an explicit fashion, state the total number of all such revealed scriptures. There is only the mention of the names of four other scriptures in the Qur'an. These include the Taurat which was revealed to the Prophet Moosa (a), the Zaboor which was revealed to the Prophet Dawood (a) the Injeel which was revealed to the Prophet Isa (a) and the Qur'an itself which was revealed to the Prophet Muhammad (ﷺ). The Qur'an further highlights the fact that besides these four scriptures, other edicts, too, were revealed by the Lord Creator.

“Say : We believe in Allah and what is revealed to us and what was revealed to Abraham and Ishmael and Isaac and Jacob and the tribes, and what was entrusted to Moses and Jesus and the prophets from their Lord.” (3:136)

“And this is in the Books of the earliest (Revelations), The Books of Abraham and Moses.” (87:18,19)

The Qur'an attests the truth of all the previous scriptures. **“It is He Who sent down to thee (step by step), in truth, the Book, confirming what went before it; and He sent down the Torah (of Moses) and the Gospel (of Jesus).” (3:3)**

It is the compulsory duty of the Muslim to believe in all the scriptures that were revealed by Allah. Indeed, the Qur'an views the disbelief in the divine nature of any of the previous scriptures as a gross perversion.

“O ye who believe! Believe in Allah and His Messenger, and the scripture which He hath sent to His Messenger and the Scripture which He sent to those before (him). Any who denieth Allah, His angels, His Books, His Messengers, and the Day of Judgment, hath gone far, far astray.” (4:136)

Are the Taurat, the Zaboor, and the Injeel the Torah (Pentateuch), Psalms and the Gospels mentioned in the Bible?

Taurat is the scripture that was given to Moosa (a). Similarly, the Zaboor and the Injeel are the books that were given to Dawood (a) and Isa (a). The Qur'an introduces the scriptures as those that were revealed by the Lord Creator Himself. **“It was We who revealed the Torah (to Moses): therein was guidance and light.” (5:44)**

“And in their footsteps We sent Jesus the son of Mary, confirming the Torah that had come before him: We sent him the Gospel: therein was guidance and light.” (5:46)

From this it is abundantly clear that these scriptures were all in fact, revealed by the Lord Creator Himself. But this is not the case with the books of the Bible. They were all written centuries *after* the

messengers. Indeed, there is not even a single book in the Bible which can reasonably be believed to have been revealed to the messengers. It is the traditional belief of the Jews that Moses (a), himself, had written the *Pentateuch* (Torah); not that it was revealed by God. However, modern research indicates that even the traditional belief that Moses had written the *Pentateuch* is, in itself, baseless. It is the opinion of the scholars that since the death of Moses, and the events that followed his death, have been described in the *Pentateuch* (Deuteronomy 34:5-10), it can never be that Moses (a) had written the book himself. Similar is the case of the Book of Psalms. In actual fact, there is not in it, a single Psalm that can be authoritatively said to have been written by David. In the Gospels, too, although there is mention, therein, of the true Gospel of God which Jesus had actually preached (Mark 1:14,15), there is no clear picture about this Gospel in the four accounts in the Bible. As for the Gospels in the New testament, it was written at least five decades after Jesus. The gospels give but vastly differing and contradictory accounts of the life of Jesus. It is now clear that none of these was the true scripture that was revealed to Jesus. In short, therefore, even though the various books of the Bible do quote certain ideas from the Taurat, the Zaboor and the Injeel, it cannot be said that they are present in the Bible in all their fullness and purity.

What does the Qur'an say about the Hindu Vedas?

Messengers have been sent to all communities among mankind. The Qur'an makes it so explicitly clear as to leave behind not a shadow of a doubt, that **“there has not gone by a single nation wherein a warner was not sent.” (35:24)** Therefore, as an ancient land in which had thrived a civilization and culture, India, too, must have had been the destination of the messengers. Further, some among those messengers must have been the recipients of scriptures also. It is not for the Muslim to take any of these messengers or their scriptures lightly or with indifference. For the Qur'an has sternly warned against showing partiality with respect to the messengers (4:150). The Qur'an therefore reveres the messengers who had come to India, as also the scriptures which were revealed to them.

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But can it be said that any of the existing books on the *Shruthi* (the vedic compilations, Brahmanas, Aaranyas, Upanishads) has been revealed to the messengers by the Lord Creator? It is believed that these have been referred to as *Shruthi* because they had been heard of from God Himself.

The concept of *Shruthi* makes it clear that it was also the belief of the Hindus that mankind does, indeed, receive messengers from God. Even though all the above mentioned books are all *Shruthis* in themselves, the question as to which amongst them forms the more authoritative text is one over which there is much difference of opinion. While Dayanand Saraswathi, the founder of the Aarya Samaaj, accorded the authoritative status to four Vedas, others like Swami Vivekananda gave prime importance to the Upanishad.

There were also scholars of Hinduism who opined that even the most authentic of the Books of *Shruthi* can be prone to error. The stand of Dr. Radhakrishnan that “**the Vedas are neither infallible nor all-encompassing**” (Indian Religions, Page 22) and of Swami Vivekananda that “**To the extent that they are supported by sound reasoning all portions of the Vedas are acceptable to me. However, some portions of the Vedas are, at first sight, self - contradictory**” (Vivekananda Sahitya Sarwaswam vol. 4, Issue 55) will serve in breaking the spear-head of the claim that the Vedas comprise, *in their totality*, the divine messages.

Generally speaking, the *Shruthi* comprises of books which present the actual and existing beliefs and practices that once prevailed in India. However, vague signs if messages received by the Prophets who were sent to India can be seen in them. But the claim that these are completely divine is, however, without foundation.

What is the theme of the Qur'an?

The theme of the Qur'an is the salvation of man. As the only terrestrial being capable of independent action, man is to follow certain laws for his very survival and progress. All things in the universe follow the divine laws of their own accord. Indeed, they do not possess the option of straying from this set course. In fact, the systemic

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functioning of the human body itself compulsorily follows the divine laws. However, man *has* been granted freedom of action in certain limited domains. Even in these spheres he can attain salvation if, and only if, he obeys the divine commandments.

It is to mankind that the Qur'an speaks. It is to his salvation that the Qur'an beckons. It convinces him of the existence of the Lord Creator by turning his attention to the varied and incredible phenomena of nature. It speaks to him of the brevity of life in this world and of the utter meaninglessness of wasting an entire lifetime in pursuit of the comforts herein. It makes clear to him the path which must be followed in order to be of that blessed group which becomes worthy of the entry into Paradise as of the safety from the confines of Hell.

It invites his attention to the history of those who traded the punishment of Hell in exchange for the comforts of this world. It tells him of those who were granted the entry into Paradise for having led a life of purity.

Briefly put, the Qur'an prepares man for attaining salvation both in this world and the next through obedience to the divine commandments.

The Qur'an's style of presentation....?

The Qur'an contains within itself the words of the Lord Creator. Mankind is the subject of its exhortation and address. It is not the discursive style of the other ordinary books which the Qur'an adopts. The style the Qur'an *does* adopt is not merely the assertive style of scientific books or the discursive style of the history books or the narrative style of the books of literature. However, the Qur'an *does* accept all of these styles. The Qur'an does not assert the required point by elaborating on the branches and sub-branches of a selected central topic. The Qur'an's has not been a method in which the subject is first determined on the basis of which is then divided the various chapters and sub-titles. It is in a very haphazard manner that a varied assortment of subjects are dealt within its pages.

It can be safely said that the style of the Qur'an is one by which

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it successfully communicates with those who are being addressed by it. The Qur'an teaches man the path to salvation. To that end, it does employ the lessons of science and history. Glad tidings as well as stern warnings - both find their way in between its other verses. It convinces one of the reward which is to be had in following the true path and of the dire consequences that ensue from going against it. It calls for man's recognition of the truth of its message by way of his casting his eyes over his surroundings and of employing the faculties of his intelligence and reasoning. It is in an entirely mixed form that all of these injunctions have come together. It is in the interest of those who are addressed that the Lord Himself has adopted this style. Indeed, this style has proved effective in making its appeal felt within the human society which consists of both the intellectuals as well as the ordinary people. To approach the Qur'an, as one would, a book of science or history, without proper appreciation of this special and particular style, would be to do little justice to the satisfactory comprehension of its contents.

On the wordings and chapters of the Qur'an.....?

The Qur'an consists of 114 chapters. A chapter is called a *Surah*. Each chapter has been given a different name. The first wordings of certain chapters have been used to name the chapter itself. Other *surahs* derive their name from a particular reference somewhere in its middle portion. There are yet other *surahs* which are named after the main theme therein. Some other *surahs* have names which highlight the basic issues discussed in them.

There is also much difference in the size of each *surah*. Indeed, there are *surahs* which vary in length from three small verses to lengthy *surahs* which have nearly three hundred.

Each verse of the *surahs* is called an *aayah*. In the length of the *aayahs*, too, there exists much disparity. The *aayahs* range from very short ones, which comprise a combination of a few sounds, to very lengthy ones indeed. Many *aayahs* are in themselves complete words. Then there are other *aayahs* which form full sentences only if put together. Similarly, there are *aayahs* which are a combination of

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complete words. The structure and length of the *aayahs* have all been decided by God Almighty Himself.

What are the evidences in favour of the Qur'an being a divine Scripture?

Given below is a list of some of the evidences in support of the divine nature of the Qur'an:

1. It, itself, declares that it is a divine Scripture
2. It shall remain unchanged upto the Last Day.
3. The path of right conduct that it prescribes is faultless.
4. It is practicable.
5. The history that it teaches is faultless and honest.
6. Its literature is incomparable.
7. The prophecies made in it can be seen to have come true.
8. The references in it to the varied phenomena of nature, as representing the signs of God, are free of controversies.
9. There is no reference, whatsoever, of an unscientific nature in it.
10. It is free of all contradictions.
11. None has been able to take up the challenge it poses when it calls forth all, and any, to produce an equivalent of at least one of its chapters.
12. The person who was appointed with it in the world was himself of a truthful and selfless nature.

“..... and how from infancy you have known the Holy Scriptures, which are able to make you wise for salvation through faith in Christ Jesus. All Scripture is God-breathed and is useful for teaching, rebuking, correcting and training in righteousness.”
(2 Timothy 3:15, 16).

Here, it must be appreciated that the Bible may be said to have claimed for itself the status of divine revelation only if the term ‘Holy Scriptures’ as used by Paul referring to the books of the Bible. However, the reality is different.

Amongst the twenty-seven books in the New Testament of the Bible, that came to be accepted as canonical, it was the epistles of Paul that were first written. It is the opinion of the scholars that these were first written between the years 40-60 C.E. The epistles of Paul aside, all the other books of the New Testament were written between the years 65-150 C.E. Observe the quotation that was cited above. Paul has referred to certain ‘Holy Scriptures’ with which Timothy had been familiar. The particular way in which he has couched his words indicate that that ‘Scriptures’ had been in circulation even before the writings of Paul and as far as the New Testament is concerned, it is certain that there is in it no writings, whatsoever, that existed before those of Paul himself. Thus there can be no justification in holding on to the idea that the divinely inspired writings to which Paul alluded were of the books of the New Testament. It is certain, therefore, that the Holy Scriptures to which Paul makes a reference here is, in fact, the works that were extant before the books of the Bible came to be written. Then how can it be the claim of the Bible that these were, indeed, divinely inspired? In fact, this has never been the claim of the Bible. It is nothing but the mention of certain writings that were not to be found in the Bible but to which Paul had alluded. As for these writings themselves, they are non-existent today.

Will a book become divine merely by way of its own claim of being divinely inspired?

No. Any book which lays claim to its own divine status must necessarily prove that it is, indeed, divinely inspired. However, on

Two THE CLAIM OF THE QUR'AN

Does the Qur'an claim divine status for itself?

Yes. The Holy Qur'an repeatedly proclaims that it is divine.

“(This is) the revelation of the Book in which there is no doubt, from the Lord of the Worlds.” (32:2).

“Verily this is a Revelation from the Lord of the Worlds”
(26:192).

“(It is a Revelation) sent down by (Him), the Exalted in Might, Most Merciful” (36:5).

Do not the other religious scriptures also claim the status of Divinity for themselves?

No. None of the other religious scriptures claim divine status for themselves in such clear and certain terms.

It has been mentioned in 3:16 of 2 Timothy that the Bible is the word of God. What is it that is implied here?

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the other hand, it is of primary importance that if a book is of divine origin, it must, of its own accord, or by way of the messenger who had come with it, raise that claim. In reality, none has the right to claim divine status for a book unless and until either the Book itself or the person who came with it makes that claim first. If, the followers of the book, then, say that it is of divine origin, it will be but their witnessing to the truth of the claim already made by the book or by the individual who had come with it. But if that claim itself is not there, any witnessing to that claim is obviously irrelevant.

This is the case with all the other religious scriptures apart from the Qur'an. None of them has claimed divine origin for itself. In fact, it was their followers who conferred on them the status of divinity. As of the laws of dialectics and argumentation, this is but a gross anomaly; a thing so irrelevant as to be unworthy of consideration by the intelligent. It is to be dismissed as simply as the witness who appear in court for the proceedings of a case in which there is not the very subject of contention itself.

This, however, is not the case with the Qur'an. It itself declares that it is of divine origin. As such there exists a claim. What remains to be seen, then, is the veracity of this claim. Indeed, there is meaning and substance in such a verification. This is quite unlike the futile and pointless scrutiny of the divine origin of books which make no such claim in the first place.

THREE COMPOSITION OF THE QUR'AN

Can it not be claimed that the Qur'an's has been but the composition of Muhammad (pbuh) himself ?

Prophet Muhammad (ﷺ) had lived in the light of history. It was through him that the world first heard of the Qur'an. As such, all that may be asserted by those who do not accept the divine status of the Qur'an is that it is the composition of Muhammad (ﷺ). There are however, certain facts that must be understood as the premises for this discussion. It can only be on the foundations of these premises that the question as to whether the authorship of the Qur'an can be attributed to Prophet Muhammad (ﷺ) can be discussed.

One : Muhammad (ﷺ) had been, upto the age of forty, the most favoured man among the Arabs. It was because he had claimed that the Qur'an was divinely inspired and that the commandments within it are to be adhered to, that he was hated; ostracized; and forced to flee from his hometown.

Two : Even among his bitterest opponents there was unanimity

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about the truthfulness of Muhammad (ﷺ). It is difficult, therefore, to believe that after living forty years of his life with utmost truthfulness, he should venture to declare a falsehood in the name of the Lord Creator and that he should have risked his own life for the sake of its propagation.

Three : Men of letters were accorded a high status in Arabia. There was not the slightest dissenting opinion among any, as regards the lofty position of the Qur'an in its viability as a literary creation. If he had ventured to claim the Qur'an as his own work, he would have gained great respectability and status amongst the Arabs.

Four : There are references in the Qur'an which have criticized certain of the actions of Muhammad (ﷺ) himself.

Five : There are also other references in the Qur'an which reproach Muhammad (ﷺ) in the strongest possible terms.

It should be in the light of these facts that the pros and cons of the argument that the Qur'an is the work of Muhammad (ﷺ) should be examined.

Indeed, if a work of great literary merit is composed and is then attributed to the name of God, there must necessarily exist vested interests that lurk beneath. To expose those vested interests will then be the duty of the critics. It will be on the basis of such an exposition alone that the truth of the claim can be ascertained.

In composing the Qur'an, could it not have been the intention of Muhammad (ﷺ) to achieve for himself the worldly benefits that may accrue in establishing himself as the messenger of God?

It is greatly probable that Muhammad (ﷺ), who had grown up an orphan, was exposed to considerable hardships in life. However, with his marriage to the business woman, Khadeeja (r), it is also probable that there was, naturally, a considerable rise in his standard of living. As the husband of Khadeeja, the possibility that he would have been prone to the constraints of a financial kind is remote indeed. The marriage of Muhammad (ﷺ) to Khadeeja took place fifteen years

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before his attaining prophethood. This means that it was only after fifteen years of his having led a life of financial security that Muhammad (ﷺ) came on to the scene with the claim that he was a messenger of God and that the Qur'an constituted the word of God. If the attainment of worldly profits was his motive, his financial position should have become stronger after he made the claim. But what was it that actually transpired?

Says Aysha (r), the wife of the Prophet, "As there was no food cooked in our house, the cooking place would go without a fire being lit for one or two months at a stretch. Ours was a diet of dates and water. Some times it would be the milk of goats and the dried shells of dates which those from Medina would bring us."

Aysha was once recalling the past days to a person. The subject of narration was the poverty which the Prophet and his family endured after the migration. She then talked of an occasion in which they worked in the house in total darkness. "Was not there a lamp?" enquired the person. She then replied thus: "If the oil to burn the lamp was in our possession, instead of burning it, we would have drunk it to satisfy our hunger."

This by no means, was the situation that was prevalent only in the first years of the Prophet's mission. Even after Muhammad (ﷺ) had assumed the position of the powerful sovereign of a vast realm his condition was not very much different. Let the inner sanctum of the ruler of the Islamic empire be described in the words of Umar (r), his own companion:

"I never saw anything save three pieces of leather in a corner and a little barley in the room of the Prophet. I wept at this. The Prophet asked, 'Why is it that you cry?' I said: 'O messenger of Allah! How will I hold back my tears? I see the imprint of the palm leaves on thine own body. I am also aware of the contents of this room. O messenger of Allah! Beseech Allah for the ample means of thine own sustenance. For, while the rulers of the Persian and Roman people - the Chosroes and the Caesars - live in the luxury of gardens beneath which rivers flow, the chosen messenger of Allah should live in abject

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poverty and hunger!’ When he heard this reply of mine, the Prophet, who had been reclining on a pillow, now sat up and then said, ‘Oh Umar! Are you still in doubt concerning this matter? The comforts and provisions of the Hereafter are much better than the comforts and pleasures of this worldly life. The unbelievers enjoy their share of the good things in this life. As for our share, it has been reserved for the life Hereafter.’ Forthwith did I implore the Prophet thus, ‘O Messenger of God! Pray for my forgiveness for I have, indeed, erred.’”

It is the claim that the Qur'an was the creation of Muhammad (ﷺ), which he had contrived for his own worldly gains, that is rendered baseless here. For it is, indeed, without foundation to say that the man who had given away the seven dinars, which were his only worldly possession, in charity on his death-bed and who died, thereof, after pawning his armour with a Jew, was a man after wealth. Even the New Catholic Encyclopedia has considered baseless the argument that the creation of the Qur'an was due to an excessive love for wealth: **“A notion has been created that the religious revolution of Muhammad was driven by a love of wealth. Actual and known facts, however, will contest this notion.”** (The New Catholic Encyclopedia, Vol. IX, Page 1001)

What is wrong in considering that Muhammad (ﷺ) had aimed for worldly power?

What is it that is meant by the love of power and clout? It is the desire to invest oneself with the authority and power of a country and to, thereby, lead a life of comfort and luxury. It is true that the Prophet had attained power after having had borne the trials, tribulations and tortures for thirteen years before reaching Medina by adopting exile from his own land. However, his authority was never a path to a life of comfort and luxury. For, who, if any, can ever call a lover of authority, a man who, even when in the position of a ruler, slept his nights on mat of palm leaves, washed his own clothes, stitched his footwear and milked the goats?

Those who actually seek after power are those who desire to stand aloof from, and be respected by, people in the sake of their

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important office. As for the Prophet, he was one who had served the people while living as one amongst them. On one occasion, all who were present stood up as the Prophet entered the place. The Prophet, thereof, ordered against this practice. He said, “Do not stand up in respect like some amongst the Persians who stand up in respect of others from amongst them.”

He advised thus, “Do not praise me as the Christians praised Jesus, the son of Maryam.” All this indicates clearly that Muhammad (ﷺ) was never one to go after pomp and praise associated with the power.

Furthermore, he was promised authority and power in the early, difficult days at Mecca itself if, and only if, he stopped the propagation of his message. The leaders of the society approached him one day with the intention of enticing him with a proposal. They said, “If it is wealth that thee covet, we will give thee all the wealth that you desire. If it is authority that ye want, we will make obeisance to thee as our king. If it is women of beauty that ye desire we will arrange for your marriage with the women of your own choosing.” An offer before which any person would have succumbed! A most tempting offer indeed! Just one word was all that was required. He would then be the most wealthy man in the region. All people of the land would then pay their homage to him as their king. Beautiful women would then dance before him. But this was what the Prophet said, “I am in need of neither authority nor wealth. The Lord Creator has appointed me but as a warner to mankind. It is His message which I deliver unto you. Those who accept it can achieve for themselves peace and contentment in this world and eternal salvation in the next. As for those who accept not the divine message, it is He Himself Who will judge their case.”

This incident took place in the early years of the mission at Mecca. If the Prophet's goal was to grab authority by writing the Qur'an and thereby making it accepted that he was, indeed, the messenger of God, why was it that he refrained from the offer of authority that was placed at his feet without his having to undergo any suffering whatsoever? It is amply evident from this that

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Muhammad (ﷺ) never hankered after power or authority. Briefly put, it was never the desire for power which worked behind the composition of the Qur'an.

Can it not be professed that the Qur'an was a book composed by Muhammad (ﷺ) with the objective of uniting the quarrelsome Arabs and to, thereby, lead them to the heights of greatness?

If it was, indeed, the goal of uniting the Arabs and of leading them on to the path of progress which had worked behind the composition of the Qur'an, then this should have been evident in the themes that were discussed therein. However, to one who has had even a single reading of the Qur'an, the fact that the cause of Arab nationalism has not been espoused as a subject anywhere within it, is very clear. Furthermore, before the facts mentioned hereunder, the claim that it was Arab revivalism which had worked behind the composition of the Qur'an is shown to be utterly without foundation.

One: There is in the Qur'an, not even a single verse which encourages Arab revivalism or unity.

Two: The idea that the Qur'an does put forward is the vision of a community based on ideals which is never constrained by territorial or national boundaries of any sort. In this community which is firmly grounded in an ideology - referred to by the noun 'ummah' - those who accept the Truth are all members. They are never constricted by boundaries of any kind: whether of national, regional, racial or caste. Indeed, the concept of Arab nationalism is, in itself, totally alien to the teachings of the Qur'an.

Three: If Arab revivalism was the goal of Muhammad (ﷺ) he would have sought to unify them and lead them on to the path of progress by accepting the offer of authority when it was made to him. However, that never happened. He had, instead of working for a revival by accepting the offer of power, turned it down.

Four: Even after he was accorded recognition, he never advocated the particular cause of the Arabs in any way. In fact, he declared, in the most unambiguous terms, at his farewell sermon,

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that "the Arab has no superiority over the non-Arab nor has the non-Arab any superiority over the Arab except in the matter of God-consciousness." Can this be the words of a person who had laboured for the cause of Arab nationalism?

Five: There are two women who have been mentioned in the Qur'an as being the perfect exemplars for the believers. One is the wife of the Pharaoh and the other the mother of Jesus (66:11,12). Neither of them was Arab. Can those whom the person, who wrote a book for the cause of Arab nationalism, cite as perfect examples, ever be the opponents of the Arabs themselves? The Qur'an speaks of Mary in this fashion: "**Behold! the angels said, 'O Mary! Allah hath chosen thee and purified thee - chosen thee above the women of all nations.'**" (3:42). It must also be remembered that nowhere in the Bible has Mary been mentioned with such reverence. Indeed, the Qur'an never picked the mother or wife of Muhammad (ﷺ) or any other Arab woman, for that matter, to be the greatest woman of all times. It was, in fact, the Israelite woman, Mary, who was conferred that eminent status. Is it possible to expect such a reference from an advocate for the cause of Arab nationalism?

Six: A person who worked for the revival of Arab nationalism would seek to inflate the ego of the Arabs with his compositions. He would, therefore, talk of the greatness of the Arabs. But the Qur'an, on the other hand, talks of the greatness that was conferred upon the Israelites. "**O Children of Israel! call to mind the (special) favour which I bestowed upon you, and that I preferred you to all others**" (2:47).

If it was said that the Qur'an was a book which was written by Muhammad (ﷺ) in order that a society steeped in immorality be led to morality, can this assertion be denied?

The Qur'an is, indeed, a book that guides people to the way of morality and virtue. In fact, it is the Qur'an, and the Qur'an alone, which can claim the distinction of being a book which transformed a society that was steeped in wine, debauchery and warfare into a people who became the staunchest advocates and practitioners of

morality and virtue within a short span of just twenty- three years. However, to any who has had even a cursory reading of the Qur'an, it is clear that to say Muhammad (ﷺ) had written the Qur'an for the cause of moral revivalism and had then attributed it to God is to say something without any foundation. Observe the facts mentioned below:

One: There have been no two opinions about the fact that Muhammad (ﷺ) was truthful. It is illogical, therefore, to assume that such a one as he would then, in the name of moral revival, attribute a blatant falsehood in the name of God. It is unbelievable that a person who persevered for the cause of morality would then committ, for the same cause, a gross immorality. What, indeed, can be a greater sin than attributing lies in the name of God?

Two: The Qur'an itself has declared that the worst transgressor is the one who invents lies in the name of the Lord Creator and the one who writes something and then says that it is from God. **“Who can be more wicked than one who inventeth a lie against Allah, or saith, ‘I have received inspiration,’ when he hath received none, or (again) who saith, ‘I can reveal the like of what Allah hath revealed’?”** (6:93). If the Qur'an is, indeed, Muhammad’s own work, then the ‘most wicked’ one mentioned in this verse must necessarily be he himself. Will he have condescended to describe himself as the “most wicked” and to preserve it in writing too?

Three: God has cursed those who write with their own hands and then attribute it to God. **“Then woe to those who write the Book with their own hands, and then say: ‘This is from Allah’.”** (2:79). If the Qur'an is, indeed, the work of Muhammad (ﷺ), then this curse is most applicable to him . Consider this : to makes one’s own composition; then to proceed to curse one’s own self. Is this believable?

Four: The Qur'an is not a book that was revealed all at once. The verses of the Qur'an were, in fact, revealed over a long period of twenty- three years and, that too, under varying circumstances. Indeed, in some cases, the verses of the Qur'an were revealed as a direct answer to the questions posed by the people. There are, in the Qur'an, around fifteen occasions wherein the verses which employ the style **“they**

ask thee (O Muhammad) concerning...” and **“Say (O Muhammad)...”** have been used. It is evident from this that there were occasions when the Prophet could not provide a satisfactory answer to the questions of the people on a topic and that it was only later, with the revelation of the verses of the Qur'an, that this became possible. If the composition of the Qur'an was, indeed, the work of the Prophet, who sought to bring about a moral revival, he would have been able to answer the questions of the people as and when they arose. For instance, if it was the Prophet’s intention to save the people from the evils of drinking and gambling, he could have straightaway declared them to be sinful. Instead, that was not done; without making his own statement and he awaited the arrival of the divine revelation. It was only after the revelation of the divine verses that he sought to take action against these evils.

Five: There are certain Qur'anic verses which seek to correct Prophet Muhammad (ﷺ). The verses of the Qur'an (80:1-10) which criticized the action of the Prophet when he did not receive the blind Abdulla bin Umami Makthoom with warmth and respect owing to his being engaged in discussion with the leaders of the Quraysh, are only too well-known. In the Battle of Uhud wherein the Muslims had suffered great losses, the Prophet too had received a number of injuries. After the battle he had cursed some of the disbelievers and had mentioned to himself thus, “How will a people, who injure their own prophet, ever progress ?” Immediately was the verse of the Qur'an, which sought to correct the Prophet, revealed : **“Not for thee, (but for Allah), is the decision: Whether He turn in mercy to them, or punish them; for they are indeed wrong-doers.”** (3:128) If the Qur'an was really the composition of the Prophet, which he had made for the moral transformation of the people, would there have been verses in the Qur'an which criticized his own actions?

Could it not have been that Muhammad (ﷺ) suffered from Schizophrenia and that the feeling of revelations was but a symptom of that disorder? In fact, was he not called a madman by his contemporaries?

The allegation of the rationalists that Prophet Muhammad (ﷺ) suffered from Schizophrenia is a very serious and notable one. For, as far as those who do not recognize the existence of God are concerned, no matter how often the truth of revelation is reiterated to them, they will never ever appreciate it. It is for this reason that any discussion with the atheist must, necessarily, begin with the issue of the existence of God. How, indeed, can a people, who reject the very existence of the Lord Creator himself, be made to accept the truthfulness of a revelation that proceeds from Him ?

With regard to the question posed here, however, it is its second part that must actually be dealt with first. Was Muhammad (ﷺ) called a madman by his contemporaries? If so, what were the symptoms of madness, which he exhibited, on the basis of which they had made this allegation?

Upto the age of forty, Muhammad (ﷺ) had been the owner of a personality that was truthful in its disposition and accepted by all in society. In this long period of time none had ever, in any way, attributed to him the malady of lunacy. It is, however, true that after prophethood he had been subject to the allegation of being a madman. But significantly enough, it was not just a madman that Muhammad (ﷺ) was called. Indeed, he had been abused with the allegations of being a sorcerer, a magician, one who practiced witchcraft, a poet and the like. Was it because of a marked and obvious difference in his personality, or mental disposition, that they abused him as being such ? That this was, indeed, the case, was never advocated by any of them. Their problem had been the Qur'an and the ideas which it contained. Muhammad (ﷺ) had spoken out against their traditional beliefs. Moreover, because he had called it divine, people were fast being attracted to the Qur'an which he now recited to them. All these allegations against him were but the deliberate fabrications of the guardians of the traditional religion who now realized that they had to resort to his character assassination if they were to isolate him from the people.

The time when Muhammad (ﷺ) had publicly declared his prophethood; the time of the Hajj was at hand. The leaders of Mecca

greatly feared that Muhammad (ﷺ) would propagate his religion among the people who would come from different parts of Arabia and that they would be attracted by the Qur'an. Forthwith did they convene a meeting. It was then decided that they would first meet with those who arrived for the Hajj and unleash a propaganda against Muhammad (ﷺ). The next discussion centered on the question as to how Muhammad (ﷺ) was to be described. That each should give a different description would be an affront to their own credibility. What, then, would be the allegation that may be made in common between them? Some said, "Let us say that Muhammad (ﷺ) is a soothsayer." To this, Waleed bin Mugheera, a prominent tribal chief retorted, "That can never be. For, by Allah, he is not a soothsayer and we have seen soothsayers. Muhammad's words are not the prophecies of soothsayers." Yet others said, "We shall say that he is a madman." Then said Waleed, "He is not a madman. We have seen madmen and he has nothing either of their mad talk or of their antics and devilish tendencies." At this, they said, "Then, in that case, let us say that he is a poet." But Waleed countered, "He is no poet. For we are aware of all the types of poetry and, for surly, it is not poetry that he uttereth." The people then said, "Let us say, then, that he is a sorcerer." But Waleed retorted once again, "He is no sorcerer and he uses neither their knots nor their lutes."

"Then what is it that you propose?" they demanded. He then declared, "Verily, there is a particular sweetness in his words. Its value is expansive, even as fruit-laden are its branches. For certain all that you may utter against him will, in time, prove to be meaningless and futile. It is, therefore, suitable that he be described as a magician who is out to disrupt the ties between father and children, husband and wife as well as between the elder and the younger brother!" Accept this the people did. They started, also, the propagation likewise.

What is it that this incident gives us to understand? The allegation that he was a madman was but one among the other false propaganda fabricated by his enemies to alienate the people from the guidance of the Prophet. In fact, the very people who spread this misconception themselves never believed in it. It is for this same

reason, therefore, that to accept as evidence their allegation, they deliberated a lot and arrived at such a consensus.

The Prophet had lived fourteen centuries ago. As such, to examine whether he did actually suffer from schizophrenia is, as of today, beyond us. It is, however, the revelation and dreams which he experienced that are now upheld as evidences by those who allege that Muhammad (ﷺ) had, indeed, been a schizophrenic patient. Moreover, this claim has been put forward by the critics on the basis of the *ahadith* which describes the nature of the revelation as told by the Prophet and the external and physical changes to which the Prophet was subjected while in receipt of the divine revelation. However, an impartial enquiry into the subject as to whether the symptoms of a schizophrenic disorder were, indeed, present in the Prophet will make it amply clear that this allegation is without any substance, whatsoever.

One : The behavioral patterns of a schizophrenic patient is constantly in a flux. This inconsistency manifests itself in the behaviour displayed while dealing with other people and in one's conversation as well.

Examine the life and speech of Muhammad (ﷺ). We are unable to trace out any contradiction, whatsoever, in his approach or character. If Prophet Muhammad (ﷺ) was, indeed, of a behaviour that constantly shifted as well as of a manner of talking in which there was no relation between his present and past utterances, how was it possible that he *did* have so many trustworthy and devoted companions?

The companions of Muhammad (ﷺ) were never like the followers of the ordinary divines whom we have come to know of today. They were ever engaged in carrying out into practice all that he recommended them to accomplish. Is it believable that a great multitude of people would go on to carry out the biddings of a schizophrenic patient?

Two : The responses of the schizophrenic patient, will also be contradictory. Indeed, such people might burst out crying in times of joy and burst out laughing in times of grief. It is also seen that they cry and laugh for no particular reason.

The responses exhibited by Muhammad (ﷺ) were, however, well-balanced. Consider just an incident in this regard. The Prophet was once resting himself in the shade of a tree. Suddenly he is confronted by an attacker with a drawn-out sword who asks, "Who will now save thee from myself?" With firmness came the Prophet's reply, "Allah!" Upon hearing this reply, behind which was a great, and manifest conviction, the sword slipped down from the hand of the would-be attacker.

Is it possible to expect such strength of conviction from a schizophrenic patient?

Three : Schizophrenic people are usually introverts. They never take the slightest interest in the happenings of the outside world.

Prophet Muhammad (ﷺ) had never been an introvert. Indeed, he was a man who not only viewed with the greatest interest the developments in the world around him, but he also played out his own role whenever the prevailing circumstances called forth such a necessity. He was, furthermore, a person who had striven not only to provide a moral code to the people, but also to live out a life that would stand as an exemplary model for them to follow.

Lamartine wrote: "**Philosopher, orator, apostle, legislator, warrior, the conqueror of ideas, the restorer of the faith, of a cult without images, the founder of twenty terrestrial empires and one spiritual empire - that was Muhammad. As regards all the standards by which human greatness may be measured, we may well ask the question: 'Is there any man greater than he?'**" (*Historie De la Turquie*, vol. 2, page 277)

Is this the evaluative account about an introvert who was also a schizophrenic?

Four : Those who suffer from Schizophrenia can hardly work systematically towards the attainment of any lofty objective. Such people, who are unable to accomplish anything of significance, will necessarily be a mentally and physically exhausted lot.

Prophet Muhammad (ﷺ) had been the last of the messengers

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of God who had been sent for the guidance of humanity. He was eminently successful in that he accomplished the very purpose of his mission in a span of time which stretched roughly over two decades. Indeed, Muhammad (ﷺ) managed to attract scores of people to the religion of truth by way of a disciplined method of propagation. It had been just twenty-three years that was all that was required to transform a people who had been nowhere in civilization and culture into a race that became the highest exemplars for the whole world. All those who have analysed history with impartiality have opined that Muhammad (ﷺ) was indeed, the person who has most influenced the world.

Will those, who know even a little about the said disorder, ever accept that all this was possible by a schizophrenic patient?

Five : The Schizophrenic patient suffers from delusions as well as hallucinations. These delusion and hallucinations have no semblance or relation with reality.

The critics have attributed Schizophrenia to him by classifying the revelations and visions which the Prophet Muhammad (ﷺ) received into this category. We have, however, seen that none of the other symptoms of Schizophrenia were present in the Prophet. Then how will it be possible to attribute a schizophrenic disorder to him in the light these revelations alone? The 'revelations' to which the schizophrenic patient is subject are but a symptom of the disease. Such revelations will be related and confined only to his own personal domains. But what of the revelations which Muhammad (ﷺ) had experienced? Those revelations had served to carve out an ideal community in a step by step fashion. Firstly, it inculcated, in the people, the consciousness about God and of the Hereafter. Stage by stage, it struck at the very root of the evils that had afflicted the society. In such manner was it, therefore, that the revelations experienced by Muhammad (ﷺ) were able to become the very cause behind the creation of an exemplary society. Indeed, the revolution that was wrought stands at the pinnacle of greatness. In the broad sweep of history there has not been another revolution to rival it in any way.

COMPOSITION OF THE QUR'AN

Is it ever possible that the delusions of a schizophrenic patient can serve as the cause of the creation of an exemplary society and of a faultless and incomparable revolution?

It is clear from all this that the allegations that Muhammad (ﷺ) was a schizophrenic patient and that it is the delusions which he had heard that form the contents of the Qur'an are merely allegations that do not deserve to be considered in their own right.

Muhammed (ﷺ) might have received revelation. But could it not have been Satanic revelations?

Many Christian critics have alleged that the revelation received by Muhammad (ﷺ) were, in fact, from the Satan himself. It has been the endeavour of the Christian writers like C.D. Fander, Claire Tisdal, Joshmach Dowell, John Gilchrist and G. Nehless to portray the revelations received by Muhammad (ﷺ) as being the insinuations of the Devil. They advocate the idea that it had been the attempt of the Devil to confine man within the pitfalls of sin by way of denying the crucifixion of Jesus Christ and the atonement of sin through it, that stands behind the verses of the Qur'an. Can the Devil infest the human body? Can a person be afflicted with disease owing to his possession by the Devil? Will a person possessed by the Devil have the experience of revelation? Such discussions are irrelevant here. By the dictum of the Bible, then, let us consider the disorders that manifest themselves in the person possessed by the Devil :

1. Screaming aloud owing to the affliction of the brain (Mark 1:24, Luke 9:39, John 10:20)
2. Suicidal tendency (Mathew 9,18:17, 15:32, Mark 5:13, Luke 8:33)
3. Tendency to walk naked (Luke 8:2, 8:35)
4. To be pushed aside by the Devil (Mathew 17:15, Mark 1:26, 9:18, 9:20, 9:26)
5. Dumbness (Mark 9:25, 9:32, 12:22, Luke 11:14)
6. Deafness (Mark 9:25)

7. Blindness (Mathew 12:22)

8. To see that which others do not and to know that which others don't (Mark 1:24, Luke 4:3, Mathew 8:29)

None of the symptoms of the one possessed by the Devil, which are described in the Bible, is seen in the person of Muhammad (ﷺ). One of the evidences cited by those who allege that Muhammad (pbuh) was possessed by the Devil has been his own statement that the divine revelation sometimes came to him in the form of the ringing of a bell and that this form of revelation was the hardest for him. Another evidence cited has been the saying of Aysha (r), the wife of the Prophet, that she saw beads of perspiration on the forehead of the Prophet when the revelation came upon him on a very cold day. Here, there is an important question that is to be considered. Does the Bible say, in any place, that the one possessed by the Devil feels the ringing of a bell in his ears or that his forehead is dampened with the wetness of perspiration even in extreme cold? If it does not, then what, indeed, is the basis on which the followers of the Bible allege satanic possession against the Prophet?

Those who say that the divine message received by the Prophet was the production of a Devilish possession, are, in fact, actually forced to say that their own holy men are themselves possessed by the Devil.

'St. Paul' had been the one who had actively laboured to destroy Jesus as well as the ideals that he propagated (Acts of the Apostles 9:1, 26:10, 8:1) as long as he remained on the earth, after which it was that he came forward with the claim that Christ had appeared to him in a vision. Observe the description in the Bible of the way in which he had received this vision of Christ: **"As he neared Damascus on his journey, suddenly a light from heaven flashed around him. He fell to the ground and heard a voice say to him, 'Saul, Saul, why do you persecute me?'"**

'Who are you, Lord ?' Saul asked. 'I am Jesus, whom you are persecuting.' He replied. 'Now get up and go into the city, and you will be told what you must do.'

The men travelling with Saul stood there speechless, they heard the sound but did not see anyone. Saul got up from the ground, but when he opened his eyes he could see nothing. So they led him by the hand into Damascus. For three days he was blind, and did not eat or drink anything." (Acts of the Apostles 9:3-9)

We have seen that the Bible indicates the falling down to the ground, seeing that which others do not see and hearing that which others do not hear as being the symptoms of a devilish possession. In the incident wherein Paul claimed that he saw Christ, he had experienced all these symptoms too. But will the Christian world accept it if it was now claimed that Paul himself had been possessed of the Devil? The Christian critics will never be able to produce even a single shred of evidence from the Bible to conclusively assert that Muhammad (ﷺ) was possessed by the Devil. On the other hand, however, it can be shown, using the Bible, that Paul, the real founder of the present-day Christian faith, had been subjected to the insinuations of the Satan. Then who is it, now, who was actually possessed of by the Devil ?

Now, examine the very corner-stone of the Christian allegation that the Qur'an had come to be written because of the Satanic influences that moved Muhammad (ﷺ). After all, it has been only because of the Qur'anic denunciation of the concept of salvation through the crucifixion of Jesus Christ that the Qur'an has been alleged to be a satanic creation. What, then, is the reality? Both Christians and Muslims believe that Jesus was of a pure and unblemished character. Both groups are agreed upon the fact that he had been appointed by God Almighty Himself. Further still, both affirm that he was not possessed by the Devil. If such is the case, then why should we not compare the teachings of Jesus Christ with those of Paul and Muhammad (ﷺ) in order to analyze as to who it was - Paul or Muhammad (ﷺ) - who was afflicted by the insinuations of the Satan. For any person in receipt of a revelation from the Devil must, of a necessity, be an enemy of Jesus; going by the consideration that the antagonist of a messenger from God will naturally be the antagonist

of the message that he conveys.

Jesus said: **“Do not think that I have come to abolish the Law or the prophets”** (Mathew 5:17)

The Qur'an says, **“It was We who revealed the Torah (to Moses): therein was guidance and light.”** (5:44)

“And remember, Jesus, the son of Mary, said: ‘O Children of Israel! I am the messenger of Allah (Sent) to you, confirming the Taurat (which came) before me, and giving Glad Tidings of messenger to come after me, whose name shall be Ahmad.’” (61:6)

Paul had written, **“Christ redeemed us from the curse of the Law.”** (Galatians 3:13)

“By abolishing in his flesh the law with its commandments and regulations.” (Ephesians 2:15)

Jesus said that he came not to destroy the law; the Qur'an, too, says the same. As for Paul, he contends that Jesus had come to save the world from the law. Who indeed, is the one who received the revelation of Satan ?

Jesus Christ had never taught that he was God. (Mark 12:29, Mathew 4:10). The Qur'an, too, reiterates this beyond the shadow of a doubt. (3:51). But Paul had stated thus, **“Who, being in very nature God, did not consider equality with, God something to be grasped.”** (Philippians 2:6) and **“He is the image of the invisible God, the first born over all creation.”** (Colossians 1:15). Jesus had never received any revelation that stated that he himself was God. Even if he did receive such a revelation, he would certainly have made it known. But Paul seems to have received a ‘revelation’ declaring Jesus to be God. Whence, indeed, must that ‘revelation’ have proceeded ?

The Bible described the circumcision as a covenant which God had made with Abraham. The Lord had instructed Abraham about the circumcision as follows: **“As for you, you must keep my covenant, you and your descendants after you for the generation to come.”** (Genesis 17:9-14). The Bible quotes God as having told Moses, **“On**

the eighth day the boy is to be circumcised.” (Leviticus 12:3). Jesus, too, had observed this divine commandment: **“On the eighth day, when it was time to circumcise him”** (Luke 2:21) Jesus had never instructed anyone against the circumcision. This had been for the simple reason that he had never received such a revelation in the first place. But observe what Paul says: **“... if you let yourselves be circumcised Christ will be of no value to you at all.”** (Galatians 5:2). Whence did Paul receive this ‘revelation’ ? Of a certainty, not from God, if not, then where from indeed?

The major reason behind the allegation that Muhammad (ﷺ) had his revelations from the Devil has been that the Qur'an refuted the crucifixion and salvation of humanity through the sacrifice of a single individual. There are numerous verses in the Qur'an wherein Jesus and his mother have been praised and have found the most reverential mention. It may also be remembered that Maryam has been the only woman to be referred by name in the Qur'an. The Qur'an further describes even the miracle wrought through Jesus which has not been recorded in the Bible like his having breathed life into birds of clay (3:49). The incident wherein the baby Jesus had spoken from his cradle which the Qur'an describes (19:30) is not mentioned anywhere in the Bible. There is nothing in the Qur'an that serve to tarnish the lofty character of Jesus. Here it is especially relevant that according to the Gospel of John, the first miracle of Christ had been that he had produced wine at a marriage function in Canaan (John 2:1-11). There is, however, no such reference in the Qur'an.

The Biblical concept has been that **“... anyone who is hung on a tree is under God's curse.”** (Deuteronomy 21:23). The Jews had thought that they had had Jesus accursed by way of impaling him onto the cross. Paul, too, says the same thing. **“Christ redeemed us from the curse of the law by becoming a curse for us, for it is written: ‘Cursed is everyone who is hung on a tree.’”** (Galatians 3:13). It follows from this that the crucifixion has only served to make of Jesus an accursed person. But the Qur'an does not accept the idea

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that Jesus had become so accursed for the sins of the whole world. How can anyone believe that God never heard the prayer of Jesus which he made in order that he be saved from the accursed wooden cross (Mathew 29:39) without believing in the very rejection of divine mercy to Jesus? The Qur'an, however, teaches that God had, by way of saving Jesus from the accursed wooden cross, undermined the conspiracy of the Jews. (4:157,158)

The Jews contend that Jesus had become accursed by way of his being impaled upon the cross.

Paul contends that Jesus had become accursed by way of his dying upon the cross.

The Qur'an contends that God saved Prophet Jesus from the cross.

Which among these is the revelation of the Satan? Is it the one which glorifies Jesus or is it the one which makes of him an accursed person?

In short, therefore, the stark reality is that those who strive to produce proofs to the effect that the Qur'an's has been a satanic revelation, have kept falling into the pitfalls of their own making.

FOUR THE QUR'AN AND LITERATURE

What is implied when it is said that the Qur'an is a supernatural sign?

It can be understood from the revealed scriptures that the messengers of God, who were appointed by God Himself, had been given supernatural signs to convince people of the truth of their prophethood. These signs, or miracles, were intended to enable people to appreciate the fact that their claims to prophethood were, indeed, true. The staff given to the Prophet Moosa (a), which he would turn into a serpent, is an example.

These miracles were, however, present and relevant only during their own life times. None of these miracles ever survived after them. Nor were they meant to do so in the future. However, the miracle that manifested itself through the last messenger is certainly not of that kind. Like his mission, it too will survive upto the Last Day. This marvellous miracle is the Qur'an. The Qur'an may be examined by any upto the Last Day. The wonders within it may confirm as to whether the prophethood of Muhammad (ﷺ) is, in fact, genuine.

The Qur'an, which constitutes, at one and the same time, a religious scripture and a supernatural sign, is, in itself, the ever lasting miracle of miracles that is to remain till the Last Day.

What is it that makes the Qur'an a supernatural sign?

The content, style and language of the Qur'an are all, in themselves, wonderful. It was into the midst of the greatest exponents of Arabian literature that the Qur'an was revealed. The poetry of fourteen centuries past are, to this day, hailed as the masterpieces of Arabian literature. It was through an illiterate person from amongst them that the world first heard of the Qur'an. As for him, he was one who had shown not the slightest inclination towards literature upto the age of forty. There were also no questions raised about the undoubtedly, excellent quality of the style of the Qur'an by the society into which it was revealed. Whether believer or unbeliever, the Arabs were all unanimous in their recognition of the lofty standard of the style and language of the Qur'an. The unbelievers, for their part, had only refrained from accepting its divine nature by resorting to allegations that it was sorcery and the words of the Devil himself.

It is pertinent, here, to note the words of Waleed bin Mughira, a leader of the Quraysh and himself the greatest authority in Arabian literature, who, on being asked by Abu Jahl to make a public proclamation against the Qur'an, said: **“What can I say? Whether it be in prose or in poetry, the poems of the Jinns or in any other branch of Arabian literature, I possess greater knowledge than you. By God! The words brought forth by this man, are such as to be incomparable with any of the others. By God, his words possess a charming sweetness and a particular beauty all of themselves. Moreover, its branches are laden with fruit while its roots are firmly entrenched in the soil whence it proceeds. Most certainly, therefore, it is superior to all other discourses. Furthermore, it is not possible for any other discourse to show it in poor light. It is certain that it will conquer anything comes under its influence!”**

It must be remembered that this has been the comment of a

non-Muslim. Indeed, a finer endorsement of the level of the style and language of the Qur'an need not be called for.

The style of the Qur'an is inimitable. This has been attested by even the most modern of the non-Muslim Arab scholars. Observe the writing of the orientalist G. Sale.

“The style of the Qur'an is beautiful, it is adorned with bold figures after the eastern taste, enlivened with florid and sententious expressions and in many places where the majesty and attributes of God are described, sublime and magnificent” (G. Sale, *The Koran: Commonly called Al-Qur'an*, with a preliminary discourse, London, 1899, Vol.1, page 47).

A.J. Arberry, another orientalist, writes thus:

“The complex prosody, a rich repertory of subtle and complicated rhymes had been completely perfected. A vocabulary of themes, images, and figures extensive but nevertheless circumscribed, was firmly established” (A.J. Arberry, *The Qur'an interpreted*, London 1955, page 11).

The style, language and content of the Qur'an are all unparalleled; all beyond imitation; are all in their refined beauty, exquisite. Anyone conversant with Arabic will easily grasp this. Each verse of the Qur'an possesses an extreme attraction and a potential so great as to cause a transformation in the mind of its listeners. This has been admitted by several medieval and modern critics with a reasonable knowledge of Arabic.

A thing becomes a supernatural manifestation when it remains unconquered by man. When Prophet Moses let fall his staff upon the ground, it turned into a writhing serpent. Moreover, it swallowed the staffs and ropes of the magicians of the day who had come to contest the sign of God. This has been described in the Qur'an and the Bible. (Qur'an 26:38-45, Exodus 7:11-13).

It is the contention and claim of the Qur'an itself that it remains unmatched in its style, structure, breadth of vision and loftiness of content and that it is impossible for any man or groups of men to ever

compose a script that will, in any way, equal it. **“And if ye are in doubt as to what We have revealed from time to time to Our servant then produce a Sura like thereunto; and call your witnesses or helpers (If there are any) besides Allah, If ye are truthful. But if ye cannot-and of a surety ye cannot-then fear the Fire whose fuel is Men and Stones, which is prepared for those who reject Faith.”** (2:23,24). That this is, in fact, true will be admitted by all those who are learned in the language.

It has not yet been possible for any one in the world of Arab letters to answer the challenge posed by the Qur'an when it dared its detractors to bring forth even a single chapter like its own. The fact of the matter then is that even the critics who are well versed in Arabic have not been able to either defend or make a convincing reply as regards their own contemptuous refutation of the claim that the Qur'an remains the supernatural sign that was revealed to Prophet Muhammad (ﷺ).

What are the factors that make the Qur'an incomparable and inimitable?

The linguistic style and the descriptive method that have been employed in the Qur'an are totally different from those seen in human writings. The following are some of the specialities:

1. In the matter of the subjects that they deal with, the words of the Qur'an are seen to be concise and free of overt emotions of any sort. Literature composed by human kind will, undoubtedly, reveal itself through its contents the underlying mental currents of the individual. The words of a person in a fit of anger will naturally betray the innate anger within himself. Indeed, in that instant no pity or commendation will be present in those words. Similar will be the case when it is a joyous mood that he finds himself in! It becomes imperative, therefore, to explain such statements only on the foundations of the extreme emotions like anger or joy on which they are based. For in these statements the domineering presence of the emotional intonations will be easily seen. Indeed, these emotional underpinning are evident in the works of all men of letters for the simple reason that they are,

after all, very human and subject to all the accompanying emotions related to the human nature.

In the verses of the Qur'an, however, it is not possible to detect at any place the excessive strains of emotion be it in its announcement of glad tidings, or warnings; in its explanation of laws or in its description of the blessings of God. This is so because it has been revealed by God Who is Himself above relativistic emotions of manifest in human beings..

2. Whenever the Qur'an describes any subject irrespective of its nature, it maintains an eloquence and flow of language reflecting its divine Origin.

The flow of language of the individual will, oftentimes, be confined to a few and particular topics. It may even be that in these particular topics their writings will be of a high standard. However, if they themselves were to write on other subjects, their writings would hardly succeed in maintaining even an average standard. The mindset of the writer, his family environment, emotional trappings and the state of society all combine to influence his interests and outlook.

While describing the marvels of nature, or while speaking about the world hereafter or while narrating momentous happenings of the past, the verses of the Qur'an exhibit an eloquence that is one and the same.

In the glorification of the greatness of God and in the declaration of legal decrees, too, they exhibit the same flow and grandeur of language. This has been so only because they have proceeded from the Creator Who is Himself above and beyond all the constraints of space and time.

3. While the verses of the Qur'an are of a high literary standing, they are, in addition, precise and truthful in their expositions.

It is the general belief that literature can be made beautiful only in the description of that which is imaginary. It is also said that literature cannot be beautified without the depiction of half-truths and falsehoods. That lies must be uttered in order that the poem is made good has

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become one of the more hallowed sayings of our time. The literary works that provide often truthful information are seen to be dull and barren. It has been for the same reason that even the men of letters who yearn to present the truth must do so only to the accompaniment of that which is false. The reason behind this can be seen in the notion that the emotional strata of the human mind can scarcely be satisfied without dramatisation and exaggeration.

The verses of the Qur'an stand wholly apart from this brand of mainstream literature. Nothing but the truth is entertained therein. But they are capable of maintaining a high literary standard while yet satisfying the intellect of man. Undoubtedly, this has been so because they proceed from the Omniscient Entity who is best aware of the carvings of the human mind.

4. The Qur'an keeps up a high literary standard right from the beginning to the very end.

We say that a poem is beautiful on the basis that a few lines in it are actually so. All the lines of the poem need not, necessarily, be of that type. A writer is said to possess a high standing on the basis of a few of his literary works alone. His other literary works need not, necessarily, possess that quality. Indeed, each individual will have a particular age and particular circumstances in which his composed literary work will be of great merit. This is because the writer is influenced by age, environment and even climate.

All the verses of the Qur'an consistently maintain a high literary value. It is impossible for anyone to say with confidence that even one among the six thousand and more verses of the Qur'an is of a low standing. The Qur'an was revealed over a long period of twenty-three years of the Prophetic mission under differing circumstances. If it was, indeed, the work of the Prophet himself, the quality which it presented would have changed according to the mental state of the Prophet under the influence of varying circumstances. However, each verse of the Qur'an actually competes with its every other verse. This has been so because it is from the Almighty Himself.

5. Even when the Qur'an describes the same subject more

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than once, it, nevertheless, maintains a high standard on each occasion.

In ordinary works of literature, when the same subject is described more than once, the beauty of the first depiction is lost in the second. It can be seen that an aversion or monotony becomes evident in the words of the writer as well as in the mind of the one who takes delight in the work. This is so because man - no matter how great a man of letters he might be - is constrained by the limitations of a fundamental nature which are inherent in him.

The Qur'an, however, does repeat a number of times and, that too, about a number of issues. In fact, the Qur'an repeatedly deals with topics such as creation, death, life after death, the descriptions of the greatness of God, the necessity of making all worship due unto Him alone and the like. But each time that it is repeated it appears to the listener with a feeling of novelty and with the indicative strains of change and reminder within his mind. This is so because it has been revealed by that Highest Entity Who is far above any limitations.

6. Even though the topics dealt with in the Qur'an are such as cannot be handled by literary efforts alone, it has successfully managed to preserve that high standard, so characteristic of it, in every such issue while maintaining intact the ever accompanying beauty and grandeur of depiction.

From the viewpoint of the man of letters issues like life after death, the existence of God, rituals, legal decrees, prohibitions and commands, the encouragement of virtues, truthful historical documentation are all dry and barren topics. The general notion, therefore, is that literature does not become meaningful when used to deal with such and similar topics. For, indeed, these are not the subjects in which the fanciful flights of imagination can be given a free hand. It is for this reason that all literary works that *have* dealt with such issues have not been known to possess an international reputation. Indeed, it is again the limitations of man that becomes evident here. The subject matter of the Qur'an, on the other hand, chiefly consists of such topics. Nevertheless, they maintain a lofty standard and are able to provide the one, who takes delight in them, with contentment

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of mind. This is so because it has been revealed by the Lord Creator Who is above, and beyond, all matter itself.

7. The Qur'an is able to sustain its linguistic beauty even when it shifts from one subject to another.

Even when in a single literary work, there occurs a shift from one subject to another, it is oftentimes not possible to maintain the same standard as was done up to the portion when the shift occurred. The clarity and charm with which the ideas form in the mind of the writer of literature when he deals with one subject is, however, dimmed when he begins to talk about the next subject. This is because new ideas take time to form and shine forth. In fact, this is like entrusting a man, who had been performing one task efficiently, suddenly with another task. This, too, is a general shortcoming of human beings.

In the Qur'an, too, there is a constant and persistent shift from one subject to another throughout its pages. Nevertheless, there is evident, therein, neither a loss in its clarity nor any damage to its beauty and majesty of presentation. This is so because it is from the Almighty Himself.

8. The Qur'an is a book which presents ideas pregnant with meaning and that too, with an economy of words that does not, in any way result in the loss of beauty and eloquence of description.

The ordinary works of literature contain oceans of words; the pearls of ideas are, however, very few indeed. As for the works that were written to highlight lofty concepts, they constitute a virtual jugglery with words. Every writer will have his own idea as to the variety of methods by which the concepts in his mind are to be conveyed to the reader. As this idea is the writer's very own, the reader might feel that many of the expressions used are unnecessary. An expression which is felt to be unnecessary by one reader will be seen as indispensable in the view of another. In order to please everybody, therefore, he will be forced to employ a large number of words. The reason for this is man's own inability in reading the thoughts of others.

As for the Qur'an, only the most indispensable of words have

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been used. The idea that it wishes to convey to the one who recites it is amply communicated with the use of these words alone. The Qur'an is thus a book that employs the most limited number of words to express even the grandest of ideas and that too in a fashion which leaves any reader - no matter which type - fully satisfied. This is so because it has been revealed by Him Who is best aware of the intricacies of the human mind.

9. Judging by any of the standards in literary appreciation, the Qur'an remains a work of literature that is in the highest category.

All works of literature are meant to appease one or the other of man's emotions, like sorrow, joy, pity, mercy, hatred, opposition and the like. Similarly, it is difficult to find radiance, sweetness, beauty and majesty of presentation, together in a single work of literature. It is only through any one of the aspects of literature that literary works may be judged and appreciated. It is not possible to create a work of literature that includes, within itself, in equal measure, all ingredients of the ideal. This, too, is the limitation of man.

The Qur'an, however, touches all the chords of human emotion. It contains verses that serve to make one happy as well as sorrowful; to make of man one with compassion and mercy; the verses in it are capable of generating hatred and opposition. Furthermore, it prompts the human intellect into a position of functional efficiency. The aesthetic peculiarities of literature like radiance, sweetness, beauty and charm are combined together in a potent form in the Qur'an. Conforming to the lofty literary style in which it is composed, it can be seen to have achieved the highest standard indeed.

10. The style, usages, method, and concepts in the Qur'an have not been borrowed from any.

No matter how fundamental a work any literature may turn out to be, the style and wordings of other writers will be seen to have influenced it. This is but natural. For it is impossible for a person to produce a work of literature without being influenced by the writings of the predecessors. However, it must be noted that plagiarism or direct copying is not that which is meant here. It is only the influence of style

and ideas that is indicated here. And without that no writing, whatsoever, is possible. This is the limitation of the human mind. Indeed, man is he who learns from his predecessors and then develops upon that learning.

The Qur'an, on the other hand, is completely free of this borrowing. The Qur'an has not borrowed for itself the style, form, method or ideas of any in the world of Arabic literature. In fact, there is no influence, whatsoever, of the writings of any other on the Qur'an. The Qur'an is, by all standards, a work of the most fundamental kind. This is so because it has been revealed from the Owner of all knowledge Who is Himself free of the confines and limitations of any kind.

It is said that literature becomes truly meaningful when the winds of change blow hard within the mind of the listener. From this perspective can it be said that the Qur'an is a work of great literary merit?

If the yardstick that literature should be that which is able to so transform the individual as to become the reason for all social change itself is used as the basis of an examination, it can be said that the Qur'an is indeed, a faultless work. Along with providing the intellect of its listener with contentment and his mind with peace, the verses of the Qur'an initiates changes in his heart also. Indeed, the ability of the Qur'an to influence the mind of man and to induce in it the powerful waves of change is but one of its specialities which makes it unequalled.

Prophet Muhammad (ﷺ) was once reciting the Qur'an near the Ka'aba. There were Muslims and non-Muslims amongst the listeners. As he came to the *ayah* of the prostration while reciting *Sura Najm*, the Prophet, forthwith, prostrated himself as instructed by Allah. All the other people present - whether Muslim or otherwise - too were compelled by themselves to bow down in prostration along with the Prophet, except for the arrogant Ummayyath bin Khalaf. How strong was the influence of the Qur'an! Even the hardest of its opponents bowed to its commands!!

Labeed bin Rabia was one of the greatest exponents of Arabic literature during the time of the Prophet (ﷺ). On a certain occasion

one of his more beautiful poems was hung on the doors of the Ka'aba. The call was made to challenge this poem by producing another of greater merit. However so perfect was the poem that not one among the other poets who was present, even so much as dared to lay another poem by its side. The companions of the Prophet had, in the meantime, sought to hang a few verses of the Qur'an near it. It was with contempt which he explicitly showed for him who had challenged his poem that Labeed came over to read the verses of the Qur'an. He had read just a few of the verses before he became intensely attracted by the rhetoric of the Qur'an and embraced Islam. It was the ability of the Qur'an to create a transformation even in the mind of the one who had held it in contempt that was displayed there.

The entry of Umar bin al Khattab (r) into the fold of Islam is of historical importance.. Indeed, it had been the elegance and majesty of the topics that it dealt with, which made Umar (r), who had proceeded, sword in hand, to take the life of Prophet Muhammad (ﷺ), to change his mind, upon reading a few verses of the Qur'an from the parchments in his sister's possession.

Once Jubair bin Makthoom, who was a polytheist, passed by while Prophet Muhammad (ﷺ) was reciting *surah Toor* in the course of his Maghrib prayer. This he happened to overhear. Each one of its verses left a deep imprint upon his heart. Its beauty greatly influenced him. He wondered at its marvellous power to transform his attitude. Thereupon, he embraced Islam. How many, indeed, are the incidents of such nature!

The Meccan polytheists were fully conscious of the eloquence and rhetorical style of the Qur'an. They knew that it was this magnificence which had caused the people to drift away from their traditional faith and practice. The Meccans had told Ibn Dughuna, who had stopped and brought back Abu Bakr (r) who was on the verge of leaving his native land, thus: "It should not happen that Abu Bakr recites the Qur'an aloud and our wives and children should chance upon hearing it themselves. For it will be only then that we shall allow Abu Bakr to reside here."

It was, in fact, this power of the Qur'an to influence and persuade that had attracted people greatly to Islam. The simple truth has been that it was this supernatural aspect of the Qur'an which was the primary reason behind the transformation of a people, steeped, as they were, in the depths of darkness, into becoming the torch bearers of an exemplary civilization and culture within a short span of just twenty-three years. Indeed, this was what R.V.C. Bodley had in mind when he wrote:

“This book transformed the simple shepherds, the merchants and nomads of Arabia into warriors and empire builders.” (R.V.C Bodley, *The messenger: The life of Mohammed*, New York, 1943, Page 239)

Of the Qur'an's surpassing ability to influence and persuade, Morgan wrote:

“The Qur'an succeeded so well in captivating the mind of the audience that several of the opponents thought it the effect of witchcraft and enchantment.” (K.W. Morgan, *Islam interpreted by Muslims*, London, 1955, Page 27)

Can it be said that the Qur'an is a divine scripture simply on the ground of it being a work of great literary merit?

It is not possible to say that any book is divine simply because it is of a high literary standard. Even as it is not possible to recognize as prophets all those who change into serpent a stick by dropping it to the ground, so is it that there exists a fundamental difference between divine signs and human trickery. The fact is that divine signs challenge all the capabilities of man. Indeed, no amount of human trickery can seek to stand above it, no matter how meaningful they *can* be. Even as the serpent of Moses swallowed up all the snakes of the other magicians, so, too, will divine signs ever remain as a challenge to all, and every, trickery of man. That, for one thing, is a certainty.

The Qur'an does maintain a high literary standard and is capable of influencing the mind of man. Along with that, it puts forth an unparalleled challenge to mankind. This challenge is but to produce a

writing that is similar to its own.

Against this challenge, however, all the other works of literature stand as helpless as the illusory snakes of the magicians before the serpent of Moses.

The Qur'an had first issued forth the challenge to bring a book like its own. The Qur'an said: **“Say: ‘If the whole of mankind and Jinns were to gather together to produce the like of this Qur'an, they could not produce the like thereof, even if they backed up each other with help and support.’”** (17:88)

All the Arab men of letters had bowed down before the challenge of the Qur'an to bring a book that was similar to it. Despite this, the Qur'an further challenged those who alleged that it was but forgery and witchcraft: **“or do they say that he has forged it? Then bring forth ten verses like thereunto. And call forth your partners besides Allah to help you thereof. If ye, indeed, speak the truth.”** (10:18)

None amongst its contemporaries were able to meet the challenge of the Qur'an to bring forth ten verses like its own and to prove that it was man-made as was made out by the allegations against it. But the disbelievers never ended the propaganda that Muhammad (pbuh) had written the Qur'an. To this, the Qur'an further said: **“Or do they say, ‘He forged it’? Say: ‘Bring then a Sura like unto it, and call (to your aid) anyone you can, besides Allah, if it be ye speak the truth!’”** (10:38)

It was not possible for any of the men of literature who lived in those times, to meet any one of those challenges. Many among them, in fact, tried, failed and withdrew. The Qur'an is to be a lasting sign for all mankind up to the Last Day. As such, it repeated once more that challenge: **“And if ye are in doubt as to what We have revealed from time to time to Our servant then produce a Sura like thereunto; and call your witness or helpers (If there are any) besides Allah, if ye are truthful. But if ye cannot - and of a surety ye cannot - then fear the Fire whose fuel is Men and Stones, which is prepared for those who reject Faith.”** (2:23,24)

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The challenge made here is that excepting for God Himself, if all in the world were to gather together for the sole purpose of composing a work that would equal even the smallest chapter of the Qur'an, they would not succeed in their endeavour. The veterans of Arabic literature could not meet this challenge. That challenge remains very much open to the world of today also. Indeed, the challenge of the Qur'an continues to ever resound within the ears of humanity. Unlike the language of the other religious scriptures the language of the Qur'an is never a lifeless one. On the contrary, it has remained very much a language that is at the same time living, vibrant and spoken today. There are quite a large number of non Muslims who speak the Arabic language. There are also the Arabic speaking men of letters who are, in themselves, the hardest opponents of Islam. But none of them has been able to give a convincing reply to the challenge posed by the Qur'an. Nor will they be able to do so in future either.

If the Qur'an was merely a human work of literature, it would not have been possible for it to throw open such a challenge.

How, indeed, will any sane person dare to proclaim that even if all of mankind were to join together for the purpose, they would never be able to bring forth a single chapter to compare with even the smallest of his own work?

Indeed, it is in this challenge that the superhuman nature of the Qur'an finds its most lasting and clearest expression. By implication then, had it not been for this challenge a superhuman status could never be attributed solely to the Qur'anic literature even as is the case with any other literary work.

Is not the Qur'an a literary creation like every other incomparable work of literature that form the magnum opus of each language? Is not the challenge in the Qur'an as futile as every other challenge that calls for the creation of another like it?

There is not, in the English language, another body of dramatic literature that can vie with the plays of Shakespeare. In the German language, the works of Goethe and Schiller are at the very pinnacle of

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German literature. In Persian, Hafiz and Rumi are without equal. In Sanskrit it is the Rigveda which is peerless in its own right. Indeed, there have been masterpieces in each and every language. In the Arabic language, too, there have been the highest works of literature but it is into a wholly different class that the form, style and contents of the Qur'an falls. The dramas of Shakespeare, the works of Goethe and Homer; all fall into the category of fiction and entertainment literature. They have merely served to appease the human aesthetic sense.

The verses of the Qur'an, while providing for aesthetic fulfillment, also serve to create transformation. Along with joy it provides peace; through parables it conveys lessons. The Qur'an's is not the way of compulsion from without. It is more the way of impulsion from within; of persuasion in the way of deeds. The verses of the Qur'an seek to provide satisfaction of emotions, thereby, making people the very personifications of sound, decisive actions. The verses pertaining to the prohibition of intoxicants (5:90-91) is a case in point. Those who first heard of these verses had straightaway sought to put those commandments into practice in their very lives. Indeed, this was the reason why rivulets of wine flowed red in the streets of Madinah. This was truly a transformation which would never have been achieved by the literary works accomplished by man. This was not the case of one individual; nor yet of a thousand. To so change the lives of hundreds of thousands in such a way as to penetrate into the very core of their hearts and to make of them a people who follow the same rites in unison, is to achieve what is well and beyond the means of human ability. It is for the Lord Creator alone, Who is best aware of the rhythm, and subtleties of the human mind to author such a book.

Examine the works of literature that is extant in any language. It is only against the backdrop of the language and knowledge that prevailed in the age in which it was written that we speak of the literary nature of the work. However, the languages of none among them are living languages today. The English of Shakespeare as well as the Sanskrit of the Rigveda: both are not living languages today. These languages were, in fact, subject to several stages of the evolutionary

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process. The language and beauty of the Qur'an is, however, wholly different from these. Even after the passage of fourteen centuries since its revelation the Arabic of the Qur'an has continued to exist as the standard language among the Arabs. That the divine language, like the divine law, withstood the ravages of fourteen centuries is, in itself, a superhuman sign. Indeed, it will be only those, who are learned in the evolution of languages and in the changes to which other languages have been subject over the past fourteen centuries, will truly grasp this unique and astonishing feature of the Qur'an.

In truth, other works of literature are in no way worthy of comparison with the Qur'an. They were all the creations of particular circumstances; all were the works of compromise with the prevailing situation of time; works that were written with the sole purpose of entertaining people. As for the Qur'an it was revealed to move the masses. That such a book should entertain is but a remote possibility.

The verses of the Qur'an adapt themselves, at one and the same time, to the conditions prevailing at the time of its revelations as also with the conditions that may prevail in any other age. To entertain in a superficial way has never been the objective of the Qur'an. However, the Qur'anic verses *do* offer contentment and peace to the mind even while the mind is wonderstruck by the sheer majesty of its contents.

What makes the Qur'an distinct from all the other books is the challenge that it poses to all and sundry. The writers of other books never had the courage to challenge all to bring forward a book like their own; nor will they ever have it in future either. Who can ever judge the ability of another? It is simply because none can do so that such a challenge can be issued by none other than the Almighty Creator Himself. Indeed, no other literary work of an international standing has ever issued such a challenge.

In short, therefore, none of the other books of literature are worthy even of comparison with the Qur'an.

FIVE

THE COMPILATION OF THE QUR'AN

Was the Qur'an received by the Prophet Muhammad (ﷺ) from God in a compiled form?

No. The Holy Qur'an was not revealed completely all at once. Rather, it was revealed bit by bit. The verses contained in it were revealed against the backdrop of varying circumstances over a long period stretching between twenty- three years. There was no fixed time period during which the Prophet received the divine revelation. There had been instances when the Prophet had received revelation more than once in a single day. Sometimes it was only a few words that were revealed, full words that were, in their turn, to be placed in a particular position within a particular chapter. On some occasions, whole chapters were revealed to the Prophet at a stretch.

Indeed, the Qur'an's has been a compilation of verses that were revealed according to the circumstances and occasions that demanded them.

If the Qur'an is a book that has been revealed by God Almighty for

the guidance of mankind, could it not have been revealed in the form of a complete book?

This was a question which the disbelievers had asked right from the time of Muhammad (pbuh) itself. Look at what the Qur'an has to say: **“Those who reject Faith say: ‘Why is not the Qur'an revealed to him all at once? Thus (is it revealed), that We may strengthen thy heart thereby, and We have rehearsed it to thee in slow, well-arranged stages, gradually.’”** (25:32)

“(It is) a Qur'an which We have divided (into parts from time to time), in order that thou mightiest recite it to men at intervals : We have revealed it by stages.” (17:106)

It becomes clear to us from these verses as to why the Qur'an was not revealed in a completed book form. The Qur'an remains a religious scripture that is to provide guidance for all mankind which is to come right up to the Last Day. It is never a mere collection of legal decrees like the Torah. It is a book that particularly demonstrated the method by which a society may be cleansed of its decadence solely through transformation in thought and belief; in morality and values. Indeed, confronting us, today, is the picture of a society that had actually transformed itself according to the stages in which the Qur'an came to be revealed. It is, in fact, with the aid of this picture that we can seek to understand the complete meaning of each one of its verses. If the Qur'an was revealed as a complete whole, such an important method of appreciation of its contents would have been impossible. Furthermore, it would not have been possible to verify the statement that the Qur'an is a wholly practicable book. As a book that was revealed in stages to a growing community - a community that evolved in step with the said stages - we can say with certainty that it is practicable.

The benefits that have accrued from the Qur'an being revealed in stages can be summarized thus:

1. It is difficult to eradicate, in one stroke, the vices and immorality which had prevailed in society since a very long time. It is only in stages that they can be stopped. To alienate the people from

their wanton ways gradually, before establishing a permanent set of rules and regulations, will be seen to be more practical. Towards this end, revelation that comes in stages remains the ideal facility indeed.

2. The reception of divine commands in a fashion in which the doubts that arose in the minds of the people as also their immediate problems were addressed and solved, proved a favourable factor in the effective transformation of those who were addressed.

3. In the event that the revelation was made all at once, it would have become imperative to implement all the laws and decrees that were prescribed in it in a single day. It is not necessary here, to reassert the difficulty of such a procedure. Through revelation in stages, this difficulty is put to rest and it becomes possible to gradually raise a community that has been cleansed of all immorality.

4. That the revelation came to him at various intervals was a matter of great consolation and strengthening of faith for the Prophet.

5. For the illiterate Muhammad (ﷺ), the revelation which came in stages afforded a facility for the study, and memorization, of the Qur'an. It, thus, set the stage for the complete freedom from forgetfulness and mistakes.

6. Through the process of gradual revelation it becomes possible for the followers of the Prophet to memorize and study deeply the issues contained in the Qur'an and to regulate their lives according to its mandate.

When was it that the verses of the Qur'an, revealed, as they were, at different times, came to be compiled as a complete whole?

The compilation of the Qur'an took place along with its revelation. The fact of the matter is that it was the Lord Creator Himself, Who had revealed the Holy Qur'an, who had taken up the responsibility of its compilation also. Allah says: **“It is for Us to collect it and to recite it. But when We have recited it, follow thou its recital (as promulgated)”** (75:17,18)

Gabriel (a), who used to bring the revelation to Muhammad

(ﷺ), also used to inform him as to the number and position as well as the particular chapter in which each verse was to be located. The followers of the Prophet who used to transcribe the Qur'an were, themselves, referred to as *Kuttabul Wahy* (or the writers of the revelation). The major figures in this group were the *Ansars* Ubayy bin Ka'ab, Muaad bin Jabal, Zaid bin Thabit and Abu Zaid (may the pleasure of Allah be upon them all). They used to write down the Qur'an mainly on sheets of leather. Whenever the Prophet received a revelation, he used to call forth these scribes. He would then instruct them in the order which Gabriel had commanded him. In other words, they would be told as to the chapter and the position, therein, of each of these verses. They would then write it down accordingly. Thus it was that the compilation of the Qur'an also took place along with its revelation in the time of the Prophet itself.

Look at some of the *hadith* which are related to the subject: Usman (r) said: "The messenger of God used to receive various chapters at the same time. On such occasions he would call the scribes and order them to include these verses in a particular chapter which dealt with a particular subject." (Tirmudhi)

"Gabriel (a) used to recite to the Prophet the entire Qur'an once every year. As for the year of his death he was recited the Qur'an twice." (Bukhari).

Whenever a verse was revealed, therefore, the divine instruction as to its number and chapter in which it is to be positioned was also sent alongside. The Prophet then instructed the scribes to write it down accordingly. Further, Gabriel (a) himself, used to recite the entire revelation, up to the portion that has been revealed, to the Prophet to which the Prophet, in his turn, listened attentively. Then the Prophet would recite it to Gabriel. Thus the Prophet managed to be completely loyal to the divine instructions with regard to the order in which the Qur'an was to be compiled. We witness here the honest fulfillment of the divine statement that "**It is for Us to collect it and to recite it.**" (75:17)

Was the Qur'an compiled as a complete book during the time of

Muhammed (ﷺ) ?

This question may be answered with a 'yes' and a 'no'. For the answer to this question depends on the meaning that is implied when it is said that a book has been compiled. If by the compilation of a book one has in mind the idea of his followers being told clearly as to which the chapters are from the beginning to the end and which the verses in each of them are and of making a good number of his followers to memorize it, then it may be said that the Qur'an had been compiled during the time of Muhammed (pbuh) itself. But if by compilation is meant the stitching together of all the chapters and binding them between two cover pages and then publishing it, it may then be said that the Qur'an was not compiled during the time of Muhammad (ﷺ).

The fact is that it was impossible to compile the Qur'an in the life time of the Prophet. We know of the style in which the Qur'an was revealed. Gabriel comes, recites the verses of the Qur'an, instructs as to which chapter and which position it is to fit. This was the usual procedure. Since the verses, which were revealed according to various circumstances, were not compiled as chapters in the chronological order of their revelation, the Qur'an could be said to have been fully compiled as a book only after the last verse had been revealed. The last of the verses of the Qur'an was revealed just nine days before to death of the Prophet. It need not be emphasized that the compilation of the Qur'an within these nine days would have been a very difficult task. It would be correct, therefore, to say that the Prophet did not see the compilation of the Qur'an as an important matter considering the fact that many of his followers had completely memorized it and that it was written down in its entirety on sheets of leather and other such materials and that above all else, the Lord Creator Himself had assured the responsibility of protecting the Qur'an.

When and under what circumstance was the Qur'an compiled as a complete book bound between two cover pages?

It was during the reign of the first caliph, Abu Bakr, that the Qur'an was first compiled as a complete book bound between its covers.

Although the Qur'an was transcribed on leather sheets and other

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such materials during the life time of Muhammed (ﷺ) himself, they were never the main source for the study of the Qur'an on which the society depended. It was, in fact, the services of those who had learnt the whole Qur'an by heart on which the people counted. After the death of the Prophet, Abu Bakr (r) assumed the leadership of the Islamic state. When Musaylima the false prophet arraigned his powerful tribe - the Banu Haneef - against Abu Bakr (r), fighting broke out. The Muslims emerged victorious in the war. The greatest loss suffered by the Muslims, however, was the martyrdom of seventy of those who had memorized the whole of the Qur'an.

It was this incident which led Umar (r), one of the most important figures among the companions of the Prophet, to contemplate over the protection of the Qur'an. He discussed the measures that were to be taken for the purpose with the Caliph Abu Bakr (r). The Caliph was, thereby, convinced of the necessity of the compilation of the Qur'an as a complete book. He, thus, entrusted the task of compiling the Qur'an into a single book to Zaid bin Thabit, the official scribe of the Prophet and the most important of those who wrote down the Qur'an. Zaid bin Thabit himself had memorized the whole Qur'an. However, in the compilation of the Qur'an it was not just his memory on which he depended. He examined the Qur'anic scrolls which were in the possession of several persons. Further, he accepted the versions of only those who could produce at least two eye witnesses who had seen the scrolls being written in the presence of the Prophet himself. Whenever those with the scrolls came to him, he compared their version with his own as also with his memory - in such strict fashion did he continue with his task. Thus, Zaid bin Thabit compiled the whole Qur'an into a single book bound together by its covers. Such a compilation, bound as it was between two covers, came to be known as *Mushaf*. In short, therefore, it was Zaid bin Thabit, who, during the reign of Abu Bakr (r), compiled the first *Mushaf* which included, between its covers, the entire Qur'an.

After Christ, his followers wrote down the Gospel, After Muhammed (pbuh) his followers wrote down the Qur'an : is there any difference between these two events?

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There exists vast differences. They can be enumerated as follows:

1. Although the Bible does indicate that Jesus preached 'the Gospel' (Mark 1:14, 15, 8:35, 14:9, 10:29, Mathew 4:23), there is no evidence, whatsoever, to the effect that 'the Gospel' was written down in any form during his own time. As for the Qur'an, it was recorded during the time of Muhammed (ﷺ) itself, and that too, in numerous scrolls.

2. 'The Gospel' which Jesus had preached was not memorized, verse by verse, by any amongst his contemporaries. There were, however, hundreds of followers who had memorized the entire Qur'an by heart.

3. It was not the Gospel preached by Jesus that was written down by Mathew, Mark, Luke or John. Theirs was but an account of all that they had come to know of the life of Jesus (Luke 1:1-4). The Qur'an, on the other hand, is not the biography of Muhammad (ﷺ); it is the revealed scripture that was provided to him by the Lord Creator.

4. The compilation of the Qur'an had taken place with a rigour and diligence which the Caliph, as the representative of the people, had commanded. Just how strict the standards of compilation were is to be clearly seen in the words of Zaid bin Thabit who had been entrusted with the duty : "It would have been easier for me if Abu Bakr had asked me to move a mountain from its place." As for the Gospels, they are but books that have been written according to the whims and fancies of each writer. As for their objective, it was but to introduce the figure of Jesus to the society in which they lived. (Raymond E. Brown, *Responses to 101 Questions on the Bible*, Page 57-58)

5. The Gospel came to be written at least five decades after Jesus. The compilation of the Qur'an, on the other hand, was initiated in the twelfth year of the *Hijra* - two years after the death of the Prophet.

6. It was not the disciples of Jesus who wrote the Gospels. But

it was the disciples of Muhammad (ﷺ) who had compiled the Qur'an.

7. The Gospels were based only on the hearsay accounts about Jesus. On the other hand, the compilation of the Qur'an was based on the scrolls which were written under instruction and supervision of the Prophet and on the versions of hundreds of followers who had directly heard and memorized the Qur'an from the Prophet himself.

Does the copy of the Qur'an which was compiled during the reign of Abu Bakr (r) exist today? If not, why?

No. The *Mushaf* compilation of Zayd bin Thabit was in the possession of the Caliph Abu Bakr (r). After his death, it passed on into the possession of Umar (r), the second Caliph. After the time of Umar (r), the *Mushaf* came into the custody of Hafsa (r), his daughter and wife of Muhammad (ﷺ). Even though this copy did have the status of the official version of the Qur'an, other people too, had with them the inscribed scrolls of the same. These were the scrolls which had been composed during the time of the Prophet and which, subsequently, came to be copied thereafter. But these were not the versions to which the people, in general, referred for the purpose of their own study and recitation. More often than not, it was on those amongst themselves who had memorized the Qur'an and the inscribed scrolls of the Qur'an which were in their own possession that they depended.

At the time of the reign of Usman (r), the third Caliph, by the twenty third year of the *Hijra*, Islam had spread considerably and new territories had come within the jurisdiction of the Islamic empire. Thousands of Arabs and non-Arabs came into the fold of Islam. Usman (r) was, thereby, alerted to the problems that now accompanied the conversion of those who were not Arabs. It was Hudaifa (r), the companion of the Prophet, who was among the first to bring the attention of the Caliph to the issue, when during the course of the wars fought in Armenia and Azerbaijan he noted that the local populace who had gathered together were making alarming deviations in the order and pronunciation of the recitation of the Qur'an. The companions of the Prophet, who were men of foresight and vision, warned that if things were to go in such a manner, there would soon ensue much

schism amongst the Muslims over the Qur'an. They demanded emergency measures of the Caliph.

Usman (r), forthwith, commanded that the official version of the Qur'an which was in the possession of Hafsa (r) be brought forward. He ordered a four-man team headed by Zaid bin Thabit to prepare, out of its copies, a version which faithfully emulated the pronunciation and dialect of the Quraysh. The other members of this group were Abdullah bin Zubair, Zaid bin Aasi and Abdul Rehman bin Hisham. The responsibility of this group was to prepare out of the official version of the Qur'an, which was with Hafsa (r), a version which would be in accordance with the pronunciation of the Quraysh. As was to be seen, therefore, they successfully fulfilled this responsibility. Furthermore, it may be assumed that as it was Zaid bin Thabit (r) himself, the first compiler of the official version which was with Hafsa (r), who led this effort, there was no possibility of error and that the work was handled with the utmost care indeed. The version that was thus prepared were sent to Egypt, Basra, Kufa, Mecca, Syria, Yemen, and Bahrain. Soon thereafter, the Caliph ordered that all other copies in individual possession be burnt. He also commanded that all further recitation of the Qur'an were to be made only according to this authoritative version. It is the reproduction of the *Mushaf* which themselves were the copies of those given out by Usman (r), which are being published all over the world today. The originals of these copies are still extant to this day.

It was at the council of Nicea in 325 C.E. that it was decided to burn all the other Christian writings apart from those scriptures that were accepted as canonical. Usman (r) gave the order to burn all the other existing copies of the Qur'an apart from the version which was compiled upon his instructions. What is the difference between the action of the Nicea Council and that of Usman?

In both the incidents that have been mentioned here, except for the act of burning to which each party had resorted, every other occurrence is vastly different. The differences between the two events

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may be summarised as follows.

1. The Synod at the council of Nicea had burnt more than forty books on the life and message of Jesus that had been written by many within the first three centuries after Jesus.

2. The Apocryphal Books were ordered to be burnt primarily because they gave an account of Jesus that was almost totally different and even contradictory to the picture of Jesus as portrayed in the four gospels that were accepted as canonical at the council of Nicea had reported, in the acts of the Apostles, the twenty one articles, and in the most accounts of the Book of Revelations. On the other hand, it was the well-founded and genuine apprehension on the part of Usman (r) that the versions of the Qur'an, that were written in the dialects of the various regions, might in all probability, transpire that serious alternatives of the original will replace the original among the succeeding generations, which ultimately led him to adopt an official version and to burn out all the other existing, accepted versions.

3. The ideas enshrined within the burnt Apocryphal books have, forever, disappeared with their being burnt. The verses of the Qur'an, as recorded in the private scrolls, were the same as was to be found in the official versions. Even though the private versions were burnt to do away with the differences in pronunciation, the verses which they contained are, nevertheless, to be found in the same form in the copies of the Qur'an that exists today.

4. Although rejected by the Nicea Council many of the Apocryphal books lingered on in the minds of the Christians even much later. Indeed, some of the stories that were narrated in them were passed on from one generation to the next. The final word on the matter was made by the Trent Synod held in the sixteenth century. It was through a decree entitled *On the Canonical Books* that the fourth council of the Synod, held on the eighth of April, 1540 C.E., declared that the Old Testament contained 45 books while the New Testament has only 27. This was the last word on the canonical books as far as the council was concerned. On the other hand, ever since Usman (r) first collected the official versions of the Qur'an and burnt

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the private ones, the *Mushaf* continues to be reproduced from those copies to the present day. Nobody has ventured to make any changes what so ever.

5. The person who presided over the Nicea Council which ordered the burning of all the books that were written on the Gospels apart from the canonical ones, was the emperor Constantine who, up to that day, had not entertained any faith in Jesus whatsoever. As for Usman (r), who had ordered the destruction of the private versions of the Qur'an as well as the recitation of the Qur'an to be based only on the official versions, he was, besides being a faithful worshipper of God, the closest companion of Muhammad (ﷺ) and was the one who had participated alongside him in many a battle that was waged for the protection of the faith.

lives which had been cleansed owing to their conformance with the divine commandments. In addition to this, the scripture that contained the divine commandments were also revealed through them. It was these scriptures and the messengers, who confronted the people with them, who provided a faultless knowledge of good and evil. Messengers of God have been sent all places of human habitation in the world. It is, therefore, that the foundations of the moral code prevalent in different nations of the world are one and the same.

Arrogance is the most despicable of satanic traits. It is from arrogance that selfishness, too, finds its origins. Man is eminently capable of so transforming everything that surrounds him in such fashion that it suits his own interests. Indeed, nothing - not even the things material and spiritual - is free from this influence. In the case of the religious scriptures, too, this has been the end result. The prophets interpreted the scripture according to divine revelations. Their successors ought to have followed them loyally. However, priests and other men of religion, who appeared in the guise of loyalists in later years injected into the religious texts, as well as the practices taught by the messengers, accretions which were of their own making and which also helped to serve their own selfish interests. They, thus, rewrote the religious laws and perverted the tradition of the prophets to serve their own interests. It, thus, became difficult to follow the dictates of the religious texts. The messengers were shown not as role models who were to be emulated. For this reason, today, we feel the laws and commandments described in the books that come with a religious covering, to be impracticable.

A code of law that will serve to civilise and to purify the minds of men and which is practicable as well, can only be formulated by divine guidance. It is here that all materialistic ideologies fail. They appear on the scene with solutions seemingly for all the travails of mankind. Furthermore, their recommendation will appear, more often than not, to be perfect on paper. However, when tested at a practical level they end up being mere idiosyncrasies. The fact that is thus highlighted here is that it is only the Creator of man himself who is able to provide a legislation that will serve to cleanse him and be

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THE QUR'AN AND THE CODE OF RIGHTEOUSNESS

How can the code of right conduct prescribed by the Qur'an stand as the proof for its divinity ?

Man is the only creature who has been facilitated with the ability to act independently in his relation with both nature and society. His actions can prove to be useful and harmful as well. In contrast with the other creatures - who compulsorily follow the laws described by their own genetic code and thereby attain to the object of their life - he is to conform to certain laws and commandments for his very existence and survival. It is certain, therefore, that conformation to these laws leads to his own well being while non-conformance to his own destruction.

Which are these laws and recommendations ? Which are the commandments that would serve to brighten up human life and existence? It was to instruct people in these that the messengers were appointed. They presented before the people the example of their own

practicable as well.

It is because of this limitation that communism, which was seen as the hope of the twentieth century, was forced to retire into the dust-bin of ideologies by the last decade of that century itself. Those who seek to learn the lesson that emanates from this fall will do well to appreciate the fact that no matter how strong the theoretical foundations on which they are based, no philosophy of materialism can ever hope to provide the lasting provision of guidance that may effectively cleanse mankind.

Besides this, there is another reality that may also come in for appreciation. This is the fact that the book which does provide for a wholly practicable legislation and also cleanses humanity as well will be divine in itself. This is why it is said that the provision of guidance of the Holy Qur'an constitute the very proof of its divine nature. There is no difference of opinion over the fact that the legislations put forward by the Qur'an does, indeed, serve to make men morally conscious and righteous individuals. This is a reality that has been admitted even by die-hard materialists as well. It has been recognized by impartial observers who have studied the subject that if the obligation of a religious scripture is the guidance of humanity then there can be no book that deserves to be called a religious scripture like the Qur'an.

Does the Qur'an itself claim that the order of righteousness prescribed by it is absolutely faultless ?

Yes. It itself claims that it is the book which guides people onto the path of exemplary conduct.

“Verily this Qur'an doth guide to that which is most right (or stable).” (H.Q. 17:9)

The Qur'an is the last religious scripture that has been revealed to mankind. Indeed, the Qur'an constitutes the criterion to judge between truth and falsehood for all up to the very last man.

“Ramadhan is the (month) in which was sent down the Qur'an, as a guide to mankind, also clear (signs) for guidance and judgement (between right and wrong).” (H.Q. 2:185)

The Qur'an sternly reprimands those who strive to acquire worldly comforts and pleasures like greedy animals. A reprimand that commands against the purchase of the affliction in the eternal life hereafter in exchange for the comforts of the world; a reprimand that reminds one of the perishable nature of the life of this world; that all the joys and sorrows herein are but temporary in their existence. The Qur'an further claims that it itself is the book of guidance for those who hasten to give ear to this divine warning and to accept the divine commandments.

To those who fail to understand that the progress of human society has in the ordering of life within the framework of morality, the commandments of the Qur'an will not, in any way, appear to be relevant. But for those who profess that the true realization of life lies actually in the ennobling of it, each one of the legal prescriptions of the Qur'an are invaluable; they realize that not one of these prescriptions can ever be the subject, or cause, of ridicule and mockery. To them the Qur'an constitutes the highest guide-book in all respects. Indeed, this has also been the contention of the Qur'an itself: **“This is the Book; in it is guidance sure, without doubt, to those who fear God.”** (H.Q. 2:2)

In what respect is it said that the order of righteousness introduced by the Qur'an is a faultless one ?

The Qur'an is a religious scripture. Indeed, it is the very source of the divine religion. It explains the foundations of faith as envisioned by Islam. In addition it contains the regulations that are associated with the rites involved. However, it is not a book that merely incorporates hymns and prayers alone. It chalks out the way in which one can become a complete man by living in accordance with the divine guidance. It informs of the commandments that are to be observed in all walks of life. It exhorts to the pursuance of the example of the Prophets who, by living according to these commandments, had accomplished the most sublime heights of human greatness.

The Qur'an and the practice of the messenger - which was its most telling commentary - together combines to inform of all the qualities

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and virtues that must necessarily exist in a person in his, or her, capacity as a human being. All people are to be shown mercy; those who are undergoing privations must be helped; the poor and orphan are to be offered protection and love; others must be spoken of only in the best terms; one's conduct must bespeak of humility; parents are to be treated with love and respect; children are to be shown kindness and care; the husband and wife are to show mutual love and respect and must allow for each other the free exercise of their individual rights; the sacred ties of marital life must be preserved; man and woman are to dress decently; there must be justice and fair play in official circles; integrity must prevail in all economic dealings; there must be honesty in trade and commerce - and the instructions of such nature, Can anyone point out that even a single one of these commandments is against the standards of human greatness?

It is evident that the case is the same when we consider the prohibitions in the Qur'an also. Do not consume; do not commit adultery; do not rob; do not lie; do not cheat; do not gamble; do not give, or take, in interest; do not indulge in extravagance; do not spill a drop of blood unjustly; do not malign chaste women; do not consume the wealth of orphan; do not abuse; do not violate the rights of any; do not adulterate; do not cheat in the matter of weight and measures; do not entertain envy and hatred; do not back-bite or slander; do not entertain a partial attitude towards one's own - such is the nature of the prohibitions. Will any one dare to state that any single one of these is an obstacle in the path of human progress?

One of the specialities of the Qur'an which makes it unique is that in addition to providing a righteous code of conduct, it puts forward a very practicable scheme as well. Along with a reminder of the punishments that are to be meted out for sins in the life after death - thereby creating a mindset so necessary for the elimination of sins - the Qur'an also describes the punishments that are to be given to criminals by the state. In accompaniment to the moral commandments that are required for the trouble-free progress of the marital relationship in its position as a secure institution, the Qur'an also puts forward procedures for the pragmatic resolution of the problems that may arise

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in the family. In addition to providing for regulations that serve to make economic dealings honest and fair, the Qur'an also contains practical instructions that are to be followed in the event that there should arise some disputation thereof.

The Qur'an never withdraws from the scene with a few advices and recommendations; on the contrary, in the interest of creation of a pure society, it conclusively proved that the code of righteousness which it prescribed was wholly practicable as well. This would then mean that the Qur'an is a book which not only prescribes a faultless order of righteousness but also proves it to be so.

Do not the other religious scriptures also prescribe an exemplary code of righteous conduct ?

It is true that all religious scriptures do, indeed, provide for certain moral injunctions. It is also true that some of the remnants of the ideals taught by the messengers, located as they are in the moral prescriptions of various religious scriptures, do conform to the teachings of the Qur'an itself. However, the moral injunctions in the Qur'an have certain basic differences with those of the other religious scriptures. These can be summarized as follows:

One: There are only divine commandments in the Qur'an. In the other religious books, on the other hand, along with the description of divine commandments there also exists the laws that were the fabrication of the priests themselves. Indeed, they have become so intertwined, one with the other, that it is now impossible to understand the exact position of each.

Two: The prohibitions and recommendations of the Qur'an are out-and-out humane. Other religious texts, however, contain certain legal prescriptions that are inhuman. For instance, in the first epistle to the Corinthians, Paul wrote: “ **it is good of a man not to marry.**” (1 Cor 7:1) and “ ... **he who does not marry... does even better.**” (1 Cor. 7:38). If all men were to follow this ‘better’ prescription, the human race itself would become non-existent in a few decades time. It is, however, not possible to locate such absurd prescriptions in the

Qur'an.

Three: None of the injunctions of the Qur'an command violence or injustice. Other religious scriptures, however, do give out the call to violence and injustice. For instance, in the *Kaushithaki Brahmanopanishad*, Indran is quoted as saying, "***Na'Mathravadena na Pithravadena nasthayena na broona hathys nasya paapam chana chakrasho mukaneelam vetheethi***" (3:1) (Even if my people were to kill their mother and father; even if they were to steal and to practice infanticide; even if they were to commit such sins, they are to feel no remorse. Their faces should never be down-cast)

Four: There is nothing that is despicable in the legal prescription of the Qur'an. However, in some of the other religious scriptures there is a clear distinction between a person of a higher caste and another of a lower caste. For example, consider the punishment prescribed by the Manu Smrithi for insult and abuse: "**The punishment for the Kshatriya who insults the Brahman is one hundred coins; for the Vaishya it will be two hundred coins and for the Shudra it will be the whip. If the Brahman were to insult the Kshatriya his punishment would be fifty coins, if he insults the vaishya it would be twenty five coins and if the Shudra, twelve coins.**" (Manu Smrithi 8:267, 268)

Five: There are no legal prescriptions of an impracticable nature in the Qur'an. Other religious texts prescribes certain laws which are impracticable. Look at the ruling concerning divorce in the Bible: "**Anyone who divorces his wife and marries another woman commits adultery**" (Luke 16:18)

In fact, Christians today admit that this law of the Bible which prohibits divorce is, indeed, not practicable. This is evident in the efforts of the Christian assemblies, to bring forth a new legislation that permits divorce.

Six : The Qur'an describes the history of the prophets who, by way of being the protagonists of the code of righteousness prescribed by the Qur'an, were made pure and blessed. Although the other religious scriptures do state that the prophets were pure and blessed, their lives

have, nevertheless, been depicted in the most vulgar fashion. Noah who is rendered a drunkard and one who exposes his nakedness (Genesis 9:20-23), Lot who gets drunk and cohabits with his daughters (Genesis 19:31-36), Jacob who deceives (Genesis 27:1-36), David who lures women into his bed-chamber (2 Samuel 11:2-5) : are these people to be the role models? Great personalities have also been mentioned in the Hindu Puranas in a similar fashion. From Shri Ram himself who is depicted as the one who kills the Shudra Shambukan (*Valmiki Ramayan Yudha Kandam*) and as the one who abandons his pregnant wife in the forest (UttaraKandam) to Shri Krishna who is depicted in the Puranas as the one who steals the clothes of the bathing *gopikas*..... and as the one who commits atrocities and treachery in the battlefield. In this light, can it be said that they were the ones who had established moral laws? As for the Qur'an, it teaches that all prophets were pure, and exemplary, in the conduct of their lives. The history which the Qur'an does put forward bears ample testimony to the facts in this matter.

It is seen that Muslim traditions, too, attest the correctness of the descriptions of many of the sins that have been attributed to the prophets by the Bible. Is it not to be understood from this that Muslims also consider that they did, indeed, commit sins ?

The most important of all the sources of Islam is, undoubtedly, the Holy Qur'an; which is immediately followed by the practices of the Prophet. After Prophet Muhammad (ﷺ), if any one - no matter who that person may be - were to speak out on an essentially religious topic, it could be accepted as binding if, and only if, it is seen to be in consonance with the ruling of the Qur'an and the Prophetic traditions. The Qur'an has clearly stated that all the prophets had been exemplary personalities. Furthermore, there are extant numerous sayings of the Prophet which speak of the great purity of their lives. It is, however, true that biblical tales and the other legends of Israel have, indeed found a place of their own in the books authored by Muslim writers in later ages. True Muslims do not accept any of these as sources that are either relevant or authentic. In fact, Muslims believe that the messengers of God were all men of the most exemplary nature.

Does the Qur'an then teach that the Prophet could never be faulted in any way ?

No. All the Prophets were as human as every one else. As such it is highly probable that they did commit mistakes. However, to commit a mistake and then to stand by that mistake : that would not be becoming of any prophet. Indeed, it is such mistakes which come to be called as sin.

To plan the execution of a criminal act and then to execute it constitutes the greatest of sins. The Bible has attributed to the pure character of the Prophet David this most heinous of sins. David is attracted by the beauty of the wife of his soldier, Uriah; he brings Bathsheba to his bed-chamber; David then sleeps with her; she becomes pregnant; he then tries to place the cause of her pregnancy upon Uriah; fails in the effort; he deceives Uriah in the battle field; Uriah is thus done away with; David then marries Bathsheba (2 Samuels, chapter 11). Similar is the case of all the other stories of the Prophets that find mention in the Bible.

The Qur'an, however, makes it clear that there was every possibility that the prophets did, indeed, make mistakes and that when they actually did err, the Lord Creator corrected them corrected them and, thus, they turned repentant and begged forgiveness of God.

The Qur'an, which presents Ibrahim as one of the most exemplary personalities in history, nevertheless, does cite an incident from his life which, however, was not to be taken as an example. His mistake was that he had prayed to God for the forgiveness of the sins of his father who was an idol worshipper and a denier of Truth. (Cf.Q 60:4). In view of the fact that in the conformance to divine decree nothing, not even the love for one's parents, should be an impediment, the Qur'an had pointed out that the act of Ibrahim was, indeed, an improper one and that there was to be in it no example, whatsoever, for the believers to emulate. Similarly, the Qur'an makes it clear that some of the other prophets, too, had made mistakes in their lives; it also clarifies the lessons the believers are to learn from these errors of conduct.

The mistakes in Muhammad's own approach were also not allowed by the almighty God to go uncriticized. The Qur'an reproaches the Prophet for having cast a glance of impatience at a blind man who had, in approaching the Prophet for guidance, interrupted his conversation with some of the most prominent men of Quraysh (Cf.Q 80:1-10). In the Battle of Uhud, wherein the Prophet received injuries on his own person and many of his followers themselves were killed, the Qur'an again corrected him when, so impassioned, he muttered to the effect that the disbelievers would never progress. (Cf.Q 3:128)

In the Qur'anic vision not even these slightest of errors, which to our mind would appear insignificant, were to be seen in the lives of the Prophets. It was for this reason, therefore, that God had Himself criticized and corrected these errors of conduct as, and when, they occurred. As such, it can be asserted with confidence that the Qur'an does not tolerate, to the least degree, the claim that major sins like adultery were committed by the Prophet of Almighty God.

It is given to understand from numerous references in the Qur'an that Muhammad (ﷺ) had himself committed a number of sins. How can this be so ?

This has been the claim of the missionaries who have laboured to assert the Christian contention that all men are sinners. By way of quoting certain verses of the Qur'an completely out of context, they claim that Muhammad (ﷺ) had, indeed, been a sinner and it was Jesus Christ alone who never sinned and that it is possible only for Jesus Christ, who had himself never sinned, to save mankind from their sins.

The Qur'an's stand has been that all prophets, including Jesus Christ, were of exemplary character and were men who never sinned. But for the person who goes through the stories of the Bible, it become apparent that Jesus Christ himself, like all the other prophets who had preceded him, was a sinner and not a person to be taken as an exemplar. If the making of wine - the cause of all strife, sorrow, anarchy and poverty as Solomon had described it (Proverbs 23:21-32) - and the providing of it to people constitute a sin it must be conceded that Jesus

was a sinner. For Christ had himself done such a thing at the marriage feast in Caanan (John 2:1-10). If abusing and deriding one's mother, who had given birth to him and raised him to maturity, is a sin, then it must be admitted that Jesus was a sinner. Can it be said that Jesus, who is reported to have said to his mother, "**Woman, why do you involve me ?**" was one who respected and revered 'his mother? (John 2:4). If addressing a community with usages like "**Ye generation of vipers!**" is a sin, Jesus will again end up a sinner. If the destruction of a harmless plant in a fit of uncontrolled personal anger, for a fault that was not its own, is a sin then Christ becomes a sinner yet again. For after all Christ is reported to have caused a fig tree to wither away for no fault of its own. (Mathew 21:19). In reality, however, even though Christ was never a sinner, the Bible actually tends to make a sinner out of that great prophet.

In the life of Prophet Muhammad (ﷺ), on the other hand, we see nothing of this sort. History is witness to the fact that nobody, not even his greatest antagonists, believed that he committed sins of any kind. Indeed, the number of incidents which serve to show that even the hardest opponents of Islam, like Abu Jahl, had recognized the truthfulness and purity of Muhammad (ﷺ), are legion. The statement of Abu Sufyan, one of the chief antagonists of Islam, which he made before Heraclius, the emperor of Rome, is but one amongst them.

Muhammad (ﷺ) is the one person who is to stand as the perfect exemplar for all those who are to come up to the Last Day. The truth of the matter, therefore, is that nobody can attribute a single sin to his life. Nevertheless, the Holy Qur'an does correct him on more than one occasion. The incidents wherein he disregarded the blind man and in which he had demanded the disbelievers who had inflicted losses upon him and his followers form a few of these occasions. These are but lapses which, in an ordinary retrospection, would hardly appear to be grievous sins. In the vision of the Qur'an, however, it is not befitting for a prophet who is to enlighten humanity, to have even such minor flaws in his character. The Qur'an teaches that such flaws in the conduct of a messenger who is to be the role model for all those who are to come up to the Last Day are, indeed, inappropriate and needs to

be corrected as well. In fact, if the Qur'an was to leave such lapses to go uncorrected, it would necessarily mean that doing and saying likewise would then be not incorrect at all. It has been, therefore, that the Qur'an reprimanded the Prophet on every such occasion in the strongest possible terms.

It has mainly been three verses of the Qur'an which are misconstrued to show that Muhammad (ﷺ) had, indeed, been a sinner. However, an impartial enquiry into the nature of these verses will reveal the personality of the Prophet in an even more magnificent light.

1. "**Verily We have granted thee a manifest Victory: that God may forgive thee thy faults of the past and those to follow; fulfil His favour to thee; and guide thee on the straight way; and that God may help thee with powerful help.**" (H.Q. 48:1-3)

Here, it is the Arabic term *Danb* that has been translated to mean 'fault'. This term does have the meanings of fault, crime, sin and the like. The claim has gone to the effect that since the statement "**..... forgive thee thy faults of the past and those to follow ...**" has been used with reference to Prophet Muhammad (ﷺ) himself, even the Qur'an has affirmed that he did, indeed, commit sins.

Here, the faults which are said to have befallen the Prophet are clear from the context of the revelation itself. These are the first verses of a chapter that was revealed when the Prophet was halfway back home after the treaty of Hudaibiya. There were certain conditions of the treaty that gave the first-impression of defeat and surrender. It is this treaty, however, which was referred to as a "manifest victory" here. Moreover, within the span of a few years it became clear to the companions of the Prophet that the treaty was, as the Qur'an had foreseen it, a great and manifest victory, indeed. The treaty of Hudaibiya was solemnized in the sixth year of the Hijra. It was the mistakes in the propagation of the message which the Prophet had carried out for the past nineteen years that were referred to here by the terms 'faults'. The errors mentioned in the foregoing section are a few among such lapses.

By the term 'faults' which appears in this verse is not meant

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any sin or crime that is of a punishable nature; it has only been errors or failings that have proceeded from the natural limitations of a very human kind. It has only been the errors due to the violations of an etiquette so lofty of standards, as befitting the code of conduct of the messengers of God, that has been intended here.

Here, there is an issue of particular significance. Going by the claims of the critics it has been alleged that the Qur'an is the composition of Muhammad (ﷺ). In that case, will it not then give the impression that he has, of himself, openly admitted, albeit through the Qur'an, that he did, indeed, commit mistakes? How can this be explained away? An individual is accepted by all, including his opponents, in society as truthful and honest. Then he proceeds to admit that he has committed mistakes in a book that he has apparently written himself for the advancement of his own interests. How can this ever be sensible? It is simply the fact that the Qur'an is not the composition of the Prophet which is once again brought to the fore.

In reality, it is the Lord Creator Himself who declares that Muhammad (ﷺ) was at fault and for that he was forgiven. The Prophet had, moreover hastened towards being as even more grateful person to the Merciful One Who had so graciously forgiven his faults. Indeed, it was asked of the Prophet who had so engaged himself in his nightly prayers as to get his feet all swollen up: "Has not Allah forgiven thee all thy sins of the past as well as the future?" Forthwith came the Prophet's response: "Should I not be a grateful servant then?"

2. **"So be thou (O Muhammad) patient. Verily, the promise of Allah is true. And be thou engaged in seeking forgiveness for thy sins and in glorifying your Lord in the evenings and at dawn"** (Cf.Q)

3. **"Know, therefore, that there is no god but God, and ask forgiveness for thy fault, and for the men and woman who believe: for God knows how ye move about and how ye dwell in your homes."** (Cf.Q 47:19)

It is the duty of every believer to strive to the best of his, or her capacity for the cause of the divine religion. In this aspect, too, his role

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model is the Prophet. Indeed, a Muslim cannot be the one who says, "I have tried to the best of my ability" and then withdraws. For it will always be the anxiety that 'I have not yet accomplished the task that the Creator has entrusted to me' which will be foremost in his mind. While recognizing the very real possibility of his committing mistakes he should ever go forward with the prayer, "Lord, forgive me the failings to which I have succumbed while moving ahead in Thy cause" always on his lips. This will be a demonstration of his deep sense of humility. In this way any pride in his accomplishments can also be done away with.

This is the implication of the statement **"ask forgiveness for thy fault"** made to the Prophet. Even the Prophet himself, who had laboured in the cause of God much more than anyone else, had no right, whatsoever, to take pride in his own achievements. In the midst of all his labour and toil in the cause of God; it was, nevertheless, his lot to repent unto his Lord and to earnestly beseech His forgiveness. Then what would be the condition of the others? These verses have sought to teach humility. They do not at all mean that Muhammad (pbuh) sinned. After all, this was why the Prophet said, "I seek forgiveness from Allah one hundred times each day." Nobody ever said that this meant he committed one hundred sins every day.

who think over the existence of human society which is grounded in morality can never say that even one among the Qur'anic laws is in favour of male domination.

The Qur'an teaches that in the preservation of the solid edifice of the family, both the man and the woman are to play their respective roles. It is from this foundational basis that the Qur'anic laws concerning their rights, responsibilities and duties emanate. The Qur'anic vision with regard to man and woman may be summarised as follows:

One : Both man and woman originated from the same soul. They are like the two sides of a coin. Although both are independent, it is their mutuality which gives each its fullness.

Two : Neither can a woman be like a man nor a man be like a woman. Each has its very own different, yet, potentially mutual, existence.

Three : Both man and woman have their rights. However those rights are to be attained not through violence. It must be through mutual cooperation.

Four : Both have their respective duties. It is only by virtue of fulfilling these duties that both the individual and the society can survive.

Five : It is against the very law of nature for a man to undertake the responsibilities of a woman and for a woman to try to fulfill those of a man. Each has to perform its own duty.

Six : It should not be at the expense of the other's rights that each seeks to fulfill one's obligations and enjoy one's own rights.

What is the Qur'anic idea of the woman ?

This is a very pertinent question. Whatever the organization, in the final analysis we see that it will be its theoretical underpinnings that will ultimately have a bearing on its laws and recommendations. As far as the woman is concerned, the source of the Islamic recommendations on the subject lies in the answer which the Qur'an

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How substantial is the allegation that the social setup envisioned by the Qur'an is a male dominated one?

This is a baseless allegation. Certainly, it is the Creator of man and woman who is best aware of their natures. On giving a little thought it will become clear that the moral system recommended by the Lord God can never be the cause of the overlordship of one group to the detriment of the other. The problem is then not of the moral system as such. It is more a problem of the type of criterion that is used to measure it.

The Qur'an teaches that it is the cooperation and mutuality between man and woman which works as the foundational basis for the very existence and furtherance of the institution of the family. Indeed, the Qur'an formulated laws on the ground that to ensure the permanence of any moral code it is necessary that the institution of the family is itself manifested in good order. It is possible, however, that those who believe in the ideology of the necessity of the collapse of the family, will find the Qur'anic laws unacceptable. But those

provides to the question as to what a woman really is.

It is the Qur'anic position that like the man, the woman, too, is the most special creation of the Lord Creator.

“O mankind! Fear your Guardian Lord, Who created you from a single Person, created, out of it, his mate, and from them twain scattered (like seeds) countless men and women; fear Allah, through Whom ye demanded your mutual (rights), and be heedful of the wombs (that bore you): for Allah ever watches over you.” (H.Q. 4:1)

Here the Qur'an has indicated the fact that both man and woman have been created from a single soul; that both man and woman are but two aspects of the same soul. It is only when these two aspects are joined together that a completeness becomes possible. Or that it is only in the mutual cooperation between man and woman that life become wholesome. Indeed, the well spring of all love and compassion that exists in a man-woman relationship is to be found in this cooperation. It is the Qur'anic view that the love and compassion that exists between life partners is but one among the many signs of God. “And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between you (hearts): Verily in that are signs for those who reflect.” (H.Q. 30:21)

The Qur'an does not accord recognition to the division that is based on gender. However, it *does* reject the idea of the equality of the sexes as well. In its view, it is impossible that man be equivalent to woman or that woman be the equal to man. To strive to conform to such an idea would then be against nature herself. The Qur'an has placed man and woman on that position which nature itself has assigned to them. A position that is not inferior or equal to that of the man - this is the position which nature has bestowed upon the woman. Islam, the religion of nature, too, has conferred the same position.

Patriarchal systems speak to the woman of her obligations while to the man they speak of rights. Is this not evident in the Qur'an also?

No. The Qur'an speaks to both man as well as to woman concerning their duties and rights. “Divorced women shall wait concerning themselves for three monthly periods. And it is not lawful for them to hide what Allah hath created in their wombs, if they have faith in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them and Allah is Exalted in Power, Wise.” (Qur'an 2:28). This is the clear and unambiguous statement of the Qur'an. How then can it be said that the Qur'an, which contains this declaration is the creation of a patriarchal system? In reality, there is no other religious text, like the Qur'an, which deals with the rights of the woman in so clear and exhaustive a manner.

If the impact of the rights which the Qur'an allowed - nay, achieved - for the woman is to be fully appreciated, the position of the woman during the time of its revelation must first be understood. Greek philosophers considered woman to be the very personification of the devil. The Roman law was such that it granted complete freedom for the male to even murder his wife. The Indian woman was given the religious advise to immolate herself at the funeral pyre of her husband. The attitude of the Jews towards the woman, the cause of sin, was most cruel. No better was the case of Christianity which followed in the footsteps of the Jewish religion. Even as late as the 16th century, the subject of discussion amongst the church fathers was the question as to whether or not woman *did* possess a soul. As for the Arabia before Prophet Muhammad (ﷺ), the condition of the woman there was even worse off. She was not even allowed to have the right to live. It was a society which was ever ready to bury alive the infant if it was a female. It was in such a social context that the Qur'an first began to speak on the rights of woman.

The rights accorded to woman by the Qur'an may be summarized as follows :

1. The right to live. The Arabs were a people who, on knowing that one's wife had delivered a female child, contemplated killing it

(Qur'an 16:59). The moral level of contemporary society, which, through modern technological devices, identifies the sex of the embryo and on learning that the child to be born is a female, one resorts to killing it in its embryonic stage itself, is hardly above that of the Arabs of primitive times. The Qur'an criticizes that narrow-mindedness which would not permit the girl child to live. (Qur'an 16:59, 81:9). It declares that like man, she, too, has the right to birth and to life.

2. The right to own property : The Qur'an has given the woman, like the man, the right to earn wealth. The view of the Qur'an is that all her earnings, whether it be through her personal efforts or by way of inheritance, belongs to her and to her alone. None, not even the husband, has the right to take anything, whatsoever, of her earnings without her explicit permission. "And in no wise covet those things in which Allah hath bestowed His gifts more freely on some of you than on others: to men is allotted what they earn; But ask Allah of His bounty. For Allah hath full knowledge of all things." (Qur'an 4:32)

3. The right to inheritance : It is the Qur'anic recommendation that daughters, too, have a share in the wealth of their parents. In reality, no other religious scripture has declared the right to inheritance of the woman. Even in Europe, which boasts to be very civilized, the right to inheritance for women was recognized and put into effect only since the last couple of centuries. The Qur'an had, however, declared and brought into effect the law fourteen centuries ago that women had the right to inheritance. "From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large - a determinate share." (Qur'an 4:7)

4. The right to choose a mate : Islam recommends that while putting forth marriage proposals, the likes and dislikes of the woman must be seriously considered. None, not even the father, has the right to marry off his daughter to a person whom she dislikes. Prophet Muhammad (ﷺ) had said, "The widow is not to be given in marriage without her consent. The virgin is not to be given in marriage without consulting her for her acceptance. Her silence constitutes her acceptance" (Bukhari, Muslim)

5. The right to education and free thought: The Qur'an's view is that women have the right to education and free thought. This view is, however, not restricted to mere advice. The Prophet had practically demonstrated this. The great yearning for knowledge exhibited by the woman who followed the Prophet is universally acknowledged. For it can be seen from the history of the times that women used to always approach the Prophet and his wives to acquire knowledge. Indeed it is seen in the hadith reported by Imam Bukhari that the Prophet had set aside one day for his discussions with them.

6. The right to criticize: Islam provides the woman with the right to criticize and question. The incident wherein quoting from the Qur'an a woman once criticizes the Caliph Umar when he prepared to control the value of *Mehr* as men were finding it difficult to pay their due to the constant increase in its value and wherein he corrected himself saying: "Everybody - even an old woman - knows better than Umar." (Muslim), is quite well-known.

The first verses of *Surah Mujadilah* (Those who question) were revealed in response to the questions put by a woman companion who argued with the Prophet concerning the traditions of *lihaar* which prevailed during the time of *Jahiliyyah*. This makes it quite clear that even women were permitted to discuss matters freely with the Prophet when it came to the issue of their rights. It is especially relevant that at no point in these verses has the argument raised by the woman been frowned upon.

7. The right to take part in social activities: Although it is only natural that men take part in politics, Islam has granted the freedom to participate in matters pertaining to the nation to the woman also. Islam, however, does not compel women to take part directly in the campaigns for freedom of belief. But Muslim women *did* take part in helping out those who were fighting in the field of battle. History does give us accounts of woman-companions of the Prophet who proceeded to the battlefield accompanying the men, prepared food for them, distributed water and nursed the wounded. There has been in Islamic history even those precious few who, under dire circumstances, went with the men to very thick of the action on the battle field. Indeed, it was

Ayesha, the Prophet's wife, who led her side in the Battle of the Camel which transpired as a result of the contention, and the opposition to it, that Ali was not to be elected as Caliph until the assassins of Caliph Usman were apprehended and punished.

8. The right to dower: It is the right of the woman being married to receive *Mehr*. The woman has the right to demand the *Mehr* of her choice through her guardian. It is the duty of the man to give this dower. The dower which is given to her is then considered as the wealth of the woman. None can take from it except with her permission. "And give the women (on marriage) their dower as an obligation; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer." (H.Q. 4:4) - this is the commandment of the Qur'an.

9. The right to divorce: The woman has the right to get a divorce under circumstances wherein she becomes unable to live with her husband. The divorce from the woman's side is referred to by the two terms *Khul'a* and *Fasq*. The first is the divorce wherein the dower is also to be returned while the second is the one in which it is not returned. In any event, Islam does not force the woman to live with a husband whom she does not like. Under compelling circumstances, she can receive a divorce.

Is not the Hindu vision which teaches that goddesses bless the place wherein the woman is worshipped more acceptable to woman than the Qur'an?

It is on the basis of the 56th verse of the third chapter of *Manusmrithi* that such a claim has been made. The verse is as follows:

*Yathra nariyasthu poojendye raamanade thatra devakam
Yathrai thasthuna poojendye sarvasthrathafala Kriya*

"Where women are worshipped, goddesses abide in joy. Where they are not worshipped, all deeds performed therein become of no consequence."

Before the discussion on the meaning of woman-worship

mentioned in *Manusmrithi*, it is the Hindu idea of the woman that must first be examined. For, it is from that viewpoint that all laws concerning her are formulated.

The status of the woman that prevailed during the age of the Rig Veda was indeed a pathetic one. In the thinking of those times, she was one who could never be trusted and was the one who had the heart of a jackass. Urvashi, who was an *Apsaras (goddess)*, tells her lover Pururavas thus: "O Pururavas! die not, flee not; may not the frenzied wolves tear thee apart. Verily, there must never be the companionship of women. For their hearts are as the heart of the Hyena. There can never be the company of women. Go back to thine home." (*Rigveda Shathapath brahmanam* 11:5, 1:10 as quoted by D.D. Kosambi, *Myth and Reality*, p. 105)

This has been mentioned in the Rig Veda compilation as well.

Pururavo Yamrathama prapaptha

Matha Vrakaso ashivasa ukshan

Navayasthrina ni sakya nisanthi

Salavya Kanam hrathyanenyatha

(Rig Veda 10:95:15)

As for the Upanishads, they entertain a wholly negative vision with regard to woman. Woman is the cause of all misery in the world. The woman, the embodiment of all sins, is the fuel of Hell fire. Look at some of the verses in the Yagnavalkopanisad:

*Jawalana athi duryepi sarasa api neerasa sthreey hi
narakagneena minthanam charudarunam*

(Shlokam 16)

"The woman, who burns from afar, and who apparently seems to be pleasing but is in reality displeasing, although beautiful, terrible as the fuel of Hell fire."

Kamanamna Kirathena vikeerna mugadachethas,

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Naryo naravikam ganamanga bandanavagura

(*Shlokam 17*)

“Women are the nets thrown in by Kirathan, the god of sex, to trap men who are, as it were, the birds”

Sarvesham dosharathnanam susemudgikayanaya

Dhuka shyamkalaya nithyamalamasthu ma masthriya

(*Shlokam 19*)

“May God save thee from woman, who is a mine of all sins and is the very chain of all misery”

The Bhagavad Gita, too, has considered women to be a lowly state

Mamhi partha vyapashrithya yepisyu papayonay

Sthreeyo vaishyasthathe shudrasthe piyanthi bram gathim

(9:30)

“O Arjuna! Even those born in sin like the women, Vaishyas, and Shudras can attain to salvation if they seek refuge in me”

Even the advice of *Manusmrithi*, which taught that the woman was to be worshipped, was that she was never to be allowed any freedom whatsoever.

Pitharakshathi Kawmare bhartharakshathi yawane

Rakshanthi sthavise puthra nah sthree swathanthrya marhathi

(9:3)

“Woman who is protected in her adolescence by the father, in her youth by her husband, and in her old-age by her son, deserves no freedom at any time”

It has been claimed on the authority of this verse that *Manusmrithi* teaches that the woman is to be protected under all circumstances. Any doubt, however, may be dispelled by the *shlokam*

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that immediately precedes this verse.

Aswathanthraha sthreeyaha karyaha purushyr swirthi Vanisham

Vishyeshda cha sajjanthya samsthyapa athmam vashe

“Woman must not, by night or by day, be granted any freedom, whatsoever, by her husband and other relatives. Even if they be immoral, she must still remain within their power”

The laws of *Manusmrithi* are such that woman is depicted merely as an instrument of man's sexual gratification. This will become clear to any who reads the laws described in the fifth chapter and the ninth chapter.

What then is the point in saying that Manu had said that woman is to be worshipped? We have already seen that this was mentioned in the third chapter, 56th verse, of *Manusmrithi*

To understand what has been intended here, it would be sufficient to carefully read from the 55th to the 62nd stanzas. The summary of these statements are as follows: “Fathers, brothers, husbands, and brothers-in-law who wish for great good fortune should revere these women and adorn them. The deities delight in places where women are revered, but where women are not revered all rites are fruitless. Where the women of the family are miserable, the family is soon destroyed, but it always thrives where the women are not miserable. Homes that are cursed by women of the family who have not been treated with due reverence are completely destroyed, as if struck down by witchcraft. Therefore men who wish to prosper should always revere those women with ornaments, clothes, and food at celebrations and festivals. There is unwavering good fortune in a family where the husband is always satisfied by the wife, and the wife by the husband. If the wife is not radiant she does not stimulate man; and because the man is unstimulated the making of children does not happen. If the woman is radiant, the whole family is radiant, but if she is not radiant the whole family is not radiant. Through bad marriages, the neglect of rites, failure to study the Veda, the transgressing against

priests, families cease to be families.”

It becomes clear from these statements as to how woman is to be worshipped. Woman is to be worshipped by providing her with clothes, ornaments and food. Why are these to be given? woman must be healthy; and beautiful so that her man's passion is aroused. Woman is to make her body beautiful by adorning it with clothes and ornaments; that the man may be attracted by her. Woman is to be so worshipped that she be made a fitting decoration for the man's bedroom. This is the law of Manu. Manu has nothing to say of the rights of woman.

The laws of *Manusmrithi* consider woman to be an individual forever bound by the chains of family relationships, with no rights of her own. The verses of the fifth chapter starting from 147 to 169 are all about the woman. Even if she were to become a widow in her youth, she is not to marry again. Even if her husband indulges in adultery, she is still to consider him on equal footing with God. However, the woman who commits in adultery was to be thrown to the dogs in public. Woman is not entitled to any share in the wealth of the family. The wages for her labour will be half that of the man. So goes the laws of *Manusmrithi* concerning woman.

The *Devadasi* system was a cruel and perverted institution which prevailed in India. There is evidence to show that the *Devadasi* system began in the *Saptasindhu* (India) right from the time of the Atharva Veda. The *Devadasis* were Shudra women who had been consecrated to the temple as the maid servants of the gods. The function of the *Devadasis* was to fulfill the sexual needs of the upper castes who were the representatives of the gods on earth. This, in effect, clearly meant that they were the prostitutes of the temples.

It may be understood from a single reading of the Mahabharath and the Ramayan that the *Devadasis* were an essential part of ancient Indian society. Dasharath had, in the army that he had prepared for Shri Ram, included women who made a living out of trading their physical charms. While proceeding to the Battle of Kurukshetra, chariots carrying *Devadasis* accompanied the legions of the Pandavas

and the Kauravas. *Devadasis* were in the forefront to receive Shri Ram when he returned from his exile in the jungle. It was again the *Devadasi* community which had come to receive King Kaushika when he returned to the capital city after enduring severe trials. The Mahabharath relates that it was fifty young girls, at the very sight of whom one's blood would boil with excitement, who welcomed Shuka who had come to visit the wise seer, Janakadika. It was again a *Devadasi* whom the King Anuga employed to get what he wanted by using her to entice Rishyaganga who had never set his eyes upon a woman in his life time.

The tradition of carrying away and then marrying women also existed in ancient India. These marriages are named Raakshasam. It is the decree of Manusmrithi that the Raakshasam marriage is a matter of right for the Kshatriya (3:23,24). It can be seen from the Puranas that there were many who married in this fashion. Look at the very first marriage of Shri Krishna himself. It was Rukmani, the daughter of Bhisimak, the King of Vidarbha, who was the first wife of Shri Krishna. It was during the preparations for her marriage to the cousin of Shri Krishna that Shri Krishna carried her off and married her on the day before the wedding.

Sati was yet another cruel tradition which prevailed in India. The law of *Sati* was that the wives were to immolate themselves in the funeral pyre of their dead husbands. The woman who performed *Sati* was then honoured as the *Satidevi*.

The British government never sought to control *Sati*. They never liked to displease the Hindu priests. The British would thus maintain that the practice of the widows immolating themselves at the funeral pyre of their husbands was one that was based on Hindu beliefs and that it was made quite clear within the accepted canons of law and that, as such, to abolish it would be an act of intervention into the preserves of the Hindu religion itself. The man who brought forth a powerful opposition against their practice was Raja Ram Mohan Roy. It was after all his efforts to prevent the wife of his brother from immolating herself at the funeral prayer of her husband had failed and as he was thus forced to witness with his own eyes the horrible scene

of her burning away to her end that he turned into a crusader against *Sati*. It was, however, only after a prolonged and sustained campaign of opposition against *Sati* that, in 1929, *Sati* was declared illegal during the reign of Lord William Benedict.

Concerted efforts are, however, being made today to revive *Sati* and such other malpractices. It has not been too long since we read of Roopkanwar from Devata village of Rajasthan who was thrown into the flames of the funeral pyre of her husband.

Another law that prevailed in ancient India was that the widows who did not perform *Sati* were to shave their heads and live in complete isolation within the society. Even those small children, who were all of six or seven years, who became widows after their child marriage, were to shave their heads and remain as widows for the rest of their lives. These widows who would then be forced to live like beggars were to have but one meal a day. On the days of the new moon they were to confine themselves day and night and were never to partake of even a drop of water. Indeed, it is greatly possible that the *Satidevis*, so highly praised as the women who chose *Sati* of their own accord, were, in reality, women who chose ghastly end in the flames of self immolation as a better option than a life that would be so turned into a prolonged torture.

On one side we see that even while the encroachment upon women's rights prevailed in ancient India, the worship of women, too, existed alongside. It is also claimed, making reference to the worship of goddesses, that women are given a very high position in the great vision of Hinduism which teaches that women are to be worshipped. This claim is, however, without substance. There is no evidence to show that the position of woman has in any way evolved from the vedic stand that the woman had the heart of a Hyena. To imagine that women enjoyed a privileged position simply because they were worshipped as goddesses would be but an exercise in stupidity. *Sati* is, after all, the most cruel and extreme form of the encroachment upon the rights of woman. This is made clear by the fact that the woman who undergoes *Sati* would thenceforth be known as *Satidevi*.

The origins of goddess worship is to be found in the blind and perverted notions of sexuality. The names *Subagor*, *Bagaradya*, *Bagamalini* and the like have been used to describe goddesses. *Bagath* has the meaning vagina. The meaning of the aforementioned descriptions are respectively 'She who has good vagina', 'She who is worshipped in the,', and 'She who bears the,'. Amongst the more shorter and concise names, *Pragathba* means 'she who has attained to maturity, she who impassions her husband and she who is skilled in the act of sexual intercourse'. *Vidagda* means 'she who is the least ashamed of the sexual act and who is adept at the different variations thereof' (V.V. Shrijan: *Ya devi sarvaboodeshu*, p.19)

Where, indeed, is the Qur'anic vision which declared that the woman possessed an independent existence of her own and that she, too, had her own legal rights as well and which saw her as the light of the house and as the mother of society? And where stands the vision of the *Manusmrithi* which states that the woman is to be worshipped that she may be made a decoration of the bed chamber of her man? In reality, both these views exhibit such a wide range of disparity as to never call forth even the most remote comparison.

The basis of the freedom enjoyed by women in the western world is the Christian vision. As such, is not the outlook of the Christian religion more suited to women than the Qur'anic outlook ?

In actual fact the unrestricted freedom experienced by women in the western world has only served to lead that society into a state of chaos and disruption. Indeed, the scenes now being enacted there are in protest against the anarchic situation created by Christian doctrine itself. Even the most fanatical of Christian missionaries would hardly endorse the statement that the freedom enjoyed by them owes itself to Christian doctrine. Christian intellectuals are now engaged in thinking out ways and means to extricate western civilization from the confines of immorality. They have now recognized the fact that salvation through the death on the cross can hardly be employed to practically cleanse people of their sins. This would then mean that they themselves have admitted that the freedom of western women cannot be the product

of Christian dogma. In truth, therefore, the people of the west began to move away from established values in protest, and as a response, to the world renunciation of Christian ascetism.

The Christian religion had but followed the Jewish principles. No *new* belief, no ritual or code of morality can be seen to have been taught by Christ. Christ had only claimed that he was a prophet sent unto the lost sheep of the House of Israel (Mathew 15:25). He had said that he was sent only to fulfill the code of the Old Testament (Mathew 5:17). This meant that he was a prophet appointed to guide the Israelites along the path of God. He had advised the people to follow the laws revealed to Moses. Indeed, in the first centuries (after the departure of Christ) the church had no rites or rituals, whatsoever, which differed from those of the Jews in any manner; nor was there any such law either.

It is the Jewish belief that the woman is the cause of sin entering amongst mankind. The woman was, after all, the one who ate of the forbidden fruit herself and then persuaded her mate to eat it too (Genesis 3:12). She was the sinner who not only disobeyed God herself but caused another to disobey as well. With the Christian adaptation of this idea, she became, through her opening the door for sin, doomed to carry the burden of guilt for having become the immediate cause of the gruesome ordeal of the son of God which led to his death on the cross.

The Hebrew term *Baal* means owner. The Old Testament of the Bible refers to man as *Baal*. We see that according to the commandments of the Old Testament, man is portrayed as one who has total authority over woman. Indeed, the Bible has given man the permission to even sell of his women - even if they were to be his own daughters (Genesis 21:7). Among the Jews there was even the tradition of selling off their own daughters at the slave market in order to repay their debts (Nehemiah 5:5). Even in the matter of religious practice, the Jews never granted women the freedom to act freely. The Book of Numbers ruled that man had the authority to nullify the vows taken up by his daughter or wife (30:12). That the wife was mentioned together with slaves and domestic animals in the Ten Commandments

(Exodus 20:17, Deuteronomy 5:21) is an indication of the position of woman amongst the Jews.

The Jews had looked upon the birth of a female child with contempt. It was the law that if the mother gave birth to a female child, she would be in a state of impurity for a period of time that would be twice as long as the case if the child born was male (Leviticus 12:15). The ruling of the Old Testament was that woman had only half the value of man (Leviticus 27:3-7).

Polygamy was universally practiced during the age of the Old Testament. The Law commanded no restriction, whatsoever, in its practice. Indeed, Solomon is said to have had seven hundred wives and three hundred concubines! (I King 11:3). Moreover, according to the Old Testament, only man had the right to divorce. A man could divorce his wife at the slightest pretext. Here, he had only to see to it that he provided her with the written document of divorce. However, there is no statement, whatsoever, anywhere in the Bible which would enable woman to free herself from the clutches of even the most cruel husband (Deuteronomy 24:1-4).

The position of woman in Jewish society at the time of the advent of Jesus was, indeed, a pathetic one. Women, children and slaves were not permitted to recite *Shema*, the morning prayer. In fact, there was even a Jewish ritual daily prayer that said 'I praise God in that He created me not as woman.' Women were not permitted to study the Torah. The Jewish Rabbi, Eliyasar, who lived around 90 C.E. had even opined that it was better to throw women to flames than to teach them the Torah.

It can be seen that Christ had sincerely striven to bring about a change in this situation. He gave positions to women amongst his disciples. Even though there are no women amongst the apostles, we see that many women attended his sermons. Mary Magdalene, Yohanna, Susanna ... so goes their list. He had preached the gospel to all irrespective of the fact whether they were men or women (John 4:1-24). In a Jewish society where it was ordained that there was nothing for the woman in matter of religion, these steps were all

revolutionary in themselves. Through these steps Christ sought to teach that both woman as well as man were equal before God.

Even as the church went astray in matters of belief after Jesus, so did lapses begin to occur in the matter of the position accorded to woman. The Christians, too, began to follow the prevalent laws of the Old Jewish Community on matter dealing with woman. With the assumption of Church authority by Paul, things became even worse. Furthermore, with the influx of people from among the Greeks into Christianity, the Christian community now became saturated with the decadent conceptions on woman prevalent both in the Jewish as well as the Greek traditions. Sophocles, the Greek philosopher, had said that "silence is the token of greatness as regards to woman" The Greeks were never prepared to grant any right, whatsoever, to woman. That woman was the very personification of the devil was the very theme popular in those days. At home, woman was not even entitled to a place at the dining table. She was to ever remain confined to the living quarters that was specially laid out for her. She was exploited wholesale in the name of religion. The Greeks too were used to the habit of 'donating' women to the temples. Those who were so 'donated' would then be doomed to a life of prostitution and menial jobs that were associated with the temples. There are records to show that, like the *Devadasis* of India, there were around a thousand of such 'maid-servants of the divine' in the service of the temple of the god, Aphrodite, in Corinth. It was natural, therefore, that the Christian church, which adopted religious laws from the Greeks and the Jews, sought to enact laws that would violate the sanctity of womanhood.

It is, however, in the epistles of Paul that we see the Christian seeds of all anti-woman policies often attributed to the Christianity. This animosity towards woman that pervades the epistles of Paul was but a natural outcome of his having accepted Greek philosophy as the very foundation for all his own ideas as well. It is the influence of the Greek thought that 'the woman is the very image of the Devil' that is evident in the writings of Paul which state to the effect that 'it is good for a man not to marry.' (Corinthians 7:1). It is again the ideas of Sophocles who said that 'silence is the token of greatness as regards

the women.' that is reflected in the words of Paul who said that 'the women must observe silence at the church.' (I Corinthians 14:34-3)

Woman is, indeed, one who demands protection. She is, by her very nature, so constituted. Womanhood reaches its greatest heights with pregnancy and child-birth. It is through marriage that woman is enabled to fulfill all her natural propensities. By teaching that 'it is good for a man not to marry', Paul has propagated a notion that is wholly antagonistic towards woman: "Are you married? Do not seek a divorce. Are you unmarried? Do not look for a wife." (I Corinthians 7:27)

"Now to the unmarried and the widows I say: It is good for them to stay unmarried, as I am." (I Corinthians 7:8)

"So then, he who marries the virgin does right, but he who does not marry does even better." (I Corinthians 7:38)

If all men in the world were to obey Paul and perform the 'good' act of not having anything to do with woman, the entire human race would cease to exist within the span of a single century. It is for this reason that this Christian notion is said to be antagonistic towards humanity itself.

It was on the basis of these statements of Paul that Christian asceticism developed. We are unable, however, to see in the sayings of Christ anything that would discourage marriage. Nevertheless, we see that within the span of a few centuries after Christ, asceticism came to be greatly encouraged and to be accepted as the very foundation of all Christian virtue during the unfolding of the history of Christianity. The *Devadasi* system that prevailed amongst the Greeks, too, must have had its influence upon the development of Christian asceticism. Asceticism would have a greater adverse effect on woman than on man. For, after all, it was through wedlock that womanhood found its highest fulfillment and perfection.

It is the reflection of the influence of the doctrines of Paul that were antagonistic towards woman which we witness in the activities of the medieval church. Indeed, The foremost subject of heated

discussions of the church in those times was whether woman had a soul or not. The cruelty that was perpetrated in the name of asceticism went beyond all limits. All this madness was supposedly committed in order that one may approach the divine through the infliction of torture upon one's own self.

It may have been in response to this attitude of the church against woman as well as against the fulfillment of the sexual instincts that set the stage for the moral laxity of the western world. As for the Qur'an, it presents the sexual impulse as a sign of God in itself. Its fulfillment is but the natural yearning of the human species. Indeed, the Prophet (ﷺ) had taught that the fulfillment of the sexual urge, through the legal provisions of the divine commandments, was, in itself, an act of righteousness. As far as man was concerned, woman was then a partner in this righteous act. But according to the Christian notion that sexuality is in itself a sin, it is only natural that the woman is seen as the sinner. The Qur'an, on the other hand, introduces woman as mate and support.

Is not the Marxian view which sees both man and woman as two equal members of the working class more favourable for the woman than the Qur'anic vision ?

It was on the basis of the doctrine that private property was the cause of all evils that the Marxist ideologues gave form and substance to their doctrines. It was on these grounds that communism analysed man-woman relationships as well. "In the Capitalistic system, man-woman relationship is exploitative. Indeed, the tradition of monogamy itself originated as a result of the necessity for protecting private property. With the elimination of private property, man will be liberated from all evils." This is the perspective of Communism. We can understand the communist view of the woman from the Marxian analysis of the state of family relationships in the upcoming socialist system.

"Men and women, irrespective of whether they be Hindu, Muslim or Christian, may undertake work and offices that befits their capacity; may select the mates of their own choice and live together as long as

they like; may resort to divorce if either of the partners dislikes the other; may if so desirous, take a new mate and then lead another marital life. It is such a state of affairs that modern democracy as well as Socialism, its highest form, is aiming to achieve" (E.M.S : *Reply to Questions*, Chinda weekly, 1993, November 25)

The Marxist tradition, which analyses mankind on the basis of economic relations alone, considers the institution of the family, moral values and all else as the by products of an exploitative system. The genesis of the afore mentioned communist view point stems from the outlook that man and woman are, for all foreseeable purposes, independent and are, in themselves, two distinct individualities who are, in no way, mutually associated. The Marxian visionaries never even considered the fact that the institution of the family was an indispensable factor in society. They also refuse to see the fact that the roles of both man and woman in the family are as unique in themselves, as they are complementary. The concept of mutuality in man-woman relationship is, after all, in opposition to the Marxian contradiction of progress through conflicting interests. It is because of the limitations of such an outlook that it enunciates that woman be made to work like man and that they are to choose mates as and when they please.

Marxism is unable to even consider the natural differences between man and woman and the divergence in emotions that exists within them. It seeks to measure woman on the basis of her capacity to work. It refuses to see the mother in her. It does not consider her weaknesses and difficulties. It does not tolerate the fact that it is man who is to be her protector.

In short, therefore, Marxism measures woman on the basis of her labour value alone. There is, however, a reason for this as well. For, after all, it (i.e., Marxism) was the product of the intellects of two men. (There has not been the slightest influence of Jenny, the wife of Marx, or of Helena, his concubine, upon the formulation of the Marxist vision). They were, furthermore, men who viewed the world and all in it on the basis of economic relations. For this same reason, therefore, the Marxist view of woman, in reality, reeks of nineteenth century

male chauvinism. It stubbornly refuses to see the distinct qualities of woman.

Islam, on the other hand, considers firstly the motherhood of woman when it talks of her. The Prophet (ﷺ) had taught that 'paradise lies at the feet of the mother'. His advice to man was that he was to always be kindly disposed towards her. 'Accept my advice that you are to behave kindly with women.' The greatness of woman is never to be measured on the basis of her capacity to work. Muhammad (ﷺ) had taught that it was rather to be based on her behaviour. He once said that 'a righteous woman was the greatest fortune of a man.' Woman is the heroine of the family and the mother of society. Man is to protect and support her. The laws of the Qur'an are such that they remind man of her weaknesses and, thereby, help him in being able to protect and support her. The Qur'anic verse that "... And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them and Allah is Exalted in Power, Wise." (2:228) makes all these very clear and explicit. Indeed, this proclamation is the very basis of all family laws in Islam.

Is not the concept of the equality of sexes in modern democracy more suited than the Qur'anic vision ?

Is Democracy really able to provide eternal values that will be conducive to human salvation? In reality, Democracy is but the rule of the majority. Can it be really possible for the majority in a society to develop and formulate the laws that are to be necessarily followed for the conduct of life of a people? The majority of the people in Europe and America have accepted the system of dating wherein young girls and boys come to know each other intimately, to intermingle with each other freely and even to sleep together as well before marriage. It is, after all, this acceptance and licentious ways that has served to torment that society with the afflictions of deadly diseases like AIDS and of other numerous mental disorders. In fact, the increasing rate of crime and sex related diseases in third world countries, like India, which are passionately following the western values owes this to their dependence on democracy to deliver the right course of conduct. Here, the fact

becomes clear that it is the Lord God Himself, who created man, Who is to teach how man is to lead his life.

What is modern democracy? It is nothing but a new name that has been conferred upon Capitalism. Are not man and woman equal in the capitalist world? For those who seek to give the answer merely by looking upon the participating presence of both the sexes at the offices, it may be possible to give 'yes' as an answer. However, they refuse to accept the fact that Capitalism prevents woman from fulfilling the role which nature has demanded of her. Modern Democracy can very well ask woman to work alongside man, to earn her salary and to go forth into the market place. But who, indeed, can ask man to undertake pregnancy, to give birth and to breast-feed like the woman. It may, perhaps, be possible for capitalism to ask the nation to provide for woman who gives birth to a child who knows not its own father. But, which, indeed, is the ideology that can confer solace upon the woman who yearns to be fondled by the father of the child within her? It may be possible for a consumerist culture to provide baby food for the offspring that is born without ever being able to know the identity of its own parents. But, which television ad is it that will provide contentment to the minds of the little ones who yearn for the love of the mother and the protection of the father?

The equality of the sexes is a myth; a myth that has been fostered within human minds by democracy with the aid of the media. A woman can never become like a man nor can a man ever become like a woman. Western democracy, which teaches woman to be like man, is, in reality, making the life of woman unbearable. Through this, it wrecks the family and, with it, the very moral fibre of the society as well.

Capitalism sees every thing in the world as a part of consumerism. Man and woman are no exceptions. Their emotions or their problems are hardly issues of its concern. For it looks only to the market. It thinks of nothing but the objects that will serve to accelerate the various processes therein. This is the position of woman in capitalism. She is always the model, the call-girl, the stenographer, the secretary, the dancer, the actress; but never is she allowed to be the mother by capitalism. After all, her being a mother would diminish her

market value; wouldn't it?! Then she becomes an old woman; an inhabitant of old-age homes; one destined to live the rest of her life counting the days to her end.

The Qur'an, however, presents a most practical, yet moral, system. A practical system which moves forward always in harmony with human nature. In its vision, the human being is not only the one with rosy cheeks and unwrinkled skin, but he is also the child within its mother's womb as also the aged one awaiting death. Indeed, its command encompasses even the dead body which is never to be violated.

The Qur'an is never in conformity with the utilitarianism of Capitalism. This is the main point of divergence where the Qur'anic vision differs from the view of modern democracy over the subject of woman. The Qur'an never sees woman as a source of economic gain. It never agrees to see her as an instrument of trade either; for she is one half of the human soul; the veritable mother of society. It is her motherhood which Islam considers first and foremost. It emphasizes that it is on the lap of the mother that the very bedrock of the institution of the family, the fundamental unit of morality that is so vital in society, is nurtured. The Lord Creator, who revealed the Qur'an, is well aware of the difficulties and limitations faced by a woman who becomes a mother. Indeed, these have been given due consideration by the Qur'an. The outlook of capitalism is that it is virginity - in fact, that hypocritical pretentious virginity - that has the most 'market value'. This has also been the basic difference in the professed value - frameworks of Islam and Capitalism.

There are verses in the Qur'an which allow for the superiority and command of the man over the woman. Do these not make it evident that the Qur'an is a work of male chauvinism?

“Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part ye

fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly), but if they return to obedience, seek not against them means (of annoyance): for Allah is Most High, Great (above you all).” (H.Q. 4:34)

“Divorced women shall wait concerning for three monthly periods. And it is not lawful for them to hide what Allah hath created in their wombs, if they have faith in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them and Allah is Exalted in Power.” (H.Q. 2:228)

These have been the verses quoted by those who accuse the Qur'an of being influenced by male chauvinism. It is claimed that these verses make it clear that the Qur'an has been a product of the male-chauvinistic tendencies of the Arabs. What, then, is the reality?

In the first verse quoted above, the Qur'an says that man is *Qawwam* over woman. In Arabic the word *Qawwam* or *Qayyim* refers to the one who looks after the affairs of a person or an enterprise and supervises over their necessary requirements. Indeed, it implies more of a responsibility than an obligation. The said verse then summarises that the control over the institution of the family which includes, the affairs of woman and children or the responsibility for their well-being dwells upon man.

The family is an institution. It is a noble institution that grants peace and tranquility to both halves of the soul. In fact, it is the family that forms the most important of all social institutions. It will be acknowledged by all that any institution will require an able head for its growth, development and the resolution of its various problems. To any versed even in the most basic lessons of management, it is common knowledge that any firm, no matter howsoever good its credentials, is bound to wither away in the absence of a controlling head of affairs. Then is there not the necessity of a head for the family wherein the very foundation of all morality in society is being formulated? It is indeed, vital that there *must* be an overseer for properly carrying out

all the incumbent responsibilities that arise while maintaining a family right from bringing up children and giving them all the guidance required for making them responsible members of the society. Otherwise, total anarchy and chaos will be the result.

It is clear, therefore, that there must be a person to assume the leadership of the family. It would be more correct to search for the one who is really more capable for this than to ask the question as to who is more deserving. It should either be that both assume the leadership jointly or that the woman assume the leadership of the family herself. Let us approach the problem from the unprejudiced, basic premise that the man is to be entrusted with that responsibility only if both these options are impracticable.

It is more dangerous for an institution to have two leaders than for it to be without any. It is commonplace for the very institution themselves to fall apart in all the cases wherein the enterprise, previously handled by the father before his death, is not justly apportioned off or is not passed on to any one of his children for its proper functioning. In institutions where there exists more than one leader, the institution is wrecked by the power tussle and other problems related to leadership. Even if it does not fall apart, the 'products' that come forth will be defective in some way. So is the case with the family. If both are made the leaders, there will be a dichotomy of views concerning their approaches to the resolution of problems. This will result in a jostling for power and leadership. This will then, in turn, result in a disturbance family atmosphere. Children brought up in such a family atmosphere will become subject to mental tensions and imbalances. This will then be the cause of the moral laxity of the next generation.

Can a woman really assume control of the family? Or is that responsibility to be entrusted to man? The answer to this question lies in the counter question. 'Is it intellect or emotion that is necessary to control the family?' If it is intellect, then the control of the family is to be entrusted to man, if emotions, then to woman.

The physical make-up as well as the mind set of both man and woman are so constituted that they are enabled in carrying out the

function that they have been assigned. By physical make-up is not meant just the external differences. Indeed, it is not just the skeletal frame but even the muscular system is so constituted that they allow for each sex to carry out properly the role that has been assigned to them by nature. It is a fact that the famous statement of Hawlock Ellis, the renowned sexologist, that, "The man is a male to the very tips of his fingers and the woman a female to the very tips of her toes" is one hundred percent correct.

While the frame of man are well suited for hard labour, those of woman are suited for the conditions of pregnancy. While the muscles in man are fit for the demands of hard labour, the woman's body is made up of fat that provides it with its distinctive softness. The hands of man that are so suited for labour and toil! The hands of woman that are so suited to the purposes of fondling and petting! So goes the differences in physical constitution.

In conferring upon woman a body suited for motherhood and upon man with one suited for labour they surely must have been provided with qualities of the mind compatible with their respective functions as well. Compassion, consideration and a host of emotions form the specialities of the female mind. It is, indeed, one that is dominated by emotions. Studies have revealed that the intellectual abilities which girls display during childhood are dimmed with the onset of adolescence. This means that the mind, too, undergoes a change with the preparation for motherhood. What is the image that presents itself before us whenever we seek to describe the woman's mind? A tender heart, a delicate mind, a highly sensitive nature, a continuous gurgling well spring of love, an upturned sense of emotionality each one of these makes it clear that woman's nature is, indeed, an emotional one. But what of the man's mind? Thoughtful response, masculine conduct, pragmatic disposition, action based on thought. These constitute the typical male mind. These are bound to contemplation and thought. In short, therefore, the man's mind has been so constituted that it supplements earning and responsible work.

(This is a general appraisal. Are there not women who can rule, judge cases, lead wars and exert themselves for a living? Are

there not men who can cook, look after children with care and involve themselves in governing the affairs of the family? The definite answer is 'yes'. But they are but exceptions. Indeed, they belong to their own sex only by virtue of their physical Qualities. As far as their behaviour, their methods and their roles are concerned they tend to be closer to the opposite sex.)

It is his ability to undertake action that is in conformance to thought which makes the man fit to assume the guardianship of the family. Indeed, that is but the very fulfillment of the role which his physical endowment has thrust upon him. He must work for a living; must earn money to feed the family - it is in his hands that all control of the affairs of the family has been placed. Indeed, this responsibility makes it an incumbent duty for him to determine and chart out the appropriate means of living for that institution and of all the members within it and to supervise all financial matters that relate to the process. It is for this reason that the Qur'an, while stating that 'men have control over the affairs of women', has also emphasized that the reason for this is that "Allah has granted more strength to one above the other and because they spend out of their wealth on them." (Qur'an 4:34). This is the reason why it is said that the Qur'an, by placing the affairs of the family upon the man, has conferred a great responsibility upon him.

By granting man the control over the affairs of woman and over family it does not mean that he may become a virtual dictator over them. Indeed, leadership itself becomes ennobling and enlivening only in the context of cooperation and mutual consultation. A truly satisfying family life becomes possible only when the man, who is entrusted with the leadership of the family, accepts the Qur'anic recommendation of "treating the women with kindness" as well as the advice of the Prophet to the effect that "he is the best amongst you who treat best the members of his household."

It is again on this basis that the Qur'an stated that, "men are a degree above the women" (2:228). This is a status that is achieved by way of accepting the financial burden of the family. Indeed, that status is the veritable guardianship of the family itself.

It may be supposed that a woman with a high salary is entrusted with the leadership of the family. Here, it is possible that the protection of the family will not be felt to be a difficult task in the early period of the marriage. However, with the onset of pregnancy and motherhood it becomes impossible for her to carry on the burden of leadership. In short, therefore, the Qur'an, by entrusting the leadership of the family upon the man, has actually sheltered the woman from the same. No one who is versed in the nature of womanhood will take a stand against the Qur'an in this issue.

By comparing woman to a tith, does not the Qur'an actually see them as mere instruments for reproduction ?

It is the Qur'anic verse "Your wives are as a tith unto you so approach your tith when or how ye will, but do some good act for your souls beforehand; and fear Allah, and know that ye are to meet Him (in the Hereafter), and give (these) good tidings to those who believe." (2:223) that has been criticized here. The allegation here is that the Qur'an, by comparing the wife to the cultivating field, has made her a mere instrument for the purpose of reproduction.

There are numerous similes used in the Qur'an. Those which compare woman, with tith and with attire form but a couple amongst them. Similes tend to have one speciality. It is that each person may interpret them in a way most suitable to his own mode of thinking. Here, according to the peculiarities of the mind of the interpreter, a person may claim that since the Qur'an has compared the wife with the cultivating field, it contends that she may be tread upon with impunity even as the fields are tread upon and that she may be sold off at any time just as the fields are sold off and that like the fields are apportioned off, she, too, may be given away to various individuals. Furthermore, it may be possible to claim that by comparing the wife with the attire of her husband the Qur'an contends that she may be constantly discarded for a new one even as it is in the case with clothing. But a psychological analysis will surely reveal that these interpretations are nothing but the reflections of the mental outlook as well as the prejudices of the interpreters themselves.

To interpret the ornate smiles enshrined in any book, it is essential to be aware of the basic facts concerning the contents of the book as well as the ideology that it advocates as also the social structure that it puts forth. The Qur'anic verse "Divorced women shall wait concerning themselves for three monthly periods. And it is not lawful for them to hide what Allah Hath created in their wombs, if they have faith in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them and Allah is Exalted in Power, Wise." (2:228) provides foundational knowledge pertaining to its views on the relationship between man and woman. The statement of the Prophet that "a virtuous woman is the greatest of the treasures of a man" is but a natural corollary. It is only on this basic premise that the beauty inherent in the aforementioned similes can be truly appreciated.

What does the Qur'an mean by comparing the woman with clothing? Clothes are the material objects which are in the closest proximity with the human body. It provides cover to those parts of the body that are not to be seen by another person. It is clothing which protects the body from the uncomfortable conditions of the external climate. Indeed, the very status of man is embodied in clothing. Clothes are also employed to enhance beauty and joy. Above and beyond all else, clothes represent the very culture of a person. It is particularly relevant that the Qur'an has not confined itself to referring to the woman as the clothing of man. The Qur'an says that "They are your garments. Allah knoweth what ye used to do secretly among yourselves: but He turned to you and forgave you; so now associate with them, and seek what Allah hath ordained for you, and eat and drink, until the white thread of dawn appear to you distinct from its black thread; then complete your fast till the night appears; but do not associate with your wives while you are in retreat in the mosques. Those are limits (set by) Allah: approach not night thereto. Thus doth Allah make clear His Signs to men: that they may learn self-restraint." (2:187) How beautiful, indeed, is the comparison made by the Qur'an! How exact! After all, it is the inability to exist with this mutual intimacy that causes

all problems in the family.

What does the Qur'an mean when it compares the woman to the fields and the man to the cultivator? To realize the relationship between the field and its cultivator it is necessary to ask the cultivator himself. Indeed, he is ready to sacrifice even his own life for the sake of his farmland. Even the very mention of soil would turn him into a wellspring of emotions. He is the one who is well aware of the laws of the farmland. He would never allow another person to sow seeds on his terrain. And he would himself never seek to sow his seeds in the fields of another. The fields are never to be wasted. They are never to be allowed to lain waste or misused. They are to be fertilized. The soil is to be enriched. Soil erosion should be prevented. The farmer who hears the Qur'anic instruction that "your women are your tilths" (2:223) can never consider the woman to be a mere instrument for reproduction. But for those who are unable to understand the depth of feeling inherent in the relationship that exists between the farmer and his farm land, they can never appreciate the comparison that has been made here. The case of the farmer is, however, different. He understands the full meaning of the simile that is coined here. He appreciates the sheer beauty of it. It is to the raw human being that the Qur'an speaks; that it does not address those sham 'intellectuals', who practice futile mental acrobatics, is a point of particular relevance.

It would be well to ascertain the revelatory context of the Qur'anic verse which compares the woman to the tilled fields. There was a superstitious belief amongst the Jews of Medina that it was a sin to have sexual intercourse with one's wife in a particular way and that the child born in such a case would have defective eyes. The companions of the Prophet enquired of him concerning this. It is the opinion of many commentators of this Qur'an that this was the occasion of revelation of the said verse. It would help to avert misunderstandings if this occasion of revelation is kept in mind while analysing the verse which states that "your wives are your tills. Therefore go into your tills in whichever manner you please. The Qur'an teaches here that like the farmer who tills his field in whichever manner that he pleases, it would also be alight, like wise, if in the act of sexual intercourse any

method of approach is employed. The only thing that *must* be ascertained is that the seeds are being sown at the right place. Through these verses the Qur'an teaches that sexual relations do not only serve to provide for emotional gratification alone but that its main objective lies in the very means of propagation of the human race.

By permitting polygamy, has not the Qur'an infringed upon the rights of woman?

When we speak of polygamy the first thing that is to be understood is the fact that it was never an institution that was introduced by the Qur'an or Islam. It was an institution that generally prevailed in ancient cultures. Look at what the Encyclopedia Britannica writes: "It may be seen that in most of the ancient cultures either polygamy or the tradition of keeping concubines existed. In China, where there existed the above practices apart from the lawfully permitted wife, it was never seen to be against the moral code or decency. The tradition of maintaining concubines existed in Japan up to 1880. Even though polygamy was accepted in ancient Egypt, it was not commonplace. However amongst the royal families it was common." (Vol. xviii, p.188)

It may be recalled that except for a particular period, polytheism was common in all the ancient communities among the Romans. In certain communities of central Africa and Australia the rich would even compete with one another in the matter of number of wives, they made of young girls who could not be married off by their parents.. It is further given to understand that the young men in such communities thus finding it difficult to marry and that many amongst them would then take in marriage the widows of their fathers after their father's death.. It is even said that the Monomattawo Kings of Zimbabwe had as many as three thousand wives. 'The Guinness Book of World Records' has recorded the head of the Batuba, Bakethe races of Zaire as possessing the most number of wives. They are said to have had many hundreds of wives!

Many of the Prophets in the Old Testament of the Bible had more than one wife. The Book of Genesis makes it quite clear that Abraham, who is described as the ideological father of the Jewish

community, had two wives in Sarah and Hagar (16:1-3). It can also be seen from the Bible that after the death of Sarah, he married a woman named Kedura and that besides this, he had many other wives as well (Genesis 25:1-6)

Jacob, who was the father of the tribe of Israel had four wives named Leya (Genesis 29:21), Laban (29:29), Bilha (30:4) and Silha (30:9). As for David who is known as the author of the Psalms, it can be seen that he had besides the wives Meekal (1 Samuel 18:29) Batt Sheba (2 Samuel 11:27), Abeenovam (2 Samuel 3:3), Abeegayal, Maky, Hageethi, Abeethal, Eggai (2 Samuel 3:4-5), had many other as well. His son Solomon, who is known as author of the Proverbs had seven hundred wives and three hundred concubines! (1 King 11:3) Indeed, as a token of the greatness of many individuals, the Old Testament cites that 'they had many wives and sons! (I Chronicles 7:3). These instances are referred only to show that Polytheism was commonplace during the times of the Old Testament.

There is a little evidence in the earliest sources to show that the Christian religion which came as the successor of the Jewish one, had held polygamy as abominable. There is not a single statement which prohibits polygamy anywhere in the gospels, the book of acts, the book of revelation, the apostolic writings or even in the letters of Paul. But the writings of Paul have discouraged even the very act of marriage itself. The disciples of Paul who were taught that 'it is best not to marry' (1 Corinthians 7:38) were inclined towards asceticism and as for those who could not manage that came to the stand that one, and only one, wife may be taken.

However, there have also been moves adopted against this stand within the Christian community itself. The Mormons of America were a people who advocated the cause of polygamy. They claimed that Jesus Christ had married and that he had many wives as well. They contended that since Christ had appeared to Mary Magdalene, Solomi and other women after his resurrection he was more intimately closer to these women than to his apostles and that this, therefore, showed that it was probable that they were, indeed, his wives. The Christian view thus remains that polygamy was permitted in the earliest periods.

This has been mentioned in the Encyclopedia Britannica. "Polytheism was recognised by Christian Church during the middle ages. It existed in its own right. Indeed, as it was permitted both by the Church and Nation it existed legally in many places right up to the middle of the sixteenth century." (Vol XIV, p.950)

As for India, it may be seen that there existed the tradition of taking more than one women as wives right from the time of the Rig Veda. It is further given to understand that Indra, the most important god in the Rig Veda, himself had more than one wife. There is a verse (or Sukta) attribute to Indrani, the most important of all in the wives of Indra (Rig Veda, Mandal 10, Sukta 17). The main focus of this verse is on a formula to harass the co-wives. It is a formula by means of which the attraction of the King towards a co-wife may be eliminated and his love be made to flow towards herself instead. From this it may be understood that polygamy prevailed universally during the period of the Vedas.

polygamy existed even during the classical period. It is well known that Dasharat, the father of Shri Ram who is the hero of the Ramayan, had the wives Kausalya, Kaikeyi and Sumithra. As for Shri Krishna, the hero of the Mahabharath, the Puranas report that he had as many as sixteen thousand and eight wives. These wives of Shri Krishna included eight in Rukmini, Jambavathi, Sathyabama, Kalindi, Mithravandha, Saraswathy Kaikeyi and Laxmana along with the ten thousand daughters of Narakasura.

By the time age of the Smrithi had commenced, the tradition of polygamy also became based on the caste system. The law of the Yajnavalkya Smrithi decreed that the Brahman was to have three wives the Kshatriya two and the vaishya and the Shudra were to have one each.

*Thissovarname poorvyana two thathika yathakramam
Brahman Kshathriya visham barya swa shudrajanmana
(Yajnavalkyasmrithi 1:57)*

"In accordance with the caste order the Brahman may three

wives, the Kshatriya two and the vaishya one. The shudra can marry only from his own caste".

Even in modern societies in which fidelity to one wife is claimed it is a fact the practice of having sexual relations with more than one woman is quite common. The only difference being that it has been referred to by different pet names. While the rich man fulfills his sexual desire in the call girl engaged in 'Public' relations, the ordinary man seeks gratification at the brothels. Studies have shown that those who have not approached the prostitute, called by different names, even once are very few indeed. Modern society can hardly see it as a crime. In addition to this, statistics reveal that sexual perversions like wife swapping and group sex are on the increase among the elite in society. In reality, many of those who strongly speak out against polygamy are themselves slave to such sexual misconducts..

It is an incorrect approach to consider as mere coincidence the sexual relationship which Marx maintained with his concubine Helena besides his relation with his wife Jenny. It is pointless to turn one's face away from the lesson provided by bare facts like the atheist ideologue, Bertrand Russell, having four wives and of his having, in addition, relationship with the wife of his own son as well as with many other women. We must be able to deal constructively and impartially with the reality which they prove. It will then be understood that monogamy is a tradition that cannot, at least for some individuals, satisfy the very natural longings that run deep within them. It is futile, therefore, to engage in a critical discussion of polytheism while closing our eyes to this reality.

The Qur'an does permit polygamy. The verse which provides this permission is as follows: "If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, or that which your right hands possess. That will be more suitable, to prevent you from doing injustice." (H.Q. 4:3)

As in the case with all other communities in the world, polygamy did exist in Arabia sometimes to a degree that far outstripped all other

societies. In this matter, unrestricted freedom prevailed in Arabia. The Qur'an brought about a regulation in these practice and restricted the number of wives to four. That many prophets themselves possessed numerous wives before their attaining prophethood makes it clear that in Arabia there existed no restriction, whatsoever, in the number of wives. Ameerathul Asad had eight wives while Noufal bin Muawiyya Daylami had five. At the time of their embracing Islam, the Prophet had asked them to maintain four wives of their own choosing and to divorce the rest. In short, therefore, it was in a society where there was unrestricted freedom to take any number of wives that the law was enforced that four wives may be taken if it is possible to show justice to each and if this is not possible, then to have just one.

The Qur'an does provide the permission to marry four wives, if it is deemed necessary, subject to the condition that all be treated impartially.

Moder age has established the practice of marrying not more than one wife. However, while it restricts legal marriage to just one wife, it does not see anything abhorrent in entertaining relationships with call-girls and others of their like.

Which, then, is the more conducive code for woman ?

Islam does not recognize any extra-marital affairs no matter what the name with which it is called. It is on the basis of this fact of Islam being averse to all such relationships that this problem has to be analyzed. In a country that is ruled by Islamic rule - adulterers, if their guilt is proven, by the testimony of four eyewitnesses - will be subject to a hundred lashes if they be unmarried and to death by stoning if they are married. Indeed, the degree of abhorrence shown by Islamic law towards these crimes is made manifest in these punishments. From the view point of Islam, adultery becomes the very cause of the breakup of the family, the which is the fundamental unit of the society, and through this of the basis of all norms of morality as well. For this reason, therefore, it is essential for an ideology which seeks to create a society enshrined in righteousness to formulate laws and regulations that serve to eliminate it completely. Along with this, however, there

must also be provisions that provide for the gratification of desires in a manner compatible to human nature. Indeed, it is here that the wisdom of Islam in permitting polygamy may be truly appreciated.

There are situations wherein polygamy becomes inevitable at the personal as well as the social level within a society entrenched in righteousness. Personal circumstances may be summarized as follows:

One: Man's sexual urge. It is an uncontested fact that at least in the case of some men, there are instances where sexual gratification is hardly achieved through one woman alone. After all, sexual relations are not possible with women during their periods of menstruations, pregnancy and the like. During all such periods, there may be men who cannot control their sexual urge. Before these men there are but two options: Polygamy or adultery.

Two: Sexual impotence of the wife. Sometimes impotence in women cannot be rectified through treatment. It is but natural that the man will, however, need to have the means of fulfilling his desires during such periods of inability of his wife. There can only be the option of either Polygamy or adultery or else it must be divorce. These are the only three ways out for the man. Adultery is, doubtless, immoral. As for divorce, though permitted it must be avoided as much as possible. In such a context, polygamy becomes the best alternative.

Three: Barrenness of the wife. If the wife is barren, there are three options before the man: (1) To live a life without having any off spring. (2) To divorce the barren woman and to marry another. (3) To marry another woman while maintaining the first wife.

The first option will be an act of cruelty to one's self. The second will be cruelty to the wife. After all, it was not her fault that she ended up being barren. It is the third option which is humane. Through it, the barren wife may find joy in looking after, and bringing up, the children of her husband as her own. She is also thus enabled in fulfilling her yearning for motherhood.

Four: Permanent illness of the wife. There are ailments that prevent sexual relations as well as pregnancy. What are the husbands

of women with such disorders to do? There may also be those who struggle to even perform the household chores due to such unending health disorders. In all these cases the remedy often resorted to is either adultery, divorce or polygamy. In divorcing a woman afflicted with a permanent disorder, she is actually being forced into the street. Here, too, the only humane solution to the problem is polygamy.

Certain religious texts prescribe divorce in all the aforementioned circumstances. Look at the commandment of the Manusmriti:

Vandhyashda methi Vedyabde

Deshamethu mruthapraja

Ekadashi Sthree janani

Sathyasthapriya vadinee (Manu Smriti 9:81)

“A barren life may be superseded in the eighth year; one whose children have died, in the tenth; one who bears (only) daughters, in the eleventh; but one who says unpleasant things (may be superseded) immediately”

The remedy prescribed by Atheists for such problems is also divorce. Look at the solution prescribed by Bertrand Russell, the greatest proponent of Atheism:

“Where a marriage is childless divorce may be often the right solution even when both parties are doing their best to behave decently” (*Marriage and Morals, P.96*)

In such instances, which option would a woman prefer for her husband: polygamy, divorce or adultery? A woman imbued with righteousness and love will definitely yearn for polygamy. Indeed, Islam has permitted polygamy considering the security of the woman as well. Here, we realize that the Qur'anic vision is, indeed, a humane one.

There are also instances wherein polygamy becomes a social necessity. These can be enumerated as follows:

One: The disparity in man-woman population ratio. This can

take place in two ways. As a natural phenomenon and as a result of war. An understanding of history brings forth a certain reality before us. It is the fact that in all societies - in all ages - the population of women have surpassed that of men. Modern science does offer an explanation for this state of affairs. Although the genetic code in humans is so constituted that the differences of the sexes is almost in proportionate measure, out of the off - springs born, the female ones will be more in number than the male ones since the defense mechanism of the female foetus against infections and diseases is much more vigorous than in the case of the male. It is seen that this disparity in numbers stand to the tune of one thousand male for every one thousand and ten female children born.

The situation that manifests itself after a war is another such instance. Naturally, it is overwhelmingly the male population that actively takes part in war. Thus, there comes about a substantial disparity in the male-female ratio. In the Second World War, fifty lakhs of Germany's male population lost their lives while the male-female ratio before the war stood on a proportional basis there, after the war the ratio was set off balance by an excess of five hundred thousand woman. Woman in Japan and Germany resorted to staging demonstrations to meet their demand for husbands. Boards reading 'Wanted: an evening guest' appeared in front of their homes. This is, however, restricted by no means to the case of Germany alone. This is, indeed, the natural course in any country coming out of the ravages of war.

Whenever the female population in a country exceeds the number of males in it, the society may resort to three options: 1. Each male is to marry one woman alone. The remaining women are to live suppressing their sexual longings. 2. Each man is to take one woman in marriage. The remaining women may resort to adultery. 3. Men, with the financial capability as well as the conviction that they will be able to do justice to their wives, may take more than one woman in marriage.

Which of these is the humane option? When the case of women who are unable to live without men is considered, the first option is, indeed, a most cruel and unnatural one. As for the second option, it

will, doubtless, serve only to destroy all morality and society itself. It is the third option, and the third option alone, which those desirous of a morally upright and progressive society will choose to adopt. It was, after all, for this very reason that the World Youth Organization that gathered in Munich in 1948 recommended polygamy as a viable solution for the woes of Germany. Indeed, this has been the solution recommended by Islam all along. How is it then that the same solution when declared by the World Youth Organization is found to be humane but repulsive when declared by Islam?

What is the solution, which can be offered by the Christian church, which holds that the Holy Spirit guides unto all truth for this problem? What do they say should be the condition of those women who come in excess? Does the church per chance think that they can all be made nuns by enticing their minds within the myth that they are the brides of the lord? Or will it be that the Church will support them in their bid to trespass the boundaries of morality and engage in adultery? In truth, it is a fact that those who boast that their religion recommends monogamy have no idea, whatsoever, of the stance they are to adopt with regard to the social situation where the number of women are on the rise.

For the atheists who consider polygamy an abomination the only solution for this social problem is recourse to adultery. Adultery, which is accompanied by the unrestricted use of all means of abortion: Bertrand Russell writes: "In view of the above circumstances it is evident that so long as many men for economic reasons find early marriage impossible, while many women cannot marry at all equality as between men and women demands a relaxation in the traditional standards of feminine virtue. If men are allowed pre-nuptial intercourse (as in fact they are) women must be allowed to it also. And in all countries where there is an excess of women it is an obvious injustice that women who by arithmetical necessity must remain unmarried should be wholly debarred from sexual experience. Doubtless the pioneers of the women's movement had no such consequences in view, but their modern followers perceive them clearly and whoever opposes these deductions must face the fact that he or she is not in favour of justice to the

female sex" (*Marriage and morals*, p.59)

It is Russell's recommendation that in a society where free sex is permitted child rearing must be restricted to married couples and that all extra marital sexual relations must involve the use of the viable methods of contraception.

Which then is the more humane recommendation: is it the Qur'anic one which asks men to take up more than one woman in marriage and to maintain strict equality between them in social circumstances wherein there is a disparity in the male-female ratio or is it the atheistic recommendation which suggests that women who come in excess must take to adultery?

It is clear that, in reality, the woman is subject to the most cruel treachery in the form of such extra-marital relationships. She can be thrown out at any moment. She has no right, whatsoever, to associate the child born off such relationships with its father for no method of contraception is one hundred percent fool-proof. Furthermore, from the time that her flesh begins to sag and the wrinkles to appear there will be none to even consider her predicament. Which, indeed, is the more honourable position: is it the status of a legally married wife who has her own rights or is it the label of a prostitute? From the viewpoint of Islam, any woman is entitled to her status as legally married wife and to her own sovereign rights no matter whether she be the first or the fourth wife. Which then is the more suitable option for the women: to live as co-wife and to claim for herself and her children all the rights that are due unto them and to become entitled to shares in the wealth of the husband after his death or to live as a whore, as one without any privileges, whatsoever, and to die miserably as a burden to society itself?

Two: Protection of the widows and the orphans: It is the primary duty of the society to protect the widows and the orphans. It may be seen that Polygamy, at times, becomes expedient in satisfactorily fulfilling this duty. For, it is the men who die in wars and in most accidents in daily life. It is then that the widows and their orphaned children increase and their protection becomes a duty of the society itself.

Protection of the widows can hardly be conceived to be complete by merely providing for food and shelter. Indeed, in many instances, it is the young women who are destined to end up as widows. Even if they have two or three children, as human beings endowed with carnal desires, they will be subject to the desire to have sex. Sexual desires cannot be fulfilled by receiving food, clothing and shelter. To let them off in such fashion will ultimately serve only to force them to take up unrighteous, immoral practices. Indeed, such a course of action can serve only to disrupt all morality in society. They must, therefore, be remarried. That is the right way of protecting the interests of widows.

Who would come forward to marry the widows, especially when they are widows with one or two children. Men could, in general, hesitate to have widows as their first wives. As this hesitation is but natural it is not fair that they should be criticized for it. It is here that polygamy comes to the aid of the widows. If she is willing to be the second or the third wife of a man, she is enabled to satisfy all the rights that she is entitled to as a human being.

For the orphans, too, their mother's re-marriage will provide them with relief and security. Whatever the provisions available at an orphanage, it can never have the homely atmosphere of a family. It is in no insignificant way that the trauma of having been torn off from their mother and placed in an orphanage affects the mind of such children. At a time when they should be caressed and brought up in their mother's lap they should be there and there alone. They must be provided the opportunity to live within the atmosphere of a family. The re-marriage of the widow sets up the right opportunity for this to take place. If the new husband of their mother is a man of righteousness and religiosity, the orphans receive the same treatment as that from a father along with a most satisfying family atmosphere. In truth, therefore, this is, by far, a more complete life than the one lived out in an orphanage.

Many religions actually recommend a life of perpetual sorrow for the widows. Look at the judgment of the Manu Smrithi:

*Aa Suthr maranalkshantha niyatha brahmacharini
Yodharmeka patninam kamkshanthi Thamanuthamam
(5:158)*

“She should be long-suffering until death, self-restrained, and chaste, striving (to fulfil) the unsurpassed duty of women who have one husband.”

It is from such legal prescriptions that, in due course of time, the system of *Sati* that asks for the wife to die at the pyre of her husband originated. Islam, on the other hand, understands the problems of the widows and prescribes the apt solutions as well. It never asks anybody to assume that there never is a problem while they are in the very midst of such problems – problems which can be very well be resolved through the option of polygamy. In such circumstances, it gives the permission to take up more than one wife. Indeed, it is a provision that provides for the security of the widows and the orphans. It is for the same reason that in many such circumstances we find polygamy coming to the aid of the woman.

It is clear here that the allegation that by allowing polygamy Islam has degraded women is utterly baseless. Indeed, as far as anyone seeking a recourse to a social system founded in righteousness is concerned, they can, in no wise, push aside the merits of polygamy.

Why does the Qur'an, which allows polygamy for men, disallow polyandry for women?

It is true that polyandry existed in many primitive communities. In Tibet, Ceylon, Siberia and other lands polyandry prevailed in one form or the other. In the case of India, it has been given to understand that this custom existed right from the Medieval Age. There are no indications, however, that polyandry existed during the Vedic age. The fact that there exists no reference, whatsoever, to polyandry even when there are references to polygamy in the *Aithreya Brahmana* and the *Thirirthrya samhithi* makes it clear that that custom never existed during the Vedic age. However, from the story of Panchaali mentioned in the *Mahabharath* it may be understood that the custom

of polyandry had arrived here by the age of the great epics. Indeed, polyandry had prevailed until very recent times in Kerala. It was customary amongst the blacksmiths and carpenters for a number of brothers to have one wife. There were places where this was prevalent among the Ezhavas and the Nairs. The marriages that existed amongst the Nairs of Malabar and Travancore are famous. Beautiful women had four or five husbands.

Why does Islam disallow polyandry? It is simply because human nature does not approve of polyandry. The plain fact, therefore, is that polyandry will exist only as an obstacle in the path of creating a morally sound society.

Polyandry is not a right like polygamy. While through polygamy the woman is protected and certain other social problems are curbed, no rights of the man or the woman are fulfilled nor is any other problem solved through the practice of polyandry. Polyandry is never the solution to any problem. On the other hand it is merely a problem which, in itself, creates many more problems. Its result is the disruption of family life and the destruction of social security. Not one amongst the fundamental purposes that is meant to be served through married life is fulfilled through polyandry. The practical outcome of polyandry is that the position of woman is degraded and is ultimately reduced to that of a slave.

The problems created by Polyandry are legion:

One: It becomes necessary to exercise a time-sharing procedure between different husbands. An incident from the life of Draupadi who had adopted polyandry in the *Mahabharath* is proof for this. It is said that Panchali had allotted two and a half months to each of the five Pandavas. The mutual agreement that existed between them was that each would not trespass into the retiring room while the other was present therein. However, Arjuna once broke this agreement by trespassing into the retiring room while Yudhishtra was with Panchali. The story goes that as a repentance for this act, Arjuna had to go into exile in the jungle for twelve years. The impracticability of devising time sharing schemes as regards sexual relations is very evident from this

story. Indeed, it becomes the cause of infighting and turbulence amongst different husbands.

Two: Problems which arise in the matter of paternity. If a woman with more than one husband becomes pregnant it becomes impossible to determine as to which of the husbands is responsible for the pregnancy. Furthermore, this will adversely affect the quality of care and treatment that the woman is to receive during the period of pregnancy. The pregnant woman will thus be entitled only to a situation wherein insecurity and worry will be her lot. As it is not known as to who the father of the unborn child is, none will come forward to offer care and protection with sincerity. Love is an emotion that is necessarily a spontaneous outpouring direct from one's heart. It is never a feeling that can be created artificially. Care for the pregnant woman proceeds – indeed, must proceed - from that feeling of love. Otherwise it becomes lifeless, mechanical and in such situations there can be little difference in the care received from the husband and the midwife. But that is never the desire of the pregnant woman. She is more in need of the loving care of the one responsible for her pregnancy. Since that person cannot be identified she misses out on that love and affection. Indeed, for this reason alone polyandry stands as an affront, and as a stark injustice, to womanhood.

Three: The problem of the children's security. It is not possible to ascertain the father of the children born in a polyandrous marriage. This becomes the reason for the children not receiving the love that is due unto them from the father. The protection of the children thus becomes the responsibility of the mother. This creates further difficulties for them. It is, however, possible to identify the real father by way of blood tests and of 'DNA fingerprints'. Nevertheless, it is a gross injustice that a child, to receive the love and care of its father, has to wait until the laboratory test results are produced. Further, the degree of warmth and emotional attachment that may exist in a fatherly relation that has been proved by way of medical tests can be imagined only too well. In short, therefore, the custom of polyandry is opposed to the very nature of the emotional ties that are meant to exist in a natural father-son relationship.

Four: The problem of inheritance. This is a problem that results from the inability to identify the father. To which husband's wealth will a child born in a polyandrous marriage be entitled? It is not possible to assume that the wealth be divided equally amongst the children. For there is every chance that one husband is rich while the other is poor. Which children will be entitled to the wealth of which father in all such situations? Should all children be provided with their inheritance if any one husband meets with his death? Or is it that only his children are to receive the wealth of inheritance? Many such problems abound in the case of polyandry.

Five: The problem of protection due in old age. Who will protect the woman who has more than one husband? Who will support her in her old age? Even if the responsibility for her protection is shared by each husband, in such a system it can prove to be nothing more than a mechanical function. For it is not the protection that is bestowed through the agency of a truly loving disposition. It is also possible that there may arise differences between the husbands on the matter of her protection with the end result that the woman eventually goes discarded. Indeed, Polyandry may be deemed fitting only by those who are bound to ever transgress upon the system sanctioned by the Lord of the universe for the protection and welfare of the woman.

Six: The friction between the men. There is every possibility that there will arise disputes amongst the husbands over the subject of the wife. Such disputations can occur in the name of sexual relations, the child born or in the name of the child's fathership. All these disputes may serve ultimately to disrupt the harmony of family life and the woman's peace of mind.

It may thus be seen that Islam which is the religion of nature has prohibited polyandry as it is against all norms of a natural way of life. Why has Islam, which allows for polygamy, disallowed polyandry? This is the question that has been raised. While polygamy is the solution to many problems, polyandry is nothing more than a problem in itself. It is never a solution for anything. The question may arise: what is the solution for women when they are faced with situations similar to the compelling situations that push men towards adopting

the option of Polygamy? Examine the said situations.

One: Physiological problems. It can be fairly stated that there are few instances when the sexual satisfaction of the woman calls for the need of more than one man. A single healthy male is himself more than sufficient for the sexual needs of the woman. The woman is never forced to consider any natural disposition in the man when she is in need of sexual gratification which is very unlike the case of the man who is forced to restrain his sexual appetite during the periods of the woman's menstrual cycle, pregnancy and the like. It is for the same reason that there never is a need for more than one man as far as the sexual satisfaction of the woman is concerned.

Sexual impotency of the man and barrenness, however, are major impediments. Absence of sperms, lack of mobility of sperms, the fall in sperm count and the failure of the testes all form the reasons for male infertility. However, these need not be reasons for permanent barrenness in the man. For these can be remedied by effective treatment. Even if the man is sexually impotent the woman can take recourse to a divorce from him. Islam never compels a woman to lead her life with a sexually impotent man. In all such circumstances, therefore, divorce is the fitting solution, never polyandry.

Two: Social problems. Could not polyandry be permitted in cases where the population of men far exceeds that of women? This question may arise. The straightforward answer to this is that such a situation does not present itself under ordinary conditions. Indeed, it is hardly possible that the number of males born through natural pregnancies will increase. Furthermore, it is not possible that women are killed in more numbers in wars and that a situation comes by where more females are born in comparison to males. Then the problem of males being more in number than the females is a non-existent one. It is, therefore, useless to propose polyandry as a solution for a problem that cannot exist in the first place.

The fact that recent population surveys in India have shown that the number of males is actually more than the females may be used against this argument. But what is the reason for this being so?

Female infanticide. This is the end result of the cruel practice of killing the unborn child in the womb after having determined its sex to be female. The consequence of the barbaric practice of female infanticide. This the Qur'an has condemned in the strongest terms (16:59,6:137,17:31,81:9). Thus, there can never occur male or female infanticide in an Islamic society. And in a society where child delivery takes its natural course, it is the female population, which will be greater. For such, indeed, is the scheme of nature.

Now even if the female population in a country is lower than that of the male, the men who live in that country could always find suitable wives by moving out to the neighboring lands. Indeed, as compared to women, it is the men who are more capable of travel to other lands and in finding mates therein. It is in the least practical to ask excess women in a country to find husbands for themselves from neighboring lands. But that, however, is not the case with men. It will not be similarly difficult for them to seek out mates from other places if there is, indeed, a shortage of women in the land where they themselves reside. Although such a state of affairs is not normally possible, the point here is that even if such is the case a solution is also readily available. This would then imply that it is simply because polyandry is never an inevitability that Islam never permitted it in the first place.

The Qur'an does recommend that men are to receive twice the portion of women in their share of inheritance. Is this not an explicit discrimination?

In truth, the only religious text that grants the right of inheritance to woman is the Qur'an. Indeed, many of the nations, termed today as progressive, have conferred upon women the right to inheritance only in the twentieth century. As for the Qur'an itself, it had declared unequivocally in the seventh century itself that, "From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large, - a determinate share..."(4:7)

According to the Old Testament of the Bible, only sons have the right to inheritance. Therein can be seen verses, which suggest

that the wealth of the deceased is to be divided amongst the sons of the deceased. (Deuteronomy 21:15-17). There is also the recommendation, which requires that the daughters be given the right to inheritance if there are no sons. "And you shall speak to the children of Israel, saying: 'If a man dies and has no son, then you shall cause his inheritance to pass to his daughter'" (Numbers 27:8). Even the widow had no right in the wealth of her husband. (Rev.A.C.Clayton: *Bible Dictionary (Malayalam Version)*, P.113)

As far as the New Testament of the Bible is concerned, there is no mention, whatsoever, of any proportioning of the wealth of inheritance in it. The Christian church had, in all such matters, been following the commandments of the Old Testament. It was precisely for this reason that, until very recently, women had not the right to earn and save - not to mention any right to inheritance - in all such areas where the majority was Christian in population. It was in 1848 that women were allowed to earn money in New York. It was in 1850 that the law, which allowed for women to have the right to inheritance, came into effect.

The Hindu scriptures, which saw woman as the private property of man, and formulate laws in accordance thereof, does not even make a mention of making her a beneficiary in the wealth of inheritance. A reading of the Hindu books makes us to understand that the wife is the private property of the husband, which he can always give away in charity or for the use of another. Sudarshan who makes available his wife for the entertainment of the guest (*Mahabharath*: commandments) and Mithrasah who hands over his wife to Vasishta (Peace) both are indicative of this. There is nothing in the Hindu scriptures, which imply that the daughters are entitled to the wealth of their father. Indeed, the *Manusmrithi* has laid down the law that it is the sons who are entitled to the wealth of inheritance.

*Oordan pishushcha mathrucha samethabrathrasamam
Bajeran Pytrakamriktha manishasthi hijeevatha (9:104)*

"After the father and mother (are dead), the brothers should assemble and divide the paternal estate equally, for they have no power

over the two of them while they are alive”.

The Qur'an recognizes the right of the sons and daughters to the wealth of their parents. Besides the right of the sons and daughters, the Qur'an clearly recommends the exact share that the parents, spouses and siblings of the deceased person have to be apportioned from that person's wealth. Indeed, the right of the son and daughter is but a part of this share allotment. So goes the beginning of the Qur'anic verses which deals extensively with the subject of inheritance: “God (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is a half. For parents, a sixth share of the inheritance to each, if the deceased left children; if no children and the parents are the (only heirs), the mother has a third, if the deceased left brothers (or sisters) the mother has a sixth. (The distribution in all cases is) after the payment of legacies and debts. Ye know not whether your parents or your children are nearest to you in benefit. These are settled portions ordained by God; and God is All knowing, All wise. In what your wives leave, your share is a half, if they leave no child; but if they leave a child, ye get a fourth; after payment of legacies and debts. If the man or woman whose inheritance is in question, has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of legacies and debts; so that no loss is caused (to anyone). Thus is it ordained by God; and God is All-knowing, Most forbearing.” (4:11,12). In short, therefore, the son of the deceased is to have a share in the inheritance that is twice to that of the daughter. However, is this meant to be an act of discrimination towards the woman? Is this a law that tends to highlight partiality towards the man? It will be of benefit if the following facts are understood before any conclusions are hastily arrived upon:

One: The Qur'an recognizes the right of woman to earn wealth. Indeed, to earn as much as she desires. There is to be no right for the man in any such earnings of hers. Her earnings will be hers alone.

Two: Under no circumstances will the protection and mainte-

nance of woman; children or the parents become the duty of the woman. This then means that irrespective of how wealthy a woman might be, she is not duty bound to bear the expenses of her own self, children, parents or husband.

Three: Woman has the right to take, at the time of her marriage, her dower from her husband. This dower (*Mehr*) is then effectively treated as her own wealth.

Four: The protection of the family is the duty of man. It is man who is duty bound to bear the expenses of his wife and children. Furthermore, it is again his duty to protect his parents and other close relatives. In effect, therefore, all financial burdens have to be borne by man.

Five: Irrespective of how wealthy a wife might be, the husband has no right, whatsoever, to take from any portion of her wealth without her explicit permission.

The question may now be considered as to whether the Qur'an has dealt justly or discriminatingly with the woman.

The wealth of inheritance received by woman is hers and hers alone. None else has the right to this wealth. But what of that received by man? He has to pay his marriage dower, take up the maintenance of the women. And to bear her as well as the children's expenses. All falls under the responsibility of the man. Then is it man or woman who has found favourable treatment in the Qur'an?

All other religious texts, which confer financial responsibilities upon the man, have, in lieu of such duties, restricted the right to inheritance with the man. As for the Qur'an, while it does stress upon the fact that all financial burdens will be shouldered by man, it, nevertheless, provides for the inheritance of woman as well. Indeed, by apportioning half the inheritance of man to woman it has greatly honoured her.

What then, can be the non-Qur'anic recommendations of the critics on this subject? Two such recommendations may be raised:

1. Woman be given twice the wealth of man. Confer financial

responsibilities upon woman.

2. Man and woman be given equal share in the wealth of inheritance. Distribute financial responsibilities equally between them.

Both these recommendations seek to burden woman with the yoke of financial responsibilities. This is an idea that is against the very nature of womanhood. For, during times of pregnancy and childbirth she yearns for the care and protection of the man. To burden woman with financial responsibilities, as a rule, is to create conditions of grave and far reaching consequences that will arise in the future. As such, it is certain that the law which the Qur'an has put forward as the subject of inheritance is, by far, the best that there is for woman's good.

It is the requirement of the Qur'an that there be two female witnesses in place of one male witness. Is this not a clear care of injustice against the woman?

While referring to debt transactions the Qur'an states that:

“If ye are on a journey, and cannot find a scribe, a pledge with possession (may serve the purpose). And if one of you deposits a thing on trust with another, let the trustee (faithfully) discharge his trust, and let him fear his Lord. Conceal not evidence; For whoever conceals it, - his heart is tainted with sin. And God knoweth all that ye do.” (2:283)

Many religious texts have ruled that the woman is wholly uneligible to stand as witness. For instance, look at the law of *Yagnavalkasmrithi*:

“*Sthree bala vrathe Kidava mathonmathi bishasthaka:*

Rangavathari Pallandi Kudakridwileadiya

Pathilka patharthe sambandi Sahayari puthaskara

Sahasi Drushta dohashcha Nirduthatyosthe sukshina”
(2:70,71)

“Woman, child, the aged, the gambler, the intoxicated, the in-

sane, the one who has sinned by way of *Brahmahatya*, *Charana* (Singer, actor etc.), *Pakandi* (atheist), the one who makes false documents, the handicapped, the friend, the one who lends money, the helper, the enemy, the thief, the bandit, the one with an apparent negative impression, the one who has been cast aside by his relatives - all these are not eligible to stand as witnesses.”

Why are women deemed non-eligible to bear testimony? The explanation of the *Manusmrithi* is as follows:

“*Ekolubdashthu Sakshheesyal Bahrushu*

Chorina sthriya sthree budhera sthirathatu

Doshysh chanyopiye vratha”(8:77)

“One single man who is not greedy may be a witness, but not several women, even if they are unpolluted, because a woman's understanding is unreliable, nor even other men who are rife with bad qualities”

It was in times wherein 'religious' rulings held that women were wholly unfit as witnesses and that it was only necessary that two women were to offer the testimony that would normally be taken from one man. Why is it that there is to be two women in place of one man? The answer is also given by the Qur'an: “so that if one of them errs the other can remind her.”

In fact, this Qur'anic recommendation helps us to comprehend its divine nature; to comprehend the fact that the Qur'an is, indeed, the legal commandment of the Creator who is clearly aware of the nature of man and woman. Here, the Qur'an has not debased woman; it has only appreciated her inherent weaknesses. Here again, it is the general law of the Qur'an - that both man and woman must be assigned their respective roles in each and every field of mutual cooperation only on principles that are in keeping with the demands of justice - which ultimately shines forth. The facts mentioned here under will serve to clarify this point:

One: This verse deals with debt transactions. Since the Qur'an has conferred all financial responsibilities upon man, it will be the men

who will, in general, be involved in economic dealings. Furthermore, as the intermingling of the sexes is not encouraged in an Islamic society, it is not natural for women to stand as witnesses in dealings of a mutual nature between men as also in fields where men alone play the dominant role. Even if women do become witnesses in any dealing, whatsoever, they are duty bound to maintain all standards of Islamic decency. In cases where such norms of decency are adhered to, it may not always be possible to satisfactorily identify the individuals involved in the transactions.

Two: Women are, in general, emotional creatures. It is probable that the woman, who is easily influenced by tides of emotion is led away from the truth. It may be that the one about whom the testimony is being made is much more beautiful than the one who makes the testimony. Or the testimony being made may concern a handsome youth who arouses the passions in the one who makes the testimony. There may also be circumstances, which appeal to the maternal instincts of the one giving testimony. In all such situations, it is quite possible that her emotional compulsions will ultimately influence her testimony.

Three: The special constitution of woman's body sets various difficulties for her. There are many problems - like the severe mental agitation during the days immediately prior to the commencement of the menstrual cycle, physical and mental problems associated with the early days of pregnancy, difficulties linked to the post menstrual period, problems during child delivery and the mental strain that is caused by abortion - all of which are to be faced only by women. Scientific researches have confirmed the fact that under such circumstances, in addition to the physical discomfort, women are subject to various psychological problems as well. It has been observed that some of these problems include slowmindedness, lack of concentration, loss of memory etc. It is essential, however, that all such situations must be taken into account when the quality of women's testimony or witness is the subject of discussion. It is especially relevant that the verse which recommends that two women are to testify in place of a single man has also mentioned this "in order that if one errs the other may

remind her."

In actual fact, therefore, this Qur'anic law has never debased a woman. On the contrary, it has appreciated her weaknesses and limitations and has recommended the proper solution while yet providing for her the opportunity to give testimony along with the man. The only motive behind such a prescription has been to enable one woman to correct the other on all such occasions where the latter may be subject to slow mindedness or to a loss of memory. At the same time, the testimony of a single woman will be fully considered in all cases that involve only women and wherein it is only her own transactions that have to be addressed. Here again we are subject to the realization of the facts that all recommendations of the natural religion is, indeed, in harmony with nature herself.

By commanding woman to wear the veil (Hijab), the symbol of slavery, does not the Qur'an confine her within the high walls of a reclusive tradition?

The Islamic dress code is never the symbol of slavery. On the contrary, a little reflection will convince one that it is, in fact, the symbol of modesty. It is true that Islam commands woman to cover all her body parts save for her face and forehands. Why has this command been made? What has this command done: has it relegated women behind the prism of obscurantism or has it allowed for them a freedom in a valley of security? The Qur'anic verses which make the Islamic dress code compulsory provide clear answers to these questions. They go as follows: "O Prophet! Tell thy wives and daughters and the believing women that they should cast their outer garments over their persons (when abroad): that is most convenient, that they should be known (as such) and not molested. And God is Oft-Forgiving, Most Merciful." (33:59)

"And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands' fathers, their

sons, their husbands' sons, their brothers or their brothers' sons or, their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical needs, or small children who have no sense of the shame of sex; and that they should not strike their feet in order to draw attention to their hidden ornaments. And O ye believers! Turn ye all together towards God, that ye may attain bliss." (24:31)

"And stay quietly in your houses, and make not a dazzling display, like that of the former times of ignorance; and establish regular prayer, and give regular charity; and obey God and His Apostle. And God only wishes to remove all abomination from you, ye members of the family, and to make you pure and spotless." (33:33)

The real objective of asking the woman to adopt a decent mode of dressing becomes quite clear from these verses.

One: That they may be recognized.

Two: That they be not molested.

Those who live or work in different fields in society do adopt certain patterns of dressing in order that they are identified likewise. As far as women are concerned, it is possible, to a certain extent, to assess their way of life and character from the very pattern of dress that they adopt.

Prostitutes dress in such fashion as to enable those in need of them to identify them. The *Devadasis* who were attached to temples had, for purposes of identification, their own way of dressing. It may also be seen that the *Hetaerae* of Greece, the *Chin kuwan Jen* of China and the *Gaishes* of Japan - all had their own ways of dressing. They could all be identified by this code of apparel. Those in need of them could also be invited thereby.

The ideal woman as envisioned by Islam is modest and pious; chaste and virtuous - she is never approached by sex starved wolves; is not advanced upon by any with pleas for sexual gratification. This must all be discernible from her dressing itself. That prostitutes were to sit by windows with their breasts uncovered was a prescription in

the legal code of fifteenth century Venice. It was indeed, a prescription for judging the quality of the available goods for those sex starved persons who came to satisfy their craving! How strange, indeed, it is that modern day women should have as their attire those that resemble the ones used by the prostitutes of yesteryear to attract the possible users of their bodies. The Qur'an, however, recommends that believing women and those who sell their bodies must be clearly distinguishable from each other and that, too, by the clothes that they wear.

Women have, in all ages, constituted a group, which has been never allowed any peace. Indeed, the great literary and cultural figures of every age have been men who tended to fight over the flesh and chastity of women. If yesterday the honour of women was torn apart through nude dances and poetry that depicted and glorified nudity, today it is being practiced right within the corridors of the family setting through the 'idiot boxes' and the Internet. The whole life of modern man has become sexually oriented. Things have come to such a pass that from the choice of the coffee that one drinks early in the morning to the pillow that one uses to sleep late in the night there is no escape from casting a glance, howsoever, cursory, on the feminine curves exploited in order to sell the product.

It has also been for the very same reason that molestation of women has steadily been on the increase. Indeed, fathers who sexually harass their own daughters and mothers who involve in sexual relations with the sons to whom they have themselves given birth are, fast becoming characters who hardly raise a ripple in the normal functioning of our intellect. Teachers who sexually harass their female students! Male students who go around with their female teachers! The prominent officials who are forced to resign their jobs owing to the humiliation of sex scandals connecting them to their female secretaries! Women of royalty who publicly proclaim that they have sexual relationships with many men! So goes the list of news articles that we get to read in the daily newspapers. Indeed, it is a situation wherein women are unable to travel in peace! Wherein they are unable to work in security! In fact, our society seems to be rushing headlong

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into a situation where women are even unable to be at peace in their very own homes! What is the reason for this state of affairs? Observe the answers given by mature experts in the field.

In the column entitled *Weekly Thoughts* in the magazine *Kumari*, Sree N.V Krishna Warriar wrote: "It is generally believed that men tend to rape in a mood of temporary intoxication caused primarily by the provocative dressing and gestures adopted by women. Indeed, some time back a Supreme Court Judge in India had declared that every woman who wore clothing that attracts the man deserves to be raped." (*Kumari Weekly*, 11.3.83)

It is then clear that by adopting modesty in her dressing the woman protects her body. The Lord Creator did, indeed, speak the truth when He commanded: "O Prophet! Tell thy wives and daughters and the believing women that they should cast their outer garments over their persons (when abroad): That is most convenient, that they should be known (as such) and not molested. And God is Oft-forgiving, Most merciful." (33:59). The Qur'an advises women to dress decently as a first step towards ending acts of adultery, rape and sexual harassment.

The earlier prophets, too, had taught the believing women that they were to cover all parts of their body except for the face and forehands. The history of the Old Testament also indicates that the practice of veiling the faces in the presence of male strangers was very much in vogue amongst the Israeli society right from the earliest times. (Genesis 24: 62-65). The importance and prevalence of this tradition can be gauged from the fact that it was generally believed that to unveil a woman was tantamount to raping her (Songs of Solomon 5:7).

It may also be seen that the tradition of the veil existed even after the time of Jesus Christ. This has been indicated in the writings of Paul. He had written thus: "But every woman who prays or prophesies with her head uncovered dishonors her head, for that is one and the same as if her head were shaved. For if a woman is not covered, let her also be shorn. But if it is shameful for a woman to be shorn or

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shaved, let her be covered. For a man indeed ought not to cover his head, since He is the image and glory of God; but woman is the glory of man." (Corinthians 11:5-7)

The Qur'an has instructed woman to adopt a decent dress code as part of its programme to implement the verse which states: "and approach not nigh unto adultery." Prophet Muhammad (pbuh) had himself taught that the lustful glance, word or action all contain within themselves adulterous tendencies. Indeed, Islam has commanded that the doors to all acts of 'minor adultery' which lead to adultery itself and to the disruption of the moral fabric of society must be closed. Thus, Islam has prohibited sexually provocative clothing as well as dances.

Jesus Christ, too, had instructed that all doors through which adultery enters must be closed shut. He had advised thus: "So all the days of Methuselah were nine hundred and sixty-nine years; and he died. Lamech lived one hundred and eighty-two years, and had a son. And he called his name Noah, saying, "This one will comfort us concerning our work and the toil of our hands, because of the ground which the Lord has cursed." After he begot Noah, Lamech lived five hundred and ninety-five years and had sons and daughters. "You have heard that it was said to those of old, 'You shall not commit adultery'. But I say to you that whoever looks at a woman to lust for her has already committed adultery with her in his heart. If your right eye causes you to sin, pluck it out and cast it from you; for it is more profitable for you that one of your members perish, than for your whole body to be cast into hell. And if your right hand causes you to sin, cut it off and cast it from you; for it is more profitable for you that one of your members perish, than for your whole body to be cast into hell." (Mathew 5:27-30)

Here, Christ has taught that in order to eradicate adultery the lustful glance and provocative movements of the body must be avoided. For that to be so what is it that becomes necessary? Woman must dress modestly; dress in such fashion that her feminine charms are not displayed. Then is it Prophet Muhammad, who came with the Qur'an which commanded such a code of dressing, or is it the clergy,

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which tacitly encourages the use of woman as a means for furthering business transactions, who is the real Anti Christ? Ordinary Christians of the day must come forward to reflect upon this issue.

The advice of Dr. Annie Punnan, wife of the Christian Writer, Zak Punnan, which she gives to Christian women is significant: "The body is a trust which God has conferred upon us. We are never to misuse it, for God has commanded us to use our body to glorify God. Here, the reference is not merely to bodily actions; it also implies the dress that we use to adorn our bodies. Indeed, it has been recorded in the Old Testament that God did punish the sons of Zion for misusing, in various ways, this ability to attract men. (Refer 3:16-24)

Often, the clothes that we wear on the exterior is, in many ways, an expression of the inner state of our being. Indeed, to a certain extent, it declares, as it were, the true nature of our personality. Others receive their first impressions about us by the casual manner in which we clothe ourselves. Thus, it is quite possible that our witness for the sake of Christ will become meaningless if we are to follow the ways of the world in the matter of our clothing.

In any event, we must not attire ourselves in such manner as to induce sentiments of lust in men. If God will take men to account for their lustful intentions, it is only natural that He will also call to account those women who dressed themselves in such fashion as to arouse feelings of lust in them." (Zak Punnan: *Sex, love and marriage: A Christian approach*, P.112, 113)

It is, however, strange that it is those who say that woman must do away with those clothes which arouse feelings of lust in men who quite often, criticize Islam which has made the *Purdah* obligatory for woman. These advisers have all fallen short of explaining as to which code of dressing is the most appropriate by way of not attracting the sexual impulses of men.

How is a woman to dress modestly? Is it the way of dressing of the *Devadasis* of yore who displayed the hair, the major portion of the breasts and the belly as well? Or is it the traditional dress of the *Haetaerae* of Greece who wore their clothing up to their knees - clothing

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which displayed the neck and the hair? Or will it be attire of the *Chin Kuwan Jen* of China who showed off to men the contours of their body by the use of tight fitting clothes? Or is it the Islamic way in which loose fitting clothes that cover all parts of the body except the face and forehands are worn by woman? No unbiased person will fail to choose any but the last option.

The greatest speciality of Islam is that not only did it command women to dress decently, it went further and actually put forward the way in which it was to be done. Many of those who say that women are not to dress in ways that lead men astray however fail to give a clear picture of just such a way of dressing. Indeed, it is here that Islam emerges victorious. The fact that crimes against women are rare in societies that have adopted the Islamic code of dressing goes to show the relevance and practical nature of the Qur'anic verse that states "...so that they may not be molested." (33:59)

The allegation that the Islamic code of dressing has been devised to confine women to the kitchen is without any foundation whatsoever. History has shown that there have been many women of greatness who participated and excelled in the various domains in society all the time having clothed themselves in this very same code of dressing. Indeed, for Aysha (R), the wife of the Prophet, the Islamic dress code never stood as an obstacle in learning from the Prophet and subsequently in teaching his companions both during and after his lifetime. She had even led in the Battle of the Camel dressed in the same type of clothing. When most amongst the men had fled from the Battle of Uhud it was Umm Ammara (R), clad in the *Purdah*, who fought on with her weapon. The Islamic code of dressing had never been an obstacle in the line of duty for Umm Athiya (R) who became famous as the one who participated in several battles alongside the Prophet by nursing the wounded and preparing food for the soldiers. So goes the list of the greatest women amongst the companions of the Prophet! These were women who had surmounted the pinnacle of greatness by making their impact in the various domains of society all the while dressed in clothing that revealed nothing of their body save for their face and forehands. There are such sisters in society even today as

well, sisters in faith who boldly step out into the different sections of society ever ready to serve while yet adopting the Islamic way of dressing for their own selves. Here, it becomes self evident that the allegation that the Islamic code of dressing seeks to bind the woman in chains is quite meaningless.

In truth, therefore, what the Qur'an seeks to do in instructing woman to dress decently is to formulate a practical solution, which raises the self-esteem of women and eliminates situations wherein they are molested or harmed.

The Qur'an has permitted man to beat woman. Is this not a denial of her rights?

Man and woman are the two halves of the institution of the family. However the control of this institution is vested in the hands of man. It is his responsibility to see to it that the institution is not laid to waste. To this end, the Qur'an has exhorted man to exert to the utmost of his ability. Observe the verse that explains the course of action that is to be taken for this purpose: "Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what God would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly); But if they return to obedience, seek not against them means (of annoyance): For God is Most High, Great (above you all)." (4:34)

Breach of discipline has been mentioned in the verse only after it has explained the nature of the good woman. In the vision that emanates from the Qur'an, the good woman is the one who "are devoutly obedient, and guard in (the husband's) absence what God would have them guard." For the preservation of the family and the moral fabric of society, such a nature is indispensable in women. Alongside this she must also be one who guards, in secret, that which Allah would have her guard.

How many men can tolerate life with a spouse who always quarrels with her husband and is bent upon disobeying all that he asks her to do? What will be the condition of the children who grow up in a family atmosphere that is rife with mutual distrust and quarrels? The Qur'an commands against such a state of affairs. There is much that is due from a wife that is the right of the husband alone. It is not the characteristic of a good woman that she gives them to him in his presence and to others in his absence. She can, in no wise, give anything - whether it be a gaze or a word uttered - that is due to the husband alone to any other person. When that happens it becomes the reason for the disruption of the family. Such disruptions can never be allowed to happen. The Qur'anic prescriptions on the matter proceed in the context of this all-important objective.

The Qur'anic recommendation is that all indiscipline that leads to the disruption of the family must be taken out by the root itself. To wait till such tendencies develop and blossom into full-fledged arrogance is to actually create the very cause of disruption of the family unit. At that advanced stage, there will not be much use in treating the problem. For all such treatment will prove ineffective. The condition of the children living in a family that, devoid of all peace and tranquility, is heading towards utter chaos is, indeed, quite pitiable. It becomes imperative, therefore, that, if such tendencies for indiscipline become apparent at a distance, certain remedial action, albeit in a step by step manner, needs to be taken to save the family from disruption. It is in such circumstances that, in order to ward off indiscipline, the Qur'an has permitted the man to take recourse to certain measures. These measures are, however, not in the least meant to harm, avenge or punish. On the contrary, they are meant to correct and unify through the elimination of any tendency for exhibiting indiscipline.

The measures recommended by the Qur'an are as follows:

"As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly); But if they return to obedience, seek not against them means (of annoyance): For God is Most High, Great (above you all)."

An ill-disciplined woman must first be advised. She should be made aware of the consequences of her actions in this world and the next. Sound advice will, indeed, suffice as an effective remedy if the lapses have occurred owing to the natural dispositions of the woman.

There might be cases where stern instructions and advice do not work. In many such cases the main reason behind the failure of the husband's loving pleas and emotional advices will turn out to be arrogance, pure and simple. Arrogance is usually born out of beauty consciousness, of being wealthy and of the high status of the woman's family. It is here that the second measure must come into play. She must be separated from one's bed. The bedroom is the place in which attraction and temptation reign supreme. Therein lies the very power base of the arrogant woman. That she is separated from there would mean that her arrogance has been looked down upon with contempt. It is, indeed, a stern measure against the sharpest weapon in the armoury of the ill-disciplined woman. It goes without saying, however, that the man who rises to employ this measure must of necessity be equipped with the greatest self-control and determination. Those will, indeed, be nights which will cause even the most arrogant of women to think deeply. The knowledge that her mate is in no need of that because of which she tended to become arrogant will definitely serve to change the mind of the woman.

The Qur'an instructs that even in cases where separation from one's bed fails, the family must not be allowed to disintegrate. Cases where, after verbal appeals prove ineffective, separation from one's bed also fails to deliver are rare indeed. When such situations do arise, the level of indiscipline will have reached its highest extent. There can then be no other solutions.

It is only as the next step that the Qur'an prescribes 'beating' as a possible solution. It is only after all other peaceful means have been exhausted that the Qur'an recommends beating her as a preventive measure. At other times, however, Prophet Muhammad has been one person who spoke out vehemently against the beating of women. "Those who beat their wives are devoid of all decency." (Abu Dawood, Ibn Majah): this was his own opinion. Indeed, he had asked

on one occasion: "Have you no sense of shame? To beat one's own wife even as one would his slave; and then to have intercourse with her!" (Muslim, Ahmed). It is certain, therefore, that the Qur'an, which was revealed through the Prophet who said that "the best of you is the one who is kindest to his wife." (Tirmidhi) would never, without sufficient reason, command that the woman be beaten. It is only as a means to check a bigger evil – as a last resort when all other options fail – that the Qur'an has recommended beating. And that, too, the Prophet had particularly exhorted that she must not be beaten in such manner as to lessen her self-respect as is the case when she is struck on the face or likewise. She is never meant to be harmed or humiliated. On the contrary, it is only to correct her that the Qur'an recommended beating as a last resort. Indeed, much like the father who beats his child; like the teacher who beats the student, it is very much a stern instruction emanating from the emotional depths of a caring instructor. The highest objective of this instruction being the safe recovery of the institution of the family from certain collapse.

By permitting divorce has not the Qur'an involved itself in creating helpless women and children?

The general objective of the Qur'anic laws is the preservation of the marital relationship unto death. However, by no means does it seek to remain in the dark with regard to the difficulties associated with human nature. It may be that there exist quarrels and incompatibilities amongst spouses. These can even lead to the disruption of the family. The thirty - fourth verse of *surah* Nisa deals with the measures that a man has to undertake in order to save the family from disintegration in the event that the problem has been due to the woman's lack of discipline and obedience...Counsel, advice, separation from bed, beating – all of these are meant to save the family from breaking up. The Qur'an has further commanded that no punishment must be carried out against the spouse who, with other measures taken against her, turns away from indiscipline. "Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the

husband's) absence what God would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly); But if they return to obedience, seek not against them means (of annoyance): For God is Most High, Great (above you all)." (4: 34).

The Qur'an has provided for measures that would save the family from disintegration. It is, however, not the Qur'an's injunction that divorce must be resorted to as soon as it is seen that problems continue to persist even after all other measures have been taken. On the other hand, it stresses upon the need for the other family members to sincerely mediate between the estranged spouses and help them to come closer. Indeed, the Qur'an does say that when an attempt at reconciliation is being made in all sincerity, Allah will provide ways and means for the purpose. "If ye fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, God will cause their reconciliation : for God hath full knowledge, and is acquainted with all things." (H.Q 4: 35).

It is also true that the Qur'an permits the dissolution of the marriage tie if all such attempts at reconciliation between the spouses fail. Indeed, when the partners are forced to live together as husband and wife even when all attempts at reconciliation fail it will be more the case of a bondage, rather than a bond, that will exist between the two. Leaving such bondages untied will only lead to a situation where it will have to be cut through. This is what transpires in communities wherein divorce is not permitted. It is in such circumstances, where the bondage is to be untied, that the Qur'an has permitted divorce. It can also be seen that besides permitting divorce in such situations, the Prophet had also instructed that both partners must exert to their utmost to avoid such an eventuality. He had said: "In the sight of Allah the most hated amongst the permissible things is divorce." (Abu Dawood, Ibn Majah).

The Qur'an had, as in the case of all other matters, only served to improve upon and civilize the practice of divorce as it existed at that time so that it may be made as acceptable and suitable for mankind as possible. It is quite true that almost all legal codes in the world do

permit divorce. Several legal codes, however, see divorce as a weapon that can be used indiscriminately by man against woman. The Qur'an has brought about a change in such a state of affairs and has presented divorce as an option that is permitted only in the most critical of eventualities.

Manu spoke of divorce thus:

*"Vandhyasta medhi vedhyabdhe deshamedumrthepraja
ekadashe sthreejanam satyasta priya vaadiui"*
(*Manusmrithi* 9:81).

"A barren wife may be superseded in the eighth year; one whose children have died, in the tenth; one who bears (only) daughters, in the eleventh; but one who says unpleasant things (may be superseded) immediately"

It is especially relevant that the Qur'an does not instruct one to discard one's wife if she be barren or is suffering from other ailments. It is cruel that the woman be divorced for no crime of hers for, after all, barrenness, giving birth to a stillborn, or to female off springs alone: these are all cases that go beyond her control and she can have no part, whatsoever. The Qur'an does not stand by such cruelty. It is also unjust that the woman who displeases is discarded straight away. The Qur'anic recommendation is that she be allowed the opportunity to correct herself and she be divorced if, and only if, she refuses to comply, thereby, leading to a situation where such a course of action is made expedient. The Qur'an further instructs that the woman be given a further remuneration at the time of the divorce. "For divorced women maintenance (should be provided) on a reasonable (scale). This is a duty on the righteous." (H.Q 2:241). Thus, the prescription of the *Manu smrithi* that the 'divorced women are to be given nothing' is quite alien to the Qur'an.

What is the stand of Marxism, which itself claimed to be the ideology of the twentieth century, on this issue? Let the Marxist ideologues speak for themselves: "It is not possible for any to say how long the individual tendencies for sexual love will last for each person, particularly for the man. It is better that divorce be resorted to as soon

as it becomes clear that all love has drained away or that it has been channeled into another receptor. If that be done, it will be a blessing for the partners themselves and for the society as a whole.” (*Marx, Engels: Selected Writings*, Volume 3, P.319)

It is the stand of communism that divorce be resorted to as soon as all love drains off. The Qur'an disagrees with this attitude. In the Qur'anic vision, love is never a material commodity that exhausts itself. It is, in fact, a divine gift. It ceases to exist only because of the changes that take place in the material world. Lust and love are never the same. It is not the recommendation of the Qur'an that the marriage bond be dissolved on the mere pretext that all love has dissipated owing to problems between the spouses. The Qur'an has chalked out the ways in which those problems can be resolved after they have been properly identified. In the Qur'an's view divorce becomes the better option only when all attempts at reconciliation fail and the spouses keep on growing apart from each other. Marxism sees love as a material commodity and recommends divorce as a solution as soon as it dissipates. Indeed, it is a solution that is part and parcel of its vision of society. It was about just such a society that the greatest Marxist ideologue of India had commented thus: “They are free to chose the mate of their liking and to live the married life so long as it suits them. If any of the partners were to dislike the arrangement, divorce could be had and, if so desirous, they could chose another mate and settle down to yet another married life. It is just to bring about such a state of affairs that Democracy as well as Socialism, which is its higher form, functions.” (*E.M.S: Chinda* weekly, 25th November, 1983)

It is clear that divorce will be a daily occurrence in a society as envisioned by communism. It is never such a society which Islam conceives. It is for the same reason, therefore, that the Qur'an introduces divorce as an option that is permitted only in the most inevitable of circumstances.

It is clear from the Old Testament of the Bible that divorce was permitted in Israeli society. It was a divorce that was not subject to any conditions, whatsoever. The only condition that did exist was that if the divorced woman was again divorced by her next husband she

could not be married to her first husband again. Observe how this is explained in the Old Testament of the Bible:

“When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, when she has departed from his house and goes and becomes another man's wife, if the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord our God is giving you as an inheritance.” (Deuteronomy 24:14)

The same idea can be found in the book of Jeremiah (3:1,2). From this it may be understood that divorce was prevalent amongst the Jews.

This is, however, not the case with the New Testament. There are verses in the gospels and the words of Paul, which explicitly prohibits divorce.

“And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.” (Mathew 19:9)

“So He said to them, ‘Whoever divorces his wife and marries another commits adultery against her.’ And if a woman divorces her husband and marries another, she commits adultery.” (Mark 10 :11,12)

“But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery.” (Mathew 5:32)

“Now to the married I command, yet not I but the Lord: A wife is not to depart from her husband. But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to divorce his wife.” (1 Corinthians 7:10,11)

It need not be emphasized that these are instructions that make divorce quite impossible. The only thing that makes divorce possible is adultery on the part of the woman. According to the laws of the New Testament it is also a sin to marry a woman who has been divorced by her husband. Cases wherein divorce becomes impossible will further lead to extremely dangerous situations. For it is possible that, at least in a few instances, the wedlock actually turns out to be a burden and a bondage. In such instances the lack of freedom to untie the knots of such bondage can lead to grave dangers. In fact, the Christian community is indeed, facing such dangers presently.

In countries, which have accepted the Christian way of life, voices are now being raised for relaxing the laws prohibiting divorce. It is now being said that one of the reasons for laxity in the moral plane, in these lands, is the very existence of such laws. What is it that is happening in those lands? The husband and wife both harbour mutual animosity towards each other. Indeed, such animosity often prevails in families and it prevents them from living in harmony together. They continue to grow apart from each other. All sorts of problems and quarrels take place. The man, in order to satisfy his sexual desires, finds gratification with call girls or his girl friends. The woman takes recourse to *giglo* (male prostitutes) or incest to satisfy her sexual desire. Both remain as husband and wife! There are with them their children as well! But is it possible to call this group a family? What will be the condition of the children belonging to this family? Studies have revealed that the tendency for crime and other mental ailments that develop in children are all primarily because of such a disturbed family atmosphere.

Take the case of India itself. As far as the Christians are concerned, the only way for divorce is to prove that the husband or the wife has indulged in adultery. For those who yearn for separation it then becomes possible to create circumstances that can make of the other half an adulterer (or an adulteress). Even if there are those who can prove their innocence under these circumstances, evidence to brand them as adulterers is then fabricated. Righteous men and women are finally branded as adulterers with not a little help from the

silver tongued oratory of the lawyer who argues successfully against them in the courtroom. In the event that even this proves useless and the defendant manages to cross the scrutiny of the court of laws, a 'solution' for the problem is quickly found in an exploding gas stove or through food poisoning. It is the contention of the Qur'an that such a state of affairs can never be allowed to transpire. It is, thus, that we feel the laws of divorce that it envisages to be strict, at the same time, yet practicably easy.

The atmosphere of love, compassion and peace that must reign within the family is, however, not one that is to be enforced with the rod of law. It should emanate from that love which binds two hearts together. Indeed, it is futile to even try to reconcile hearts that have grown apart simply through the use of law. It is necessary, in all such instances, to identify the causes for this loss of love and to treat them accordingly. It is this treatment that the Qur'an recommends when cracks develop within the institution of the family. In the view of the Qur'an divorce must be resorted to only when all such methods of treatment fail. In such a situation all solutions other than separation quite often complicates the problem even further and leads to unfavourable and unsavoury incidents. More than the man, it is the woman who suffers the most owing to such incidents. It can, therefore, be asserted in the most unambiguous of terms that by permitting divorce under inevitable circumstances, the Qur'an has, far from putting the woman in any difficulty, actually protected her. Contemporary events, too, provide for lessons in this direction.

Does not the Qur'an see the wife as a mere instrument that can be disposed off by uttering *Talaq* thrice?

No. It is from the misunderstanding about *Talaq* that this doubt find its origin. Technically, *Talaq* refers to that act of the man whereby he uses his authority to dissolve the marriage tie. It is the Qur'an's position that all efforts must be made to avoid situations that will lead to *Talaq*. It commands that even in the case where the man dislikes his mate, he is to strive to share his life with her to the extent that it is possible to do so. "O ye who believe! Ye are forbidden to inherit women

against their will. Nor should ye treat them with harshness, that ye may take away part of the dower ye have given them, - except where they have been guilty of open lewdness; on the contrary live with them on a footing of kindness and equity. If ye take a dislike to them it maybe that ye dislike a thing, and God brings about through it a great deal of good.”(4:19). In the Qur'an's view everything must be done to maintain the unity of the spouses. However, there is no harm in their separating from each other in situations wherein all love and unity dissipates and the very purpose of marital itself is not served. When it is the man who initiates procedures for this separation the process is referred to as *Talaq*.

Islam has prohibited the divorcing of women during periods of their menstrual cycle. It has been proven that the mental and physical faculties of the woman undergo perceptible changes during this period. She will, during such periods, be short tempered and prone to lapses of memory. It is thus quite possible that there will ensue quarrels between the spouses during periods of the menstrual cycle. This quarrel cannot be allowed to lead to divorce. Furthermore, sexual activity between the spouses, which serve the function of generating mutual interest and goodwill between the two, is rendered prohibitive during this period.

It is in the bedroom that, after all, most quarrels are resolved. Sex that follows after the end of the menstrual cycle usually proves sufficient to set aside quarrels that arise during that period. Thus, the Prophet taught that it is not permissible to divorce one's wife during her periods and that it is obligatory for those who have done so to take her back.

The man who divorces his wife after her menstrual period must, however, not turn her out of his house. She must not on her own leave her husband's house either. She is to remain in the house for a period that covers three menstrual cycles. This period is three months for those women who are past their menstrual courses and for the pregnant it covers the period upto childbirth. This period is technically termed as *Idha* period. It is the legislation of the Qur'an that the divorced woman is to live this period in the house of her husband

itself.

“Divorced women shall wait concerning themselves for three monthly periods. Nor is it lawful for them to hide what God hath created in their wombs, if they have faith in God and the last day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. The women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them. And God is exalted in Power, Wise.”(2:228).

“O Prophet! When ye do divorce women, divorce them at their prescribed periods, and count (accurately) their prescribed periods: And fear God, your Lord: And turn them not out of their houses, nor shall they (themselves) leave, except in case they are guilty of some open lewdness, those are limits set by God: and any who transgresses the limits of God does verily wrong his (own) soul: Thou knowest not if perchance God will bring about thereafter some new situation. Thus when they fulfil their term appointed, either take them back on equitable terms or part with them on equitable terms; and take for witness two persons from among you, endued with justice, and establish the evidence (as) before God. Such is the admonition given to him who believes in God and the last day. And for those who fear God, he (ever) prepares a way out.”(65:1,2)

The man and the woman do not really live as husband and wife during the *Idha* period. But nor are they strangers either. After all, it is in the house of the man that she continues to live. It will be of use in helping the partners to change their minds if the woman remains in the house of her husband even after divorce. Two people who, till yesterday, had slept together, today stays apart from each other. Furthermore, he continues to live watching her. This would, indeed, serve to generate in him old desires and perhaps even to bring down his temper as well. The man has the right to take her back during the period of the *Idha*. This is quite unconditionally possible for him. How scientific, indeed, is the path adopted by the Qur'an in saving the institution of the family from disruption; and all this even while not taking recourse to the implementation of a more drastic measure.

Consider the case where divorce has been solemnized. Further, the woman completes the period of the three menstrual cycles in the house of her husband. There is, however, no way of getting them to be together once again. There can then be no option here but that of separation. It is, however, the Qur'an's instruction that even this divorce has to be carried out in the most amicable way. "But if ye decide to take one wife in place of another, even if ye had given the latter a whole treasure for dower, take not the least bit of it back: Would ye take it by slander and a manifest wrong?" (4:20).

But if the divorce takes place even before one comes into physical contact with one's wife, she needs to be given only half the dowry that was agreed upon. (2:237).

The Qur'an further instructs that the woman should be given a fair compensation at the time of the divorce. "For divorced women maintenance (should be provided) on a reasonable (scale). This is a duty on the righteous." (2:241).

If a man divorces a woman and after a while he regrets his action. Further, the divorced woman has not been remarried yet. He is filled now with the longing to have her back as his wife. Here the Qur'an permits him to remarry her. Supposing now that he divorces the woman yet again after having remarried her. He then has the right to have her back just one more time. If he were to divorce her again for a third time he cannot take her back again. This is the three *Talaq* system that has been mentioned by the Qur'an. Let the Qur'an itself speak:

"A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness. It is not lawful for you, (men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by God. If ye (judges) do indeed fear that they would be unable to keep the limits ordained by God, there is no blame on either of them if she give something for her freedom. These are the limits ordained by God; so do not transgress them. If any do transgress the limits ordained by God, such persons wrong (them-

selves as well as others). So if a husband divorces his wife (irrevocably), he cannot, after that remarry her until after she has married another husband and he has divorced her. In that case there is no blame on either of them if they re-unite, provided they feel that they can keep the limits ordained by God. Such are the limits ordained by God, which he makes plain to those who understand." (2:229,230).

This is the three-*Talaq* system that finds mention in the Qur'an. All three are divorces that take place at three separate instances. There is no difference of opinion amongst the vast majority of the leading Muslim jurists over the ruling that it is prohibited to pronounce three *talaqs* in one go. Umar (R) ordered the whipping of a man who had uttered all three *talaqs* at the same time and instructed that he be beaten for doing so. The great aversion, in Islam, to this form of pronouncement may be understood from this one incident. In reality, the three-*talaq* system of divorce is most-suited to the nature of woman. A man who lives with his wife in accordance with the dictates of the Qur'an and has, in his heart, even the least iota of love, will not be able to pronounce *talaq* the third time. He would definitely strive to seek out, and employ, ways and means to continue living with his wife before he even attempts to pronounce *talaq* a third time. Indeed, he would be ever conscious of the pain of separation that he had undergone on two earlier occasions. He would, therefore, divorce her a third time only under the influence of the most intense conviction that they can never again get along together with their lives.

Does woman have a right to divorce like man? What is the Qur'anic recommendation in this matter?

The woman does have the right to divorce. The divorce initiated by the woman is of two types: *Khul* and *Fasq*.

The woman who hates her husband and dislikes to live with him can ask for a divorce from him. This is *Khula*. The condition for *Khula* is that she has to return the dowry which was given her by the husband. This then means that she is to return the wealth that she had acquired by way of marriage. Observe the verse of the Qur'an which describes the matter: "A divorce is only permissible twice: after that,

the parties should either hold together on equitable terms, or separate with kindness. It is not lawful for you, (men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by God. If ye (judges) do indeed fear that they would be unable to keep the limits ordained by God, there is no blame on either of them if she give something for her freedom. These are the limits ordained by God; so do not transgress them if any do transgress the limits ordained by God, such persons wrong (themselves as well as others).” (2:229).

The following constitute the conditions associated with *Khula*:

One: Like *Talaq*, *Khula* is not allowed except in the most compelling of situations. The Prophet had said, “The woman who demands a divorce from her husband except in extreme conditions will not even smell the fragrance of paradise.” (Abu Dawood).

Two: It is the obligation of the husband to release the woman if she demands *Khula*.

Three: The man has the right to ask for the full or partial repayment of his marriage dower. He cannot, however, demand anything above the value of the dower.

Four: The *Khula* becomes valid the moment the man gets back the amount that he asks for. That is to say that the woman then ceases to be the wife of the man.

It can be seen that such divorces did take place during the time of the Prophet himself. Moreover, the practice of compelling the wife, who displeases oneself, to undertake *Khula* was also prevalent in those times. This was mainly done in order to take back the dower which the man had given her at the time of their marriage. The Qur'an has strictly prohibited such practices: “O ye who believe! Ye are forbidden to inherit women against their will. Nor should ye treat them with harshness, that ye may take away part of the dower ye have given them,- except where they have been guilty of open lewdness; on the contrary live with them on a footing of kindness and equality. If ye take a dislike to them it may be that ye dislike a thing, and God

brings about through it a great deal of good.” (4:19)

Fasq is the second form of divorce that can be used by the woman. This is the type of divorce that can be wrested, with the help of the judge, from the man who denies the wife her rights and refuses to grant her divorce as well. The wife can go in for a separation with the help of the judge in all cases where the husband is proven to be barren, where he is found to be incapable of sexual relations, indulges in extra marital affairs, treats her cruelty, forces her into immoral ways, denies her basic amenities of life, uses her wealth unlawfully, treats her unequally where there is more than one wife involved and wherein he converts to another religion. This is *Fasq*. The wife can also use *Fasq* in a situation where she has been compelled by her guardian to accept a husband whom she dislikes and when she is unable to trace the location of her husband beyond a reasonable stretch of time.

The condition for *Fasq* is that it must be carried out through the offices of the judge. For it is the judge who decides whether the reasons being raised by the wife provide sufficient cause for the promulgation of *Fasq*. If such is, indeed, the case then she has the provision to separate from him without parting with the dower money.

Briefly put, therefore, it is clear here that it is the Lord Creator, Who is best aware of the nature of both man and woman, Who has devised methods of divorce that are best and most suitable for mankind.

The Qur'an instructs that the widow must separate herself from society and must maintain a mourning period of more than four months. Is this not a restriction imposed upon woman?

The Qur'an does instruct that the woman whose husband has passed away must maintain an *idha* period of four months and four days. “And make not God's (name) an excuse in your oaths against doing good, or acting rightly, or making peace between persons; for God is One Who heareth and knoweth all things.” (H.Q 2:224). What is the purpose behind this legislation? The purpose is actually two fold.

One is that she, thereby, mourns her separation from her life partner. The other is to clear all doubts pertaining to her possible pregnancy through her now deceased husband.

What is she to do during the period of *idha*? She is not to marry during this period. Marriage proposals, too, are prohibited during this period. She is neither to attract men by enhancing her beauty nor is she to encourage sexual passions within herself. During this period she is also prohibited from using ostentatious ornaments, facial colouring, eyeliners or perfumes. However, there is nothing to prevent her from moving about for urgent or pressing matters and from using clean and decent clothing. In short, therefore, the woman is duty bound to abstain from all things that serve to generate sexual passions in her.

If, after four months and ten days of her husband's demise - she is found pregnant and delivers her child - she is free to do as she pleases. She can either re-marry or she can decide not to do so for the time being. The decision, in any case, must be left to her choice..

During the 'Age of Ignorance', the widows of Arabia used to maintain a mourning period of one year. It was a way of mourning wherein they clothed themselves in the filthiest of clothes and went about without bathing or cleaning themselves. It was Islam which brought about a sea change in such a state of affairs.

What must the Hindu woman, who has lost her husband, do? Observe the ruling of the *Manu Smrithi*:

“*Kamanthuksha paye dehan pushpa moola Falai Shubai
Nathu namapi grahaneer yaath pathyow preda parasyathu
Aaseetha maranaal Kshantha niyatha brahmacharinee
Yo Dharma Aekapathni namkamk shanthi thamanuthamam.*”
(5:157,158)

“After the death of the husband (she) is to while away time by wasting her body on a diet of pure tuber, fruits, flowers etc. She is not to utter the name of another man with the intention of lust. After the

death of the husband, the woman is to remain steadfast, patient and pure; as one ever conscious of the *Brahma*; as one abstaining from the consumption of wine and flesh and as one who is ever desirous of the *dharma* of the righteous woman bereft of her husband”.

This is the ruling of the *Manu Smrithi*. The situation that prevailed in India was, however, even more appalling. The woman was instructed to immolate herself at the funeral pyre of her husband. This was the cruel tradition of *Sati*. Those women who refused to comply with the demands of this tradition were to shave their heads and to live in isolation within the society. The law stipulated that even the six and seven years olds were forced to shave their heads and to live like after the death of their husbands imposed upon them through child-marriage. The only facility that was allowed them was one meal each day!

The Qur'an does not prohibit widows from remarrying. The only condition that it does put forth is that they are to wait four months and ten days. Indeed, this waiting term is wholly scientific and beneficial for the woman. For it is possible that the fathership of the child born to the woman who remarries before the expiration of this waiting period can come into question. Such doubts could lead to cracks in the solidarity of the family and to the associated mental torture that goes with it. But for the woman who remarries after completing the waiting term prescribed by the Qur'an such problems never arise. The child born can be confirmed to be that of the second husband himself. Here it is clear that the law of *idha* prescribed by the Qur'an is beneficial to the woman and is one that seeks not to put her in any difficulty.

Two: Those of his successors who died during his own life time will not be entitled to inheritance from his wealth (The question of inheritance itself comes into being with the death of a person. Prior to that it is but his own wealth, never the wealth of inheritance as such).

Three: It will be only those of his successors who are alive at the time of his death who will be entitled to a share of his wealth of inheritance.

Four : Inheritance is basically allocated to close relatives. Marriage and blood relations will naturally fall into this category.

Five : Close relatives of the deceased will obstruct the right to inheritance of the more distant ones in the same line of succession. By close relation is meant parents, husbands, wives, sons and daughters. Nobody else can claim any right in the presence of these closest of relatives.

Six: The accepted standard for allocating the wealth of inheritance is the nature of one's relationship with the deceased person; never the financial condition or the requirements of the claimant himself.

Seven : In the absence of the closest relatives, or links of the deceased, the right of inheritance is then conferred upon the next link in the line of succession. It is for this reason that if there is no father, it would go to the grandfather and if there is no son then to the grandson.

In the light of these basic postulates, the offsprings of the children who had died while their father was still alive can have no legal share in his inheritance if there are others of his children who are alive at the time of his own death. The reason for this is that the right of inheritance cannot reach successors in the second generation of the family tree while those of the successors of the first generation are still alive. The question here is : Is this not an unjust law?

The first reply to this question will be the counter-question : Will it be possible to apportion the wealth of inheritance in a completely just manner with the help of mere legislation alone? Factually, of course, no system of law - not even Islam, for that matter - can successfully

EIGHT

THE QUR'AN AND THE PROBLEMS OF INHERITANCE

The Qur'anic law states that if the deceased person leaves behind a son, the orphaned grandson cannot be a heir. Is this not unlawful and an injustice shown to orphans?

This allegation is often raised by those who have not studied the whole concept of inheritance. In fact, the law which the Qur'an propound in this regard is seen to be the most scientific and just of all.

The issue of inheritance has been addressed in the verses 11 and 12 of *Surah Nisa*. The right of inheritance of the person who has neither father nor offsprings has also been dealt with in the last verse (176) of this same chapter. The Islamic approach to the wealth of inheritance is derived from these verses and from the practices of the Prophet in this regard. The basic postulates of this approach are as follows.

One: No one has the right to a person's wealth as long as he is alive.

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implement full justice in this regard. Look at a few of the models that can serve to successfully demonstrate these facts:

1. The deceased person leaves behind two children. One is handicapped. The other is fully fit. The first cannot earn his living. The second can work and earn wealth. How will the wealth of the deceased be allocated in this case? In the interest of justice, the one who is able to earn his own living must be given a lesser share while the one who is unable to do so must be allocated a larger portion. However, can any system render this justice by the use of a law?

2. The deceased leaves behind three children. The eldest is aged forty. He is a businessman. He started off as a co-worker in his father's business and his own enterprise has now come of age. The second is a physician. He had studied using the wealth of his father. Today he virtually mints money. The third is a lad of eighteen, a student. His father died before he could attain to any position. How is the wealth to be allocated in this case? Both the elder sons earn their own income; indeed, they had reached the stage of making their earnings with the wealth of their father. As for the younger son he never had much from the earning of his father even when he was alive. Here, too, it will be just that the younger son should, at least, get a larger portion in the share of his father's inheritance. Is it possible to make a law that would facilitate the allocation of the inheritance wealth in this manner?

3. The deceased leaves behind three children. One is highly successful. He is able to amass piles of money. The second is a man engaged in social service. The last one is a miser. He would save all the acquired wealth and would make sure that his expenses would stay within his planned limits. If all three were given ten rupees, the first one would convert it into twenty, the second one would prepare a meal for himself and his poor neighbor, the third would have two meals with it. Should the wealth of inheritance be divided equally between the three? That would not be justice. But here it is not practicable to implement justice through the normal process of law.

Here, it becomes clear that it is not possible for mere laws and

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regulations to implement justice in all respects in the case of inheritance and other economic problems. In all such problems Islam does not prescribe solutions depending solely on laws alone. Indeed, it seeks to create a situation wherein justice can be established in such matters by heightening the moral consciousness of man and by encouraging the showing of mercy and kindness to those undergoing tribulations.

Why cannot a law be made which would then enable the orphaned grandson to have the right to inheritance as well? In fact, the creation of such a law would then destroy all the foundational premises which Islam puts forward in the matter of inheritance.

There is only one way in which the orphaned grandson can be allowed the right to inheritance. Imagine that the deceased son to be still alive. Project his children as the representatives of the deceased person. Then allocate the wealth that was to be given to the dead son amongst his children. Imagine that a person has two children. The elder one has three and the younger one has two children. The elder one died while the father was still alive. So when the father himself passed away, only the younger son remained alive. There is one thousand rupees as the wealth of inheritance. The younger son takes five hundred. The remaining five hundred is divided amongst the three children of the deceased elder son. This, in general, is the usual order of allocation.

How practicable is this order of preference in the Islamic system of inheritance? It should not be forgotten that if the preferential theory is applied anywhere within the system of inheritance, it will become imperative to apply it throughout the whole as well. How correct will be this procedure? Examine the matter. Observe a few of the issues involved:

1. The husband has a right in the inheritance of the wife. If they have children his right will be one fourth, and, if not, his will be one half. Assume now that the husband passed away before his wife. Here, if the preferential theory was to be accepted, the father, mother, the children through other wives, of the husband all will be entitled to share in the inheritance of his wife.

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2. This is also the case with the rights of the wife in the inheritance of the wealth of her husband. If the death of the wife precedes that of the husband, her share will then have to be given to her mother, father and other relatives as well.

3. Fathers are also entitled to a share in the wealth of their children. Assume that the father passed away before his son. The father, however, has other children as well. Even if the son himself has children, if the father is alive even after his death, the wealth of inheritance to which he was entitled would then have to be given to his close relatives.

4. This is also the case with the share to which mothers are entitled in the wealth of their children. If the mother passes away before her son, her close relatives will then be entitled to the wealth of her son if we are to go by the preferential theory of inheritance.

The acceptance of the preferential theory will thus become the cause of imbalance in the order of allocation. A person has two sons and both of them. One has one son and the other has two sons. According to the Islamic order of allocating the wealth of the grandfather, all three grandchildren are entitled to an equal share. However, if the preferential theory is accepted, as far as the brotherless grandson is concerned, the two sons of his uncle will each receive only one half of that to which he is himself entitled. Here, it need not be said that to allocate the right of the individuals who are similarly related to the same person in different proportions will only serve to create a gross imbalance in the order of allocation.

In the foregoing section, a description of the problems that arise out of accepting the preferential theory of inheritance as a law, has been provided. It was for this reason that the Qur'an stopped short of prescribing a law to the effect that the grandchildren are entitled to a share in the wealth of a person even while his own children are still alive. For it is necessary that all its practical difficulties must first be addressed. If the right to inheritance was provided to the grandson by way of bringing a new law to the effect, the very foundation of the Islamic law of inheritance would then come apart and would prove

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impracticable as well. It, thus, becomes clear to us, here, that the Qur'an was, indeed, revealed by Him who is well-conversant with all the possible faults and shortcomings in law.

By disallowing the right to inheritance to the orphaned grandson, does Islam mean to leave him to his fate? What is the solution prescribed by Islam for this problem ?

Islam's is never a collection of inheritance laws alone; it prescribes a set of social security measures too. Indeed, these two sets of laws are delicately inter-woven one with the other. In fact, the very basis of inheritance itself lies in that sense of duty towards mutual security and cooperation. Ordinarily, therefore, the right of inheritance belongs to the person who is duty bound to help out the one afflicted with misery and privations. The son is duty-bound to protect the father even as the father is so towards the son. The grandson is, however, not obliged to protect the grandfather if he has a son; if not, he will be duty-bound to do so. (This is also the reason why the orphaned grandson will have no legal share in the wealth of inheritance). It is, furthermore, the duty of the grandfather to protect the children who have lost their father. Indeed, the Qur'an views the indifference shown to orphans as being tantamount to the very denial of religion itself.

“Seest thou one who denies the Judgement (to come)? Then such is the (man) who repulses the orphan (with harshness).” (107:1,2)

“Therefore treat not the orphan with harshness..” (H.Q. 93:9)

“... Treat with kindness your parents and kindred, and orphans ...” (2:83)

The Qur'an teaches that it is a grievous sin to usurp the wealth of the orphans.

“To orphans restore their property (when they reach their age), nor substitute (your) worthless things for (their) good ones; and devour not their substance (by mixing it up) with your own. For this is indeed a great sin.” (H.Q. 4:2)

“And come not nigh to the orphan’s property, except to improve it, until he attains the age of full strength.” (H.Q. 6:152)

The Prophet had taught never to do anything that would in any way infringe upon the respect that is due unto the orphans. Muhammad, who had given the glad tidings that the one who protects the orphans will enter Paradise in his company, had also forewarned that one of the greatest of sins is the misappropriation of the wealth of orphans. It is, in itself, the duty of every Muslim to protect the orphans who have no family ties, whatsoever. Then does the duty of the Muslim in protecting those of the orphans who are actually related to him need any further recommendation? The responsibility of protecting them mainly rests with the grandfather. In the event of the grandfather’s demise, it is the paternal uncle who must then assume the responsibility of guardianship.

It is the grandfather who ought to protect the orphaned grandson. He is provided with all his requirements by the grandfather. He is well-aware of all his problems and difficulties. He also has the knowledge that his grandson is not entitled to any share in his wealth. He has the right, however, to keep aside a good portion of his wealth for the protection of his grandson. It is for such reasons that the Qur'an has made *wassiyat* compulsory.

Wassiyat is the a portion of the wealth bequeathed which becomes the property of the person in whose name it is made with the death of the person who actually makes it. The Holy Qur'an has given great importance to the institution of *Wassiyat*.

“It is prescribed, when death approaches any of you, if he leave any goods, that he make a bequest to parents and next of kin. According to reasonable usage; this is due from the God-fearing.” (H.Q. 2:180)

It can be seen that the Prophet recommended the making of the bequest in view of the *Wassiyat* of, and preparedness for, the arrival of one’s own death which can happen at any time. (Bukhari, Muslim). Indeed, the messenger of God had greatly encouraged the practice of *Wassiyat*. He had also discouraged the avoidance of it.

(Ahmed, Tirmidhi, Abu Dawood); From this, it may be inferred that Islam gave prime importance to the system of *Wassiyat*.

A person has the right to allocate upto one-third of his total wealth as *Wassiyat*. For whom, then, is *Wassiyat* meant? The Prophet had taught that *Wassiyat* is not meant for one’s immediate successors. “There is no *Wassiyat* for the successors” (Ahmed, Thirmidhi)

For whom, then, is the *Wassiyat* meant to be? That has to be of course decided by the person who intends to make it himself. The verse of the Qur'an (2:180) quoted above makes it clear that it must be made to those closest of relatives who come next to the immediate successors. This will, very importantly, include the orphaned grandson. The grandfather has the right to allocate any amount of his wealth to his grandsons. He can give away any amount of his wealth for the purpose while he lives. He can even give upto one-third of his total wealth as *Wassiyat*. The condition that is to be fulfilled is that charity and *Wassiyat* must not be so allocated that the rightful owners and other dependents, who are rendered poor and helpless, are not denied their rights.

This is what Islam has done in the case of the orphaned grandson. The responsibility for his protection is entrusted to his grandfather; and after the death of his grandfather to his paternal uncle. The grandfather is thus given the complete freedom to allocate as much of his wealth as is necessary for assessing, and fulfilling, the needs of his grandson. For it is the grandfather who, more than any one else, knows best all concerning him. The grandfather is thus given the right to make a *Wassiyat* of up to one third of his wealth for him as well as for others stricken with poverty and privations. It is also particularly prescribed that only after this wealth of the *Wassiyat* is allocated that the remaining portion should be used by the successors as the wealth that is to go as inheritance. (4:11). It is further prescribed that if, when orphans become entitled to possess wealth, if they are yet to come of age, the close relatives are to be entrusted with its safe keeping and when they do attain to maturity, it is to be handed over to them. (4:6).

The Qur'an has also made the instruction to the effect that if the grandfather makes no *Wassiyat*, the relatives of the orphan, or orphans, including the paternal uncle, should allocate a lawful share for them at the time of distributing the wealth of inheritance. (4:8,9).

Law has its own methodology. Islam seeks to abide by that methodology. However, it also handles the problems associated with the orphaned grandson without the strangulating confines of the law. Islam accomplishes this by heightening the moral consciousness of man, indeed, in such matters that would be the most practicable way as well.

Considering the provision that if there is only a single son he is entitled inherit the wealth of the father, is it not a clear breach of justice that if there is but a single daughter who is the heir to inheritance, she be given only one-half of the total wealth and if there be more than one daughter, they be given only from two-thirds of the total assets of the father ?

This is the problem associated with the inheritance of those who have no male children. According to the order of allocation prescribed by the Qur'an (4:11), if the deceased person leaves behind only one daughter, she is to be given one-half of the total wealth and if there be more than one daughter they are all to share only two-thirds of the wealth. The remainder of the wealth will then go to those other relatives who are closest in relation to the deceased. This is, however, not the male-preference of the Qur'an's order of allocation; it is, rather, the fact that it is He who knows full well the intricacies of human nature who is the author of the Qur'an which is made evident here. If the problem is approached in the right perspective, it can be understood that this law of inheritance actually highlighted the reality that the Author of the Qur'an is, indeed, He Who is best aware of the ultimate good that can be conferred upon humanity.

The Qur'an does not prescribe the order of allocation with the consideration of the deceased person's family members alone. Indeed, the love and care that is to be given to the rightful heir of inheritance: all comes within the consideration of the Qur'an when it comes to

fixing the order of allocation. Besides this, it is also the serious concern of the Qur'an that the daughters of the deceased individual must be cared for and protected fully. It is particularly relevant to note an observation of the Qur'an when it deals with the allocation of shares: **“Ye are not aware of those who are nearest to you in usefulness from among your fathers and brothers. This is the allotment of shares from Allah. Verily Allah is All-Knowing, All-Wise”**

The legal decrees of the Lord Who possesses an all-encompassing knowledge of man, will thus be refined, practicable and humane. In fact, this is made clear also by the solutions prescribed by the Qur'an for the afore mentioned problem. The following, too, are worthy of consideration:

One : It is the duty of the male children to look after their parent when they attain to old age. If there are no male children, it will be their brothers or their children, who will have to then look after them.

Two: Islam has never put the responsibility of providing financial assistance, or security, to the parents who have reached their old age upon the female children. Indeed, in the view of Islam, it is not practicable to place the obligation of looking after their parents upon the female children who have to live in other homes along with their own children. If those of advanced years do not have male children, they must be looked after by their brothers or by the children of their brothers; not by their daughters.

Three: After the death of the father the brothers become the guardians (*waly*) of the female children. If the deceased person leaves behind no male children, then the guardianship of his female children rest with his brothers or the sons of his brothers or with other close relatives. The duty of giving away these female children in marriage will also rest with these guardians. If they become widows, and their children orphans, then, too, their guardianship will rest with these relatives themselves. If they become divorced, the responsibility of arranging the provisions for their re-marriage will also rest with the close relatives who are their guardians.

It is only in the light of these facts that the Qur'anic laws

pertaining to the heirs of inheritance of those who die leaving behind no male children must be examined. It is then that it becomes clear as to how faultless they actually are. It is not necessary that all relatives will take up the burden of all their obligations and refrain from demanding their rights. Islam categorically states that the relatives of the person who has only daughters, have a number of obligations. The responsibility of looking after him in his old age also falls upon these relatives themselves. They are the people who are to love and take care of him as well. They are also the people who are to become the guardians of his daughters after his death. Indeed, even if these daughters or their children are to become incapacitated it will be these relatives who will have to take up the responsibility of protecting them. Thus, the relatives of the person who has no sons have numerous obligations to fulfill. While conferring such obligations upon them, Islam has, at the same time, sought to provide these relatives with a small share of the inheritance as well. Here, too, it is the mutual inter-relatedness of responsibility and right within Islamic law which is manifested in all genuine splendour.

Even if the person who has no male issue wishes to give all his wealth over to his female children, there are provisions in the Islamic law which actually enables him to do so. He can give away all his wealth as a bequest to his daughters. It is also possible, by way of bequest, to ensure that nobody other than his own children becomes entitled to shares in his wealth. Furthermore, he also has the right to make a *wassiyat* of upto one-third of the wealth which falls out of the range of bequest of *wassiyat* that can, after all, be allocated according to the laws of inheritance.

However experience shows that one's own security in old age as well as a sound future for one's daughters would demand a line of action in consonance with the divine commandments which will require apportioning a small share for one's closer relatives. In fact, therefore, both individual and family can attain peace only in the obedience to the commands of the Almighty who is well aware of the good and evil that exists beyond our own speculative judgements. Indeed, the Qur'an is correct when it says : "... **it is possible that ye dislike**

a thing which is good for you, and that ye love a thing which is bad for you. But Allah knoweth, and ye know not." (H.Q. 2:216)

If, in accordance with the Qur'anic law, the three daughters of the deceased person are allotted two-third and the parents one-third of the wealth of inheritance in the event that they are all alive, there will be nothing left of the wealth of inheritance. Then from where can the one-eighth part for the wife (4:12) be provided for ? Does this not show that the laws of inheritance mentioned in the Qur'an are impracticable and faulty?

The fundamental sources of Islam are the Qur'an and the *Hadith*. However, legal prescriptions and ritual observances have not been explained in the Qur'an. Even the explanations for zakaat, fasting, Hajj and other such most important acts of worship are absent in the Qur'an. These details are to be found within the *Hadith*. So is the case with the laws of inheritance. In short, therefore, any law in Islam can be determined completely only on the basis of the Qur'an and *Hadith*.

It is only the fundamental idea concerning the order of allocation which has been expressed in the verses 11 and 12 of *Surat Nisa*. On the basis of these fundamental ideas it has been explained in the *Hadith* as to how the wealth of inheritance is to be shared in a precise, and systematic, fashion. It is also in the explanatory books on *Hadith* and jurisprudence that the expositions as to how the wealth is to be shared in a way in which the fundamental ideas in the Qur'an are not violated, are to be found.

There are many instances wherein the share of the heirs to inheritance fall short of the amount actually stipulated. The books of jurisprudence have mentioned that in all such instances the number of shares are to be increased in such a way that the shortage is shared amongst each one of the heirs by increasing the number of divisions. The method of increasing the divisions made to fulfill the shares when the allocated shares fall short of the rightful due is termed *Awl*. *Awl* means 'to increase'. It is the injunction of Islamic law that in all such cases wherein the shares allocated becomes insufficient, the wealth is

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to be divided on the basis of this method of *Awl*.

The scholars of jurisprudence have stipulated the divisions that will be required in the allocation of the wealth of inheritance as being seven in number. These basic divisions comprise 2,3,4,6,8,12 and 24. Out of these it is only the three divisions 6, 12 and 24 which can be subjected to the process of *Awl*. In the cases where the four numbers 2,3,4 and 8 come in for division, since their parts can never be greater than their whole, there will not be the necessity for *Awl* at all. If the basic division is by six then, in the instances where *Awl* becomes necessary, the wealth can be apportioned by increasing the division to seven, eight, nine or ten. If the basic division is by twelve, the wealth can then be divided through *Awl* by increasing it to thirteen, fifteen, or seventeen and if the division is by twenty four, then to twenty seven. It is in such a strict and exacting manner that the ways of apportioning wealth, by resorting to a corresponding increase, in part, of the order of allocation, has been mentioned in the books of jurisprudence.

In the problem raised by the question, the daughters would receive $16/27$ portion, the parents $8/27$ portion and the wife would receive $3/27$ portion of the total wealth. In other words, the division that was to have been by 24 here is now to be raised to 27 in the process of making the allocations in the wealth. Indeed, if the Qur'an and the *Hadith* are examined together the solution is not difficult to find. Indeed, it is in the very interest of the Holy Qur'an which teaches that, **“Verily in the messenger of God ye have the best example.”** (33:2) and that **“O ye who believe! Obey God, and obey the Messenger, and those charged with authority among you.”** (4:59) that the laws dealt within it should be understood on the basis of the practices of the Prophet and on the explanations made by his companions. When understood in such fashion, it will hardly be a difficult proposition to find answers to other similar problem.

NINE

THE QUR'AN AND SLAVERY

What is the Qur'an's approach towards slavery ?

Slavery is a tradition which is non-existent in our society today. It is necessary to understand clearly the roots of slavery and the influence that it exerted on the societies in which it was prevalent when we set about to study this phenomenon in the present context. Indeed, it is not possible to come to but one conclusion in a current study of past phenomena. It is only when we realize what slavery actually is, and the influence which it exerted on the past societies, that we can truly appreciate the greatness of the Qur'an's own approach towards it.

By slavery is meant the state in which one person comes under the complete domination of another. Indeed, he is a slave who surrenders all that is of his own which includes his body, life, family and all else to the control of another person. He is the property of the owner. The owner may be an individual, a society or even a nation. No matter who that owner might be, the slave is the one who is destined to live under his master enjoying whatever the rights and privileges

that is allowed to him by his owner.

There are no relevant documents that serve to show the exact way in which the institution of slavery developed or how, or when, it originated. It is, however, certain that this institution was prevalent about twenty centuries before Christ. Slaves are mentioned in the legal code *Ur Namu* which existed around 2050 B.C. It is believed that slavery must have originated from the practice of curtailing the freedom of those caught as prisoners-of-war and of forcing them into unpaid labour. This belief is founded on the names with which slaves were referred to in the ancient Sumerian language. The male slave was named *Nida-koor* and the female slave *Munas-koor*. The meaning of these terms were 'Foreign man' and 'Foreign woman' respectively. It is believed that as the prisoners-of-war were brought in from foreign lands and made slaves, they were referred to by these very names.

Slavery, in one form or the other was prevalent in almost all parts of the world. The Old Testament of the Bible, which describes the ancient tales of Israeli society, is replete with many accounts concerning slavery. It can be seen that the tradition of selling people existed during the time of the patriarch Prophet, Abraham, itself. (Genesis 17:13,14). It is the commandment of the Bible that prisoners-of-war are to be enslaved (Deuteronomy 20:10,11). The Bible, which permits the torture of the slave by the master, nevertheless, stresses the point that the slave is not to be killed during the course of torture. The law which prevailed, in this matter, amongst the Israeli society was that, "If a man beats his male or female slave with a rod and the slave dies as a direct result, he must be punished, but he is not to be punished if the slave gets up after a day or two, since the slave is his property." (Exodus 21:20,21)

The institution of slavery was prevalent both during, and after, the time of Jesus Christ. There are no sayings of Jesus, which serve to show the treatment that was to be meted out to the slaves. But Paul says: "Slaves, obey your earthly masters with respect and fear, and with sincerity of heart, just as you would obey Christ. Obey them not only to win their favour when their eyes are on you, but like slaves of

Christ, doing the will of God from your heart. Serve wholeheartedly, as if you were serving the Lord, not men, because you know that the Lord will reward everyone for whatever good deed he does whether he be a slave or freeman (Ephesians 6:5-8). The same advice to slaves is repeated in the 22nd and 23rd verses in the 3rd chapter of Colossians in the Bible. Other than these references to slavery made by Paul in these verses, we cannot find any significant references on the topic anywhere in the New Testament. But it can be deduced that the cruel and barbaric system of slavery that prevailed during the time of Greco-Roman civilizations continued even during the time of Jesus. It is to be particularly noted that even after Christianity became the state religion of the Roman Empire, the numerous stories of atrocities committed against slaves are extremely shocking.

Slavery existed in ancient India as a part of the rigid caste system that prevailed here. The caste system which originated as a result of the hegemony of priesthood continued to be an essential part and way of life of Hinduism. It is in the Rig Veda which is accepted as the most important of the *Shrutis* that we find the first seeds of the concept of caste system. (*Purusha* verse of the Rig Veda 10:90:12). It was but natural that under the caste system that was based on the reference in the Rig Veda that "the Brahman is created from the head, the Vaishya from the hands and the Sudra from the feet of the Parampurusha", the Brahman was considered highly and the Sudra of a lowly stature. All the books of Hinduism have only sought to justify the caste system.

The Bhagavath Gita, which is known to be the book of *shruthi* of modern Hinduism, has itself said: "*Chaturvarnyam Mayasrishtam guna karma Vibagusha*" (4:13). This means that, "I have created the four castes according to the division of their deeds." It was natural then that the one who was created from the feet of God was destined to a life of foot-service alone. Indeed, it was believed that the Sudra was specially created for the very purpose of service alone. The religious scriptures had taught that one is born of a lower caste owing to the sins of an earlier life and that if one is to attain salvation at least in the next life, he is to render service to those of the higher castes and employ himself in keeping them satisfied in this life. The

Chandoupanishad has compared those of the lower caste to pigs and dogs. A reading of the *Manusmriti* and the *Parasharasmriti* will serve to show that the attitude and conduct adopted towards them was more cruel and wicked than that shown to the animals.

It can also be seen that along with the tradition of condemning to slavery by virtue of one's birth, there also existed, in India, the slave trade that was accompanied by all the cruelty that goes with it. It is also given to understand from the scrolls unearthed in Tamilnadu that the slave trade which was associated with temples flourished both during and after the period of the Cholas. Slave trade was prevalent in Mysore, Bihar and Kerala as well. With the arrival of the English East India company, the practice of taking away people from India, of enslaving them and then taking them overseas also came into being. Some historical documents record the incident wherein an Italian priest from Trancubar sells off, for the sum of thirty pagodas, the wife and four children of a Christian from Madurai to the captain of a ship bound for Manila [*Sarvavijnanakosham*, Volume I, page 258] According to a survey taken in 1841, there were between eighty to ninety lakhs of slaves in India at that period. Moreover, it was in the Malabar region, where the largest concentration of slaves in India existed. Indeed, it has been remarked that 15 percent of the entire population in the region were slaves! (*Encyclopedia Britannica*, vol. 27, p.289)

It is further given to understand that the most cruel form of slavery had prevailed during the period which lasted between the second century before Christ and the next long stretch of six hundred years in the Roman empire. The slave in the Roman empire was merely an object of trade with no rights in any form whatsoever. He was treated as lowly as to be destined to a fate wherein he was even doomed to death in a fight against another slave merely to provide sadistic pleasure to his master. Indeed, it was the usual practice of the masters to shout 'hurray' and to threaten the slaves at the point of the whip when the loss of blood from the body of the slave, so involved in a fight unto death, increased in quantity! The most cruel form of slavery it certainly was'

It was Columbus discovery of America which had, in fact, served to make slavery rampant in the modern world. The Negroes were made slaves and were traded in the markets. It was a Spanish bishop, Bartholocha De Lascasas, who had first initiated the American system of slavery. There were companies in Europe which had been registered for the purpose of slave trade alone. The trade of these companies involved the bringing away of slaves from the coastal regions of Africa and then selling them off in America. It is estimated that nearly fifteen million slaves were thus imported into America during the 17th to the 19th century. The slaves were taken away in pairs abroad the ships bound in hand and feet chains to one another. A sizeable portion of the slaves would perish during the voyage over the Atlantic Ocean. There are no records which show the number of persons who had died in this manner. How cheap, indeed, was the life of the slave !

It has been as an introduction to the study of the Qur'an's vision on slavery as well as its approach towards it that the origins and history of the said tradition has been dealt with in detail. Instead of an impractical and unscientific approach whereby a centuries-old institution was sought to be abolished by a single declaration, Islam developed and implemented a very practicable system of eliminating slavery.

In this context, if the sheer practicability of Islam's line of action is to be fully appreciated, we will have to understand the very psychology of the slave as well. There exists a vast difference between the mindset of the slave and that of the free man. In the formation of the mindset of the slave, a life of continual slavery exerts a very great influence indeed. As a result of carrying the yoke of slavery upon himself for generations, the habits of obedience and submission will have become deep-rooted within his mind. He is, as such, incapable of executing tasks on his own or taking up any responsibility. His mind, however, is ever ready to take upon his head any command of the master and knows, moreover, to carry forward all matters according to his master's wishes. Nevertheless, he is able only to obey and execute orders. His mind will be incapacitated in taking up responsibilities. His mind can, in

no wise, be so burdened. He is only able to flee from taking up responsibilities. However, he will always be ready to take upon his head whatever it is that the master commands.

The psychology of the slave and the master is located at two opposite poles or extremes. If one is that of arrogance, the other will be that of meekness. The example of America is, in itself, the best case in point to show that the emancipation of slaves that is not based on an approach whereby these mindsets, which are located at opposite poles, are first brought together on to the same plane, will never be emancipation at all. It was through the activism of Abraham Lincoln that, through a single proclamation, the slaves in America achieved freedom one fine morning! But what was it that actually happened there? The slaves who ultimately received their freedom were, however, unable to bear the 'burden' of this freedom. They looked around, not quite knowing what it was that they were to do. Since there was none to command them now, they were unable to do anything at all. Indeed, they returned back to their masters and actually asked them to take them back as slaves. Here, it is seen that it is futile to physically set free those who are psychologically unprepared for that freedom.

The Qur'an, which has been revealed by God who is fully aware of the physical and mental states of human beings, has provided a completely practical code of action. The system of slavery was one of the pillars of the economic set-up of Arabia. Its roots had penetrated much deeper than to enable its eradication by a mere order of prohibition. As a system that had prevailed in the regions where Islam flourished as well as in areas where it did not, not only would it be practically difficult to abolish it, but such a course of action would, far from being effective, be quite harmful, indeed. It was, therefore, that Allah, who is most aware of the nature of human society, contrary to bringing a law that would completely abolish slavery, accepted a practical code of action for its eradication.

Islam had, firstly, sought to bring the two groups of people, situated as they were at two extreme states of the mental condition, on to a common platform. The Qur'an had put forward a programme of civilizing both slave and master. Besides this, it kept open all the

ways for achieving freedom as a gift and as a product of one's own labour. The Qur'an had, by bringing the slave and the master on to the same plane of psychological awareness, opened out the ways for achieving freedom and, furthermore, enabled him (i.e., the slave) to protect that freedom once he had attained it. Indeed, this alone is the practical way in the matter.

What were the practical steps which the Qur'an adopted for the eradication of slavery ?

It may be seen that the Qur'an had adopted five steps for the eradication of slavery.

1. Created a sense of brotherhood.

The Qur'an had, firstly, created a notion that both master and slave were brothers, one to the other, by inculcating an awareness that all men are the creations of the same God and were the children of the same parents. "O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise each other). Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)." (Qur'an 49:13)

Here, the Qur'an has decimated the very root of all forms of narrow mindedness that arose out of the feelings of superior birth. Indeed, the Prophet had taught that righteousness was measured not on the basis of colour, race or wealth, but on the basis of God-consciousness alone. "The Arab has no superiority over the non-Arab or the non-Arab over the Arab; the white over the black or the black over the white except in the matter of God-consciousness." (Tabari)

Where slaves are mentioned, the Holy Qur'an remarked that "some amongst you proceed from others." (Qur'an:4:25). Here the Qur'an has made it clear that both master and slave are brothers, one to the other, and that it is circumstances alone which force slavery upon some people.

2. It created an awareness concerning the rights of the slave.

The slave was a mere marketable commodity in all ancient societies. His lot was confined to duties alone. His obligation was simply to strive for an increase in the comforts and luxury enjoyed by the master and in this regard, there was to be no compromise whatsoever. It was a paramount necessity that the slave was in good shape in order that he be able to work for his master. Indeed, it was for this reason, and for this reason alone, that he was provided with food. The slaves lived in yards which would not have sufficed to accommodate not even cattle and other livestock. As for the clothes that they were provided with, they were sufficient not even to cover their nakedness such filthy pieces of clothes they were!

Islam brought about a transformation in the situation. It taught that the slave was the brother of the master and that he had rights as well. The Prophet commanded: "They are your brothers and relatives! Let each one provide for the brother under him with the food that he himself eats and with the clothes that he himself wears. Place not upon them any task that is overbearing for them. If you *do* assign them a difficult task, you must help them in its execution." (Bukhari, Muslim)

The duty of the slave, in primitive societies, was never confined to mere labour. He was also doomed to be at the receiving end of his master's sadistic pleasures like. The most cruel flogging while at work and to be always ready to kill and to be killed for the sake of his master's pleasure. The Qur'an commanded that such a state of affairs must change. It insisted on the humane and proper treatment of the slaves. "Serve Allah, and join not any partners with Him; and do good - to parents, kinsfolk, orphans, those in need, neighbours who are of kin, neighbours who are strangers, the companion by your side, the way-farer (ye meet), and what your right hands possess: for

Allah loveth not the arrogant, the vainglorious." (Qur'an 4:36)

The Prophet had clearly stated, "If anyone kills a slave, we shall kill him. If anyone maims a slave, we shall maim him as well. If anyone castrates his slave, we shall castrate him." (Muslim, Abu

Dawood)

From being the choice commodity for the master's foibles and intricacies, the slave was being transformed into a being with his very own personality and rights. It was in a society in which existed the heinous practice of castrating slaves that the Prophet had, in the most unambiguous terms, declared that the master who castrates his slave will, in turn, 'be castrated by us.' The slaves were castrated in order that their sexual impulses be destroyed, whereby, they could then be made to work like animals. Islam, which prohibited this practice, particularly instructs that means should be made available for the satisfaction of the sexual instincts of the slave also. "Marry those among you who are single, and the virtuous ones among your slaves, male or female: if they are in poverty, Allah will give them means out of His grace: for Allah is Ample-giving, and He knoweth all things." (Qur'an 24:32)

Furthermore, the Qur'an prohibited the system of forcing female slaves into prostitution. "Let those who find not the wherewithal for marriage keep themselves chaste, until Allah gives them means out of His grace. And if any of your slaves ask for a deed in writing (for emancipation) give them such a deed if ye know any good in them; yea, give them something yourselves out of the means which Allah has given to you. But force not your maids to prostitution when they desire Chastity, in order that ye may make a gain in the goods of this life. But if anyone compels them, yet, after such compulsion, is Allah Oft-Forgiving, Most Merciful." (Qur'an 24:33)

The Prophet had taught against even uttering anything that might injure the self-respect of the slave. The Prophet, who had taught that had made it clear that the slave, too, enjoyed self-respect upon which none had the right to trespass. The Prophet had admonished his companion, Abu Dharr, who, in an angry tussle with his slave, had called him 'the son of a black woman', in the following manner: "O Abu Dharr... There remains in you something of the culture of the days of darkness."

Islam teaches that the slave has the right to become even a

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leader and that in the event that he *does* get appointed as a leader, it is obligatory to obey him. "Even if it be a negro slave, with hair like dried grapes, who is appointed as your leader, you must hear and obey him." Abu Hurairah, the companion of the Prophet, once scolded a man who had his slave walking behind the camel on which he was riding, "Seat him behind thee for he is thy brother and it is the same soul as yours that is within him."

Islam gave new dimension to the relation between master and slave by insisting that the master and the slave both had the same soul. It is true, nevertheless, that the slave *does* come under the jurisdiction of the master. However, the master is duty-bound to fulfill the rights of the slave. It is his duty to meet the slave's requirements of food, clothing, sexual gratification and the like. The slave is never to be harmed. He should not be put into difficulty by entrusting him with burdensome tasks as well. In such fashion did Islam create a revolution of sorts in raising the slave, for the first time in history, to the position of a free man.

It was through these means that it became possible for Islam to bridge the wide gap that existed between the mental states of the master and the slave. The end result of this revolution was that the owner was emancipated from the belief that the slave was a commodity on which he could carry out any inhuman act according to his whims and fancy. At the same time, the slave was freed of the notion that he was doomed to a fate in which he was to bear with patience all the hardships and forever indulge in back-breaking toil.

3. Declared the emancipation of slaves to be an act of righteousness.

By declaring the slaves to be human beings who had rights of its own, Islam had technically made slavery non-existent. Without stopping at that point, however, it went further by turning to a course of action which would, in time, serve to eliminate the system in a very practical sense indeed. This practical step which Islam had adopted to make slavery virtually non-existent was its act of declaring the emancipation of slaves to be an act of righteousness. The position of

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the Prophet as regards the emancipation of slaves was such that it only reinforced the meaning of the Qur'anic reference that "Those who follow the Messenger, the unlettered Prophet, whom they find mentioned in their own (Scriptures) - In the Taurat and the Gospel; for he commands them what is just and forbids them what is evil; he allows them as lawful what is good (and pure) and prohibits them from what is bad (and impure) : He releases them from their heavy burdens and from the yokes that are upon them. So it is those who believe in him, honour him, help him, and follow the Light which is sent down with him, it is they who will prosper." (Qur'an 7:157)

The Qur'anic verse which makes it clear that the emancipation of slaves is an act of the highest virtue goes as follows: "And what will explain to thee the path that is steep? (It is) freeing the bondman; or the giving of food in a day of privation, to the orphan with claims of relationship, or to the indigent (down) in the dust." (Qur'an 90:12-16)

As far as the emancipation of slaves was concerned, the Prophet had exhorted his companions towards it by, firstly, making an example himself. He set free the slaves who were in his possession. His companions, too, followed the same path. In this context, it may be seen that Abu Bakr (r), a man of prominence amongst the companions, spent countless wealth in purchasing slaves from the pagans for setting them free.

There are numerous sayings of the Prophet which encourage the freeing of slaves. "If anyone sets free a believing slave, each of his body parts will be set free from Hell so much so that it will be the hand for a hand, the leg for a right up to the sexual organ for the sexual organ." (Bukhari, Muslim)

Once the companion, Abu Dharr (r), asked the Prophet, "Which is the highest act in the emancipation of slaves?" The Prophet replied, "To set free the most valuable slave of the master."

The Prophet, while talking about those who become deserving of God's reward twice, said, "He who confers a proper behaviour upon the female slave under him, then gives her the best education, sets her free and then marries her will become entitled to a double

reward.” (Bukhari, Muslim)

Thus it was that the believers, both during the time of the Prophet and afterwards, began to set slaves free expecting, in return, the reward from the Lord Creator itself. Besides this, a situation came up wherein even the wealth of *Zakat* began to be used for the emancipation of slaves. It may be seen from history that during the reign of Umar bin Abdul Azeez, when there was not a single needy person to accept the wealth of *Zakat*, this money was used to purchase slaves in order to set them free.

4. Emancipation of slaves was made the act of expiation for many types of sin.

In addition to encouraging the believers towards its commission by declaring the emancipation of slaves to be a virtuous deed, Islam recommended it as an act of expiation for many types of sin. The atonement for sins like unintentional murder and breaking one's vow of not approaching his wife was the freeing of one slave. As for those who were not ready to free slaves in expectation of divine reward alone, the command which made the emancipation of slaves an atoning act for sins committed, nevertheless, made it necessary for them to do so.

5. The facility of providing the slave with his freedom in exchange of the ransom value was made possible.

Let us suppose that it was still not possible for a slave to become free by any of the means listed above. Even then freedom is not unattainable for him. Islam has opened a way out for any slave who desires his freedom. This becomes possible through a emancipation deed known by the technical name *Mukathaba*. If the yearning for freedom becomes entrenched within, it becomes possible for any slave to become a free man through the *Mukathaba*. The master and the slave get together to decide upon a ransom value and a time-frame for its payment on mutually agreeable terms. It is further possible for the slave to go out and work to earn this ransom value himself. Thus, the slave is enabled to pay the ransom value in instalments. With the completion of this payment he becomes a free man.

Through this facility, Islam has made possible the opportunity for fulfilling the dream of independence of any slave in whose heart arises such a desire. What if the slave, after having written down the document for his freedom, is unable to pay the ransom amount within the stipulated time period? Islam has provided the solution for this as well. One of the eight heads under which the *Zakat* wealth is to be expended is for the emancipation of slaves (Qur'an 9:60). If it happens that a slave is unable to pay his ransom value according to the *Mukathaba*, he can approach the *Baithulmal* (public treasury) for the purpose. It is the responsibility of those who handle it to set the man free by making use of a stipulated amount from it. Here Islam has devised a way which makes use of a portion of the wealth of the wealthy to emancipate slaves.

As far as the problem of slavery is concerned, Islam adopted a line of action which provided for the freedom from the binding chains by teaching the slave what freedom actually means and by enabling them to free themselves from dependence on others. In reality, there has been no other course of action to which anyone could point and say that that was a better way than the method adopted by Islam in the case of slavery. If that is to be really appreciated it would be necessary to view the problem from the perspective of the time and the society in which it prevailed as an established institution in itself.

Has not the Qur'an actually legalized adultery by allowing for the master to have sexual relationships with his female slaves?

Female slaves are the natural by-product of the system of slavery. The situation that prevailed in all societies where the institution of slavery existed was such that slave women were used at will and were employed to gain economic advantage by inciting them towards prostitution. As for Islam, it provided for a facility which would, in the course of one generation, bring an end to the system through the slave women themselves.

The slave woman is the property of the master. However, the master has no right, whatsoever, to incite her towards adultery. Like

the male slaves, the female slaves, too, have rights of their own. It is the duty of the master to provide her with food, shelter, clothes and other necessities. Moreover, the Qur'an has asked the owner to make the necessary arrangements for her marriage as well (Qur'an 24:32).

This, in effect, means that the Qur'an has prompted the owner towards having sexual relations with an unmarried female slave. This permission is however restricted to the owner alone. No one else is allowed to use her in this fashion even if it be with the permission of the master!

In giving birth to the child of the master, the slave woman becomes entitled to new rights. Thenceforth, the master has no right to sell her. She becomes the mother of her master's children. These children, too, become entitled to all the rights and privileges enjoyed by the master's other children. Islam disagrees with the Jewish stand that the children born through a slave woman have none of the rights that should naturally be given to them by virtue of paternity. These children are, in all respects, his own children. There is to be no discrimination of any kind between them and the other children. With the death of the master, the slave woman, who is the mother of his children, becomes a free woman. She is then protected by her own children. They, too, like the other children, will become entitled to a share in their father's inheritance.

The permission to accept slave women as one's life-partner was, in fact, a provision which would, in the course of one generation, cut out the very root of slavery. In reality, therefore, the permission granted for having relations with slave women was one among the many unique steps taken by Islam in practically eradicating slavery.

It is not possible to equate the permission given for having relations with slave women to adultery. These acts stand at two extreme poles. One is the case of the woman who lives under her master enjoying the protection that he confers upon her. It is a relationship in which he fully agrees to take up the responsibilities that may result as a product of that relationship. It is a relationship in which her personality, beyond the contours defined by sex, is accorded full recognition. It is

a relationship which opens to her the door to freedom. As for the second, it is nothing but a carnal relationship with a prostitute without any sort of commitment. The position of the prostitute is, in fact, much worse than that of the slave woman. For, she is nothing more than a soulless animal. Her function is restricted solely to the gratification of the animal passions of man. There is not even a grain of love and compassion in that relationship, not the slightest touch of personal fulfillment even. It is but a transaction made solely for money. Flesh trade! The man who comes for the satisfaction of carnal of his desire is never prepared to take up the responsibility that may accrue from it. He has no obligation towards her. She is only an animal destined to satisfy his sexual appetite. Each one of her relationships will serve only to immerse her even deeper into the mire that is the inhumanity of prostitution. Even the very dream of freedom is alien to her. She is one doomed to embrace the loneliness of orphanhood when in a diseased state, with her skin wrinkled and faded, she ends up being the object of nobody's concern.

What, then, of the tradition which lays open, before the slave, the very door to freedom? And what of the rotings system which drives the woman from one dependence to the other? Any comparison, whatsoever, between these two is impossible because they stand at two opposing and extreme poles. One recognized by benign humanism, the other which leads to depredation and frustration.

Why did the Qur'an not make marriage mandatory for having sexual relations with the slave woman?

The Qur'an does provide permission for those who wish to marry slave women (4:27). Indeed, the Prophet had said that such marriages will confer a double reward. "He who provides the slave woman under him with proper manners, provides her with the best education, then frees her and ultimately marries her will be given a double reward." (Bukhari, Muslim)

The guardian of the slave is the master whether it be a male or a female slave. The guardianship of the slave woman who is under a male master rests with that man. Even if she is to be married off, it is

he who will have to carry it out. It is also he who is to take care of all her affairs. It is for this very reason that there is not the need for the act of marrying her. In Islam, marriage is a contract that is solemnized by the guardian of the woman and the bridegroom. In this case, he is both the master and bridegroom. Then the marriage ceremony becomes irrelevant in itself.

The Qur'an instructs that the maximum number of wives for a man must be four (4:3). Let us suppose that there is a slave woman under the care of a man who has four wives. He cannot, in that case, marry her. If he is not ready to grant her freedom, liberation from dependence will remain for her a dream. She will then be forced to resort to adultery in her bid to satisfy her sexual desire. But since there is the law that the master can engage in sexual relations with her without recourse to marriage, a solution for all such problems manifests itself. It becomes possible for her to walk into freedom when she gives birth to her master's child. It will also be the solution for her sexual needs. In a society where slavery prevails, if a solution is not provided for such problems it will lead to a large scale erosion of values. Along with this, there will also be the problem of the children born from adulterous relationships. Naturally, they, too, will end up as slaves. The end result of all this will be that slavery becomes entrenched as a system that can, is, no wise, be terminated.

In the case of Islam, however, the provision is made such that the masters are permitted to have sexual relations with woman slaves, whereby, within the span of a single generation, slavery is made extinct. If 'marriage' is made a condition for it, it is not possible then to obtain the results envisaged by Islam. Certainly, all masters would not be willing to marry their slaves woman. Besides, it is impossible for those who already have four wives.

Why did Islam not limit the number of one's slave woman ?

Islam, which commanded that marriages should be restricted to four, has, however, not imposed any restriction on the number of woman-slaves who may be kept in one's possession. This means that

a man may keep as many slave-women as he likes under him. Why did Islam allow this?

Slaves come into the possession of the master in three ways. These ways are: as inheritance, personal purchase and as captured prisoners-of-war. Of these three, a man can decide the number of slaves to be under him only in the case of personal purchase. He is, however, unable to control, or limit, the number of slaves who come into his possession by way of inheritance and as prisoners-of-war who are captured and enslaved. If the government's decision is to enslave the captured prisoners-of-war, the usual practice is to divide them amongst all those who participated in the war. In the event that a large number of prisoners-of-war are captured, then the number of slaves who come into the possession of each individual will increase. It may be seen from history that nearly six thousand men were captured in the Battle of Hunain.

The prisoners-of-war who were captured were, however, made slaves only under inevitable circumstances. The Muslims were not in the habit of capturing women and children when, in battle, the enemies were defeated at their hands. It may be seen that during the wars that took place in the time of the Caliphs, nobody was enslaved in Syria, Palestine, Iraq and Egypt. If in war, the men were killed or taken as prisoners, the women and children will, as a result, become orphans. Islam has commanded that they are never to be killed in war. Even if the children and women who went to war with their men are captured as prisoners, more often than not they were exchanged for Muslim prisoners. However, in some instances, Islam did permit their enslavement. It will be remembered that this permission was granted in a society in which slavery was prevalent.

In any case, to limit the number of slaves who came into one's possession, by these means under the existing circumstances was quite impractical. This was so in the case of slave women also. The question here is what could be done with the slaves that come into one's possession through various ways. They could be married off, indeed, but to find suitors for slave women is not an easy task. If they are married to male slaves who are in his possession, the children that

they beget will belong to the master. It is only natural that the children of slaves have no option but to be the possession of the master who is the owner of their parents.

This meant that they, too, would end up being slaves. Apart from either option, they may be unconditionally set free. But such freedom will lead to their being rendered orphans, and to a serious erosion of values as well. Another option will be to allow her the exercise of all her human rights without yet marrying her and to let her live with her master. (After all, it would not be practical for all masters to set her free and then to marry her). The number of slaves living in such wise is limited, the question arises as to what is to be done with the other slave women who come beyond this limit but are still staying with the master. There would then be no means for them to attain their freedom. Their sexuality will then be either neglected or exploited. This will thus become the cause of great moral degeneration.

If these problems are seen in the context of a society in which slavery is in existence, the fact that the laws envisioned by Islam in the matter are, indeed, very practical ones will become clearly manifested. In such a society, it is not possible to fix a limit for the number of male slaves who will come into one's possession. This is also the case with slave women as well. Such restrictions are never practical in such a society. It was for the same reason that Islam never took the trouble to impose them.

Why was it that the Qur'an did not go to the extent of completely prohibiting slavery ?

Islam, which had undertaken a practical course of action necessary for the eradication of slavery, however, never went to the extent of issuing an order of total prohibition against it which it had done in the cases of intoxicants and adultery. Why was this so?

There is more than one reason for this. The line of action of the Qur'an which refrained from completely prohibiting slavery has, in fact, made clear its applicability for all time. From the stand adopted by it in this issue we have been given to understand the fact that the Qur'an is, indeed, a revelation from the Lord God Himself who is best

aware of the changing trends and evolutionary processes of human society. If the Qur'an's act of not imposing total prohibition on slavery is studied in some depth, it will be a conclusive testimony to the statement of fact that Islam is, indeed, adaptable to the exigencies of time and that its recommendations *are* practical in any age.

The beginnings of the system of slavery traces itself to the prisoners who were captured in war. Before the proclamation made by modern states which imposed a total prohibition on slavery, it was the usual and prevalent practice to enslave prisoners captured in war. Prisoners-of-war were either to be killed or enslaved. This was the practice. Indeed, these were the only practical solutions available. After all, there was no provision to accommodate them as prisoners in those times.

What was to be done with those who were captured as prisoners-of-war?

In this regard, the recommendation of the Qur'an is as follows: "Therefore, when ye meet the unbelievers (in fight), smite at their necks; at length, when ye have thoroughly subdued them, bind (the captives) firmly: therefore (is the time for) either generosity or ransom: until the war lays down its burdens. Thus (are ye commanded): but if it had been Allah's Will, he could certainly have exacted retribution from them (Himself); but (He lets you fight) in order to test you, some with others. But those who are slain in the way of Allah, He will never let their deeds be lost." (Qur'an 47:4). In this verse, which instructs to kill the enemies on the battle field, there is also the command to either ransom or set free those captured in war. In the light of this verse, all the eminent companions of the Prophet have opined that prisoners-of-war were not to be killed.

The Prophet has himself set the precedent in handling prisoners-of-war in four ways:

1. Set them free without any ransom. Prisoners-of-war may be set at liberty if it is clear that it will not be harmful for the Muslim society to do so.
2. They may be exchanged for the Muslims captured by the

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enemies.

3. They may be freed after securing a ransom.
4. They may be divided amongst the Muslims soldiers as slaves.

It may be seen that the Prophet had, in different battles, employed all the different types of options listed above. Amongst those four options, the last option of enslaving the prisoners-of-war was used only when the other three options were wholly impractical. Indeed, if slavery was totally prohibited, a situation would have come up wherein the Muslims would never be able to accept this option at all. In actual fact, therefore, such a situation would have created many a difficulty for the Muslims especially in a social context wherein such slavery prevails as an established institution.

Those who were engaged in warfare with the Muslim society were people who accepted slavery as an option and were warring to acquire slaves as well. Furthermore, when warring with them, they either enslaved or killed the Muslims captured by them. If slavery had been abolished, the Muslims would never have been able to enslave those captured from their side. This would then have enabled the enemies to perpetrate even greater cruelty towards the Muslim prisoners. The Muslims would, moreover, be unable to use the captured prisoners of the enemy to effectively engage in the negotiation for the release of those who were captured from their own side.

The enemies were aware that if slavery was abolished in Islam, the Muslims would become powerless to enslave or kill those captured from their side. Thus, the enemies would never settle for a mutual understanding that would allow for an exchange of their prisoners in return for the freedom of those captured from the Muslims.

As for the Muslims, the prisoners captured from the enemy ranks will merely end up being a headache. Their accommodation will become the responsibility of the Muslim community. It need not be said that on occasions where thousands of prisoners are captured, accommodating all of them will be an enormous task. The Muslim community will then become obliged to provide them with food and

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clothes as well. While they gladly live here under the protection of the Islamic community, those captured from the Muslim side will live suffering the cruelties inflicted upon them by the enemies of Islam and executing the heavy tasks imposed by them. This can never be just. Indeed, this can, only become the cause of the destruction of the Muslim community. A situation will then come up in which war can only serve to annihilate the Islamic community. Therefore, under a context in which slavery was not prohibited worldwide, it would have been suicidal if Islam had ventured to prohibit slavery. It was then for the same reason that Allah, the Knower of all Space-Time, refrained from prohibiting slavery.

In reality, because slavery existed in the world as an established institution, there was bound to be greater harm than good if Islam had abolished it. Islam, while allowing for slavery, did, however, teach that the slave and the master were brothers one to the other and that the slave had rights of his own and that he was to be treated humanely, and that he was never to be insulted and humiliated. Thus, for a slave living under a Muslim, slavery would never be a burden. Furthermore, it is possible for him to become a free man at any point of time. He can attain his freedom when he is inclined towards it.

superstitions; which was enslaved to the addiction to wine and intoxicants; which showed not the least hesitation in the spilling of blood over senseless conflicts to assert tribal superiority; which was nowhere in the matter of knowledge and learning; which was ignorant in the field of health care; which remained backward in the field of agriculture; which lacked cohesiveness as a political and military bloc. This was the state of Arabia before the revelation of the Qur'an.

When we look upon the Arabia after the revelation of the Qur'an, however, it is the picture of the standard bearers of a civilization that challenged, in its greatness, all the other civilizations of the day, which we witness. Indeed, they had attained such prominence as to stand higher than the Greeks who were the masters of the day in the fields of science and arts. Alexandria was soon replaced by Baghdad as the greatest centre of learning and culture. Furthermore, they now caused to tremble even the empires of Rome and Persia both of which had enjoyed the legacy of political leadership that were centuries old. The Arabs, who engaged in unjustifiable tribal warfare and the wanton spilling of blood, had now emerged as the flag bearers of unity and cohesiveness. Not having known what morality and immorality were, they now became the chief propagators of a moral code. The Holy Qur'an had truly succeeded in remoulding Arabian society into one which would prove to be a model for the whole world; and that too within the span of only 23 years.

The Qur'an has, thus, been a book that enabled an entire race, which had been nowhere in the fields of culture and civilization, to attain the very pinnacle of human development within the short span of twenty- three years. In fact, there has not been another book that equals it in so transforming a whole race. The fact becomes abundantly clear here that there has not been any other writing like the Qur'an which has proved to be as practicable in guiding humanity to the path of righteousness.

In reality, none of the critics of the Qur'an has been able to prove the non-practicability of any of the laws enshrined in it, in an impartial and truthful manner.

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PRACTICABILITY OF THE QUR'AN

Can it be said that the Qur'an is a practicable book in all respects?

Yes. The Qur'an is, indeed, a book that is practicable in all respects. In fact, there is but one, and only one, book that exists today which fulfills the goal of divine scripture, namely, to unite all mankind by guiding it along the path of truth and morality. That is the Qur'an. The moral laws which it propounds are completely practicable. The fact remains, therefore, that it is the Qur'an alone which provides for the formulation of a social code that is based on ethics and morality.

What is the evidence in favour of the Qur'an being a practicable book?

The greatest proof for the Qur'an being a practicable book is the very revolution that has been wrought by it. If we examine the condition of Arabia before and after the revelation of the Qur'an, we will be convinced of the practicable nature of the Qur'an.

It was a society which was steeped in the darkness of blind

Do not the other religions scriptures, too, offer a legislation that is as practicable as well ?

As all the religious scriptures were influenced by the process of divine revelation most of the righteous codes of conduct are practicable. But these scriptures have, nevertheless, been subjected to human manipulations. It is for the same reason that these compositions contain, in the legislations made within, the shortcomings of the vision of those who had composed them. Indeed, such legislation will have been relevant in the age in which it was composed or it will find its relevance in the vision of its own composer alone. In fact, legislations of such nature can never claim for themselves the status of applicability for all time.

For instance, consider the recommendation of the New Testament of the Bible on the issue of divorce: “... **anyone who divorces his wife, except for marital unfaithfulness, causes her to commit adultery, and anyone who marries a woman so divorced commits adultery.**” (Mathew 5:32) “**To the married I give this command (not I, but the Lord): A wife must not separate from her husband. But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife.**” (I Corinthians 7:10, 11)

The legislation that is inherent in these statements are as given below:

1. The wife should not be cast aside except for the reason of being unfaithful.
2. The wife cannot, under any circumstance, divorce her husband.
3. If, however, she has to separate from her husband, she must, thenceforth, live alone.
4. None should marry a divorced woman.
5. The sexual relation with a divorced woman even if it be after marriage, is tantamount to an act of adultery.

It need not be mentioned here that these laws are, in themselves, not practicable. In fact, those who advocate the cause of these laws have failed to produce the solution to the problems that have been mentioned hereunder :

1. Family relations are built but on the firm foundations of the emotional attachment between husband and wife. Apart from lack of fidelity, there are numerous other problems that may arise between husband and wife. The Bible does not provide for any legislation, whatsoever, for the solution of such and similar problems. Is it correct to cast forever, into a virtual state of hell, individuals who have been estranged in the domains of the mind and the spirit as to never come together again, solely for the reason that they have been married to each other? What, indeed, will be the mentality of the children who grow up with parents who have separated from each other in the domain of the mind and spirit? Has it been possible for the Bible to provide solutions to the grave problems that may arise between men and women by way of making of the marriage wedlock a bond that can in no way be broken? What, indeed, is the solution ?

2. It is the instruction of Paul that if the wife, under compelling circumstances, were to disassociate from her husband, she is not to marry again. However, the New Testament does not teach as to who it is that must then protect her. In a strictly humanitarian sense, is not the commandment of Paul that “**she must remain unmarried**” a great cruelty considering the fact that nothing else has been mentioned by way of a practical solution in satisfying her yearning for sexual fulfillment as well as her longing to love and to be loved after divorce? Has the Bible any solution for these problems ?

3. What is the justification for the commandment which prohibits one man from marrying a woman who has been divorced by another? Supposing that a Christian woman has been divorced by her cruel husband who is, for all practical purposes, an athiest. As far as he is concerned, the laws of the Bible are not applicable in his case. If such a woman then desires to lead a family life of purity, will not the ruling of the Bible become impracticable before her? What alternative can the Bible provide her in this predicament?

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4. What justification can there be for the claim that if a divorced woman is married to another man, it would be equal to committing adultery? If, however, such a marriage does take place what alternative can the Bible show by recourse to which the sexual relationship between them can be made legal ?

This is, in fact, the condition with some of the rulings in the other religions scriptures as well. They contain, within themselves, laws which are not practicable. The *Manu Smrithi* deals with the case of widows in this fashion: “**When her husband is dead she may fast as much as she likes, (living) on auspicious flowers, roots and fruits, but she should not even mention the name of another man. She should be long-suffering until death, self-restrained, and chaste, striving (to fulfil) the unsurpassed duty of women who have one husband.**” (Manu Smrithi 5:157, 158).

The cruelty to which this law makes subject the women who have become widows owing to the death of their husbands in the prime of their youth need not be further mentioned here. That she is refused the right to remarry will ultimately lead her to a life of immorality. Thus the consequences of this law will have to be borne by both the individual and society. Indeed, such laws stand as an obstacle in the creation of a sound society and, for that reason, and that reason alone, will remain impracticable forever.

This, however, is not the case with the injunctions of the Qur'an. None of its rulings are impracticable. Going by any of the standards of human reckoning nothing, whatsoever, that is of an impracticable or immoral nature can be deciphered from the Qur'anic laws.

ELEVEN

THE QUR'AN AND THE THEORY OF ABROGATION

It has been said that some of the rulings in the Qur'an have been abrogated (Mansukh). What is meant by this abrogation?

The Arabic term *Naskh* implies setting aside, copying and the like. By *Naskh* is also meant the transcribing of a book and the moving aside of the sunlight by the shade. Technically, however, *Naskh* implies the abrogation of one religious law by another. The abrogated law is then called *Mansukh* and the law that replaces it is known as *Nasikh*.

In contradiction from the other animals man continues to grow intellectually, mentally and culturally with the passage of time. His surroundings and environment, too, continue to change. In all probability then, the moral laws which he must accept would also change with his environment.

The moral laws of the first family of humans is a case in point. There it was morally correct for brothers and sisters to be committed in marriage with each other. For the continuation of the human species

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such a moral code was indispensable. However, the conditions changed as time went by. Numerous families came into being. Then the law that brothers and sisters were not to marry each other came into effect. It was at a particular stage of the development of the human species that this law came into force. With the revelation of this law, that which was permitted previously was now prohibited. The new law thus became the very cornerstone of the institution of the family and, thereby, of the very existence of human society.

The old law had been given unto the children of Adam by the Lord Creator Himself. The new law, too, had been given by Him. For it is, indeed, He who is best aware of the intricacies of human society. Who besides He Himself can alter the laws required by humanity as the society evolved with time ?

There are various examples from the religious scriptures that show how amendments were made in the laws. Such amendments might have been intended for a particular region or society. It may also have been a wholly general amendment as well.

For instance, consider the ruling concerning the issue of divorce. It is clear from the Old Testament of the Bible (Deuteronomy 24:1-4, Jeremiah 3:12) that divorce had been very common among the Israelites. Jesus had to face a society wherein the permission for divorce was misused and in which the women were, thereby, put to undue hardships. It is now known that in the laws that were revealed to Jesus, there were legislations that sought to strictly curtail the very provision of divorce. The varying manner in which Jesus made his extreme statements against divorce notwithstanding, they have all been quoted faithfully in the collection of the gospels. This ruling against divorce was revealed, perhaps, to bring down the rate of divorce among the Israelites and to restrict that freedom considerably. Jesus himself had made it clear that his mission was confined to the Israelites alone (See Mathew 5:17, 10:5, 15:24). This would then imply that the strict ruling which had prohibited, albeit, in a temporary way, the procedure of divorce, revealed as it was through Jesus Christ, had sought to change the condition of the Israelites whereby the institution of divorce was employed with reckless impunity.

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It was the permission for divorce which was, in fact, conceded by the ruling in the Old Testament that was now abrogated by the ruling issued through Jesus. Similarly, many of the rulings in the Old Testament can be seen to have undergone abrogation by other rulings within the Old Testament itself.

In similar fashion, too, many of the rulings in the ancient religious scriptures have been abrogated by the Qur'an. Indeed, some of the earlier rulings in the Qur'an itself have been abrogated by the rulings that were revealed at a later date. Factually, of course, such changes were an indispensable necessity in the due course of societal transformation.

Will it not affect the status of the Qur'an's divinity if it is said that it became necessary to change some of the earlier injunctions of the Qur'an at a later period in time ? If the Qur'an is, indeed, from the Omniscient God would such changes have been necessary ?

In truth, the fact that some of the rulings in the Qur'an have been abrogated actually represents one of the evidences to prove its divinity. The Qur'an is the last book that has been revealed by God for the guidance of humanity. It is a book that puts forward wholly practicable methods in the moulding of an ideal society on the basis of a moral code which it, in itself, dictates. It is, in addition, a book that seeks to show how, in the process of creating an exemplary and ideal society out of nothing but the most primitive human conditions, the divine law had influenced the making of such a society in the various stages of its evolution. The Qur'an does not contain certain numbered injunctions like the Ten Commandments that were revealed by God. It is, in fact, the compendium of laws that grew with the beat and rhythm of an evolving society that would eventually result in the fruitful transformation of an entire people. In that chain of legislation, it is but natural that the rulings that came at a time of total decadence will become irrelevant when the society has gone past that stage in its evolution. It is this loss of relevance that is, in fact, implied in the term 'abrogation.'

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Consider, for instance, the verses related to the consumption of intoxicants. It must be remembered that the Qur'an was revealed to a society that virtually bathed in wine. It was not about wine, which turned man into beast, that the Qur'an first talked to them about. The Qur'an firstly impressed upon their minds the purest conception about God and of the unflinching awareness of the Hereafter. Indeed, the Qur'an had, as the first step, sought to create a readiness in submitting one's entire life before the Creator. It was after having created a mind-set to which the acceptance of all legislations that were confirmed to have been issued from God had become easy that the Qur'an declared: **“They ask thee concerning wine and gambling. Say: ‘In them is great sin, and some profit, for men; but the sin is greater than the profit.’”** (Qur'an 2:219)

This was the first stage. The Qur'an's approach here has been to first seek to show the benefits, or otherwise, of a thing and to make it clear that the sin in it would be greater than any benefit that may accrue thereof.

With this verse, the society, now trained in alienating itself from sin and in moving along the path of virtue, soon begins to free itself from the vice-like grip of intoxicants and gambling. It was then that the second verse was revealed: **“O ye who believe! Approach not prayers in a state of intoxication, until ye can understand all that say ...”** (Qur'an 4:43)

The prayer constitutes a conversation with the Lord Creator. However, many a man approached prayer in a state of intoxication. Indeed, the degree of their slavery to intoxicants can be seen from this single fact. The Qur'an had then made the second step towards achieving the goal of a society that was free of intoxicants. Prayer must be made only with the acute awareness of that which is being said in the conversation with God; with the mind and heart solemnly influenced by that which is being uttered therein. Briefly put, therefore, prayer must never be in a state of intoxication.

With the arrival of the second ruling a good section of those conscious of God were freed of their slavery to intoxicating drinks.

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They resolved, thenceforth, that they would, at least, abstain from intoxicants during the times of the five daily prayers. It was then that the third ruling, which sought to fully abolish all intoxicants, was finally revealed.

“O ye who believe! Intoxicants and gambling, sacrificing to stones, and (divination by) arrows, are an abomination - of Satan's handiwork: Eschew such (abomination), that ye may prosper. Satan's plan is (but) to excite enmity and hatred between you, with intoxicants and gambling, and hinder you from the remembrance of Allah, and from prayer: will ye not then abstain?” (Qur'an 5:90,91)

With the revelation of this verse, the other verses that were revealed earlier had now become irrelevant. They were, in fact, verses that had been revealed for the creation of an intoxicant-free society which were revealed in the two stages of the society's evolution. It can, therefore, be said that with the coming of this verse, the other two verses had, for all practical purposes, become abrogated.

It was mentioned earlier that even this abrogation serves only to stress the divine nature of the Qur'an. Prophet Muhammad (ﷺ) was, himself, never one to take intoxicating drinks even before his attainment of prophethood. Even if he were to put forward a law against intoxicants which was of his own making, it would have been in a fashion that straightaway prohibited all intoxicants forthwith. However, it is the Creator who is best aware of the intricacies as well as of the methodology of variation of the human mind. It is for that same reason that He brought a law into effect stage by stage. When such is the implementative process, therefore, it is only natural that the laws issued in the earlier stage tend to be abrogated at a later stage. This is why it has been said that the Qur'an makes it clear that these abrogations are, indeed, from Allah, the Omniscient.

The verses which contain the abrogated rulings are, to this very day, found to exist within the Qur'an. Why is this so ?

When we set about to study the nature of abrogation in the

Qur'an, there is an important fact that we must first consider. By abrogation is not meant the abrogation of the verses *per se*, rather, it has only been the legal decrees in these verses that were abrogated. The verses in the Qur'an which contain the abrogated laws serve to show how it was that the divine revelation influenced the evolutionary history of a community as a whole. The Qur'an has never been a book of morality alone; it is also a book of guidance for societal change.

In having retained verses, the rulings enshrined in which were themselves abrogated, it was, perhaps, the purpose of God to show the reformers of every age how it was that a society which was culturally and civilizationally a non-entity, was positively transformed on the firm foundations of divine guidance; this was in addition to showing how the Qur'anic directives were to be implemented under such circumstances.

As far as the community of Muslims is, concerned, such verses are of educative value and so they are of prime relevance. The basic sources of Islam are the Qur'an and the practices of the Prophet. It is the duty of the scholars in every age to find the solutions to the problems that present themselves continually before the society at large; solutions that are formulated in the light of these most basic of sources. When confronted with every new problem, the scholars must provide for solutions that are based on an acute understanding of the stands taken by the Qur'an and the Prophet whenever the resolution of a similar problem comes up before them. This would not be possible in the absence of a sound knowledge in the positions adopted by the Qur'an and the Prophet in varying, circumstances.

In the cases of abrogation, although the law has been replaced, if the verses which were revealed in varying circumstances had not been preserved the Muslim community could have faced the bleak prospect of groping in the dark when faced with such situations. Here, too, it becomes clear to us that these verses have served only to prove the truth of the Qur'an being revealed by the Creator Who has the knowledge about everything.

There is also an opinion which holds that there are no abrogated

verses, whatsoever, within the Qur'an. Is this true ?

There are scholars who are of the view that there are no abrogated verses in the Qur'an. A good, and authoritative, majority of the scholars, however, tend to say that such a viewpoint would be incorrect. These scholars uphold, as the most important point in their favour, the fact that the Qur'an itself has indicated this possibility. The relevant verses are as follows:

“None of Our revelations do We abrogate or cause to be forgotten, but We substitute something better or similar: knowest thou not that God hath power over all things ?” (2:106)

“When We substitute one revelation for another - and God knows best what He reveals (in stages) - They say, ‘Thou art but a forger’ but most of them know not.” (16:101)

It is the contention of those who claim that there is not extant any abrogated verse in the Qur'an that these verses refer to the abrogation of the previously revealed scriptures by the Qur'an itself. Furthermore, they contend that it would be possible to so interpret the supposedly abrogated verses as to make them to conform with the meaning of the newly revealed laws. As for those scholars who oppose this view, they believe that to so interpret it would be quite unnecessary and that it would be more logical to say that the earlier rulings were, indeed, abrogated.

Both these conflicting views, notwithstanding, it has been accepted by the two sides, at least in theory, that some of the laws which prevailed in the initial stages of the reforming mission were, however, rendered irrelevant by the time of the last phase. Indeed, the moot point in this difference of opinion has only been the question as to whether the term abrogation may, or may not, be used in the context.

There has also been the opinion that around two hundred of the verses of the Qur'an have been abrogated. Is this true ?

The term *naskh* has the connotation of replacement. To inform the functional end of anything based on this meaning; to show that it is not the apparent meaning of a particular word that is intended; to

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show that a law which has been declared conditional as being able to exist without any condition, whatsoever; to understand a ruling which is held to be general in its application as being particular; to replace any of the usual practices which prevailed before Islam; these and similar acts come within the gambit of the term *naskh* as is seen the opinions of some scholars of yesteryear. If such, indeed, is the case, *naskh* implies a wide connotation and as a natural corollary to this idea many more verses would tend to fall within this sphere of meaning. It has been because of this that some books do state that around two hundred of the verses of the Qur'an have been subject to the procedure of *naskh*. Apart from this, it does not in any way mean that they have been abrogated.

In reality, however, the verses of the Qur'an that harbour within themselves laws that have actually been abrogated are very few indeed. In fact they are as few as to enable one to count them on the fingers of one's hands. The idea that there are around two hundred abrogated verses in the Qur'an had gained currency because of the mistake of the earlier writers in composing books prior to a proper understanding of the subject. They had accepted the meaning of *naskh* only in the narrow sense of abrogation and had prematurely arrived at the conclusion that the legal decrees in all verses deemed abrogated by the predecessors were, themselves, subject to replacement. However, the truth of the matter has been that the rulings embodied in such verses were never abrogated *per se*. On the contrary, they remain as legally applicable as ever.

TWELVE
PENAL LAWS IN THE QUR'AN

Is it not baseless to claim that the penal laws of the Qur'an which were once effective in the societies of a tribal and racial character, are as effective in the modern age of democratic governance?

No. If the objective of penal law is the elimination of crime, the laws prescribed by the Qur'an were, indeed, relevant in the middle ages even as they are today and even as they will be in all ages to come.

If 'democracy' means the granting of complete and unbridled freedom to the individual there can be no doubt concerning the fact that the Qur'anic laws will be impracticable in such societies. If, however, the objective of democratic societies is to provide citizens with all the freedom that is required for their creative pursuits on the path of progress while, at the same time, preventing that very freedom from being so misused in ways that are harmful to the society, there can be no other prescription that will, as a matter of fact, be as relevant and as practicable as the penal laws of the Qur'an.

It must be realized that despite whatever the structural changes to which the society may be subject to, there will never occur any change, whatsoever, of a fundamental nature, in the desires and emotions of the individual. It was the same values that were meant to be protected in the middle ages, in the interest of the existence and progress of society, that are to be preserved in modern society as well. When the individual departs from these values it can only lead to a state of anarchy and the eventual breaking apart of the social structure.

By crime is implied that action which is carried out by the individual against the society at large. It is only in the absence of crime that the progressive flow of a society becomes possible. Indeed, the ultimate goal of all penal laws is the making of social life as peaceful as possible by a constant striving, not so much, for merely punishing those guilty of crime as for the elimination of crime itself. The Qur'an's speciality lies in its prescription of exactly such a set of penal laws which serves to attain this objective. Here, too, it is the practicability of the edicts of the Qur'an which accords this special status to its penal code.

Under which category do the penal laws of the Qur'an fall? Are they oriented towards the individual or towards the society ?

The vision of the Qur'an as regards the matters such as individual, society and the like is totally different from that of the materialistic ideologies. This is evident also in its penal laws. Islam is never in consonance with the Freudian school of thought which sees in man nothing but a mere puppet that could never break free of the strangulating influences of the circumstances of his birth and environment. The Marxian view that it is economic change alone which determines all feelings of self and values is also alien to Islam. The outlook of capitalism, too, which holds that the full light of personality can shine forth only if those born free are also allowed to live their lives in complete freedom, is also rejected by Islam. However, Islam recognizes the fact that wealth, circumstances and environment all have their effect on the personality of men. But the person, as such, is

never created by them. The individual feeling of self and the capacity to decide his stand in differing circumstances are the prerogative of the soul. Indeed, this has been the divine grace endowed upon man, and man alone. For it is this very soul that enables him to distinguish between good and evil and to decide his own choice between the two.

It is the individuals who constitute a society. It is, moreover, the divine laws which seek to purify the individual. It is certain, then, that the society which is made up of individuals who imbibe, within themselves, the moral laws will be one in which peace and goodness reigns. The individual is obliged to obey these laws. For it is only through this that a self-purification becomes possible. Even so, there will be, in every society, at least some who try to deviate from the moral code. If such people are not stopped, it might spread and spread in evil becoming rampant in the society, thereby, leading to a state of anarchy and chaos. The laws of the *Shariah* are meant to prevent such a perpetuation of the evil.

The very objective of the penal laws in the Qur'an is to maintain the individual and society in a state of constant purity. Islam does not envisage a view whereby the individual may be sacrificed for the society or the society for the individual. Nevertheless, the capitalistic outlook which does not tolerate even the slightest encroachment of the individual and the communist view which holds that even the most basic urges of the individual ought to be sacrificed for the society are both alien to Islam. The vision of Islam, on the other hand, holds that it is never a mutually clashing relationship which must exist between the individual and society. It is values that necessarily binds them together harmoniously. The penal laws of the Qur'an serve to purify the individual and the society by way of protecting these values. Thus, they are centered neither on the individual nor on the society.

On which type of values is the penal laws of the Qur'an founded?

The goal of the Qur'an is to herald the reign of peace within both the individual and the society. Individuals do have certain rights. It is through the mutual adjustment of these rights that social cohesiveness becomes possible. None can be allowed to trespass upon

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the rights of another. Indeed, it is the duty of the state to see to it that the rights of none are violated and, in the possible event of such an occurrence, to restore it fully to the victim. It is for this purpose that penal laws are formulated. The objective of the penal laws in the Qur'an has, therefore, remained the persuasion of the individual to tread upon the right path of conduct.

In the vision of Islam these are certain values of great importance, which are to be preserved at all cost. Faith, reason intelligence, esteem, life, wealth, love and bond of the family, manners, the well-knit nature of the society—all of these are to be protected. No body is to be allowed to demolish them. By 'nobody' is meant not just the other; it includes one's own self as well. In this perspective, the one who attempts suicide with the intention of ending one's own life, the one who indulges in adultery thereby destroying his own self-respect and the one who consumes intoxicants thereby destroying his own mental aptitudes, are all criminals in their own right.

The society envisioned by the penal laws of Islam is one wherein all can live free of the fear of any. It is only in such a society that peace and harmony can prevail. Indeed, the ultimate goal of the penal laws in the Qur'an is the creation of a society that is founded on humanism; a society wherein every member is enabled in growing and progressing along the path delineated by his or her own capacity.

How can it be claimed that the penal laws of the Qur'an are practicable ?

Any penal law can be said to be practicable if it exhibits the following qualities:

1. It becomes a retribution for the crime committed.
2. It prevents crime.
3. It serves to create a sense of dread in criminals.
4. It serves to assuage the feelings of the victims who have undergone privations.
5. It seeks to refine and transform the criminal.

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6. It provides for the compensation of those who suffered losses due to the crime.

7. It seeks to make the criminal repent his deed.

8. It seeks to protect the society from crime and disorder.

All of these qualitative functions may be seen to be fulfilled by any of the penal laws in Islam. It can thus be said without a shadow of doubt, that they are, indeed, practicable.

Other religious texts, too, seek to give a prescription of penal laws. What is it that makes the penal laws in the Qur'an different from them ?

Several religious texts do prescribe punishments that are to be meted out for different crimes. However, as many of them have been subject to manipulation by the hands of man, much can be seen in them that is incongruous. The Qur'an, however, stands apart in this regard. For the reason that all laws within it are of a divine nature, it is out and out humane; is all encompassing and is relevant for all time.

Consider the punishment for adultery which has been prescribed by different religious texts :

“If a man commits adultery with another man's wife - with the wife of his neighbour - both the adulterer and the adulteress must be put to death.” (Leviticus 20:10)

“If a man is found sleeping with another man's wife, both the man who slept with her and the woman must die. You must purge the evil from Israel.” (Deuteronomy 22:22)

Here the Bible has accorded the punishment of death in the Old Testament only in the case of sexual relation with a married woman. As for sexual relations with a virgin, the Bible does not prescribe any punishment. The only 'punishment' as such which can be meted out if such an affair is discovered, is that she must be married off forthwith. **“If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered he shall pay the girl's father fifty shekels of silver He must marry**

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the girl for he has violated her. He can never divorce her as long as he lives.” (Deuteronomy 22:28,29)

What is the reason for prescribing the death penalty for having sexual relation with a married women? The Bible does not even consider the issue of whether the man is married or not. The Bible teaches that the woman is the property of the father until the time that she is married off and is the property of the husband following her marriage to him. It is for this reason that it allows for man even to sell his wife (See Exodus 21:7). The person who commits adultery with a man's wife has only illegally used the woman which is another man's property. The crime of such a person-whether he be married or not - is one and the same. As man is not seen as the property of woman, the Bible does not deem it a crime that he commits adultery. This fact is further corroborated by the *Encyclopedia Judaica* itself. (*Encyclopedia Judaica*, Vol. 2, Column 313).

In short, therefore, the Bible sees in the evil of adultery the violation of another's property. It is true, however, that such violation is accorded the death penalty itself. The social problems, the break up of the family or the moral degeneration created by adultery : none of these come within the purview of the Bible.

Observe the punishment prescribed by the *Apasthamba Dharma Sutra* : “The *Sudra* who kills a *Brahman* must be burnt to death slowly by immersing him thrice in fire. However, if a *Sudra* is killed by any, it would be sufficient to award one year imprisonment and a fine of twelve cows as penalty.” (As quoted by Krishnananda Swamy in ‘The Caste-Wars in India’, P.94)

All the laws in the *ManuSmrithi* are, in their formulation, based on the caste system. This deplorable tendency is evident throughout the laws which sanctify the position of the *Brahman* while, at the same time, debase that of the *Sudra*. Wide disparity exists in the punishment prescribed for a *Brahman* who commits a crime and the punishment for a *Sudra* who commits the a similar one. Briefly then, these laws were not framed for the whole of humanity; they are meant for a society wherein caste system prevails.

No such problems can be seen in the penal laws of the Qur'an. There is nothing in it that is of a despicable nature. Indeed, the ruler and the ruled are both subject to the same punishment for the same crime: undoubtedly, a truly humane outlook.

In similar fashion, the Qur'an views the breaking of the permitted norms of sexual behaviour as an affront to the solidarity of the family set - up and of the society itself. Here, both the man and the woman stand on equal footing. The degree of punishment inflicted here depends on the question as to who had committed the crime and on the gravity of the problems that it can create in society. It can also be seen that as the problems arising from the adultery committed by married and unmarried people are different for each group, the punishment prescribed for them are also different. Here again, it is the humane aspect of the code of penal laws in the Qur'an that becomes clearly evident.

The goal of penal law is to ultimately eliminate crime itself. Is not the modern practice of incarcerating criminals under long terms in prison in order to effectively stop them from committing crimes again, more merciful than the cruel penal laws of the Qur'an ?

The increasing rate of crime in different countries today makes the truth of the matter very clear that imprisonment alone will not serve to make society crime-free as such. To a young generation that has been indoctrinated with the idea that the amassing of wealth and the enjoyment that may be derived of it constitutes the highest goal in life, crime is nothing but the easy way of making money. Statistics today reveal that crime is on the increase in all modern societies of the world.

Take, for instance, the situation in India itself: in the past one decade the rate of crime has gone up considerably. Look at a report by *India Today* which talks of an alarming rise in criminal tendency amongst the younger generation, involved as it is in the mad . of crime amongst youth. Although crime is prevalent amongst all sections of the younger generation, it is to be particularly notedthatthe rate of crime

is on the rise dramatically among within the youth of the middle-

class as well as the upper-class families. The National Crime Bureau has disclosed in its recent report that 56 percent of the perpetrators of these crimes have been youngsters in the age group of 16 to 25. Out of the 551 cases of robbery-under-threat that took place in Mumbai over the past 11 months, 80 percent was committed by were freshers in such activities and 50 percent of these were below the age of 20. It is also reported that robbery and theft have risen in Bangalore and that 60 percent of the culprits in these cases were youngsters. 93 percent of the most heinous crimes committed in Delhi during the last one year were also committed by youngsters.” (*India Today*, 02.01.1999)

An eleventh standard student kills his friend because he started going around with the girl he liked, Shyam and Ravi who, for the purpose of making money, killed at least 23 people by clubbing them to death (both were aged 24), an engineering student who murders the mother of a friend to rob her of her money, the 21 year old who kills the mother and sister of a friend to loot their house, the son of wealthy parents who carried away four girls rapes them and murders more than one person (aged 26), the 25 year old who is a suspect in 27 cases of murder - the list of such criminals is, indeed, a long one.

Why is it that the list of such crimes keep growing? The prime reason is the loss of belief in the Lord of the worlds as well as in the life Hereafter. Materialistic thought and ways of life has taught men that the ultimate goal of human life is to amass wealth and maximize enjoyment. There is also the feeling amongst criminals that they will never be caught and even if they *are* caught they can escape from punishment through various means of influence. There are even people who feel that even if they *are* punished they can live their lives in comfort after a few months in jail. The prevalence of this line of thinking in capitalist societies will, no doubt, prove consequential in the alarming growth of crime. In truth, this problem continues to haunt social scientists of all nations that claim for themselves the status of modernity.

What, then, is the solution? Harsh punishment for crimes and execute such punishments should be awarded in public. It is evident that if a situation is created wherein the amputation of hands for robbery is certain the rate of crime will drop. The nations that have adopted

the Islamic penal code are living examples of this assertion. During the reign of the late king Abdul Aziz, it was only a mere 16 amputations that were required during his long tenure of 25 years. To put it differently, there were only 16 proven cases of robbery in 25 years. It is certain, then, none will be inclined to attempt robbery in a society wherein the situation is such that the thief will have his hand amputated and wherein those who have actually lost their hands owing to their thievery lives amongst the people. No matter how pressing or tempting the impulse, the majority of the people will abstain from theft for fear of the harshest retribution. This fact is conceded even by the materialists. For E.S. Ganghadharan had written thus: “In strictly implementing the Islamic ruling on punishments for robbery, murder, lying, cheating, adultery, quarrelling and the like, there is no mercy shown while enforcing the harshest penalty. As a result, the occurrence of internal strife and criminal acts in the Arab countries is very few indeed.” (*Deshabhimani Weekly*, 11.03.1979)

What of imprisonment itself? It does not, by itself, make any effect on the other people. Does it, then, create any change in the criminal himself? Here again the answer is ‘No’. We see that those who come out of imprisonment after having served their sentence usually turn out to become professional criminals. What effect does it have in society when criminals, who come out of prison, carry on their sinful lives with greater vigour, vengeance and courage than ever before? It is simply that the ultimate purpose of penal law is hardly served out by mere sentences of imprisonment alone.

Why does the Qur'an's perspective differ the stand of the modern science of criminology which holds that it is necessary to adopt a sympathetic approach towards criminals?

Now it is very often seen that those who used to speak of the necessity of a sympathetic approach towards criminals admit defeat in presenting a practical plan of action for making a peaceful society that is free of crime, and cruelties. Those who demand sympathy for criminals never worry about the sorrowful plight of those forced to bear great losses due to these crimes.

The innocents who, for no reason or fault of theirs, unexpectedly lose their lives.

The people who are stripped of their life's earnings for which they had toiled and suffered indescribable hardships.

The bonds of the family that are shattered by the wayward lifestyle of a mate.

The children of the street who, with no one to care for them, have been forced to earn their bread by begging.

Families that suffer hardships and break apart owing to the alcoholism of the head of the family.

Is it the victims of such grievances or is it the cruel, impudent and irresponsible perpetrators of these crimes who require a sympathetic treatment? For it is not possible to adopt such an attitude in both the cases simultaneously. The view of Islam is that it is the victim of these crimes, who suffers the resulting privations, who is in need of the sympathetic approach. Indeed, Islam holds that it is only such an attitude which is humane and it is only the laws that are based on such a vision which can successfully free men from the cultures and horrors of crime. It is now made clear that this is the right approach and it is so that it should be.

Does not the Qur'an, by amputating the hand of the one who commits theft, totally neglect the family, which depended on him for its living?

The goal of the penal laws of the Qur'an in the case of theft is never to create a multitude of the handicapped. On the contrary, it is to create and make possible a situation wherein nobody is robbed off one's possessions. Indeed, the Lord Creator, who knows that to eliminate robbery and theft, poverty and hunger of the destitute must first be addressed, had Himself revealed the Qur'an. It was for this specific reason that the Qur'an had first provided for the instructions pertaining to the solution for poverty and hunger before it addressed the issue of theft and punishment for the crime.

The system of *Zakat* in Islam was instituted to resolve the problems of the poor and the needy. The Islamic directive, in this regard, has been to take from the wealthy and to give to its rightful owners. *Zakat* is never a charity offered by the rich. On the contrary the Prophet had taught it to be right of the poor. Undoubtedly, the basic requirements of the poor in society will be accomplished if the *Zakat* system of Islam is effectively implemented. Indeed, this has been the lesson of history. Islamic history does put forward numerous instances where circumstances prevailed in which there were to be found none to accept *Zakat* in the societies where the system was implemented with rigour and efficiency. In the vision of Islam, if the hunger and poverty of the poor cannot be addressed fully eradicated even with the *Zakat* that is collected, the rulers are duty-bound to provide for them through other means.

It was thus that Islam alone, among the religions of the world, produced laws aimed at the elimination of poverty and became exemplary for all by way of going on to implement them as well. Islam, then, spoke of penal laws only after the removal of circumstances which actually rendered the crime imperative. It is never in a society wherein unemployment and poverty go hand in hand that the Qur'an calls for the execution of the stringent penal laws. The injunction of Islam has only been the amputation of the hands of the thieves who disrupt the peace of society even after conditions have become so favourable that there need not be thefts or robbery to gain food or the other most basic necessities of life.

Look at the robberies that are committed in India itself. Are they for the purpose of alleviating hunger? In fact, 99 percent of the robberies that do take place in India are nothing but the easy means that youngsters resort to in order to enjoy life. These are the people who loot and kill for the sake of getting new cars, for staying in luxury hotels and have for having numerous female companions. It is certain that if at least some of those young men who are proved guilty of such crimes, have their hands amputated, 90 percent of the crimes being committed could have been prevented. The question is whether we are prepared for such stringent measures.

Even in Islamic countries famine and starvation is possible. In such an event Islam does not permit the amputation of hands if a man were to commit theft. It was in the time of Caliph Umar (r) that a thief, who was caught during a period of famine in the land, was let off on the premise that he had probably committed the theft under the pressing compulsion of hunger. Here we witness the humane face of Islam which pronounced punishments with the objective of making criminals non-existent and which had proved such a vision to be practicable as well.

What is wrong if two individuals desire to get involved in a sexual relationship with each other ?

Sex is a divine gift. Its foremost function amongst living creature is reproduction. It is also true that in the case of man, besides reproduction, his mental health, shappiness of family life , peacefull social life : all are linked to sexuality. In availing of a sexual behaviour that is not in keeping with the divine guidelines, the mental health of the individual, solidarity of the family and social structure will be adversely affected. Moreover, such extra-marital relations will lead to the affliction by sexually transmitted diseases which will eventually end in the degeneration of society. Indeed, those who have learned of this through experience have been the very people who claim for themselves the status of being the spokespersons of modern civilisation.

Islam teaches that if two individuals are to have sexual relations with each other they are to do so only through the contract of marriage. Apart from that all other relations are bound to create problems and damage. It will also destroy the very fabric of all values in society. It will cast the seeds of suspicion within one's marital life. Such suspicion will then create cracks within the rapport between hearts. It disrupts family relations - it will even gravely affect the mental health of future generations.

The statistics related to this subject in Kerala, which is currently moving ahead with the acceptance of western values, will frighten any with a sense of moral consciousness. For instance, at least three hundred people report at the Rajiv Gandhi Centre for Biotechnology in

Trivandrum every month to verify through DNA whether they themselves are indeed the fathers of the infants borne by their wives. (*Mathrubhumi Weekly*, 31.01.99) What does this reveal? The number of spouses who distrust each other is on the increase. What is the reason for this? The answer is given by *Mathrubhumi* itself: "30 percent of the men and 18 percent of the women who participated in the survey confessed that they indulge in extra-marital affairs."

This is the state of Keralite society which boasts of great and lasting moral traditions. As for the state of western societies, it is even worse. The greatest social problem there continues to be the girls who become pregnant at a very tender age. Another important issue with which the government continues to grapple is the problem of illegitimate children. However the situation there is such that these issues are not considered as problematic at all. Social scientists, however, warn that such violations of behavioural norms lead to the collapse of the institution of the family and consequently create social problems of a grave nature which will, in the long run, end in the total chaos and destruction of the western world.

Islam has never envisioned such a society. Islam has striven for the creation of a society wherein a peaceful family environment and marital relationship prevails.

To that end, Islam considers that all sexual relations outside of wedlock are to be prohibited. For that reason the Qur'an recommends strict penal laws which serve to eliminate such sexual relations. Conceding the fact that the sexual impulse is, indeed, one of the most powerful of instincts, it is necessary, nevertheless, to check man, in the exercise of that impulse, with equally compelling measures. Indeed, herein lies the great relevance of the punishments in the Qur'an.

Will it be possible to eliminate extra-marital relationships through the punishments prescribed in the Quran ?

It is not just penal laws that find mention in the Qur'an. In fact, Islam views the recourse to penal law only as a last resort. The Qur'an teaches that all circumstances which can lead to extra-marital sexual affairs must first be removed. All laws and regulations for that purpose

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are provided by the Qur'an. They can be summarized as follows:

One : Men and women are to dress decently. As sight constitutes the prime motivation of the sexual impulse in man, women are not to dress in such a fashion as to display their beauty.

Two : There should be nothing in society which is of a sexually provocative nature. Indeed, in an Islamic society caberrets, dances, beauty contests, ballets and the like are never permitted.

Three : The unrestricted mingling of the sexes, which ultimately leads to adultery, must be prevented.

Four : The use of sex as a profession must be completely banned. For in an Islamic society, prostitutes, call-girls, sex-bombs, nude models and the like are an impossibility.

Five: Men and women (excepting for the husband or any relative with whom marriage has been prohibited) are not to travel together.

Six: Men and women are not to converse freely except in the presence of another person.

Seven: Unless they have become mates through the institution of marriage, men and women are not to gaze at each other with lewd passion.

Eight : They are not to speak, or flirt, in a manner that evokes lust.

Nine : If a man comes with the offer of marriage, the guardians of the woman must come forward to offer her in marriage to him if he is seen to be of a suitable person.

Ten : In the case of the men who cannot find contentment in a single woman, there is also the provisions - albeit, a conditional one - to marry more than one woman.

Firstly, the Qur'an seeks to remove all situations which serve to inflame sexual passions and to promote crime of adultery. Secondly, it provides for an open permission for the fulfillment of desires through recourse to a lawful procedure. Even after this, those who opt for illegal means for the fulfillment of their desires actually destroy the

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moral fabric of society as well as the family. Islam's prescription here is to award severe punishments in such cases.

Circumstances play not an insignificant role in tempting man to commit sin. In actual terms, therefore, due to the transformation of the media and the market into the promoters of sexual provocation and the current stand of the society in seeing in extra-marital relationships nothing of a sinful nature, the attacks against women have only risen to alarming heights. Take the case of Kerala itself. If the number of reported cases of rape in Kerala in 1997 was 193, 266 in 1995 and 399 in 1996, it rose to 588 in 1997. A 121.05 percent increase in just two years! By the month of October '98, 461 cases of rape were reported. (Courtesy: *Mathrubhumi Weekly*, 24.05.1999). What could be the reason for this ? The shift in the position of the society as regards to extra-marital affairs and the exploitation of feminine charms by the media and the market have played out not a small part of their own in contributing to the rise of atrocities against women. If such a state of affairs is to continue, even women who lead decent lives will not be allowed to go about in peace in Kerala.

This situation cannot exist in an Islamic society. For there can be no instance wherein women cannot live free of the fear of losing their chastity. Indeed, in the time of the Prophet very few people, whose number could be virtually counted by the fingers of one's hands, were punished for adultery. So was it during the reign of the Caliphs. Although the sway of the media and the influence of western culture have all served to create much decadence, the low rate of crime even today in countries where the Qur'anic penal laws are implemented highlights its practicability through all ages.

Islam prescribes two types of punishments for adultery. Why is this so ?

Like all the other laws in Islam, the penal laws, too, were revealed step by step. House arrest was prescribed as the punishment for adultery in the beginning. **“If any of your women are guilty of lewdness, take the evidence of four (reliable) witnesses from amongst you against them; and if they testify, confine them to**

houses until death do claim them, or Allah ordain for them some (other) way.” (Qur'an 4:15)

The reference here to the statement “...until Allah provides for them another way” was later on rendered irrelevant with the final prescription of the punishment for adultery. This went as follows: **“The woman and the man guilty of fornication, flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by Allah, if ye believe in Allah and the Last Day: and let a party of the believers witness their punishment.”** (Qur'an 24:2)

The one hundred lashes prescribed in this verse is meant for the unmarried adulterers. If they are married the Islamic law is to kill them by stoning. It is evident that the Prophet had, during his rule, prescribed stoning to death in four such cases. Out of these, the culprits in one case were Jewish. The other three cases involved Muslims alone. The command to kill adulterer by stoning is reported by almost all books of *Hadith* (Muslim, Abu Davood, Ibn Majah, Baihaqi, Ahmad). Thus there is no difference of opinion amongst Muslim scholars over the issue that married adulterers must be stoned to death. This is so even without such a punishment being mentioned in the Qur'an because it has been confirmed by the *Hadith* which are of a genuine, and accepted, nature.

Why is it that Islam prescribed two types of punishment for the same crime ?

Even though the crime is the same, Islam has prescribed punishments depending upon the state of the perpetrator and the gravity of its effect upon the society. The adultery of the unmarried is a crime. But there was not, before them, any legal way of giving vent to their sexual impulses. Besides, the bond of the family is not broken by their action. But what of the adultery of the married ? They have, before them, their lawful mates in whom they can find the satisfaction for their desires. And what of the ultimate consequences of their act? The break-up of the family and, thereby, anarchy everywhere in the society !! Therefore, the punishments for these will necessarily be

different. Indeed, when compared with the adultery of the married, that of the unmarried is a smaller crime. It is not right to show mercy to those who, even when in possession of legal means, go out in search of illegal outlets. In fact, they must be punished in exemplary fashion, that too, with a punishment which will deter any other from contemplating to commit this crime. This is the reason why Islam has prescribed the stoning to death of such persons.

As for the unmarried, Islam commanded that they be given one hundred lashes of the whip in public which would be commensurate with the gravity of their crime. For even though they *do* cause harm to society, they nevertheless, do not become the cause of the breakup of the family and of the consequent and associated social problems.

Will not the implementation of the penal laws of the Qur'an give rise to a situation whereby any person can be done away with using allegation of adultery ?

One of the fundamental premises of the Islamic penal law is that nobody except the perpetrators of crime is to be punished. For that reason, Islam does not permit humiliating those who lead lives of purity by casting allegations against their names. Indeed, those who *do* make such allegations are duty-bound to produce four witnesses to back their claim. In the event that they fail to do so, it will not be those against whom the allegation is made, but on the contrary, it will be those who allege who will be punished. The Qur'an makes clear the punishment for those who make the false allegation of adultery thus: **“And those who launch a charge against chaste women, and produce not four witnesses (to support their allegations) - flog them with eighty stripes; and reject their evidence ever after : for such men are wicked transgressors.”** (Qur'an 24:4)

It is the hobby of some people to conjure up allegations against married couples. It is no small problem that such people create in society. If it is known that the punishment for such is an award of eighty lashes, none will go around with such false accusations. Nobody will then consider making an allegation without four witnesses to back them up. How many, indeed, are the people in our society who, because

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of the false allegations raised against them, are unable to face even their close friends and relations. Our media, after all, often make use of such gossip to enhance their popularity. All such misconduct, however, is alien to the Islamic society. The situation, wherein decent people are, without proper reason, immersed, and done away with, in the quicksand of false allegations, will not prevail in that society. Indeed, the Qur'anic injunction is to publicly award eighty lashes to such as will venture forth in that despicable path.

The punishments fixed by Islam for adultery are harsh. If married, they are to be stoned to death! If unmarried, they are to be awarded a hundred lashes! Islam which determines such punishments, has also prescribed laws so that the innocents are not punished. It is only if one can produce four eye witnesses that he should raise the allegation of adultery against the name of another. If this was not done, the person who raised the allegation would then be in a fix. Such would then be awarded eighty lashes. The possibility of false testimony here is very remote indeed. A person will venture to make such an allegation only if he is certain that many more people have witnessed the act being committed. It is for the same reason that the possibility of the innocent being punished is quite improbable.

Is it not meaningless to justify a ruling like 'murder for murder', which modern-day criminologists have termed barbaric, merely because it is stated in the Qur'an ?

It is only natural for those who devise their theories on the foundations of the mythical idea that the murderer can be civilized by way of showering mercy upon him, without even considering the plight of the one killed without reason and of the problems of the family that becomes orphaned thereof and even the fissures that develop in society, to feel that the laws in the Qur'an are impractical and barbaric. However, we must realize that experience has shown the facts to lie contrary to the results of their investigations.

The maximum sentence that may be inflicted for homicide in a modern day court of law is life imprisonment. Moreover, terms of life imprisonment usually end up being a prison sentence of a few years.

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This again is applicable only for those who have actually been sentenced. As for those with wealth and influence, how many, indeed, are the cases which we hear of every day wherein such people are allowed to safely escape the law or evade punishment.

What is the end result of the situation wherein nothing would transpire even if anyone commits a murder? The incredible rise in crimes of homicide! A situation in which the youth are prompted increasingly towards the commission of murder! Statistics reveal that in the past one year (1998), 93 percent of the most gruesome cases of murder were carried out by youngsters who were new to the field. (Courtesy : *India Today*, 20.01.1999) An entire generation that would unhesitatingly kill for money and comfort is continuing to emerge onto the scene. Look at the case of the twenty four years olds, Shyam and Ravi: Ravi and Sham, both aged 24, go around the city (Bangalore) on a motorbike. Their target is the women on two wheeler who have to go through the darkened streets alone. Some times it would be just 50 rupees which these two, who, in a period of just six months, killed 23 people, would obtain. (Ibid). Youngsters who would not feel the least regret in taking a life for a paltry sum of Fifty rupees!

The story of Sanjeev Nandi who bathed in money is, however, a different one: His parents had him educated in one of the best business schools in America. When he came home to India for his vacations, they presented him with a seventh generation BMW car worth 69 lakhs of rupees. Then, in spite of all this wealth and luxury, why did Sanjeev Nandi seek to destroy that life? Why, indeed, did he drive his BMW onto five people, thereby killing them, in a state of drunkenness and then made off with the car? He reached, with his car, a friend's residence, not having stopped even to tend to the people who had been injured gravely. Why then did he wash off all the evidences from his car? (*India Today*, 27.01.1999). A generation that shows not the least hesitation in making off with the car after having killed five innocent people!

Youngsters who would not even care to look with pity at those caught between the crushing impact of the car wheels even as they were driving towards the mad enjoyment of life!

These are the living proofs against the arguments of the criminologists that the criminals can be civilized by putting them in prison! An altitude of sympathy towards the criminals can serve only to make criminals out of more people. Indeed, the Qur'an has prescribed death in retaliation for murder on the realization that a peaceful social life can become possible only if the circumstances that may lead to crime are first removed and then by punishing severely those that still harbour within themselves the perverted tendency for crime.

“O ye who believe! The law of equality is prescribed to you in cases of murder: The free for the free, the slave for the slave, the woman for the woman ...” (Qur'an 2:178)

This verse was revealed in such fashion that it struck at the very heart of the most cruel norms of retributory justice which prevailed in Arabian society wherein blood was constantly spilt over petty inter-tribal conflicts. The tradition that prevailed there was not one in which the murderer was killed. Rather, it was their tradition to kill, in retaliation, as many people from the tribe of the murderer as would be the equivalent of the price of the murdered individual. They had the least hesitation in killing ten or even a hundred people in retaliation for the loss of one person. The reverse of the situation could also be the same. If a person of high rank in a tribe were to kill a lowly placed individual from another tribe they had great misgivings about killing the murderer in retaliation. The question on their lips would then be: ‘A wealthy one for a lowly?’ The Qur'an which put these customs to an end, had clearly indicated in the above verse that retaliation was to be carried out on the person of the murderer alone.

Islam places a high price for human life. Indeed, one's life was not meant to be destroyed in the name of tribal conflicts, anger or revenge. The Qur'an makes it very clear that: **“... if any slew a person - unless if be for murder or for spreading mischief in the land - it would be as if he slew the whole humanity: and if anyone saved a life, it would be as if he saved the life of the whole people.”** (Qur'an 5:35)

The statement that the death penalty is not right is, indeed, baseless. In a society which restrains from retaliations, there will occur a series of murders. A state of affairs wherein none will be enabled in living a life free of fear will then manifest itself. Thus it was that the Qur'an said: **“In the Law of Equality there is (saving of) life to you, O ye men of understanding.”** (Qur'an 2:179)

The incidents that were related earlier have only attested to the truth of this Qur'anic proclamation.

What will the family of the murdered person gain if the murderer is killed in retaliation? What recommendations does the Qur'an make in order to protect the family of the murdered person?

The Qur'an does not recommend the death penalty in all cases of murder. Look at the Qur'anic verse which deals with the death penalty, **“O ye who believe! The law of equality is prescribed to you in cases of murder: the free for the free, the slave for the slave, the woman for the woman. But if any remission is made by the brother of the slain, then grant any reasonable demand, and compensate him with handsome gratitude. This is a concession and a mercy from your Lord.”** (Qur'an 2:178)

It is the close relatives of the murdered person who are to decide whether the murderer is to be saved from death or not. If it is agreeable for them, they can allow him to go free after taking the required blood-money (*Diya*). The court has no right whatsoever to oppose them if the relatives decide to let him go free. The blood-money for murder is a hundred camels. If this has been taken and the murderer is let off then from that moment on there can be no retaliatory action against him.

In short, therefore, if the relatives of the murdered person are so willing, they can accept the blood-money and let the murderer go free. They can then use the blood-money to rehabilitate the family which has now been orphaned and to make a means of livelihood for them as well. The Qur'an, which gave the final authority to decide the fate of the murderer to the relatives of the murdered person, here shows its brightest and most humane face of all.

“Those who deny God and His apostles, and (those who) wish to separate God from His apostles, saying, ‘We believe in some but reject others’ : and (those who) wish to take a course midway. They are in truth (equally) the *Kafirun*; and We have prepared for the *Kafirs* a humiliating punishment.” (Qur'an 4:150,151)

“They recognize the favours of God; then they deny them; and most of them are *Kafirun* (i.e. deniers of the truth / ungrateful ones)” (16:83)

“It was We who revealed the Law (to Moses): therein was guidance and light. By its stand have been judged the Jews, by the prophets who bowed (as in Islam) to God's will, by the Rabbis and doctors of Law: for to them was entrusted the protection of God's Book, and they were witnesses thereto: therefore fear not men, but fear Me, and sell not My signs for a miserable price. If any do fail to judge by (the light of) what God hath revealed, they are (no better than) the *Kafirun*.” (5:47)

“Say : O ye *Kafirun*! I worship not that which ye worship. Nor will ye worship that which I worship. And I will not worship that which ye have been wont to worship, nor will ye worship that which I worship. To you be your way, and to me mine.” (109:1-6)

From these verses we understand that the Qur'an has used the term *Kafir* to refer to those who, in not acknowledging divine guidance, reject truth and show ingratitude to Allah, the Most Bounteous. Those who enjoy the blessings of the Lord Creator and yet abstain from acknowledging Allah, the Provider of all bounty are, indeed, *Kafir*. Those who deviate from the worship of Allah alone - the one thing that the Lord Creator, who provided for man all the means of his sustenance on earth, demanded of us - and pray unto the creations that are never to be worshipped, are *Kafir*. Those who do not acknowledge the messengers whom the Lord Creator had sent to illumine the path of guidance are *Kafir*. The one who does not regulate his life according to the religious scripture revealed, by the Lord Creator,

THIRTEEN

THE QUR'AN AND NON-MUSLIMS

Non-Muslims have been referred to in the Qur'an as Kafir. It is given to understand that that is an uncouth expression. What does this term actually mean ?

The literal meaning of the term *Kafir* is ‘he who conceals’. The cultivator, too, who hides the seeds in the soil is called a *Kafir*. To call the one who hides his accomplishments a *Kafir* was a practice that was in vogue even in the earliest Arabia. It can also be seen that the term *Kafir* has been used to aver to an ungrateful person.

The Qur'an, however, uses *Kafir* to refer to a denier of the truth, one who shows ingratitude, a disbeliever and the like not in any uncouth manner; rather the Qur'an uses this term to explain the nature of those it intends to expose. The singular form of the term - *Kafir* - as well as the forms *Kafirun* and *Kuffar*, which are the plural derivatives, have been repeatedly used in the Qur'an. In all such instances the Qur'an has sought to explain the character of those it mentions within the context. Look at a few of the verses of the Qur'an:

as a criterion to judge between truth and falsehood, is a *Kafir*. It is the *Kafir* who have become enemies of the Truth who strive to blow out the divine light of guidance.

Does not the Qur'an recommend the forcible conversion of Non-Muslims ?

No. There is not a single verse in the Qur'an which recommends the forcible conversion of non-Muslims. In fact, the Qur'an does not agree with the idea of forcible conversions.

Islam means submission or peace. It can be said that Islam signifies the peace attained by the one who submits the whole of his life to the Almighty. Indeed, the Muslim is the one who has surrendered his own self to God. To say that one is a Muslim is to so conform one's life along the path of divine guidance. This conformance must first germinate in one's mind. It is the position of the Qur'an that unless there is a substantial change in thinking there can be no other change, whatsoever, of a fundamental nature. Therefore it does not agree with forcing anyone into the religion. In fact, the Prophet, who had struggled greatly to convince his own society perchance they came into the fold of the true faith, was rebuked by the Qur'an for the mental agony that he underwent on realizing that the deniers of truth were not going to change their stand, in the following words: **"If it had been thy Lord's will, they would all have believed, - all who are on earth! Will thou then compel mankind, against their will to believe!"** (H.Q. 10:99)

The Qur'an makes it very clear that the duty entrusted to the messengers, who were appointed for the conveyance of the message of the true religion, was restricted to the propagation of the religion alone; it never included the coercion of others into the faith : **"But what is the mission of apostles but to preach the clear message ?"** (H.Q. 16:35)

"If then they turn away, We have not sent thee as a guard over them. Thy duty is but to convey (the message)." (H.Q.

42:48)

The Qur'an repeatedly tells the Prophet that he is only to invite people to the true religion; never to compel them to change their faiths. **"Say: 'The truth is from your Lord.' Let him who will, believe, and let him who will, reject (it)."** (H.Q. 18:29)

"Therefore do thou give admonition, for thou art one to admonish. Thou art not one to manage (men's) affairs." (H.Q. 88:21,22)

In short, therefore, the messengers had all been only the propagators of the true religion. So was it the case with the last messenger also. He had the responsibility only of showing the people the nature of true religion. The obligation of the believers, too, who were conferred the duty of conveying the message of true religion, which was perfected through the last messenger, was restricted to this purpose alone: the obligation only of enabling others to distinguish between truth and falsehood. Not only has the Qur'an *not* demanded the forcible conversion of others, it has also declared that the practice of forcible conversion is, in itself, an abomination. **"Let there be no compulsion in religion: Truth stands out clear from error."** (H.Q. 2:256)

Does not the Qur'an, which strongly prohibits idolatry, encourage Muslims to demolish the objects of worship of other religionists ?

There is not a single verse in the Qur'an which commands the destruction of the objects of worship of other religions. Furthermore, it is the injunction of the Qur'an that the objects of worship of the non-Muslims must not even be ridiculed. **"Reville not those whom they call upon besides Allah"** (H.Q. 6:108)

It is true that Islam, which is grounded in monotheism, abhors the worshipping of creations. For the same reason, therefore, there are, in the Qur'an, numerous verses which seek to bring out the utter meaninglessness of the worshipping of creations. All these verses

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serve the function of awakening the intellect of man. Indeed, the goal of the Qur'an has been the emancipation of human society from the unpardonable sin of idolatry. In fact, the Qur'an has never entertained the naive idea that humanity can be saved from idol worship by destroying the very objects which are deified. Therefore, that which the Qur'an did try to destroy has never been the objects of worship that were cast out of stone or other such materials. Rather, it has ever been the 'idols' that have been carved out in the very consciousness of man himself. The Author of the Qur'an is well aware that the use of force is never to be employed in the annihilation of these 'idols'; and that it is the activation of the intellect that is to be the prime objective. Thus, the Qur'an has sought first and foremost to educate the masses about the folly of idol-worship.

In the view of the Qur'an, while idolatry must, without doubt, be criticized and opposed in the strongest terms, those who insist on idol-worship must also be allowed full freedom for their purpose. It is this attitude of tolerance which is highlighted in the injunctions of the Qur'an which asks us not to revile the objects of worship. Indeed, in allowing the Christians from Najran the complete liberty to use his mosque at Medina for the purpose of their prayers, the Prophet had himself demonstrated to the world the great tolerance of worship envisaged by Islam.

Furthermore, in the political order of Islam, the state is duty-bound to protect and preserve the places of worship as well as the other symbols of co-religionists. This fact is abundantly clear from the pact which the Prophet had made with the Christians of Najran. There we read the following: "To the Christians of Najran and the surrounding territories, the security of God and the pledge of His Prophet are extended for their lives, their religion and their property to the present as well as to the absent, and others besides; there shall be no interference with (the practice of) their faith or their observance, nor any change in their rights or privileges; no bishop shall be removed from his diocese nor any monk from his monastery, nor any priest

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from his priesthood; and they shall continue to enjoy everything great and small, as heretofore; no image or cross shall be destroyed; they shall not oppress nor be oppressed; they shall not resume the practice of blood-vengeance as in the days of ignorance; no tithes shall be exacted from them, nor shall they be required to furnish provisions for the troops."

It can be easily seen from the historical records of the relevant period that after the Prophet, the Caliphs as well as the Muslim rulers who succeeded them, all had granted complete freedom of worship to the people of other religious denominations in their realm.

However, it may be seen that the Prophet (ﷺ) ordered the destruction of all idols and tombs caused men to incline towards the heinous practice of Polytheism in situations wherein a nation becomes Islamic in its totality and there exists no one therein who remains a worshipper of idols. This is a line of action that is adopted only after the masses have all become worshippers of one God. By implication, therefore, it is not a course of action to be employed by the Muslim in a society wherein there exists a plurality of religions.

The Qur'an instructs against having intimate relations with Non-Muslims and against having them as friends. Is this not communalism?

There are verses in the Qur'an which makes it clear that the deniers of Truth are not to be made bosom friends. Observe a few of these verses:

"Let not the believers take for friends or helpers unbelievers rather than believers: if any do that, in nothing will there be help from God: except by way of precaution, that ye may guard yourselves from them. But God cautions you (to remember) Himself; for the final goal is to God." (H.Q. 3:28)

"O ye who believe! Take not the Jews and the Christians for your friends and protectors: they are but friends and

protectors to each other. And he amongst you that turns to them (for friendship) is of them. Verily God guideth not a people unjust.” (H.Q. 5:51)

“Your (real) friends are (no less than) God, his apostle, and the (community) believers - those who establish regular prayers and regular charity, and they bow down humbly (in worship).” (H.Q. 5:55)

“As to those who turn (for friendship) to God, His apostle, and the (fellowship of) believers - it is the fellowship of God that must certainly triumph.” (H.Q. 5:56)

“O ye who believe! Take not for friends and protectors those who take your religion for a mockery or sport, whether among those who received the scripture before you, or among those who reject faith; but fear ye God, if ye have faith (indeed).” (H.Q. 5:57)

“When ye proclaim your call to prayer they take it (but) as mockery and sport; that is because they are a people without understanding.” (H.Q. 5:58)

The Qur'an has given an account of the type of Non-Muslims with whom the Muslims are not to enter into friendly relations:

“O ye who believe! Take not My enemies and yours as friends (or protectors) - offering them (your) love, even though they have rejected the Truth that has come to you, and have (on the contrary) driven out the Prophet and yourselves (from your homes), (simply) because ye believe in God your Lord! If ye have come out to strive in My way and to seek My good pleasure, (take them not as friends), holding secret converse of love (and friendship) with them: for I know full well all that ye conceal and all that ye reveal. And any of you that does this has strayed from the straight path.” (H.Q. 60:1)

“If they were to get the better of you, they would behave

to you as enemies, and stretch forth their hands and their tongues against you for evil; and they desire that ye should reject the truth.” (H.Q. 60:2)

The Qur'an has, therefore, prohibited from entering into an alliance with those of the non-Muslims, whether of the ‘People of the Book’ or otherwise, who view Islam and the Muslims with enmity; who hatch conspiracies for their destruction and who had driven out the Muslims from their homeland for the only reason that they had believed in Allah. It is certain that no Muslim, who is engaged in a campaign in the path of God against such deniers of the Truth, can ever have friendly relations with them. However, there were, among the Muslims, certain hypocrites, who entered into friendly relations with the enemies of Islam while feigning the posture of ‘We are with you’ when with the Muslims. It was about them that the Qur'an said, “and he amongst you that turns to them (for friendship) is of them” (Qur'an 5:51)

What is the verdict of the Qur'an concerning friendly relations with the Non-Muslims who exhibit no enmity towards Islam or the Muslim ?

“God forbids you not, with regard to those who fight you not for (your) faith nor drive you out of your homes, from dealing kindly and justly with them: for God loveth those who are just.” (H.Q. 60:8)

“God only forbids you, with regard to those who fight you for (your) faith, and drive you out of your homes, and support (others) in driving you out, from turning to them (for friendship and protection). It is such as turn to them (in these circumstances), that do wrong.” (H.Q. 60:9)

It is evident from these verses that it has, in fact, been commanded not to enter into friendship only with those who hatch and execute plots for the destruction of Islam and the Muslims. The Qur'an never refers to any negative result in entering into friendly relations

with the other ordinary non-Muslims which will not, in any way, prove harmful to Islam.

The Qur'an prohibits marital relations with other religionists. Is this not communalism ?

The Qur'an does prohibit all marital relations with polytheists.

“Do not marry unbelieving women (idolaters), until they believe: a slave woman who believes is better than an unbelieving woman, even though she allure you. Nor marry (your girls) to unbelievers until they believe: a man slave who believes is better than an unbeliever, even though he allure you. Unbelievers do (but) beckon you to the Fire. But God beckons by His Grace to the Garden (of bliss) and forgiveness, and makes His signs clear to mankind: that they may celebrate His praise” (Qur'an 2:221)

A marriage relationship is never one which is confined to the physical plane alone. Indeed, married life finds true fulfillment of purpose only in the union of an attitude of innocent love with one of mutual respect. The Qur'an has compared the purpose of man-woman relationship with that of the clothing that one wears. **“..... they are your garments and ye are their garments.”** (2:187). This similitude makes clear the degree of affinity and mutuality which must exist between life-mates.

As distinct from the religions that have accepted asceticism as their ground norm, Islam views marital life as a religious obligation. In fact, Prophet Muhammad (ﷺ) had himself taught that ‘he who gets married has completed one half of faith.’

The Qur'an and the practices of the Prophet have, in themselves, prescribed the exact observances that are to be maintained in marital life. It is expedient to follow these regulations even in the sexual life that is based on morality. A Muslim can, by no means, deviate from this code of conduct.

Polytheism has, of itself, no foundational basis *per se*. Therefore, polytheism has taken on different forms and meanings according to the variations in time and place. Similar has been the case of the rites, customs, and moral prescriptions of the polytheist. As far as the Muslim, who is obliged to follow the moral code revealed by God, is concerned he can never follow laws that have been formulated by man; particularly when such an attitude would go contrary to the tenets of the faith of his own profession. That his partner should follow a moral life that is quite contrary to his own creed, will only serve to adversely affect the religious life of the Muslim.

There are religious communities that view adultery as a religious rite. Indeed, the Hittites of Greece and the *Devadasis* in India, were forced into prostitution in the name of religion itself. The decree of *Manu Smrithi* is that if neither the virgin nor her father were to give their consent, it is permissible to carry away, by force, the woman of one's liking and then marry her. Such marriages which are permitted to the *Kshathriya* are referred to as *Rakshasam (Manu Smrithi)*. It was the custom amongst the polytheists of Mecca to claim paternal rights over children who most resembled them and which were born out of extra-marital sexual relationships which they had with many women. Group sex was a way of salvation in many primitive religions like Tantrik religion. Undoubtedly, therefore, it would be a difficult task, indeed, for the Muslim who chooses a mate from communities of polytheists who accepted as their own such forms of moral law, to live by his own religion.

If the Qur'an had allowed the marriage with the Polytheists it would have caused much hardship for the Muslims. How would it be possible for a Muslim, to accept as his mate, a tantrik woman who practices polyandry as a religious act? It should either be that she is forced to forego her religious freedom or that he is forced to act against his religion. It would, perhaps, be also for the purpose of removing such difficulties that the Lord Creator prohibited marriages, in their totality, with the Polytheists.

The Qur'an does permit the Muslim to take mates from the 'People of the Book' who are heirs to a moral code that is as clear as it is authentic. Whether this be the Jews or the Christians, they are after all, the possessors of a religion's scripture that is to be obeyed and of a moral code that is in accordance thereof. As for this moral code, it is, at best, a rough approximation of the Islamic code itself. It is, perhaps, for this reason that the Lord Creator permitted the Muslim to marry women from amongst the 'People of the Book'.

The Qur'an permits the Muslim man to marry from amongst the 'People of the Book'. It does not, however, permit the Muslim woman to marry a man of the 'People of the Book'. Is this not a blatant injustice ?

It is true that the Qur'an does allow only for the man to marry from amongst the 'People of the Book'. Look at the verse of the Qur'an which explains the matter. **"Lawful unto you in marriage are (not only) chaste women who are believers, but chaste women amongst the people of the Book."** (H.Q. 5:5).

Why is it that the Qur'an disallowed the Muslim woman from marrying from the 'People of the Book'?

A little reflection will make it clear that, in not permitting the Muslim woman to marry from the 'People of the Book', the fact becomes evident that the Qur'an is, indeed, from Allah who is best aware of the needs and limitations of the woman. The lofty position that is accorded to a woman by Islam is not given to her by any other religion. The rights which have been granted to her by Islam are also not few in number. In all the other religions, however, she is regarded only as the private belonging of her husband. As for Islam, it regards her as in possession of fully independent existence, personality, and of rights as well. This is while both the Old and New Testament of the Bible consider her as the very cause of sin itself.

Without doubt, a Muslim woman who comes to the home of her

husband as the wife of one amongst the people of the Book. She will be confined to the rights that are only allowed her by her husband. When compared with the rights that she has been provided by Islam, those which are granted by him will appear wholly insufficient and restrictive. Besides, he will never treat her with a consideration of the high status that Islam has conferred upon her. (Indeed, he is under no religious compulsion, whatsoever, to act likewise). Therefore, for such a one as her, brought up as she was in an Islamic environment, the treatment and consideration she receives in the home of her husband will all prove overbearing. Most of the privileges which she had earlier enjoyed will now be of no consequence. She will, therefore, find it difficult to get along well in the household.

The condition of a woman from among the people of the book who is brought to the Muslim home is quite different. She will be treated with even greater attention than in her own home. The privileges that she becomes entitled to here will be much higher than the ones with which she was favoured in her own home. She, thus, finds no difficulty in getting along with life in her husband's home.

As far as a Muslim is concerned, Allah and His messenger is more dear to him than his own self, wealth or family. This love is moreover related directly to his religion. To him, therefore, hearing Allah and his messenger being made the object of ridicule is more difficult than losing his own life. The Jews and Christians believe that the Prophet was an imposter. There are even those who describe him as the Anti-Christ. It is natural, therefore, for them to ridicule him and to show him in poor light. If a Muslim woman is taken in marriage by any amongst the 'People of the Book', her life with him in his household will be equivalent to life in Hell itself. There will be many remarks from his side and from the side of the other members of his family which insult the person of Prophet Muhammad (pbuh). For, after all, it has become their religious obligation as well. Thus, she will never be able to carry forward her life with him.

However, this is not the case of the woman from among the

'People of the Book' who is brought, in marriage, to the Muslim home. She will never experience such humiliation in the name of her religion. For it is the religious obligation of the Muslim to respect and honour all the earlier messengers. Indeed, whenever the Muslim hears the name of Moses, who is revered by the Jewish woman, or of Jesus, who is revered by the Christian woman, being uttered, he himself makes the prayer, 'May peace be upon him'. They hear only the best talk about those whom they hold in reverence. Thus, her life with a Muslim is never a painful experience.

The marriage with women of the 'People of the Book' is only a permission that has been granted. It is possible to do so in an inevitable situation. Furthermore, those who really follow the Prophet, who had himself said, 'Marry a woman who is God-conscious', will naturally prefer believing women as their mates. They will prefer partners in religion to be their life partners as well.

Is not Jihad the battle against those who are not Muslims? Does not the Qur'an, which incites Muslims to Jihad, thereby propagate animosity towards other religions ?

In Arabic, *Jihad* refers to the struggle to attain slated goals by persevering against all difficulties and obstacles that may come up in the process. Indeed, the term *Jihad* has been used both in the Qur'an and the saying of the Prophet to mean the highest exertion in the cause of God. It never implied the attacks against non-Muslims.

It is the duty of every Muslim to strive in the way of God. Look, for instance, at a verse of the Qur'an which exhorts to the way of incessant striving. **"And strive in His cause as ye ought to strive, (with sincerity and under discipline). He has chosen you, and has imposed no difficulties on you in religion; it is the religion of your father Abraham. It is He who has named you Muslims, both before and in this (Revelation); that the messenger may be a witness for you, and ye be witness for mankind! So establish regular prayer, give Zakat and hold fast to Allah! He is your**

Protector - the Best to protect and the Best to Help?" (H.Q. 22:78)

It is especially relevant that in this verse, which explains the nature of *Jihad* and exhorts the believers to come forward for the same, the statement **"that the messenger may be a witness for you, and ye be witness for mankind"** has been mentioned explicitly. The Muslims are those who, after Muhammad (ﷺ), have been entrusted with the furtherance of the mission of all the earlier prophets. Therefore, *Jihad* is the struggle and sacrifice that becomes necessary in accomplishing the mission of witnessing to the true religion.

A Muslim must firstly prepare himself for the mission of witnessing to the true religion. An individual carries out *Jihad* with his own self by subjecting, and controlling, all his likes and dislikes to the dictates of the divine commandments. Indeed, in accomplishing his mission a Muslim is duty-bound to subject his wealth, family, society and environment to a proper and apt preparedness. All these preparations come within the meaning of the term *Jihad*.

A Muslim fulfills his mission of bearing witness to the true religion by living his life according to the divine religion and also by its propagation. It is also the duty of each Muslim to become part of the process of working for change in a situation wherein the freedom for carrying out both these objectives is curtailed. It is also his obligation to be an active member even of an armed campaign for the restoration of the freedom of religious practice in the event that such a situation comes up and, wherein, the Muslim society *does* decide that such a course of action is, indeed, imperative.

Jihad is never the battle waged against non-Muslims in a simplistic and general sense. It is, in fact, the nature of life that is lived in accordance with Islam and the exertions, sacrifices and struggle that will be necessary to throw aside the forces that disallow one to live as a Muslim. Only in such circumstances, therefore, will *Jihad* be in the form of an armed campaign. All legal codes in the modern world recognize the right of

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every single person to live by, and to propagate, the tenets of the religion that he, or she, believes in. It is the duty of the Muslim community to make efforts to regain this fundamental right if it is denied to it. It is only when resort is made to the use of force in such efforts that it comes to imply armed opposition. The Qur'an does permit the Muslim community to employ force when it becomes quite inevitable in the context wherein the freedom to live one's life in accordance with the religion of truth and to propagate it is denied.

Even in the instances where armed struggle is waged against those who deny the right to live one's life according to Islam and come forth to make war against the Muslim community, it is the recommendation of the Qur'an that limits be not crossed and that no further action be taken against them if they refrain from the opposition and antagonism which they had displayed earlier.

“Fight in the cause of God those who fight you but do not transgress limits; for God loveth not transgressors.” (H.Q. 2:190)

“But if they cease, God is Oft-Forgiving, Most Merciful.” (H.Q. 2:192)

Where but in the Qur'an can we ever find such a humane recommendation that full justice must be meted out even in the field of battle!

In all other situations it will remain only as the life that is lived according to Islam and as the struggle that goes with the propagation thereof.

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