

IQBAL REVIEW

Journal of the Iqbal Academy Pakistan

Volume: 58

April-June 2017

Number: 2

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IQBAL REVIEW
Journal of the Iqbal Academy Pakistan

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Email. into@iap.gov.pk Website: www.allamaiqbal.com

Published annually: *Iqbal Review* Two issues (April and October)
Iqbalīyat Two issues (January and July)

ISSN: 0021-0773

Subscription

PAKISTAN

Per issue Rs.150/-
Per year Rs.600/- (for one year.)
(Postage included)

FOREIGN

Per issue \$ 6.00
Per year \$ 20.00 (for one year.)
(Postage included)

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TOWARD A PLURALISTIC
UNDERSTANDING OF THE QUR'ĀNIC
MESSAGE: RECONCILING INCLUSIVISM
AND TRADITION IN ISLAMIC EXEGESIS

Joseph Lumbard

ABSTRACT

This paper explores the concept of tolerance and pluralism in the Qur'an, particularly through the lens of verses that advocate for an inclusive approach to people of different faiths. Verses such as 2:62 and 5:69 emphasize that belief in God and righteous deeds are the key to salvation, regardless of one's specific religious identity. However, these inclusive messages have often been overshadowed in Islamic scholarship by more exclusivist interpretations, such as those found in verses like 3:85 and 5:3, which are traditionally understood to affirm the superiority of Islam and its exclusive path to salvation. The majority of Muslim scholars throughout history have favored an exclusivist reading of the Qur'an, interpreting universalist verses in light of theological traditions that emphasize Islam's finality. This interpretation is supported by a well-established exegetical tradition and reinforced by hadith, such as the one asserting that non-Muslims who reject the Prophet Muhammad's message will be condemned to hell. In contrast, this paper suggests that a more pluralistic and universalist understanding of the Qur'anic message can be achieved by remaining faithful to traditional Islamic methodologies, but differing in the application of their interpretations. This approach highlights that the Qur'an presents a continuity of revelation, acknowledging the legitimacy of previous prophets and religious communities, as seen in verses such as 4:163-164 and 42:13. These verses imply that Islam is part of a broader tradition of submission (*islām*) to God, a way of life shared by all prophets and their followers throughout history. Moreover, the paper contends that the exclusivist interpretations have often strained philology and neglected the original linguistic meanings of key terms, such as "*islām*," which in the Qur'anic context refers more broadly to submission to God's will, rather than a specific historical religion. By revisiting the original meanings of these terms and engaging with the Qur'an's inclusive messages, it is possible to foster a more pluralistic and tolerant interpretation of Islam, one that remains rooted in its foundational texts while acknowledging the diversity of human religious experience. This pluralism aligns with the Qur'anic ethos of reverence toward God and good deeds as the ultimate criteria for divine favor, as highlighted in 5:48 and 49:13.

What first drew me to the teachings of the Qur'ān, and even persuaded me that they were the teachings by which I wish to live my own life, are the verses that clearly advocate an attitude of tolerance and acceptance toward people of other faiths. Verses such as:

Verily those who believe and those who are Jews, and the Sabeans and the Christians are those who believe in God and the last day and do righteous deeds, so they have their recompense with God. They shall not fear nor shall they sorrow.
(2:62, 5:69)

rang true to my ear and seemed to transcend much of the religious bigotry to which human history bears witness in all too many forms. Other verses, such as, *and we have sent to every people a messenger, that they may worship God* (16:32); *and for every people there is a messenger* (10:48), seemed to speak of a universality of revelation and prophecy. I was somewhat surprised in later years to discover that the majority of Muslims have usually explained such verses in a manner that either dismisses them as abrogated (*mansūkh*) or employs complex philology to explain that the apparent, literal meaning is not the real meaning.

Despite a clear message of universality, tolerance and pluralism in the Qur'ān, the main line theological and hermeneutic traditions have almost always chosen to read the universal, inclusivist dimension of the Qur'ān, and of the sayings of the Prophet Muhammad in light of more exclusivist verses such as, *Verily the religion with God is Islam* (5:3), and *Who seeks other than Islam as a religion, it will not be accepted from him* (3:85). These are trumpeted in many quarters as incontrovertible evidence that only those who follow the Prophet Muhammad shall be saved. As Imām Yaḥyā al-Nawawī (d. 1277) has written:

Someone who does not believe that whoever follows another religion besides Islam in an unbeliever (like Christians), or doubts that such a person in an unbeliever, or considers their sect to be valid, is himself an unbeliever (*kāfir*) even if he manifests Islam and believes in it.¹

Indeed, the weight of “tradition” is undoubtedly on the side of one who prefers an exclusivist reading of the Qur'ān. This has brought many Muslims, such as Farid Esack, Ali Asghar Engineer,

Muhammad Arkoun and others to propose a radical break with the tradition in a favor of more pluralistic understanding of the Qur'anic message. Such figures all too often maintain that the traditional methodologies for understanding the Qur'ān need to be abandoned in the name of a new hermeneutic that accounts for the nature of the times in which we live.

As Jane McAuliffe has demonstrated in *Qur'anic Christians* and more recently Yohanan Friedmann in *Tolerance and Coercion in Islam*,² the majority of Muslim scholars throughout history have interpreted the exclusivist verses of the Qur'ān more literally than the inclusivist verses. Indeed, this is the common interpretation one finds on the street and in the Mosque, where verses such as: *Verily the religion with God is Islam* (5:3), and *Who seeks other than Islam as a religion, it will not be accepted from him* (3:85) are trumpeted as incontrovertible evidence that only those who follow the Prophet Muhammad shall be saved. This is then supported by the oft-cited *hadith*,

By Him in whose hand is the soul of Muhammad, there is no Christian or Jew of this community who hears of me and then dies without believing in that with which I was sent but that he is among the companions of the fire.³

Nonetheless, many verses clearly indicate that the new revelation brought by Muhammad is but a continuation of previous ways:

Verily We have revealed to you as We revealed to Noah and the prophets after him. And We revealed to Abraham, Ishmael, Isaac and the tribes and Jesus, Job, Jonas, Aaron, and Solomon, and We gave David the Psalms; and messengers regarding whom We have told you stories and messengers regarding whom We have not told you stories (4:163-4);

God has laid down for you as religion that with which He charged Noah, and what we have revealed to thee, and that with which We charged Abraham, Moses, and Jesus: "Establish the religion, and scatter not regarding it." (42:13);

And We never sent a messenger before thee save that We revealed to him, saying, "There is no God but I, so worship Me." (21:25);

Some verses even imply that the content of all revealed messages is one and the same: *Nothing has been said to you save what was said to the messengers before you* (41:43). But one who wishes to substantiate the claim that all such verses allude to the validity of other faiths will often find himself thwarted by the exegetical tradition, which almost always opts for exclusivist interpretations of the Qur'ān, even when philology must be strained in order to substantiate such claims. One obvious example of straining

philology is found on the interpretation of *And We have sent to every people a messenger, that they may worship God* (16:32), and 10:48: *And for every people there is a messenger. When their messenger comes, they are judged with equity and are not wronged.* At face value these affirm the validity of all religions prior to Islam. But rather than being read as affirmations of the universality of revelation, they are usually presented as declarations that the Prophet Muhammad is God's Messenger sent to all humankind in every land, such that all other religions are now abrogated. But were the reference to the Prophet Muhammad alone the proper Arabic would say "the Messenger" rather than "a messenger." Though this is a very subtle and even debatable philological point, other verses which make very literal inclusivist and even universalist statements are explained away, not only through philology, but through the trump card of "tradition"—*taqlid*. Those who take such verses as confirming the validity of other religions must therefore, as Jane McAuliffe puts it, "be compelled by the exegetical tradition to acknowledge that they are creating new interpretive strategies."⁴

The universalist verses of the Qur'ān are either explained away through creative and clever philology or are claimed to have been abrogated by later revelations. Rarely are they allowed to stand alone as the unencumbered word of God. In response to this, some Muslim authors have attempted to address this question anew in recent years, privileging the "pluralistic" and universalist dimension of the Qur'ān, while explaining away or even dismissing the more exclusivist verses. While such an effort gives hope for a more tolerant mode of Islamic theology and Qur'ānic exegesis, works such as Farid Esack's *Qur'ān Liberation and Pluralism* have demonstrated such blatant disregard for traditional Islamic scholarship that they have no hope of any influence beyond a select group of Western and Westernized Muslims. The fact is that we have yet to find a way to emphasize the universalist element of the Qur'ān and the Prophet's message without estranging the majority of Muslims and breaking completely from tradition.

In this paper, I propose that there is a way in which a universalist and pluralistic understanding of the Qur'ānic message can be attained through a methodology that remains true to the basic principles or roots (*uṣūl*) of Islamic scholarship and even to the methodologies, but differs in the branches (*furū'*) and fruits that are nourished and sustained through those roots. This will not necessarily be a new reading, as many (mostly Sufis) have alluded to

it throughout Islamic history. But in an age of globalization when everything overlaps and interpenetrates we have reached a point that it needs to be part of mainstream Islam.

To substantiate such a procedure within the context of traditional Islamic scholarship, one can call upon a famous saying of the tradition: “The divergence of the scholars is a mercy.” As Frithjof Schuon remarks in commenting upon this saying:

... if ‘the divergences of theologians are a blessing’ as Moslems say, this means that the total doctrine, contained more or less synthetically in the Revelation, is rendered explicit only by ‘fragments’ which are outwardly divergent, although fundamentally concordant.⁵

The outward divergence of such doctrines is what lies in the branches. Here the tree of tradition can be seen as one whose various branches produce different kinds of fruit. The fundamental concordance is the fact that they all derive from the same roots. This is to say that within Islam “orthodoxy” is not so much a body of conclusions as it is a methodology and more importantly sincere engagement with the Qur’ān and the sayings of the Prophet Muhammad— and of the teachings of the Imams for Shī’ite Muslims.

In failing to observe this when we seek to emphasize the pluralist and inclusive message of the Qur’ān, we risk a fall into an iconoclastic confrontation with tradition, rather than a methodical accounting and development of its teachings. This will benefit no one, for the new conclusions attained, however true they may be, will have no soil in which to take root. As Frithjof Schuon has written:

Dogmatic form is transcended by fathoming its depths and contemplating its universal content, and not by denying it in the name of a pretentious and iconoclastic ideal of ‘pure truth’.⁶

Now, from a Qur’ānic perspective, *We have sent no messenger save with the tongue of his people* (14:4). Read literally, this has important implications for how we read and understand the Qur’ān. Over time Muslims have come to read the Qur’ān not necessarily in the language in which it was revealed, but by applying institutionalized definitions that are far from the literal meaning many of the Arabic words had in the time of the Prophet himself. These institutional definitions often become of greater concern than the literal meaning of the words themselves, leading to what Walid Saleh has

referred to as the conflict between tradition and philology in the exegetical tradition. If we do not always keep the philology in mind and look to the meaning of the Arabic words in the historical context in which they were used, we quickly become victims of our own cultural and denominational limitations. Here tradition becomes *taqlīd* rather than *sunna*.

This phenomena is very clear in the most widespread interpretation of the last two lines of Surat al-Fātiḥa: *Lead us on the straight path; the path of those whom You have blessed, unlike those upon whom is Your anger, nor those who are astray* (1:6-7). As Tafsīr al-Jalālayn maintains, the Muslims are those on the straight path, the Christians are those who are astray and the Jews are the ones subject to God's anger. From this perspective, Judaism and Christianity are intermediary stages on the way to Islam at best. But uncritical allegiance to corrupted beliefs and practices prevents Jews and Christians from embracing the fullness of revelation that is the Qur'ān.

The most straightforward example of tradition trumping philology is the interpretation of the word "*islām*." Today, as for the past 1200 years or more, the word "*islām*" is taken to indicate a particular set of beliefs and practices adhered to by a certain segment of humanity. But when the Qur'ān was first revealed what did this word mean? As Toshiko Izutsu has demonstrated in his masterful books *God and Man in the Koran* and *Ethico-Religious Concepts in the Qur'ān*, the original meaning of this word in pre-Islamic poetry is not only "to submit," but moreover to give over something that is particularly precious to oneself and which it is painful to abandon, to somebody who demands it.⁷ So when the Prophet Muhammad first presented a "message" that claimed to be "*islām*," the words would have been understood far differently than what we understand today. Moreover, the way this word is used in the Qur'ān actually provides the raw material for a very eloquent understanding of religious pluralism, one wherein all revelations throughout history are seen as different ways of giving to God that which is most difficult to give—our very selves.

To illustrate this, I will mention several of the Qur'ānic verses regarding Islam which can be taken to present every previous revelation as a way of submitting—*islām*, rather than the historical religion of Islam. Such verses present *islām* as a way of life, not a particular creed. The first to declare himself a Muslim in the

Qur'ān is the Prophet Noah: *I was commanded to be among the submitters (Muslims) (10:72)*. Regarding Abraham, the forefather of Judaism, Christianity and Islam, the Qur'ān states, *Abraham was not a Jew or a Christian, rather he was a pious follower, a submitter (Muslim) (3:67)*. According to the Qur'ān, *His Lord said to him (Abraham), "Submit!" He said, "I submit to the Lord of the worlds" (2:131)*. After Abraham and his son Ishmael erected the Ka'aba they prayed, *Our Lord, make us submitters unto You and make our offspring a nation submitting unto You. Show us our religious rites and turn unto us . . . (2:128)*. A few verses later, it is said that both Abraham and Jacob advised their sons, *O my sons, God has chosen the way for you. So do not die but that you are submitters (2:132)*. From this perspective, every prophet of the Judeo-Christian-Islamic tradition has taught a different mode of submission to God. The creeds, laws and languages differ, but the essential message is the same. Thus the Qur'ān tells us of Jews and Christians:

And when the Qur'ān is recited to them, they say, "We believe in it. Truly it is the truth from our Lord. Truly before it [was revealed] we were submitters (28:52).

The Apostles also implored Jesus, *We are the helpers of God! We believe! Bear witness that we are submitters (3:52)*. Confirming the inner substance of these various forms of submission, the Prophet Muhammad has said: "The Prophets are half-brothers, their mothers differ and their way (*din*) is one."⁸

At face value such verses very clearly state that *islām* is a universal and perennial way of life practiced by the great founders of all previous religions/ways (*dins*) and their followers. But once "*islām*" becomes Islam, an institutional definition or conception is formed and such verses become more problematic. Rather than resorting to philology to clarify the institutional interpretation of these verses, the majority of Muslim exegetes have provided historical explanations, telling us that those who say *Truly before it [was revealed] we were submitters* are in fact those Christians and Jews who had read the verses in their scriptures that spoke of the coming of Muhammad and thus believed in him. But the exegetes are not able to provide textual substantiations from the Bible for such assertions. Perhaps this is because, as the Qur'ān itself states, previous revelations have been "altered." But this leaves us wondering how these exegetes knew this to be true. Unfortunately, the logic is quite circular: the Qur'ān tells us that they are Muslims, Muslims are the people who follow the message of the Prophet Muhammad, therefore, they believed in the Prophet Muhammad.

In other words, the institutionalized meaning of “*islām*” has trumped the linguistic meaning.

Examples of such exegetical slight of hand abound, and often involve far more subtle maneuvering to achieve the desired end— or to make the Qur’ān conform to “tradition.” But to examine them in detail would require an extensive study. As with the interpretation of the word *islām* one often finds that a reading of the Qur’ān that accounts for its most literal meaning yields meanings that are in conflict with the traditional Muslim understanding of other religions.

Perhaps the Qur’ān itself warns that this will some day occur. For a passage that is often read as a condemnation of Judaism and Christianity by Muslims is actually a condemnation of religious condemnation:

*They say, “None will enter the garden but those who were Jews and Christians.” These are their desires (amani). Say, “Bring your proof if your are veracious.” Rather one who submits his face to God and does what is beautiful, he has his reward with God. No fear is upon them and they shall not sorrow. The Jews claim the Christians are based upon nothing, and the Christians claim the Jews are based upon nothing, yet they recite the book. **Likewise, those who do not know, claim the like of their claim.** Then God judges between you on the Day of Judgment regarding that wherein you differed. (2:111-113, Emphasis added)*

In this vein, it may be wiser to read Qur’ānic condemnations of people of other faiths, not as condemnations of their faiths as such, but as a condemnation of hardness of heart that causes people to read the Qur’ān in accord with their own desires. We must be aware that those who follow the Prophet Muhammad are also susceptible to forgetting *a portion of what they were reminded of* (5:13). Indeed, that Muslims would fail to follow the fundamental precepts of the Qur’ān was foreseen by the Prophet Muhammad. Many a *ḥadīth* tell us that Muslims will follow their religious predecessors, by selling God’s verses for a small price and believing in some of the book and disbelieving in some of it. On one occasion, a companion asked him how knowledge could vanish when Muslims will continue to teach the Qur’ān generation after generation. The Prophet replied, “May your mother weep for you! Do you not see these Jews and these Christians? They read the Torah and the Gospels and do not act in accord with them.”⁹ Another famous *Ḥadīth* states:

There will soon come upon the people a time in which nothing of the Qur'ān remains save its trace and nothing of Islam remains save its name; their mosques will be full, though they are devoid of guidance. Their scholars are the worst people under the sky, from them strife emerges and spreads.¹⁰

A well-known Qur'ānic verse contends that the multiple means by which human beings worship God is part of the test that they confront in this world:

And for each we have made among them a law and a creed; and if God wanted He would have made you a single community, but to try you regarding what has come to you, so vie in good deeds; to God is your return all of you, so we inform of that wherein you differed. (5:48).

This reveals that there are different ways of understanding God and the relationship with God for different human collectivities. God has not revealed one law, but many laws. To each law corresponds a particular creed. Other passages confirm this by revealing that God has also revealed different rites of worship for different human collectivities:

For every community (umma) We have made a rite that they practice with devotion. So let them not contend with you in this matter. And call to your Lord; truly you are upon a straight guidance. And if they dispute you, then say, "God knows best what you do. God judges between you on the day of resurrection regarding that wherein you differ." (22:67-69)

The reason for these differences in creed and practice is revealed in the following verse:

*O Mankind! We have created you of a male and a female, **and have made you peoples and tribes that you may know one another**; surely the most honorable of you with God is the most reverent; surely God is Knowing, Aware. (49:13, Emphasis added)*

From this perspective, what is most important is not whether or not one follows a particular creed or practice, but that one is reverent toward God in adhering to one of the particular modes of submission that God has revealed. In this light, the revelations of many different religions could be seen as a test—the test alluded to in 5:48. The changing face of our world has put Muslims in a position where they must ask themselves anew whether or not they have passed that test.

Notes and References

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 - ² Yohanan Friedmann, *Tolerance and Coercion in Islam: Interfaith Relation sin the Muslim Tradition*, (Cambridge, Cambridge University Press, 2003).
 - ³ Sahih Muslim, *Kitāb al-Iman*, 72.
 - ⁴ Jane Dammen McAuliffe, *Qur’anic Christians: An Analysis of Classical and Modern Exegesis* (Cambridge, Cambridge University Press, 1992), p. 290.
 - ⁵ Frithjof Schuon, *Stations of Wisdom* (Bloomington, IN, World Wisdom Books, 1995), repr. Lahore: Suhail Academy, 2004,p, 4.
 - ⁶ *Stations of Wisdom*, p. 4.
 - ⁷ Toshiko Izutsu, *God and Man in the Koran* (Salem, NC, Ayer Publishing Co., 1987), p. 199. For an extensive treatment of the over semantic field of the word *islām* see Chapter 8 “Jahiliyyah and Islam.”
 - ⁸ Bukhārī, *Kitāb al-Anbiya’*, 48, Ibn Māja, *Kitāb al-Fitan*, 26.
 - ⁹ Sunan Ibn Māja, *Kitāb al-Fitan*, 26.
 - ¹⁰ Al-Bayhaqī, *Shā‘b al-imān* (Beirut, Dar al-kutub al-‘ilmi, 1410/1990), vol. 2, p. 311.

THOUGHTFUL INTELLIGENCE AND
INNER PURITY: NAVIGATING MORAL
DEVELOPMENT THROUGH SELF-
CLEANSING

Dr. Musarrat Jabeen

ABSTRACT

This article explores the concept of “thoughtful intelligence” as a means of inner cleansing, emphasizing that moral development begins from within. Through personal reflections, including Khizra’s journey in overcoming jealousy and embracing opportunities for international recognition, the article demonstrates how thoughtful intelligence helps individuals detect, prevent, and respond to internal and external threats to moral values. The focus shifts to addressing vices such as arrogance, anger, vengefulness, and lust, contrasting them with virtues like humbleness, love, kindness, and modesty. The text stresses that thoughtful intelligence fosters purity by promoting virtues, which in turn, enhances connectivity with others and the broader system of humanity. Anchored in Islamic teachings and quotes from thinkers like Iqbal, the article provides a framework for self-purification, emphasizing the importance of humility, self-reflection, and adherence to moral beliefs. Through exercises and examples, readers are encouraged to develop inner virtues, with the ultimate goal of achieving contentment and moral integrity. The article concludes with a call to cultivate “thoughtful intelligence” for navigating challenges and building a life of compassion and purity.

Thoughtful Intelligence and Inner Purity emphasizes the importance of introspection and conscious self-awareness in fostering moral development. Thoughtful intelligence refers to the capacity to reflect on one's thoughts, emotions, and actions, aligning them with moral values that defend against internal vices such as arrogance, jealousy, and anger. By practicing self-cleansing, individuals are able to recognize and mitigate the negative influences of these vices, replacing them with virtues like humility, kindness, and compassion. This process nurtures inner purity, enhancing personal growth and deepening one's connection with others. Rooted in Islamic teachings and reflective practices, thoughtful intelligence enables individuals to elevate their spiritual and moral compass, promoting a life of balance, contentment, and righteousness. Through consistent self-examination, thoughtful intelligence becomes a guiding force, helping individuals navigate moral challenges and contribute positively to the greater system of humanity.

Thoughtful Intelligence initiates in-side cleansing: because the individual thrives from the in-side out. This defense includes detection, prevention and response to threats through the use of moral beliefs, values, rules and practices.

One of Khizra's junior got an opportunity to present her research paper in an International conference in Sri Lanka in 2001. Till that time no international conference had taken place in Khizra's academic life. She did not feel good to hear about her junior's conference participation. But she was able to detect the evil in her and wanted to prevent it. She struggled and tried to convince herself that she should not carry jealousy in her mind and art. Then she started to find out opportunities for her. She also started sharing the information with her colleagues. By following these two steps, she was able to earn two achievements. The first was the elimination of *jealousness* in her by knowing that she can have opportunity of participation in international conferences. The second was the elimination of *blame* that she put on her colleagues for not sharing the information of an international opportunity with her. Khizra's first exposure in international conference happened in 2003 in the Oxford University. Since then she presented her research papers in 40 well reputed international

conferences. She also organized and headed the research panels in international conferences.

This day, Khizra counts the results of her *approach to thoughtful intelligence* for in-side cleansing regarding in-side evils of jealousy and blaming because her thinking capacity nurtured moral development in her and enhanced her connectivity in the system of humanity.

Khizra's mentor Qareeb advises, "If you feel the need of 'Greater Pilgrimage'; set out to travel infinite distances in-side you." I suggest inner journey to determine the in-side vices and virtues. This article describes the vices in-side the individual impeding the purity and highlights the virtues elating the purity.

I. Edifice of purity

II. In-side vices

1. Arrogance
2. Anger
3. Vengefulness
4. Lust

III. In-side virtues

1. Humbleness
2. Love
3. Kindness
4. Modesty

IV. Edify purity

I. Edifice of purity

The mind-set should be cleansed before serving the new style of thinking. The purity leads to thoughtful intelligence. Thoughtful intelligence has to do more with the inner understanding of outer practices that benchmarks and automates outer practices. To have and perform this strength the struggle is about in-side cleansing.

قَدْ أَفْلَحَ مَنْ تَزَكَّى ۝

Prosperous are those who purify themselves. ¹

Iqbal says:

ہو اگر خود نگر و خود گر و خود گیر خودی
یہ بھی ممکن ہے کہ تو موت سے بھی مر نہ سکے

If the ego is self-preserving, self-creating and self-sustaining, Then it is possible that even death may not make you die².

II. In-side vices

“Declare your jihad on twelve enemies you cannot see - Egoism, Arrogance, Conceit, Selfishness, Greed, Lust, Intolerance, Anger, Lying, Cheating, Gossiping and Slandering. If you can master and destroy them, then will be ready to fight the enemy you can see.”³ Here I focus four in-side evils; arrogance, anger, vengefulness and lust.

1. Arrogance

‘Arrogance’, is the mother of all evils which releases negative energy in-side and outside the human being. Arrogance means rejecting the truth and looking down on people. An arrogant person goes against the reality of *human dignity*.

Symptoms of arrogance: Proud and arrogant individual looks down upon others. He anticipates others to greet him and exhibit respect and deference towards him. A proud man will not tolerate any other to be on equal terms with him. In private and in public he expects that all should assume a respectful attitude towards him. They should acknowledge his superiority and treat him as a higher being. They should greet him first and make way for him wherever he walks. When he speaks everyone should listen to him and never try to oppose him. He thinks that he is a genius and people are like asses. They should be grateful to him, seeing that he is so lofty.

Arrogant thinking: Always nurturing aspects of his superiority and greatness within his mind and thinking that there is no need to change his arrogance.

Development of arrogance: Arrogance is one of the consequences of vanity and self-conceit. When an individual thinks too highly of himself, it is self-conceit; and when he tends, moreover, to consider others as inferior to him, that is arrogance. Arrogance is a mental state causing self-admiration and haughtiness against others in words or deeds. Arrogance is one of the most fatal of moral vices. This is so because arrogance is a thick veil which hides one’s shortcomings from his own view and thus prevents him from removing them and attaining betterment.

Impact of arrogance: Pride and self-esteem lock him all. So long as man feels elated he will not like for others what he likes for himself. *His self-esteem will deprive him of humbleness, which is the essence of righteousness.* He will neither be able to discard enmity and envy, resentment and wrath, slander and scorn, nor will he be able to cultivate truth and sincerity, and attention to any advice. In short,

there is no evil which a proud man will not inevitably do in order to preserve his elation and self-esteem.

Eradicating arrogance: The following way will help to eradicate arrogance. The Holy Prophet Muhammad (رسول اللہ خاتم النبیین صلی اللہ علیہ وعلی آلہ) (صحابہ وسلم) says: “Even if you do not commit any sins, I fear that you may fall into something which is worse: pride! pride!” “Pride comes before the fall⁴.” Imam Ali (AS) says: “I wonder at the arrogance of a haughty and vain person. Yesterday he was only a drop of semen and tomorrow he will turn into a corpse.”

مت کر اتنا غرور اپنے آپ پر انسان
نہ جانے خدا نے کتنے تیرے جیسے بنا بنا کر مٹا دیئے

O man do't be proud;
God erased many like you after creating⁵

What is envy? Not acceptance of good in others. If we accept that good it turns into inspiration.⁶

What is hatred? Not acceptance of person as he is---If we accept the person unconditionally----it becomes love.⁷

Exercise

Offer Namaz. Namaz is power that relieves a human from ‘Arrogance.

2. Anger

Anger is an emotion characterized by antagonism towards someone or something you feel has deliberately done you wrong. Anger is an emotional response to a real or imagined threat or provocation. Anger can range in intensity from mild irritation to extreme rage. Anger is when one's blood boils confronted with a difficulty or with something unwanted. If one does not control himself in these situations he will seek revenge.

Significance of Anger: It is not necessarily a “bad” emotion. Anger makes people feel strong and powerful, which can motivate them to stand up for what they believe is *righteous*. Anger is both Merciful and Satanic. Anger can bring man to such a state that his angelic face will be turned into the face of a predatory animal. Anger must be used in the correct way. If a person uses anger in the animalistic way he will lose his angelic shape and turn into a predatory animal, but if he uses anger in the humane way he will become a perfect man, an example of good and full of

blessings. Of course, man would not be able to live without anger. Considering all the obstacles in life, how would man be able to live without anger? But, if a man uses his anger in the animalistic way it will cause him to fall down from the state of humanity.

Anger management: Anger must be used in the correct way. Anger should occur when there is a barrier between him and improvement or perfection. One must become angry when another person wants to oppress him. What is meant by this is that he must not allow the other person to oppress him.

“Renunciation of the world is followed by peace; its desire brings sorrow. Retrain your desires, discipline yourself, and do not allow anyone to oppress your soul⁸.”

Animalistic anger is the anger which is irrational. Whether it is anger or revenge, whenever it is against the intellect or against a religious law, it becomes animalistic. Suppose a person unintentionally hurt you, suppose he fell on you. If you get angry at him, curse him out and try to get revenge, you have used anger in the animalistic way. The person *unintentionally* hurt you he did not do it on purpose. An animal does not understand intentional and unintentional act so whenever something occurs that is against its will it gets angry. However a human being can understand if the other person hit him intentionally or unintentionally. The amount of anger that one has at oppression and sin, should be in relation to that form of oppression and sin. Some sins are bigger than others so the level of anger for those sins should be more as well. For example, these three sins are different, a woman having a little bit of her hair outside of her hijāb, a man drinking alcohol openly and a man killing an innocent person. The first sin is the smallest sin and the last one is the biggest. This holds true for seeking revenge as well. For example, you cannot do more than slap someone who slapped you or you cannot swear twice at someone who swore at you once. Of course, in any case it is better to forgive. There is a pleasure found in forgiving that is not found in revenge.

Moral: One must also be angry at those who create corruption, those who commit sins openly.

3. Vengefulness

Vengeance is a deep-seated dislike or ill will. Enmity suggests positive hatred which may be open or concealed. When a person is unforgiving, he is being vengeful. When you do not have faith in

yourself and trust in the creator, then you are being unforgiving and vengeful. When hatred shelters in hearts, kindness turns away.

Eradicating Vengefulness: The Quran mentions many times; that God is the most merciful and beneficent. In fact, all except one of the 114 chapters of the Quran begin, “With the name of God the Entirely Merciful and the Especially Merciful.” These two descriptions of God are sometimes translated as ‘the Compassionate the Merciful’. However in Arabic grammar, both names are an intensive form of the word ‘merciful’.

Rehaman means merciful to all creation and justice is part of this mercy. Raheem means merciful especially to the believers and forgiveness is part of this mercy. A complementary and comprehensive meaning is intended by the use of both of them together. In addition Allah speaks of his forgiveness throughout the Quran. In fact, God’s mercy and forgiveness have been mentioned together more than 70 times in the Quran.

4. Lust (temptation)

Lust is a strong emotion or feeling. The lust can take any form such as the lust for sex, lust for costly objects or the lust for power. It can take mundane forms such as the lust for food or it can become as distinct from the need of food.

Lust results in the continuation of human life. Lust and anger are two traits, two powers that Allah has put in-side the man. The continuation of mankind is dependent on these two traits. *Lust is used to attract benefits and anger is used to keep away the loss*. If one did not have any lust or desire he would not go after the things that his body needs. Man cannot live without anger or lust (*shahawat*). Man must have lust in him so that it will invoke in him the desire to go after food and marriage.⁹ One would not eat if he did not have a desire for food, and when he does not eat he would die. So, it is a blessing that one has the desire for food that forces him to struggle to obtain something to eat. Sexual desires are also necessary for the prolongation of human life. Nobody would get married if sexual desires do not exist. Married life has its difficulties and good & bad times. There must be a desire, a lust in man for him to marry and have children. Sexual desires are necessary for the continuation of human life. There should be rational realization of lust.

Determining the middle course is helped by the prevalent level of Thoughtful Intelligence in an individual. The middle course (*sirāt al-mustaqīm*) in religious matters means that a person should not be excessive,

exceeding the limits set by Allah, the Almighty, the All-Powerful, nor be deficient, by not fulfilling what Allah, the Most Glorified, the Most High has ordained. An example of this is that a man says: I want to stand for the night prayer and I will not sleep any of the time, because prayer is one of the best forms of worship, so I love to spend all the night in prayer. This is excess in the religion of Allah, and it is not right, for something like this happened during the life of The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم). A number of people met and one of them said: I stand in prayer and I do not sleep, while another said: I fast and I do not break my fast, while a third said: I do not marry women. The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم) was informed of this and he The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم) said: “*What is wrong with people who say such and such? I fast and I break my fast, I stand in prayer and I sleep and I marry women, so whoever dislikes my Sunnah is not from me*¹⁰.”

Table 1 Indicators of In-side Evils

1. *Jealousy*: Jealousy is an emotion. The term generally refers to the thoughts of insecurity, fear, concern, and envy over relative lack of possessions, status or something of great personal value, particularly in reference to a comparator. For example the jealous fellow_doesn't congratulate the other person's achievement.
2. *Cruelty*: Cruelty is pleasure acquired by inflicting suffering. Sadism can also be related to this form of action or concept. For example, *a sadist boss doesn't allow his subordinate to go on a leave to have happy hours with his family and colleagues though the subordinate is entitled for holidays.*
3. *Idleness*: Doing nothing for example *people sitting in apathetic tolerance of corruption in the society and in highest levels of government.*
4. *Aloofness*: Being disinterested for example the *educated citizenry in Pakistan do not cast vote on the day of election and keep on sleeping.*
5. *Inhospitality*: Unfriendly and unwelcoming towards people for example *people do not answer an invitation.*
6. *Self-centered*: Preoccupied with one's self and one's affairs for example, some people consider the opportunities only for themselves and *do not share.*
7. *Refusal*: A defense mechanism in which confrontation with a personal problem or with reality is avoided by *denying the*

existence of the problem or reality. For example the individual refuses to acknowledge the *worth of a certain person in the system and ignores or rejects him.*

Source: Self extract

One's state in the hereafter depends on his state in this world. The person who falls off the middle course in this world will fall in the next world as well¹¹. Albert Einstein wrote: "A calm and modest life brings more happiness than the pursuit of success combined with constant restlessness." The paper he wrote this quote on was sold for \$1.3 million¹².

Moral: In-side evils impede contentment.

Exercise

Notice in yourself and others around you; that what is the level of in-side vices by using the liken indicators of in-side evils outside (See Table 1).

III. In-side virtues

Thoughtful intelligence can be struggled for and acquired. The growth of virtues has to face difficulty. In-side virtues are basic merits. Here I focus on humbleness, love, kindness, and modesty.

Iqbal says:

براہمی نظر پیدا مگر مشکل سے ہوتی ہے
ہوس چھپ چھپ کے سینوں میں بنا لیتی ہے تصویریں

But it is difficult to create the insight of Abraham (A.S.);
Desire insidiously paints in our breasts¹³.

1. Humbleness

In contrast to arrogance, when one thinks of himself as a small and insignificant being, that is called modesty; and when, in addition to this, he considers others as superior to himself, that is called humbleness. Humbleness is the quality of having a modest or low view of one's importance. The word 'humbleness' comes from the Latin root word which means 'ground. Humbleness, or being humble, means that one is modest, submissive and respectful, not proud and arrogant.

Indicators of humbleness: The humble individual does not anticipate others to greet and respect him. A humble person thinks that others are equal to him. He never minds when he is not greeted by the others and only speaks when he is listened to. He lowers himself to the ground instead of elevating himself above others.

While praying, Muslims prostrate themselves to the ground, acknowledging human beings' lowliness and humbleness before the Lord of the Worlds.

Humble thinking: Always nurturing aspects of his humbleness within his mind. Thinking that there is need to change is considered humbleness.

Impact of humbleness: Modesty and piety accelerate the idea to like the same for others as for one's self. A person's humbleness saves him from arrogance, which is hostile to righteousness. He will be able to disdain hostility, antagonism towards others.

Development of Humbleness: Humbleness is one of the consequences of selflessness and accepting the truth of timidity of man to the Lord of the worlds. When an individual thinks himself meek to the creator and aspires to connect with others to have his rights and to fulfill his duties, this entire act of his indicates humbleness. Humbleness is a mental state that compels a person to give to others through words and deeds. Humbleness is the apex virtue. Humbleness functions to highlight one's shortcomings and elates the capacity to move towards perfection.

Among the Jahliyya Arabs (before Islam), humbleness was unheard of. They preserved their personal honor above all else and would humble themselves to no one, neither a man nor a God. They were proud of their absolute independence and their human power. They had limitless self-confidence and refused to bow down to any authority. A man was lord of himself. Humbleness and submissiveness were considered weak traits - not a quality of a noble man. The Jahliyya Arabs had a fierce, passionate nature and would scorn anything which might make them humbled or humiliated in any way, or threatened their personal dignity and status.

Islam came and demanded of them, before anything else, to submit themselves wholly to the one and only Creator, and abandon all pride, arrogance, and feelings of self-sufficiency. Many among the pagan Arabs felt that this was an outrageous demand - to stand as equals with each other, in submission to Allah alone. For many, these feelings did not pass - indeed we still see them today in much of the world's people, and unfortunately, sometimes in ourselves. Human presumptuousness, insolence, arrogance, elevated self-worth, are around us everywhere. We have to fight it in our own hearts.

Bulleh Shah says:

بھلاں دا تو عطر بنا عطراں دا فر کڈھ دریا
دریا وچ فر رَج کے نہا مچھیاں ونگوں تاریاں لا
فیر وی تیری بُو نہیں مکنی پہلے اپنی میں نُوں مکا

Take out the essence of flowers and let it flow like a river. Bath full well in the river of fragrance and swim like a fish. But it won't remove your odor; till you kill the ego first.¹⁴

Exercise

Ask other persons for help in decision making particularly you trust. Decentralize your powers while managing a task it could be a party at home or an official task. Asking others for help empowers you as others strength is connected to you. While thinking yourself not superior to others indicates your sense of connectivity to others particularly below to you; this sense of humbleness empowers you.

2. Love

Love is a feeling of fondness or tenderness for a person or thing based on attachment. Real love wheels on concepts, values and habits of cooperation and facilitation to create prosperity in the system of humanity. Love in Islam is an all-encompassing, comprehensive and sublime, rather than being restricted to one form only, which is the love between a man and a woman. There is love for Allah the Almighty, the Messenger of Allah (PBUH) the Companions of Allah's messenger (PBUH), may Allah be pleased with them, and the love of good and righteous people. There is love of the religion of Islam, upholding it and making it victorious and the love of martyrdom for the sake of Allah the Almighty as well as other forms of love. Consequently, it is wrong and dangerous to restrict the broad meaning of love to man and woman love only¹⁵.

Indicators of love: Courage and commitment: "Courage is like muscle. We strengthen it with use¹⁶."

Appreciate Love thinking as in Table 2

Love thinking as in Table 2
1. Love yourself
2. Love your family
3. Love your institution
4. Love your community

5. Love your profession
6. Love your country
7. Love humanity

Impact of love: Love reduces stress, boosts immune health, relieves pain, and extends life.

Exercise

Meet yourself weekly by having food, dress and music of your choice. Meet yourself weekly by having food, dress and music of your family's choice.

3. Kindness

"A kind word is like spring day"¹⁷. The more you are connected; the more you have sense of belonging that gives you the chance to get more love and give more love; the basic of kindness. Islam teaches Muslims to be kind to all of the God's creations, including their parents, relatives, neighbors, animals and the environment.

Parents: Kindness and respect towards parents is stressed throughout the Quran. The Quran says that you should honor your parents, speak with them respectfully and "lower to them the wing of humbleness, and say: 'My Lord! bestow on them thy Mercy even as they cherished me in childhood'¹⁸."

Children: Muslims strive to be like The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم) and follow his examples. Many examples show the compassion The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم) had for children, especially orphans.

Neighbors: In the Quran, Allah ordains for Muslims to do good to the "neighbors who are near" and the "neighbors who are strangers"¹⁹." The Prophet said, "He is not a believer who eats his fill when his neighbor beside him is hungry" and "whose neighbors are not safe from his injurious conduct." He also said, "Whoever believes in Allah and the Day of Judgment should do good to his neighbor"²⁰."

Animals and the Environment: The Prophet said there is a reward for kindness to every living animal or human. He was tender and kind towards cats and often lowered his vessel to give cats a drink. In Islam, hunting birds and animals for pleasure or sport is not allowed. Hunting is only allowed as a means of sustenance. Similarly, Islam prohibits the cutting or destruction of trees and plants that yield fruit and, unless there is an absolute need for it.

Exercise

Make a weekly visit to the neighbors and *must* Eid visits to relations. Arrange water and meal for birds around your living place.

4. Modesty & Chastity

Lowering the gaze assures to manage the sexual lust. The sexual relationship must be declared and organized as per the morals of civilizations. The people known as unmarried couples; deviate dignity and responsibility called upon by human civilizations for male-female relationship. The attainment of young age by sons and daughters increases the responsibility of parents to arrange marriage for them. “When a man is blessed with a child, let him give his child a good name. He should bring him up on sound moral grounds and, when attains young age, the father must get him married. If the father fails to marry his son and he gets involved in any sin, the father will be held responsible for it²¹.”

Exercise

Declare the relationship as life partners (wife and husband) against the concept of boy friend and girl friend.

Table 3 Indicators of In-side Virtues

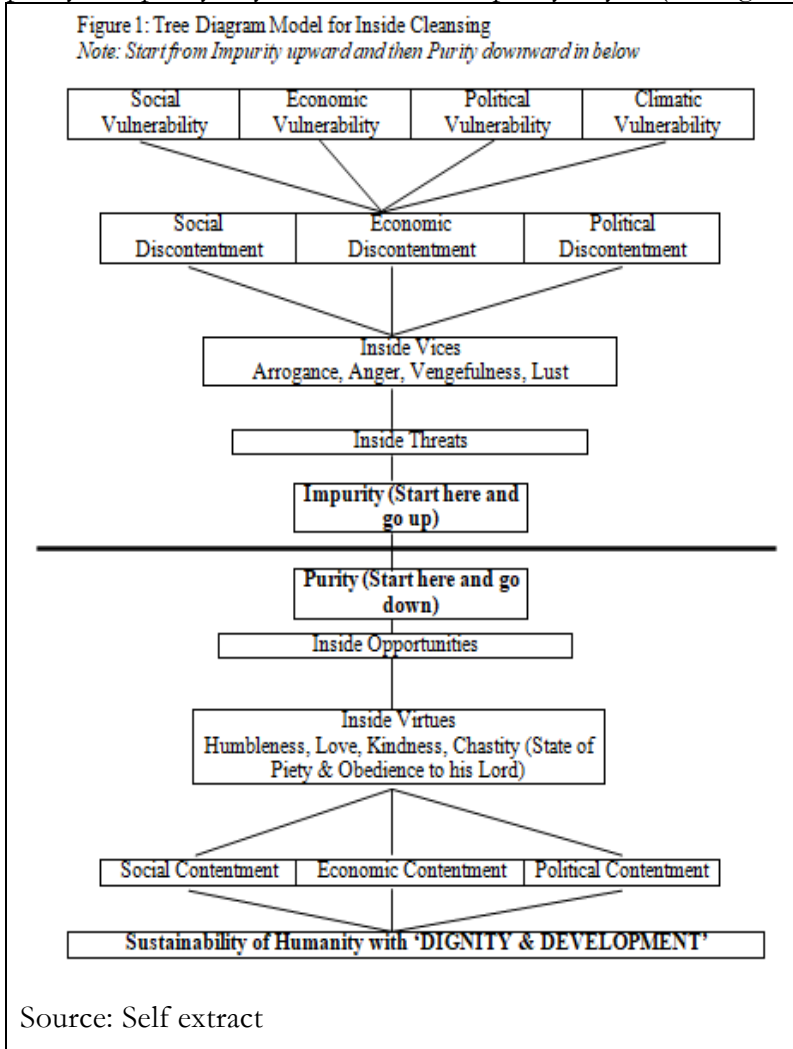
1. *Content*: State of satisfaction but trying to change the things around you; which may impact the level of existing satisfaction. The face of an individual with contentment shows the rest in-side and he *realizes the hardships of others*.
2. *Generosity*: Open handedness to spread bounty. The *knowledgeable spreads* his knowledge without discriminating the persons.
3. *Forgiving*: *Forgiveness* is the act of pardoning an offender. *You forgive* the person who hurts you.
4. *Patience*: Patience is the quality of being patient, as the bearing of provocation, annoyance, misfortune, or pain, without complaint, loss of temper, irritation, or the like. For example, the *widow rears and cares wholeheartedly* for her children without complaining the loss of her husband.
5. *Adaptability*: *Adaptability* shows the ability to learn from experience. For example, the *daughter/son in law adapts* his/her in-laws style of life.
6. *Hospitality*: Friendly treatment of visitors and guests for example, you *answer the invitation*.
7. *Confession*: Admitting that one is guilty of an offense for example, you *say sorry and admit your mistake*.

Moral: In-side virtues enhance contentment.

Exercise

Notice in yourself and the others around you; that what is the level of in-side virtues by using the liken indicators of in-side virtues outside (See Table 3).

Scaling Purity: Now you can think to scale the growth pattern of impurity and purity in you to eliminate impurity in you (see Figure 1).



It is your decision—that you choose vices or virtues to program your mind-set. Iqbal says:

پرواز ہے دونوں کی اسی ایک فضا میں
کرگس کا جہاں اور ہے، شاہیں کا جہاں اور

The vulture and the eagle soar
In the same air, but in worlds apart.²²

IV. Edify purity

“Others read your face, God reads your heart²³.” The book offers you the way to edify purity. When we start with Bismila we start to locate our relationship towards Rehman-o-Rahim that what we can have? What we can do? If we commit certain mistakes we would be forgiven. Get out of your way, be not the hurdle so as to be closer to the ever merciful.

Hazrat Ali (A.S) says:

اپنی سوچوں کو پانی کے قطروں سے بھی زیادہ شفاف رکھو کیونکہ جس طرح پانی کے قطروں سے
دریا بنتا ہے اس طرح سوچوں سے ایمان بنتا ہے۔ (حضرت علیؑ)

‘Keep your thoughts transparent like water drops because the drops compose river; likewise thoughts compose belief.’²⁴

How to establish and enhance Purity? “Truly it is in the remembrance of God where hearts find peace²⁵.”

- Remembrance of God in thoughts
- Remembrance of God in words
- Remembrance of God in actions

When each thought and action is as per style appreciated by Allah and The Holy Prophet Muhammad (رسول اللہ خاتم النبیین صلی اللہ علیہ و علی آلہ واصحابہ) than each thought and action leads to contentment. “They will enter perpetual Gardens graced with flowing streams. There they will have everything they wish. This is the way God rewards the RIGHTEOUS²⁶.” To offer Namaz is a noble deed; now if it is value added as follows, you will advance in purity:

- Ablution as practiced by The Holy Prophet Muhammad (رسول اللہ خاتم النبیین صلی اللہ علیہ و علی آلہ واصحابہ وسلم)
- Clean place
- Wearing clothes earned through legitimate sources

- Love of Allah almighty
- Love of The Holy Prophet Muhammad (رسول الله خاتم النبيين صلى الله عليه وعلى آله واصحابه وسلم)

Exercise

Count on that how many thoughts compose your intention while planning some action? The purity is classified with the Taqwa. Explain and instill Taqwa in you and in your companions as follows:

“What is Taqwa?”

Taqwa is not about looking Islamic.

Taqwa is not about sporting a beard or wearing a Hijab.

Taqwa is not about appearance.

BUT

Taqwa is when you miss a prayer, you feel uneasy the whole day.

Taqwa is when you speak a lie, you feel bad.

Taqwa is the guilt that follows when you hurt someone knowingly or unknowingly.

Taqwa is the shame and regret that follows a sin you committed knowing full well how it stands in the sight of Allah.

Taqwa is when you cannot sleep after disobeying or disrespecting your parents.

Taqwa is to cry in the depths of night fearing none but the one above the Arsh.

Taqwa is the fear that constrains you from sinning when nobody familiar is around.

Taqwa is the guts and the will to please Allah, even when the whole world is hell bent on displeasing Him.

Taqwa is to wear that beard and Hijab for the sole reason of pleasing our Creator and to keep it on as per Sunnah.

Taqwa is to stay happy and smiling, knowing that this world is a prison for believers.

Taqwa is the good manners and character we practice for the sake of Allah.

Taqwa is the struggle to better ourselves according to Islam, with each passing day.²⁷

Here I suggest you to stick on to ‘Thoughtful intelligence’ that is the higher order of thinking to train the mind-set to produce intention and actions. Thoughtful intelligence can be struggled for and acquired. It comprises of capacity to understand and realize the impact of one’s thoughts, words and actions on the survival, dignity²⁸ and development of individuals, groups and nations. The impact can be realized in ‘Time’ (for how many days, weeks, months or years the impact will continue) and ‘Space’ (for how far geographical land with or without human beings will be effected). It establishes thoughtful thoughts. Per the inner paradigm²⁹: Thoughtful intelligence establishes and defends moral values in the individual against internal and external threats. This defense includes detection, prevention and response to threats through the use of moral beliefs, values, rules and practices. Thoughtful intelligence visions the eyes to observe and gives the courage³⁰ to understand befittingly suited to difficult times; and reveals compassion³¹ for moral development.

Please rise to say:

May we are able to have in-side purity based on compassion and mercy leading to contentment that is ultimate goal of humanity.

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- 28 Al-Quran, Bani Israel, Ayat: 70 ‘And We have certainly honored the children of Adam.’
- 29 The inner paradigm is a framework containing all the accepted views of an individual about human life (past, present, and future); inclusive social, economic, political, and security dimensions.
- 30 Courage is the ability to do something that frightens one: bravery.
- 31 Compassion is the ability to give and to forgive.

INTERFAITH HARMONY AND SPIRITUAL
UNITY: THE LEGACY OF THE PROPHET'S
CHARTER TO ST. CATHERINE'S
MONASTERY

Reza Shah Kazmi

ABSTRACT

This paper reflects on the monastery of St. Catherine at Sinai, the oldest continually inhabited Christian monastic establishment, highlighting its inter-religious harmony with the Muslim world for over fourteen centuries. Two key symbols of this harmony are the mosque within the monastery built for Bedouins and the charter of protection granted by the Prophet Muhammad. Despite historical debate over its authenticity, the charter is seen as a testament to Muslim respect for Christian monasticism, transcending dogmatic differences. The paper explores the paradox of the Islamic critique of monasticism while emphasizing the Prophet's protection and respect for it, rooted in the Qur'anic principle of "discourse in that which is finest." The paper argues that the legal protection of Christians reflects the deeper spiritual unity of the Abrahamic faiths. It explores affinities between the monastic ideal and aspects of the Prophet's life, particularly his contemplative practices, humility, and remembrance of God. The author concludes that recognizing the shared spiritual essence of faith traditions can foster greater tolerance and mutual respect, urging Muslims to focus on what is "most excellent" in others, both within and outside their faith.

The starting point for the reflections presented in this paper is the monastery of St Catherine at Sinai. This monastery has the distinction of being the oldest continually inhabited monastic establishment in Christendom. It not only exists as a witness to the continuing dynamism of the contemplative ideal in our days in the sister faith/wisdom tradition of Christianity but also offers a concrete evidence of the inter-religious co-existence— indeed harmony— that has permitted it to remain unmolested in its overwhelmingly Muslim environment for close to fourteen centuries.

Two vivid symbols of this harmony are to be found within the walls of the monastery: the first is a mosque, built by the monks for the Bedouins; and the second is the famous charter of protection granted by the Prophet to the monastery. The monks themselves are convinced that this charter, sealed with an imprint of the Prophet's own hand, was instrumental in maintaining the safety and security of the monastery. The original document was written in Kufic script by Sayyidina 'Alī, and taken by the Ottoman Sultan Selim back to Istanbul in the 16th century. The Ottoman copy of the original is on display at the monastery.

It is indeed a precious and remarkable document. Historians are somewhat divided over its authenticity, some claiming that it was in fact composed by the Fatimid caliph al-Ḥākim (ruled 996-1021). For our part, we agree with the opinion of the Greek historian, Amantos, who writes, “The monastery of Sinai could not possibly have survived without the protection afforded by Mohammed and his successors ... Moreover, the great number of decrees which the Mohammedan [sic.] rulers of Egypt issued confirming the protected status of the monastery must have resulted from the fact that Mohammed himself had granted protection to Sinai.”¹

The document itself goes beyond merely granting formal protection. It states that wherever monks or hermits are to be found, on any mountain, hill, village, or other habitable place, on the sea or in the deserts or in any convent, church or house of prayer, I shall be watching over them as their protector, with all my soul, together with all my *ummah*; because they [the monks and hermits] are a part of my own people, and part of those protected by me.’

It goes on to state their exemption from taxes and warns of stern retribution if the injunctions of the charter are broken by Muslims. Also, most significantly, it makes it incumbent on the Muslims not only to protect the monks, but also, in regard to Christians generally, to ‘consolidate their worship at Church’.

This points to the deeper significance of the document, and can be seen as a direct expression of the Qur’anic verse which is also cited in the charter: *Discourse not with them* [the people of the Book] *except in that which is finest*²— this last word translating *ahsān*, that which is most excellent, indeed, most ‘beautiful’, taking into account the root of the word, *hasuna*, to be beautiful.

All of us are no doubt aware that the legal protection of the People of the Book is enshrined in the Islamic revelation itself, and it is based on the unity of the Abrahamic message. This unity of essence transcends the differences between the faith-communities making up the Abrahamic family. But the question to be posed here is this: how much diversity can this family tolerate before it begins to disintegrate? One resoundingly positive answer to this question takes its inspiration from the Prophet’s Charter to St Catherine’s monastery. For this charter can be read as an eloquent symbol of the Muslim respect for, not only the religion of Christianity in general, but the monastic ideal in particular. In other words, it can be seen, literally, as a ‘seal’ of approval of a way of life that appears on the surface to be at the very antipodes of the Islamic ideal.

A superficial response to the Prophet’s Charter, based on a conventional Muslim attitude towards monasticism, would be as follows: even if it is an authentic document, the letter proves nothing other than the fact that, since monks are generally harmless, they should be left in peace. In other words, they should be protected, yes, but only on account of a legal principle, and despite the dogmatic errors on which their way of life is founded.

My contention, on the contrary, is that the legal principle of protection is itself the expression of the fundamental unity of the Abrahamic faiths, an inward unity of spirit which is directly connected to ‘that which is finest’, that which is *ahsān*, and which takes precedence over the differences between the faiths on the level of external forms. This position, we believe, helps us to resolve, in a fruitful and reflective manner, the paradox generated by the Charter.

The paradox is this: monasticism is clearly referred to in the Qur’an as an ‘innovation’; and yet the Prophet’s words— not to

mention the tradition of protection characterizing Muslim relations with monks throughout history— imply a recognition of the validity of the monastic ideal. Furthermore, it is in the monastic Way that one finds Christianity at its most exalted and concentrated— the monks raise to its highest pitch of intensity all that makes Christianity what it is, including the very dogmas criticized in the Qur'an.

The paradox is sharpened further when we consider the principle, no monasticism in Islam' (*la rabbāniyya fi 'l-Islam*), and the Sunnah of the Prophet in which marriage is so highly stressed, being referred to in fact as 'half of the religion'. The ideal of *tawhīd*, of integrating oneness, dictates that the whole of life— not just religious devotion— is to be placed at the service of God. Contemplation and action are seen as complementary, not contradictory, for the Muslim; isolating oneself from the world for the sake of contemplation is, from this point of view, unfaithful to the integral human vocation.

The contrast between the Muslim and the monastic ideal is clear. But this contrast on the surface should not blind us to certain underlying, and largely unsuspected, affinities between the two ideals. One can argue:

- 1) that these affinities help to account for the extraordinary respect and solicitude manifested to the monks by the Prophet of Islam;
- 2) that these affinities are most markedly expressed in one key dimension of the Prophet's Sunnah, on the one hand, and the mystical fruits of the monastic path on the other;
- 3) that, probed with sufficient depth, these affinities reveal the power of sincere devotion to transcend the plane of dogmatic differences; and finally
- 4) that the realities revealed through devotion, contemplation, and pure prayer, not only relativise dogmatic differences as between different faiths but also, and with all the more reason, they relativise differences of doctrine and practices within one and the same faith: to put it bluntly, if the Prophet could go so far in respecting and protecting the monks of Christendom, is it not absurd that we, as Muslims sharing the same faith, seem unable to tolerate and respect each other's differences? The lesson for intra-faith dialogue is clear: we ought to be able to focus upon

what is most excellent' in the position, the beliefs, the attitudes and the cultures of the internal Other, our fellow Muslims.

I strongly believe that one of the best ways of increasing tolerance of diversity within Islam is to deepen our understanding, and our practice, of the spiritual substance of the faith; careful consideration of the affinities between the Sunnah of the Prophet and the monastic ideal helps us to orient our attention to this spirit that transcends the plane of dogma, and which also gives inner life to the dogmas that can only partially express the Real.

What, then, are these affinities? First, let us hear what the Qur'an says about the monks: *You will find the nearest of them [the People of the Book] in love to those who believe to be those who say: Verily, we are Christians. That is because there are among them priests and monks, and they are not proud.*³

Humility is given as a key characteristic of the monks here, this accounting for one of the reasons why the Christians will be the 'nearest' of the People of the Book to the Muslims. However, we need to probe the deeper aspects of this nearness, for it goes beyond mere friendship or sentiment. The following verse, from the Surah Āl 'Imrān, leads us to these deeper aspects:

They are not all alike. Among the People of Book is an upright community, who recite the verses of God in the watches of the night, and who prostrate [to Him] ; they believe in God and the Last Day, enjoin the good and forbid the evil, and hasten unto good works; they are among the righteous. (Surah Āl 'Imrān, III: 13)

One can justifiably regard the monks and nuns as being among those referred to in this verse. Now the very intensity of their devotion, entailing long night vigils, mirrors one crucial aspect of the Prophetic Sunnah, so little stressed in our days. We know that the Prophet and his close companions also spent long periods of the night in prayer, as the following verse, from the Surah al-Muzzammil tells us:

Truly your Lord knows that you stand in prayer close to two-thirds of the night, and half of it, and a third of it— you and a group (*tā'ifā*) of those with you... (LXXIII: 20)

One thus sees something of the monastic way very much present in the Sunnah of the Prophet. We also know from strongly authenticated hadiths, that the Prophet would spend hours at a stretch reciting such long Surahs as the Surah al-Baqara and the Surah Āl 'Imrān, bowing and prostrating frequently, making

supplications in accordance with the verses recited.⁴ One might also mention here the Prophet's *zuhd*, his abstemiousness, his regular fasts apart from Ramadan, and the fact that, when he did eat, he never filled his stomach with food. Such details of the Prophet's life help us to see something of the discipline that we associate with the monastic way. However, what distinguishes the Prophetic norm is that this intense contemplative discipline was accomplished in the very midst of an active marital, social, and political life.

In this light we can better appreciate the principle of 'no monasticism in Islam': in the words of Frithjof Schuon, "it really means not that contemplatives must not withdraw from the world, but that the world must not be withdrawn from contemplatives"⁵—in other words, the world must not be deprived of the graces that flow through the presence of contemplatives within it. For the aim of Islam is to penetrate the whole of life with spirituality, not that spirituality is to be excluded from everyday life.

We can take another step closer to understanding the 'nearness' of the Christian monastic way to the Muslim contemplative ideal by looking carefully at another central aspect of the Sunnah: the remembrance of God, *dhikru 'Llāh*.

One must always remember, in any discussion of *dhikr*, that it means both a principle of awareness, of recollectedness, of consciousness of God, and also the means to achieve that awareness, namely the invocation of the Name or Names of God, the meditative practice *par excellence* of the contemplative tradition of Islam. If prayer constitutes the core of religious practice, the *dhikru 'Llāh* is, as the Qur'an puts it very simply, *akbar*, that is, *greater* or *greatest*.⁶ *Truly prayer keeps [one] away from lewdness and iniquity, and the remembrance of God is greater.* (Surah al-'Ankabūt, XXIX: 45)⁷

Numerous sayings of the Prophet attest to the pre-eminence of the *dhikr*. For example, it is related that the Prophet asked his companions: 'Shall I not tell you about the best and purest of your works for your Lord, and the most exalted of them in your ranks, and the work that is better for you than giving silver and gold, and better for you than encountering your enemy, with you striking their necks and them striking your necks?' Thereupon the people addressed by him said: 'What is that; O Emissary of God?' He said, 'The perpetual invocation of God—exalted and glorious (*dhikru 'Llāh 'azza wa jalla dā'iman*).'⁸

And again: upon being asked ‘Which act is most meritorious?’ the Prophet replied: [It is] that you die while your tongue is moistened with the *dhikru* ‘*Llāh...*’⁹ Likewise, the fourth Caliph Sayyidina ‘Alī affirms: ‘Perpetuate the *dhikr*, for truly it illumines the heart, and it is the most excellent form of worship (*huwa afdal al-‘ibāda*).¹⁰

There are many verses of the Qur’an that should be carefully noted in connection with the *dhikr*. Let us restrict ourselves, however, to the following.

Those who believe and whose hearts are at peace in the remembrance of God; is it not in the remembrance of God that hearts are at peace? (Surah al-Ra‘d, XIII: 28) Those are true believers whose hearts quake with awe when God is invoked (Surah al-Anfāl, VIII: 2) And invoke the Name of your Lord morning and evening. (Surah al-Insān, LXXVI: 25) And invoke the Name of your Lord, devoting yourself to it with utter devotion. (Surah al-Muzzammil, LXXIII: 8) O ye who believe! Invoke God with much invocation. (al-Aḥzāb, XXXIII: 42) Truly in the creation of the heavens and the earth and in the alternation between night and day are signs for those of substance, those who remember God standing, sitting, and reclining on their sides and reflect upon the creation of the heavens and the earth... (Āl ‘Imrān, III: 190-191) And invoke your Lord within yourself, in humility and awe, and beneath your breath, in the morning and in the night. (al-A‘rāf, VII: 205)

The *dhikr* is presented here as the quintessence of all religious activity, or as the spiritual act *par excellence*. For the universality of its modes— standing, sitting, reclining, ‘in yourself’ ‘with humility’, ‘with awe’, ‘in secret’, ‘under one’s breath’, according to the verses cited above— transcend the formal rules pertaining to the fixed canonical prayers, which involve particular words, movements, conditions, and times: the *dhikr*, by contrast is described as something to be performed at all times, in all places, in all postures; it is thus to be woven into the texture of everyday life, rather than superimposed upon life as an extraneous, formalistic practice.

One of the names of the Prophet is indeed *dhikru* ‘*Llāh*, (remembrance of God) and the whole of his life, in all its manifold diversity can be summed up in this phrase: never for a moment was he distracted from God, he was always immersed in consciousness of reality. Now, turning to the monks, we will find that such a perspective on prayer resonates deeply with the chief, distinguishing feature of the monastic contemplative path, particularly as regards the Eastern Orthodox Church, to which the monks of St Catherine’s have always belonged. The ‘prayer of the

Heart', the 'Jesus Prayer', which is the continuous repetition of a formula containing the Name of Jesus— was and still is the essence of what is known as the Hesychastic Way, from *hesychia*, meaning 'silence and stillness'. This refers to a state of receptivity to nothing but the divine Presence. Listen to this description of the remembrance of God given by one of the earliest masters of Hesychasm, St. Diadochos of Photiki, who lived in the fifth century:

“Those who desire to free themselves from their corruption ought to pray not merely from time to time, but at all times..... a man who merely practices the remembrance of God from time to time loses through lack of continuity what he hopes to gain through his prayer. It is a mark of one who truly loves holiness that he continuously burns up what is worldly in his heart through practising the remembrance of God, so that, little by little, evil is consumed in the fire of this remembrance...”¹¹

Not only can this passage be read as a commentary on the Qur'anic words, *and the remembrance of God is greater*, but also on the verse which tells us about men who are not distracted by trade and business from the remembrance of God.¹²

At this point we can anticipate the following objection: the God which is believed in, remembered and invoked by the Christian contemplatives is not identical to Allah, for they believe in a Trinitarian God. Now there are two responses we can make. The first is to cite the verse of the Qur'an which tells the Muslims to say to the People of the Book explicitly: *Our God and your God is one, and unto Him we surrender*.¹³

Other theological arguments could be made here, but let us move to the second response, which leads us to a more profound understanding of what this verse can mean in metaphysical terms. This involves studying carefully the doctrinal framework within which the remembrance of God was and is accomplished by the Christian monks.

To be as brief as possible, this is described as mystical theology, or as apophatic, that is, negative, theology, associated chiefly with the towering figure of St Dionysius the Areopagite.¹⁴ This figure, whose life is shrouded in mystery, probably lived in the fifth century. He adopted the persona of St Paul's Athenian convert mentioned in Acts, 17: 34; and wrote under this pseudonym treatises that remain foundational for Christian mysticism.

So what is the nature of this ‘God’ in whom the Christian mystical theologians believe? According to Dionysius, and all the great authorities in the Hesychastic tradition, God is absolutely indescribable. He is the inscrutable One, writes Dionysius, ‘out of reach of every rational process. Nor can any words come up to the inexpressible Good, this One, this unity unifying every unity.’ This sounds very much like *tawhīd*, does it not?

Dionysius continues: When...we give the name of “God” to that transcendent hiddenness, when we call it “life” or “being” or “light” or “Word”, what our minds lay hold of is nothing other than certain activities apparent to us...¹⁵ Does this not remind us of the Qur’anic refrain: *glorified be God above what they describe?*

Going forward in time, but coming closer in space to St. Catherine’s, listen to St Gregory of Sinai, of the 14th century: “stillness means the shedding of all thoughts for a time, even those which are Divine and engendered by the Spirit ...”¹⁶

The state of Hesychia, then, is receptive only to That which transcends all thoughts, and therefore all dogmas– it is an opening to the divine Reality as it is in itself, not such as it is defined by dogmatic thought. It is in this contemplation of the supreme Reality– which is absolutely One– that the Christian theological tenet of the oneness of God finds its most compelling consummation. St. Gregory of Palamas, another central figure in the tradition of Hesychasm, puts this oneness of God in the following terms:¹⁷

‘We worship one true and perfect God in three true and perfect Persons– not a threefold God– far from it– but a simple God.’¹⁸ We should remember here that simple means non-compound, absolutely itself with no admixture or multiplicity.

Again, let us anticipate the obvious objection: this conception of the oneness of God is compromised by the mention of three Persons. My response is this: what is more important for us, as Muslims, when we evaluate this Christian conception of God– is it the oneness, the ultimate Reality that transcends all dogmas, or is it the fact that, on the level of dogma, a Trinitarian conception comes into the picture? We contend that we would be true both to the Qur’an and the Sunnah if we focus on what is *ahsan*, finest, most excellent, in the Christian conception of the Real, and thus allow their own stress on the transcendent oneness of God to take priority, for us, over the Trinitarian aspect of their belief.

Furthermore, our ability to focus on this transcendent aspect of their belief will be deepened in the very measure that we are sensitive to the spiritual substance of our own faith; and it will be strengthened also by our awareness of the fact that the reality of God transcends all dogmas, our own included; and this position will be made more existential and less theoretical insofar as we intensify our commitment to that reality through the actual practice of prayer, devotion and contemplation.

This point of view helps us to resolve the paradox of the Qur'anic position on the People of the Book: on the one hand, many verses criticize their dogmatic errors; and on the other, there are clear verses indicating that they are nonetheless saved on account of their faith and virtue. There is also an incident in the Prophet's life which helps us to resolve this paradox; it is an eloquent expression of the principle we have been trying to stress: sincere devotion to the supreme Reality transcends the plane of dogmatic differences.

A delegation of Christians came from Najran in Yemen to engage the Prophet in theological debate, largely over the nature of Christ. What matters from our point of view is not so much the fact that the debate was cut short by the Prophet's challenge to engage in a *mubahala*, a curse on those who were wrong— a challenge the Christians did not take up; nor does its spiritual significance reside only in the fact that the Prophet offered the Christians protection, in return for tribute. For me, the deepest significance of this episode lies in the fact that, when the Bishop wished to perform the liturgy for the delegation, the Prophet allowed him to do so in his own mosque.

Now the Prophet was fully aware of what the liturgy entailed, in its essentials, and that the formulae used would of course centre on Christ as the Son of God. The Bishop would thus be reciting the very words that are so severely censured in the Qur'an; and yet the Prophet allowed him to do so in his own sacred place of worship. Was this just a question of good *adab* on the Prophet's part? Or can we see this act of spiritual etiquette arising, rather, out of the Prophet's recognition of the principle we are stressing here: just as the divine reality transcends all dogma, likewise, sincere devotion to that reality transcends the dogmatic framework within which it is accomplished.

Let us return to the words of the Qur'an cited by the Prophet in the Charter: *Discourse not with them except in that which is finest.* We have

seen in the Prophet's actions towards the monks, in particular, a clear expression of what this finest' element is: all that is most noble, most elevated, most sincere. This mode of discourse does not mean a refusal to differ: it means to differ with dignity and respect. It means a refusal to allow any differences to eclipse or undermine what is most noble in the neighbour, in the "Other"; what is most essential in his or her belief. It means a refusal to allow one's attitude to the "Other"—whether within or outside one's religion—to be determined by extrinsic and relative factors. It means, on the contrary, an affirmation of all that is best in the "Other", and to make this the basis of one's fundamental disposition towards the "Other".

In this way, one induces the "Other" to likewise see what is best in one's own position: a reciprocal recognition, a mutual respect can thus be envisaged and cultivated between two or more partners in dialogue.

This reciprocal recognition is finely expressed in the relationship between the monks and the Prophet, and it is enshrined in symbolic as well as literal terms, For we have not only the covenant of St. Catherine's, and other letters of recognition and protection granted by the Prophet, but also the following remarkable facts of sacred history, centred on the monks associated with the city of Bostra in Syria who recognised the Prophet prior to the onset of his mission.

First we have the monk Bahira, who invited the Meccan traders passing through Bostra to a feast, and recognised the signs of the awaited prophet in the young Muhammad who was with his uncle, Abū Tālib.¹⁹ These signs, described in prophecies handed down from generation to generation, were most likely the basis on which, decades later, the monk Nestor, also in Bostra—perhaps in the very same cell of Bahīra—told Maysara that he was travelling with the long-awaited Prophet.²⁰ And finally, again in Bostra, we hear of an unnamed monk telling Talḥa that the Prophet had come, and named him.²¹ The mystery of these coincidences is deepened when we remember that Āmina, the Prophet's mother, claimed that she was aware of a light within her when she was pregnant, a light which shone with such intensity that she claimed she could see the castles of Bostra.²²

Can we see here a luminous anticipation of the mutual recognition between the Prophet and the monks—each recognising the light of God in the other? This provides us with a wonderful theme for meditation, with which we can draw these remarks to a close. The light of the Prophet shines from the womb, the *rahim*.

This takes us directly to *rahma* (mercy), the compassion proper to true wisdom: *We sent you not*, God says to the Prophet, *except as a rahma* (mercy) *to all creation* (Surah al-Anbiyā', XXI: 107). This compassionate wisdom does not negate but affirm, not abrogate but illuminate, the truth and sanctity present in all religions, which are all revelations of one and the same God. It is thus that the Prophet is described, together with the believers, as believing in “God, His Angels, His Books and His Messengers”: *la nufarrīqu bayna aḥadin min rusulihī— We make no distinction between any of His Messengers.*²³ In the luminous and compassionate wisdom of the Prophet, then, there is both illumination and illimitation or Non-Delimitation: bounded by no dogmatic restrictions, it brings truth to light wherever it is to be found. It is thus ‘light upon light’, *nūrun ‘alā nūr*.

Notes and References

- ¹ Cited by Athanasios Paliouras, *St Catherine's Monastery* (Sinai: Hiera Mani Sina, E. Tzaferi, 1985), p. 16. Kurt Weizmann points out that the Muslim protection of the monastery is one among many examples of the tradition of tolerance manifested by Muslims towards minority faiths in their midst. See his essay, “The History” in J. Galey, *Sinai and the Monastery of St Catherine* (London: Chatto & Windus, 1979), p. 13.
- ² Surah al-‘Ankabūt, XXIX: 46. Cf: Call unto the way of thy Lord with wisdom and fair exhortation, and hold discourse with them in the finest manner ... (Surah al-Nakhl, XVI: 125)
- ³ Surah al-Mā’ida, V: 82
- ⁴ See Qāḍī ‘Iyāḍ’s *Muhammad, Messenger of God (al-Shifa)*, Tr. Aisha Bewley, (Inverness: Madinah Press, 1991), pp. 74-75
- ⁵ This is from the remarkable essay by Schuon, “The Universality of Monasticism and its Relevance in the Modern World”, in his *Light on the Ancient Worlds* (London: Perennial Books, 1965; reprint, Suhail Academy 2004), p. 122.
- ⁶ The Arabic comparative is at the same time the superlative, so the word *akbar* can be translated in either way.
- ⁷ All translations from the Qur’an are based on those of Pickthall and Arberry.
- ⁸ Cited in *Al-Ghazālī—Invocations and Supplications*, (Book IX of The Revival of the Religious Sciences) Trans. K. Nakamura (Cambridge: Islamic Texts Society, 1990), p. 8 (we have slightly modified the translation of the last sentence of the hadith.) This hadith is found in the collection of Ibn Maja (*Sunan*, Adab, 53) and in that of Ibn Hanbal (*Musnad*, VI. 447). See the Arabic text for this and several other hadith of similar import in al-Ghazali’s *Ihya’ ‘ulum al-din* (Beirut: Dar al-Jil, 1992), vol. 1, pp. 391-2.
- ⁹ Ibid. p. 7. The hadith is given in Tabarani’s *al-Mu’jam al-kabir*, XX. 107. *Ghurur al-Hikam wa durar al-kilam* (Qom: Imam-e ‘Asr, 2001) p.177, no.2537
- ¹⁰ *Ghurur al-Hikam wa durar al-kilam* (Qom: Imam-e ‘Asr, 2001) p. 177, no. 2537.
- ¹¹ *The Philokalia*, vol. 1
- ¹² Surah al-Nur, XXIV: 36-37.
- ¹³ Surah al-‘Ankabut, XXIX:46

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- ¹⁴ The scholar Bernard McGinn describes him as the fountainhead of mystical speculative systems for at least one thousand years.’ *The Foundations of Mysticism* (London: SCM Press, 1992), vol. 1, p. 158.
- ¹⁵ ‘Cited by Vincent Rossi, ‘Presence, Participation, Performance: The Remembrance of God in the Early Hesychast Fathers’, in ed. James S. Cutsinger, *Paths to the Heart--Sufism and the Christian East*, Bloomington: World Wisdom Books, 2002, pp. 78-79. Cf. Imam Baqir.
- ¹⁶ Cited by James Cutsinger, ‘Hesychia: An Orthodox opening to Esoteric Ecumenism’, in *Paths to the Heart*, p. 236
- ¹⁷ As Jeremy Henzell-Thomas notes: *simple* denotes “same-fold” - that is, not multifarious, exactly what is denoted by the original meaning of “identity”. It goes back ultimately to a compound formed from prehistoric Indo-European **sm-*, **sem-*, **som-* ‘same’ (source also of English *same*, *similar*, *single*, etc) and **pl-* ‘fold’. This passed into Latin as *simplus*, “single”.
- ¹⁸ Cited by Peter Samsel, ‘A Unity with Distinctions: Parallels in the Thought of St Gregory Palamas and Ibn Arabi’, in *Paths to the Heart*, p. 195.
- ¹⁹ *Muhammad—His Life Based on the Earliest Sources*, M. Lings, Islamic Texts Society, Cambridge, 1996, reprint, Suhail Academy, 2004, p. 29.
- ²⁰ Ibid. p. 34.
- ²¹ Ibid. p.47.
- ²² Ibid. p.21.
- ²³ Surah al-Baqarah, II: 285.

DECOLONIZATION AND SELFHOOD:
COMPARATIVE REFLECTIONS ON
IQBAL'S *KHUDI* AND FANON'S
REVOLUTIONARY CONSCIOUSNESS

Ammar Junaid Asghar /Professor Furrukh Khan

ABSTRACT

This paper reflects on the intellectual contributions of Dr. Allama Muhammad Iqbal and Frantz Fanon in addressing the psychological, political, and social ramifications of colonialism. Through a comparative lens, the study examines Iqbal's *Shikwa-Jawab-e-Shikwa* and Fanon's *The Wretched of the Earth*, focusing on their shared concern with decolonization and the awakening of the colonized subject. Both thinkers provide nuanced critiques of colonial exploitation, yet they diverge in their frameworks for emancipation—Fanon through Marxist revolutionary violence and Iqbal through the spiritual and philosophical concept of *khudi* (selfhood). The paper explores themes such as identity, the role of violence, pan-nationalism, and the colonization of the mind, positioning both thinkers within the broader discourse of anti-colonial thought. Ultimately, this analysis highlights how both Iqbal and Fanon offer distinct yet interconnected paths toward liberation, grounded in the specific historical and cultural contexts they navigated.

Iqbal represents a complex human entity. In his mortal frame, we find an assemblage of a philosopher, a poet, a reformer, a jurist, a politician and a leader. His poetry has no territorial limitations in view of being deeply inspiring and extremely spiritual. Throughout his all compilations of poetry, his focus was on awakening of the human consciousness and revitalizing of one's inner self. This fact appealed to everyone irrespective of religion, colour, language and creed.

Dr. Allama Muhammad Iqbal is in some sense South Asia's most perennial poet. Pakistan claims him as its national poet, many Indians claims him as their very own, observed vividly in the passion with which "Saarayjahansaiacha, Hindustan hamara" is sung on national holidays. Even the Iranians attribute his poetry to the wondrous wordplay that Farsi offers to poets. Writing in the 20th century, his poetry traverses between questions of Muslim nationalism, colonialism and its discontents, and perhaps most well-known, his philosophical ventures into the predicaments of an increasingly fragmented Muslim self-identity. 'Shikwa- Jawab-e-Shikwa' are possibly two of his most beloved nazms, incorporating a wide range of philosophical, psychoanalytic, theological and political questions that are worthy of academic attention when contextualizing the various responses to colonialism in the twentieth century. One such response is by Frantz Fanon, a Francophone academic who discusses at length both the ramifications of the colonial project on the colonial subject, but also much like Iqbal, provides his own theoretical framework for 'decolonization' in his magnum opus, 'The Wretched of the Earth'. Despite the different frame of references and the obviously variant inspirations they take, I will argue in this paper how the modalities of the colonial experience and decolonization are observed as focal points in the works of both authors, and it is hence fruitful to analyze them in conjunction. Particularly, I will deconstruct Iqbal's 'Shikwa-Jawab-e-Shikwa' as a manifestation of the frustrations of the colonial subject, and pinpoint questions of pan-identity as a responsive mechanism, and the colonization of the mind and erasure of these modes of identities. Furthermore, I will also look at violence and non-violence as the agents of change and finally, analyze the concept of 'khudi' as the quintessential tool of

emancipation, linking these ideals with Fanon's own 'Wretched of the Earth' and his specific answers to these pertinent questions that are posited against the colonized subaltern.

The question of emancipatory politics and the necessary conditions and actions required for it to happen is at the heart of Fanon's work, seen most vividly in his borrowing of Marxist ideas of class-based struggle and the liberation of the proletariat not just from the colonial French power that oppresses the colonized, but also from the inevitability of the 'petit bourgeoisie' hijacking the decolonizing movement and its goals (Fhunsu and France 9). This Marxist framework also means that the concept of pan identity he endeavors to, is very much in line with the politics of Trotsky and Lenin. Emancipation is hence defined as freedom of the African proletariat from the shackles of not just French colonialism, but rather from the entire structure of capitalism that facilitates it, benefits the local bourgeoisie and essentially perpetuates violence against the colonized. This is where Fanon differs from prior idealization of pan-Africanism which laid its foundations in "African-ness" and a universal African culture, with market features of nature, tribal faiths and rituals, and rather constructs this pan-African spirit through the lens of class politics (Young 147). The idea of transcending the temporal and spatial boundaries of the nation-state for any revolutionary struggle is not a unique idea. For Iqbal, the framework is very much in line with a lamentation of Western and colonial values and a need for Islamization of the collective. This 'pan-Islamism' occupies a unique place in the *Jawab-e-Shikwa*; the greatest testimony to its paramount importance is contained within the fact, that it is part of the answer that God gives to the cries of the disgruntled Muslim. He writes, "Somehow you are Sayyids, you are Mirzas too, Afghans too- You appear to be everything, but are you Muslims too?" (Pritchett). This necessary critique of internal divisions within the colonized subjects is particularly interesting; any solution to seek reconciliation and successfully decolonize requires the colonized to unite on the very basis of their identity, and it is only then, they can forge a path towards emancipation. For Iqbal, the basis of this collective consciousness is Islam, whilst for Fanon it is the united front of the African proletariat.

Yet, Iqbal, is not ignorant of the concerns of class, and is multi-faceted in his diagnosis of where any potentiality of change lied within the status quo; the Muslim proletariat can vanquish the totalitarian tendency of Western materialism. Again, he writes in

the 'Jawab', "The rich in their heed of wealth are useless to us- the pure community is alive through the poor" (Pritchett). Furthermore, Iqbalian thought regarding pan-Islamism has been vivaciously seen in his politics; he supported the Khilafat Movement and saw it as a specific response to the Muslim struggle against colonialism. But whilst both thinkers have grand ideas about the eventual emancipation, their framework in achieving tangible and immediate change is very much located within the limited space of a nation-state. Fanon was an integral part of the FLN for the nationalist struggle of liberation in Algeria, supporting the popular uprising against the French. He promotes 'national consciousness of the proletariat (Fanon 156) rather than 'nationalism' in its essential form, yet the process that he charts requires the formation of not only the postcolonial state, but also using it as a springboard for creating a government of the people and achieving egalitarianism (Sajed and Seidel 587). This reconciliation of pan-identity and immediate autonomy is also a marked feature of Iqbal's own evolution of political thought; asking for separate Muslim electorates and eventually for a Muslim state was only posited because the Muslim nation-state would serve as a trans-Muslim space for Muslim unity, and as a space for bringing political Islam into fruition (Mujahid 31). Hence, the struggles of pan-identity in contrast with European nationalism remains at the forefront of constructing a decolonizing process for both the thinkers.

Colonialism is of course not limited to the political and social avenues of exploitation, it has been explored at great length how the ideology of 'otherization' has consequences beyond political mobilization; the very consciousness is altered to the largest extent. Fanon argues for the versatility that accompanies the colonial project, to the extent that it alters the consciousness of the African colonial subject where he or she internalizes the notion of them as an 'inferior' race and accept the colonial premise of an inherent inferiority of affiliation with Africa (Marriott 168). Western 'rationality' hence becomes the relentless ideal for the colonized subject to reach, and remains simultaneously inaccessible because of how the African is placed as a subject in the first place. For Iqbal the manifested reality of colonialism develops in a comparable albeit distinct way. He acknowledges how the 'dazzle' of European individualism and freedom places the Muslim in a quandary; embracing the 'dazzle' is an attractive proposition yet it displaces them from the elements of Islam. Much like Fanon, it leaves them in fragmented state where the 'push' from traditional thought and

'pull' from the West acts a catalyst of a new type of identification; the incomplete Muslim (Sevea 1378). In 'Jawab', Iqbal lambasts the thought processes induced by the colonizer, criticizing the pleasure-seeking and docile attitudes of the Muslim in becoming passive to the array of the problems that the Muslim collective or the 'Ummah' faces. Interestingly, and taking a different tangent to Fanon's perspective on collective exploitation; Iqbal seeks to invigorate Muslim consciousness through going back in history. He describes at length the bravery of H. Ali and the indestructible love of Majnun to add the element of 'pathos' and wishes to inspire the lost Muslim to find his or her way through the path of their ancestors (Pritchett). This is important because it not only contextualizes an 'Islamic consciousness' in opposition to the materialistic and selfish desires of the West, but also gives room to self-discovery and exploration as means to emancipation from the colonization of the mind. So whilst Fanon crucially paints the picture of the emasculated African and transfixes their struggle in their socioeconomic exploitation, it limits their agency only to a class uprising and revolutionary struggle (Marriott 168), isolating it from more intimate questions of belief and self-discovery as means to weaken the effect of the European modality if not to make it completely redundant. By going back to Islamic historicity, Iqbal questions the very basis of the split between European dualism and Eastern religiosity, reconciling the inadvertent query by locating it within wider Islamic thought and action (Sevea 1385) and offering this misra in the 'Jawab' to illustrate this reconciliation, "Wisdom is your shield, passion is your sword" (Pritchett).

Yet, the theoretical frameworks of both Iqbal and Fanon not only dissect the discontent facing the colonized consciousness but also provide remedies to the desired course of action that must be simultaneously taken to achieve any form of emancipation. Of course, the questions of emancipation remain grounded in sociopolitical concerns, raising the age-old question: is violence of any utility and perhaps more critically, is taking up arms even justified against a regime that propagates the same mechanism of oppression? Can violent reaction break the cyclical nature of oppression, and if it can, how does the disjointed subject possibly fathom to go about this? It is on this question that Iqbal and Fanon opt for different paths to their discourse which is in turn predicated upon their political thought. Fanon is inspired heavily from Marxist ideals on the violent vanguard revolution that is deemed necessary by Marx himself, who saw it akin to the role of a midwife in birthing the socialist state (Arendt 274). However, Fanon's

discourse on violence incorporates a further tangent, in what he deems as ‘therapeutic violence’. Here the argument differs from justifying violence as merely self-defense; quite on the contrary, the colonized consciousness has internalized violence, and it is only through violent ‘performances’ (Kebede 539) that the colonized subject can regain their consciousness. This is because it is imperative for the colonized subject to form their consciousness outside of the normative and discursive ideals that were imposed by the colonizers, with far reaching consequences of altering the mind of the colonized. Contextualized within Marxist and psychoanalytic thought, Fanon promotes this collective violence as means to an end, and raises important considerations of how this violence needs to manifest itself. It can only be a collective response, and most pertinently, must not be hijacked by the ‘national bourgeoisie’ for their vested interests lie firmly in gaining access to power within the post-colonial state, and not of regaining lost African consciousness (Fanon 100).

In the pursuit of answering the same questions, Iqbal’s ‘Shikwa’ and ‘Jawab-e-Shikwa’ discusses at length the problem of violence. And whilst a number of shayrspaint distinctively violent imagery affiliated with fighting the shackles of oppression, it is only in the ‘Jawab’ that the description of violence takes more nuance and the colonized subject is asked to seek meaning and purpose elsewhere. Beginning with the points raised in the ‘Shikwa’, in which the colonized and disgruntled Muslim complains to God, there are a number of references to medieval Islamic conquests and the power of the ‘sword’. Again, one can see the importance of historicity in portraying the parallels between the ‘glorious’ past and the ‘pitiful’ present. In ‘Shikwa’, Iqbal argues, “The strength of the Muslim’s arm did Your (God’s) work!” (Pritchett). The strength of the Muslim’s arm or “qouwat-e-bazoo-e-Muslim” is used to evoke the necessarily violent struggle of the medieval Muslim warrior, fighting for God’s name and hence, for their own emancipation from worldly struggle. Unlike Fanon’s cathartic violence, Iqbal’s imagery of violence is overtly religious but at the same time points towards similar predicaments of achieving emancipation through the ‘sword’, and the lamentation of the disgruntled Muslim is very much seen in the failure to achieve emancipation through violent struggle in Iqbal’s status quo. Interestingly, seeing violent conquest in its desired effect of material emancipation is precisely what ‘the ‘Jawab’ vehemently rejects, instead locating violence and struggle within wider ideas of self-enlightenment or ‘khudi’ as will be discussed soon.

Answering directly the complaint of the disgruntled Muslim, Iqbal replies in the 'Jawab', "Yes, they were your ancestors, but who are you" (Pritchett). Hence, Iqbal points towards the failure of the present Muslim in conflating past Muslim conquerors, who struggled merely to evoke God's name with the absence of any selfish interests, with the struggles of the present Muslim. The present Muslim is deemed inadequate in their struggle, for it is seen as either to be contingent upon immediate emancipation from the colonizer, or future gratification, particularly in the selfishly placed desire in the "Houris" of Paradise. As Fanon constructs his imagined "therapeutic violence" as essentially narcissistic to reinvigorate African consciousness, the same ideals are lambasted in the Muslim collective. Yet the Muslim "Ummah" is evoked nevertheless, and again violence is criticized, in this instance, for causing divisions within the "Ummah", pointing towards the tendency of the colonized to resort to creating enemies within themselves (Qazi). Here one can argue for similarities between the two thinkers in relaying the concern of violence as part of the colonizer's agenda of 'divide and rule'. But similarities remain limited to this, as the imagery in 'Jawab' clearly places violence as contingent not just upon sociopolitical concerns but also in the religious ethic that accompanies this violence. On this crucial question, the concept of 'khudi' emerges as a mechanism of the 'self', and qualifies emancipation through a vastly different lens compared to Fanon's politics of the African proletariat.

In its essence, 'khudi' is a tremendously creative philosophy. It questions the very basis of power structures as the mode of oppression and emancipation, and rather relegates the 'self' to similar if not the same autonomy of creating discourse and exercising agency. The 'self' for Iqbal is the major locus of action, and it is only through purifying the 'self' that one can achieve true emancipation. But it is the colonial background that influences Iqbal and the transcendence of the 'self' is located within questions of what it means to be a colonized subject. Hence, 'khudi' becomes an anti-colonial praxis within itself, pointing towards the need of the 'self' to struggle, but crucially struggle for Divine Love as a relentless ideal, simultaneously lifting the ego from the cage of materialism to a visibly transcendent being (Zainub 3). The pathway towards 'khudi' is intricate, and requires self-discipline; noticeably from the ravages of the colonizer's materialism, but also from the conflation of the ego with pride, which is exactly what the 'Jawab' rejects in the cries of the disgruntled Muslim. Reconciliation is sought between the mystical isolation of the Sufi and the heroic

conquests of the ‘mujahid’ (Zainub 7), yet the key remains contingent upon the ‘self’ and its ability to explore itself in relation to the Muslim collective. Synthesizing the concept of ‘khudi’ remains an exercise in opposition to the colonizer. Whilst Fanon’s discourse remains located within the collective, by articulating ‘khudi’, Western individualism is directly contrasted with the ethereal ‘self’, which serves as an important gateway to eventual mobilization of the Muslim ‘Ummah’ against the colonizer and energizing the Muslim consciousness towards emancipation. Through this blend of faith and self-introspection, the concluding ‘misra’ of the ‘Jawab’ masterfully sums up transcendence and the limitless potential of the transcendent subject as, “What is this World? The decrees of destiny are yours!” (Pritchett).

The 20th century remains a critical junction in history with major world events profoundly altering the course of the human endeavor. It was in the 20th century that the very morality of the colonial project was rejected by many, partly due to the colonized articulating the multifaceted experience of being colonized, discarding European idealism and synthesizing new discourses. Both Iqbal and Fanon contribute tremendously to voice the concerns of the colonized subject, and it is in their widely different approaches in answering the same questions of the fragmented community, that one finds answers. Iqbal keeps Islamicate tradition close by, and Fanon borrows heavily from his Marxist predecessors. Yet, Iqbal’s ‘khudi’ and Fanon’s ‘revolutionary consciousness’ are products of the times and spaces they occupied, and it is through these unique frameworks that the colonized subject is imagined. It is for this reason that despite the years and kilometers that separate the two thinkers, the Global South remembers them as valiant intellectuals with a penchant for changing the world.

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ISLAMIC SELF-RULE: A CRITIQUE OF
ELITISM AND A CALL FOR COMMUNITY
GOVERNANCE

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Abstract

This study explores the concept of self-rule in Islam, contrasting it with historical legal frameworks such as Hammurabi's Code. It asserts that Islamic revelations empower the common people (Ummiyun) to discern right from wrong, emphasizing accountability and moral responsibility in the pursuit of justice. The text discusses the principles of self-determination, mutual consultation, and community governance as central to the Islamic social order, positing that true societal harmony stems from collective engagement and adherence to divine guidance. Key tenets of this order include self-control, remembrance of God, and active participation in social welfare, underlining the importance of resisting oppression and ensuring equitable justice. The work critiques elitism in governance and calls for a system where the consensus of the community (Ijma) shapes laws, free from autocratic rule. It further examines the evolution of governance structures, advocating for a parliamentary system as a contemporary embodiment of Islamic principles. Through this lens, the study elucidates the significance of maintaining a living, responsive Shariah that embodies the dynamic nature of Islamic teachings, stressing the role of the community in upholding justice and societal integrity.

Nearly twenty centuries before Christ, Hammurabi, the vicegerent of the heavenly deities on earth (it is engraved on tablets from Babylon and Elam) received from Shamash, the sun god, a code of 285 clauses and promulgated it in the lands. But an Hammurabi is impossible in Islam, because all the revelations are addressed to and placed in the hands of the Ummiyun, the common people. It is for them to exercise their sense of right and wrong in the *light* of the revelations and order their affairs accordingly. No believer can escape this responsibility. It lies in the cosmological structure of time, the time which flows in every human being that inexorably does it move towards accountability. No man and no nation can *avoid* or reverse its movement. Every 'here-now' transforms into hereafter with all accountability for it.

Endowment with the seed of distinction between good and evil, discrimination between right and wrong, own responsibility and accountability for every here-now are basic elements of the future-conscious human beings. What does it mean? All of it demands self-rule. The Islamic revolution means self-rule for every man. For societies, it means self-determination. Consequently, the blessed order unfolded by Islam has the following elements in terms of human conduct:

Whatever Ye are given of things but a passing comfort of life; and that which Allah has is better and more lasting for those who believe and put their trust in their Lord: And for those who shun the grave sins and shameless deeds, and when they are wrath even then forgive. And for those who answer the call of God and establish regular Salat (prayers) and for 'those whose affairs are a matter of consultation between them; and who spend (in good works) of what we have provided them (for sustenance). And those, when overthrow (revolt) is committed against them help one another. The recompense of an ill deed is an ill equal thereto. But whosoever pardoneth and maketh reconciliation, his reward is the affair of God. Lo! He loveth not the wrong-doers. The way of blame is against those who oppress mankind and with no right (raise their head) in revolt in the earth. For such is the painful doom (Q. 42:36-42).

The Touch Stone. All the elements of this blessed order are interdependent. But consultation between the people is its touch stone, because everything is to be decided by the people, the

believers in general. Mere consultations however lead to no goodness unless they are integrated with:

- Self-Control against grave sins and shameful deeds
- remembrance of God and regular prayers seeking His help for the right path.
- Readiness to spend and sacrifice the provisions of the world in their hand for fellow beings as the way of God,
- Mutual help against oppression and rebellious overthrow of the public order, and
- Recompose for the wrong done to whomsoever it may be.

It is this system, consisting of the general outlines as given in the above verses, which produces an environment in which a man has full facility to exercise his discrimination of right and wrong, that grow into a mighty tree and enable him reap the best of its fruits. The world is then a paradise; men live happily in its garden.

Consultations between the grave sinners are presided over by Iblis and increase sorrow and grief in the world. Consultations between those whose heart is not large enough to forgive one another plough injustices amongst them. And those who are incapable of boldly facing the groups which, are to overthrow the public order or commit excesses, must themselves suffer its fatal consequences. Those who are not good enough to give away out of the provisions of life, beyond their legitimate needs, consultations between them are but evil promptings, which ultimately ruin the entire society and as the society is ruined, they too are ruined.

The entire system which has the blessings of God showered on it is in the hands of common people, who preserve it as long as they stay away from sinful life and shameful deeds, have loving regard for their fellow-beings, are quick to line up against the rebellious forces of exploitations and oppression, themselves are above self-aggrandisement and amassing the decor of the world. Those who are always prepared to sacrifice what they have if necessary in the way of God, they alone can run the system. Trust in God and rejuvenation of this trust by seeking His guidance in constant regular prayers are pivotal to its maintenance and survival.

The prayers of the sinful men are mere waste. They do not pray in search of Divine help for self-discipline, but that for worldly gains. They return from their prayers as worse than before and are never able to answer the call of God. They are led astray more immersed in the pomp and show of the worldly life and its greeds.

God calls them to light and goodness. But their prayers and recitation of the Divine names become elements of an evil order that abounds with injustice and exploitation of man by man.

They are, indeed, of those persons who associate partners to God as they have made their carnal desires equal to God and take them as their Lord. Then they start to take other gods. There is no end to it. Privileged classes and men are in sweep of their lands and set their ways as their lords. They are not then but believers only in name.

The social system of the believers in final terms is the system of those who seek the pleasure of God and are not after the glory of the world. All of them are responsible and accountable for it. Therefore, their system has no place for the so-called representatives of God. No theocracy to embody a role of the vicar of 'God and no overlordship of the privileged in its functioning haunts and hangs over its horizons.

Islam calls all humanity to join it. In deed, the system outlines the Shariah of Islam. Shariah means a path. When people shun their false gods and start on the right path, the light of the glorious Quran and the Sunna (Traditions) of the Prophet (s.a.v) are with them and they see everything in that light to work out by their mutual consultation their permissions, prohibitions, ordinances and imperatives as need arises.

There are no prestigious classes. All the believers are on equal footing and all of them are individually and jointly answerable for its good and evil, right and wrong before history and before God.

Thus the provisions of the Shariah, known as the Shariah of Islam are living and contemporary laws, unlike the code of Hammurabi, now in archives, waiting some potentate for its promulgation. The Shariah is an ever-fresh thing and not a reproduction of past things. Yet caprice and arbitrarism cannot vitiate it for it keeps its organic union with the Divine revelations and the traditions of the Prophet of God, and as such is controlled by the purposes of Islam.

All consultations between the people must promote the purposes for which the Messenger of God was raised in mankind and people must follow him.

Those who follow the Messenger, the Ummi Prophet, whom they find mentioned in the Torah (Deuteronomy) and in the Injil (Gospel) with them, for he enjoins on them which is right and forbids them that

which is wrong, makes lawful for them all good things and makes unlawful for them only the polluted ones, he releases them from their heavy burden and removes yokes which are upon them. So then those believe in him, and honour him and help him and follow the light which is sent down with him, they are the successful (Q. 7: 157).

All the consultations between people must carry forward the sixfold aims cited above namely (i) enjoining the right, (2) forbidding the wrong, (3) making licit good things, (4). declaring illicit evil ones, (5) delivering the people from their heavy burdens of different origin and (6) removing the yoke of bondage to others upon them.

The very institution of consultation between them as foundation of the public order in Islam is removal of yoke from the neck of the people and abolishes in one stroke all sorts of tall claims by different high ups to dictate the people in the name of representing God or on the basis of their superior position in wealth and power. Thus Self-rule and self-determination for all is at the nucleus core of the religious consciousness of Islam.

In theocratic religions which often flourished in the multigod civilizations, ecclesiastical organizations raised their head and proclaimed God as the king of dominions and themselves became the vicar of the Unseen for exposition of the Divine Will unto the people. The *doctrine* of the Divine *sovereignty* over the state and people was their foundation.

Judea in the second century B.C. was charmed to emulate those theocracies in its attempt for the glorious revival of the religion and loved to plant a high powered priestly council to stipulate its laws and ordinances. It was all an external show, set up against the nature and logic of the real Time which holds every man responsible and accountable for all that happens.

Judea failed to revive its religion and was destroyed.

Several Muslim societies followed its steps and were likewise destroyed.

Islam never can emulate their model. It has its own approach. It means the era of common man and rejection of Elitism as the principle of social organization in mankind.

Errorlessness

There is no Umma beyond the people of Islam on Earth who have been religiously obligated to extend so splendid a position to

the consensus of the community as to enshrine it along with the Book of God and the Sunnah of the Prophet in the holy sanctuary of Isma (errorlessness) and concede it the sceptre of the supreme arbitrator over the deliberations of the Ulema, intellectuals, and statesmen for the determination of the Shariah of Islam. .

Despite his unique prerogative as the divinely appointed teacher and guide unto mankind, the Messenger of God himself was enjoined to “consult them (the members of the Umma) in affairs. And when thou hath resolveth, then put thy trust in God (Q 3.158).”

There can be no doubt that whatever the Messenger. of God is enjoined to observe, no one else can dispense with. The religious values commanded by Ijma (consensus) are not different in character from those that are attached to the words of God and the Sayings of the Prophet. It is God who determines the values as follows:

And whosoever branches off from the Messenger after guidance has become clear to him, and whosoever adopts a course (of action) which differs from that the believer's. We turn him toward that, he himself hath turneth and (thus) push him unto Hell. (Q4: 115).

In the above revelations, God has particularised two supreme regulative norms for the conduct of the believers: (1) the Sunnah of the Prophet and (2) the course of action adopted by the believers. Those who deviate from the one or the other adopt a course of which Fire is the end. It is in this way that the course set by the believers just like the Sunnah of the Prophet has pleasure of God attached to it.

In other words, the consensus of the people is free from error in religious sense. He who violates its judgments, orders and prescribed values, notwithstanding his stature in piety or wisdom, is liable to Divine wrath and punishment.

The so-called very high priestly councils or conventions of the so-called intellectuals of the Ummah are not extended those religious values. Their decisions are not given Divine protection from error, nor is compliance with them is joined with Divine reward, nor is violation thereof decreed with Divine punishment. There is no religious value which supports them for holding that high position. Thus, breft of the nature of a religious ordinance, their conclusions and judgments are no part of Islam and cannot set the course of its Shariah on their own.

The domain of Ijma (consensus) is completely exhausted in setting the course of action for the believers, their society and its culture. All other fields are beyond its domain. Their problems and issues transcend its authority. For instance, the problems of mathematics, propositions of physics, chemical equations and all theoretical sciences are free from the dictates of Ijma.

Thus, only the practical problems, which are regulated by the consideration of right and wrong, good and evil forming the sphere of the Practical Reason (or Mind) are governed by the norm of the consensus of the Umma. The products of the Practical Reason are moral, economic, political and social solutions, their negative and positive values.

The theorists and scientists are at liberty to follow their pursuits. Ijma cannot dictate their views and probes. The Muslim society so far as it is on the right path does not interfere with its theoreticians and philosophers. Its consensus is never a party to the theological; metaphysical issues. Every one may have his own individual opinion.

When a Plato, satisfied with himself as the most excellent of the Umma (Afdal AI Umma) appears on the scene and refuses to submit himself to the practical Reason as embodied in the consensus of the people, but on the other hand forces the Umma to submit before his judgment, the common man is desecrated against the scheme of God .

The whole story of Iblis and Adam begins to repeat in the social space. Pretensions of knowledge, height and excellence are the structural elements of the complex Iblis is made of, and those very elements are in resurrection in all the show of elitism whether it begins to glow in Ulema and scholars or the so-called enlightened groups of intelligentsia. As they conspire to cow down the common man and impose their judgment on the Umma, and as those judgments are not protected from error according to Islam, every element and institution of the society, its culture and systems slowly or rapidly move into an Iblisi order in which they play the role of the Shaitan (the obstinate rebel of God):

Lowered them (the men) the Shaitan and ousted them from where they were (Q.2:36).

Elitism throws a spell on the common folks, sketches before them an utopia, shakes off their self-possession and takes them away. Not conscious of their place and position, when the people are entrapped in the elitist words and *promises*, much time passes

not and they find themselves in barren social tracks, hot winds blowing with dust-storms or cold winds freezing them to the point of death. Grief, sorrow and frustration grow thickly in the hanging gardens of their cultural institutions.

Knowledge and learning have a very high place in Islam. Acquisition of knowledge has been described as a duty for every believing man and woman by the Prophet of God. But Islam eliminates all chances of the elitist position to the learned men by envisaging a dynamic relationship between the Ulema or leaders of opinion and the consensus of the people.

The Ulema may exercise their practical reason in accordance with the regulative norms of the Quran and Sunnah. But what their practical reason produces is not valid in itself as a proposition of the Shariah, because they are not the final authority to impose their constructs on the people.

They must submit all of what they have constructed to the authority of Ijma. It does not mean a referendum. It means that it is now the people's turn to take the construct for mutual consultation and discussion. They are required to exercise their own practical reason in accepting, rejecting or modifying it. What the commoners decide unanimously or predominantly is the law of Islam free from error at that time. It is the course of the believers set by the believers that the learned ones are also bound to follow.

Before the stamp of Ijma and validation by it as an ordinance of the Shariah, the scholarly constructs containing prohibitions and permissions, duties and obligations may be admirable pieces of literature, gems of high water mark, but what they lack is religious (Shariah) protection from error and the pleasure of God in following them. Therefore, no obligation of obedience. is attached to them and as such they are not part of the code of Islam.

The celebrated scholars of the early history of Islam produced admirable volumes on the Shariah, but they did not believe that their works were binding on the people.

The 'Muwatta' of Imam Malik b. Anas is one of the most outstanding works on the ordinances of the Shariah. But when At Mansur Abbasi approached the Imam with the suggestion of promulgating the 'Muwatta' by his power and authority in the dominion of Islam, the latter did not allow it.

The leading idea in Imam Malik's refusal was that it was Ijma and not the wielder of power that could bind the Umma and its other scholars to the series of Ahkam compiled in a fiqhi work.

Abu Hanifa, another Imam of very great merits also produced a huge volume of Shariah constructs in collaboration with other scholars and his own noted pupils, but he did not have the slightest idea of getting it imposed by the pressure of power.

Abrogation

The Consensus of a generation is a *hujja* (final proof of the right and wrong) for it. This rule means that a thing which was right before, may become wrong under it or *vice versa*. Several questions arise in this connection. Can a Consensus (Ijma) radically transform the values of a people? Can it limit or expand itself to any point? Can it come to an end and abolish its own necessity?

Answers to those vital questions for the Muslim Umma depend on the logic of change in Islam. Prophethood came to finality and abolished its own necessity, Consensus by its very nature can not come to the point of its own completion and abolish itself. The reason is not very hard to grasp. An Ijma of a generation can not bind the coming generations.

According to the teachings of the Holy Quran, treading on the footprints of the fathers is no demonstration of truth at all. In fact this kind of demonstration is a hall-mark of the unbelieving folks, especially of their privileged and affluent classes.

Nay, for they say only: Lo! We found our fathers following an Umma, and we are guided by their foot-prints (Q.43:220).

They stick to the ways, patterns, traditions and customs of their forefathers under the idea of preserving their high values and religion and thus preserving their natural culture. The Muslim Umma cannot live on this kind of sentimentalism. Every generation is free to accept or modify the past Ijma on its own responsibility.

But modification or change of Ijma does not mean a riot. It follows the universal law of Islam, the same law which worked in the Divine revelations from Adam to Mohammad (peace be on them). The historical sense and its intense feeling is a fundamental aspect of the Faith in Islam. The Divine revelations since the very beginning had been a progressive series with a peculiar law of history:

Such of Our revelations as We abrogate or cause to be forgotten. We bring (in place) one better or the like thereof (Q.2: 106).

The world at large, heavens and earth, follow this law or not, we are not sure in our knowledge of it. There may or may not be the law of progressive succession in the universe. But one thing is quite clear to a believer that the Guidance or Divine Teaching follows the law of progressive replacement. It is technically known as the logic of abrogation (*tansikh*).

The unique internal structure of abrogation has been revealed by the Holy Quran as follows:

And unto thee have We revealed the Book with the truth, confirming whatever book was before it and a preserver of it (Q.5:48).

Thus the abrogating process, of necessity, implies confirmation of the truth it abrogates, and thus in itself is a preserver of and guardian over it. Abrogation (*tansikh*) in Islam thus does not mean uprooting or weeding out. It obligatorily implies protection and conservation of the past truth and its imperative as part of its structure. The Quran is, therefore, appellationed as the Preserver (*Al Mohimin*) which means that the truths of all the past revelations and their laws are protected in and preserved by it. We may denote this property by 'accumulation'.

The logic of abrogation functions by accumulating the essential contents, the abrogated (*mansukh*) truth contained in its fold; and its unique contribution is increment upon it. *Khalifa* Abdul Hakim explained the principle of *Nasikh* and *Mansukh* underlying Divine Revelations as that the abrogator (*nasikh*) is at least like the one, abrogated' by it. But in most cases it is better than the latter and witnesses an addition of some new excellence to it. Thus in its texture the abrogator represents a better and expanded embodiment of the abrogated entity, whether a law or a truth. In other words, accumulation and increment are logical aspects of the process of abrogation which operates in the Divine revelation. This author is inspired by this explanation to generalize the principle to the evolution of the Shariah as follows:

The same law of abrogation operates in the evolution of the codes of life from the Divine revelations in the form of fresh probes (*ijitihad*) and consequent consensus. It aims at a more effective or more efficient carrying forward of the truths, the earlier forms (constructs or injunctions) possessed.

A deeper insight indicates that abrogation is, indeed, the basic law and vital principle of the living phenomenon. Seed is abrogated in sapling; the sapling is abrogated in a fully grown tree. Infancy is abrogated in childhood; childhood in boyhood and the latter in adolescence. Revelations are also like them. This is the teaching of Islam.

A mere change may be useless or harmful. Abrogation is that kind of change which retains the past achievements and at the same time deepens and enlarges them by further gain. It is in this way that the tractus of Noah was abrogated by the Sahifa (writing) of Ibrahim; the Sahifa by the Torah of Musa; the Torah partly by the Injil of Isa. And all the books are abrogated by the Holy Quran. The abrogation means that all of them are protected and enhanced to completion in it. This is what *Khalifa* Abdul Hakim explained me as regard with the glorious Quran appulated as al Mohimin (Q.5:48). He was my teacher (d. 1959). Refer his work *The Prophet and His Message*, pp 327 f, Lahore 1987).

The law of abrogation not only works in the succession of prophets and in the Divine teachings sent through them but also in the group of revelations, a particular prophet is endowed with. The Muslims are to appreciate the wide permeation of this law in the Holy Quran. And it is how it should be. If growth is the property of life, then as a living phenomenon the Divine revelations have to manifest the law of abrogation; hence the abrogated Ayat (signs / verses) and the abrogating Ayat in the Holy Quran.

Jalal Al Din Sayuti states that the principle of abrogation mainly permeates those verses of the Quran in which prohibitions, permissions and obligations are revealed. In other words, as a principle, abrogation lies at the root of Shariah which defines the licit, illicit, apprehensible, preferable and commendable for human conduct in Islam. Their ensamble is denoted as Shariah.

The Shariah is thus a living system. Accumulation and growth are its innate properties. It assimilates the abrogated law in its advancement, causes an increment upon it and thus moves on. This expansion or growth is the generic law of the Shariah of Islam ever since the first revelation to the Prophet of God until the last members of humanity who understand and act on the law given to them. As logic of the living truths, abrogation consequently can not remain confined to the Quran alone. It must pervade the Sunnah of Islam, and must animate the evolution of Ijtihad and Ijma also.

Permeation of abrogation in the living phenomena does not mean a linear evolution, It fulfils itself in a variety of forms which can not be covered by the concept of linearity. Consequently, the idea of abrogation has more vastness in its scope than the idea of evolution for determining the changes and forms informing the living realities. An effort is abrogated by its goal and comes to stop at it. A proof abrogates the claim it establishes. A demonstration is the abrogator of its thesis.

Those aspects of life represent some change and modification but can not be illustrated by the linear evolution. In all of them the abrogator (*nasikh*) contains, preserves and protects the truth or essence which was given in the abrogated and equips it with an elaboration which was not part of it earlier. The new element added to it fortifies its actual fulfillment.

To sum up, throughout all of the forms of abrogation certain fundamental norms are unfolded as its elements which decidedly distinguish it from other kinds of processes, changes and modifications. Conservation of all the abrogated content and growth of a fresh core upon it are criteria of its being true to its nature.

The Ijma of the Umma is also an exemplifier of those norms. When a fresh Ijma changes the past Ijma, it does not make the latter dead, but gives new life to it, makes the value inherent in it more effective and expands its purposiveness to accord with the current problems of life.

Thus every fresh Ijma is an abrogator (*nasikh*) which serves as a protector of the abrogated ordinance. In its constitution, it must confirm what the abrogated value or injunction contained and strengthen it by its new devices as part of the living law.

The constitution of public order is also under the same law. Abrogation works in its problems and arrangements.

Khilafat

The Righteous Khulafa (Khulafa Rashidun) are light unto the Muslim people and their governments. Abu Bakr, Umar, Uthman, and Ali (God be pleased with them) are indeed models for Muslims rulers and administrators. But it does not mean that *Khilafat* is the principal form of government for a Muslim state.

Khilafat is neither a theory, nor a creed, but' is an abstraction from the following facts. After passing away of the Prophet, the

question was who to take his place and fill his position as the Leader of the Congregation of Islam for the purposes of conducting its public affairs.

It was a concrete question on which depended the future of the Muslim society and the security of its dominions. With general consent, Abu Bakr filled that place and was known as the *Khalifa* (successor) of the Prophet. After Abu Bakr, that place went to Umar who was then known as the successor to the successor of the Prophet. Likewise when Uthman was inducted into that position, he was known as the successor to the successor to the successor of the Prophet.

By dropping the long chain of succession the title could be abridged, and it was abridged. Thus the simple term of the *Khalifa* (the successor) entered into the vocabulary of Islam. The chain of succession vanished and self-appointed rulers succeeded it.

In the course of time, the congregation of Islam grew into many nations. The Muslim nations of today do not face the same problem the companions of the Prophet were beset with. They are not required to fill the place of the Prophet and his successors. They have their own problems of administration and conduct of their affairs.

The newly emerging free Muslim nations live, not unlike the Latin nations of the South, under the constant threat of overthrow from within. Coup after coup makes a mess of their constitutional order. Those who seize authority proclaim to have come to save the people from disorder. And some of them even claim to have come to give an Islamic order to the people.

They visualise themselves as the supreme God-sent leaders of the people and declare in so many words that the believers must have a leader to whom all of their obedience is due as the righteous form of constitution in Islam.

The neo-Islamists who in the past collaborated with the Ottoman Sultans join them and add that this kind of arrangement is the closest thing to the Righteous *Khilafat*, and it suits the genius of the Muslim people.

That the Muslims have been ruled throughout their history, excepting the early period, by autocrats and sultans does not indicate their genius and does not mean that they are required to be ruled by self-appointed or selected leaders and dictators in the future.

The Holy Quran condemns those whose sole argument is that we do it because our fathers have done it. Man must overcome the shortcomings of his history to follow the right path. This is what the genius of a people means in the teachings of the Prophet and in Islam:

So set thy purpose for religion (Din) as a man by nature upright---the nature (framed) of Allah's creation. That is the right religion (Din), but most men know not (Q.30:30).

There is no ground to believe that the Righteous Khulafa were dictators, or represented a dictatorial form of government. The scope of government during their days was very small. Things are absolutely different now. Moreover, no Nas (directive revelation) of the Quran prescribes this form of government. All the great historians, traditionalists (Muhadithūn) and jurists agree to this point that the *Khilafat* had its origin in the Consensus of the Companions.

For the sake of convenience, reference may be made to Abd Al Qahir Al Baghdadi (d.429/1037), *Usul Al Dill*, section XIII;; Ibn Abi Yala Al Fara (d. 456/1063), *Abkam Al Sultaniya*, chapter I; Abu Yasr Mohammad al Bazdavi (d.493/1099) *Usul al Din*, pp. 178), Hasan bin al Mohammad al Mawardi (d.450/1058), *Abkam al Sultaniya*, chapter 1.

Different schools of the sharia were unanimous on the point that it was the Ijma of the Companions which founded the *Khilafat* after the passing away of the Prophet. There is no doubt that the Ijma of the companions was drawn in the light of the teachings of the Quran and meant a particularization and interpretation of the revelation of God and the Sunnah of the Prophet. But present generations are not committed to follow their Ijma.

What Abu Ishaq al Shatibi (d.790/1388) said in respect of the opinions of the Companions is theoretically incontestable. No body really can challenge the view that God did not send anyone beside the Prophet whose following was obligatory on the believers. But there is a further delicate point.

A prominent Muslim thinker and poet-philosopher Mohammad Iqbal (d.1938A.D.) expresses his views thus:

I think it is necessary in this connection to discriminate between a decision relating to a question of fact and the one relating to a question of law.

In the former case, as for instance, when the question arose whether the two small Surahs known as mauzatain (the last two Surahs of the Book) formed part of the Quran or not, the Companions unanimously decided that they did, and thus we are bound by their decision, obviously because the Companions alone were in a position to know the fact.

In the latter case, the question is one of interpretation only, and I venture to think on the authority of Karkhi, that latter generations are not bound by the decision of the Companions. Says Karkhi,

The Sunnah of the Companions is binding in matters which cannot be cleared by Qiays, but it is not so in matters which can be established by Qiyas.

Ali bin Nabardavi also held permissible to go beyond the Sunnah of the Companions (*Reconstruction of the Religious Thought in Islam*, p.173).

It may be pointed out in explanation of Karkhi's position that there are matters of the Shari' law which are not open to legal reasoning or analogical argument. The methods of bodily purification, the licit and illicit in food, etc. are set by the Sunnah of the Companions as particularisation, demonstration, and exemplification of the revelations of God and the Sunnah of the Prophet for ever. No one can exceed them. And obviously these are matters of law and not matters of facts.

Iqbal's own position seems to assign only communicative position to the first generation of Islam and it is injurious to the Shariah. Concretely speaking, it does not accord with the evolutionary view of Islam. The view that in the matters in which legal reasoning may be applied, one may go beyond the Sunnah or the Consensus of the Companions is obviously sound, but with an internal discipline.

However, this view cannot lead to the extreme position of Najm Al Din al Tufi' (d. 716/1316). Masliha which has various shades of meaning from expediency, prudence to the general interest and harmony was made by him the ground of all those matters which were open to reasoning. And those matters were related to the public problems and issues as distinguished from the matters of quite private obligations and prayers (i.e. personal obligation).

He said:

God has guided us to the ways of knowing the rnasliha, and we can also know them by way of habit. In contrast, our efforts to know the

masliha inherent in the Nusus (the Quranic imperatives and the dictates of the Sunnah) are tainted with uncertainty. Then why should we seek an uncertain masliha in preference to the masliha which is quite certain? Moreover, we seek masliha in muamalat (affairs and dealings of men) only. The Ibadat (prayers) are laid down by God and the messenger. Thus, all that is known in respect of their modality, quantity, timings, and place is only known from the Law-Giver (i.e. God). But the problems of the rights of the Mukallafin (the bearers of responsibility) are different. The ordinances about them are based on Shari'i politics and Masliha (expediency or general interest). And other reasons are only means to this real purpose of the politics of the Mukallafin (*Risala Al Masalih, Al-Manar*, Vol. IX, p. 779).

It is quite clear that according to AI Tufi, Masliha (expediency or public interest) overrides not only the consensus of the Companions but also the firm nusus of AI Quran. This is an untenable position as definition of the public interest against the teachings of the Quran and Sunnah is, however, impossible in Islam. Yet the Muslims cannot live by repeating the past patterns and practices. A paradox! The answer lies in abrogation as the basic law of Islam. The abrogator must contain the essential elements of the abrogated law and the values it projected in the past.

Khilafat was the early institution of Islam and it can not be exempted from the law of abrogation. For the purposes of our time, it is abrogated in the evolution of a parliamentary system of government sufficiently grown enough to serve the purposes of large societies and nations. Nothing of the *Khilafat* is contradicted in it, but every essential truth part of the *Khilafat* attains a natural embodiment and growth in its environment. The permanent values handed down by the *Khilafat-i-Rashida* to all the generations of Islam are as follows:

1. There are no self-appointed rulers in Islam.
2. Those who proclaim such rulers and those who are proclaimed as rulers, both sides are liable to be beheaded by the believers (Umar's Declaration in Ibn Ishaq's Sirah, last chapter).
3. The rulers are mere executives in charge of affairs and cannot give laws.
4. The laws are given by the consensus, which results from the (free) discussions and mutual consultations of the people.

All conditions necessary for fulfilling the above obligations are preserved and enhanced by the parliamentary system of

government. Hence the system is abrogator of the *Khilafat i Rashida* for complex and large nations of our time.

Justice

Defective system of justice corrupts even an otherwise good system of government. None is above law and justice in Islam. There is no authority which is not subjected to judicial review in the public order of Islam.

But the regimes that have false roots can only perpetuate themselves by brute manoeuvring of force. As they cannot face justice, they are forced to abridge the powers of the courts of law and are forced by their evil promptings to keep themselves above law and make their deeds and declarations above all questions and probes.

They are the oppressors, and the enemies of God and men, and a blot on civilization, even though they might have come to power by popular vote.

Those who cooperate with such regimes, strengthen them as hands of the Devil and spread oppression on the earth. They are indeed quite nearer to infidelity than to belief as they have already broken their covenant with their Lord:

Remember the grace of God upon you and His covenant by which He bound you when ye said: We hear and obey; and keep your duty to God. Lo! God knoweth what is in (the breasts of) men. O'ye who believe! Be steadfast witness for God in equity and let not hatred of any people seduce you that ye deal not justly. Deal justly, that is nearer to your duty. Observe your duty to God. Lo ! God is informed what you do (Q.5:8).

The wielders of power who deny the courts to have jurisdiction over them and their declarations are followers of their lust and deprive the people of their right to justice against them. The believers are under the categorical command to refuse to obey them:

And obey not whose heart we have made heedless of Our remembrance, who followeth his own lust and whose case has been abandoned (Q.18:29).

The anti-God regimes which deny law and justice should be starved to death by non-cooperation. This is the principal technique of Islam for mass action to emancipate the Muslim lands from their internal rebels who without right seize power and perpetrate injustice on the people by taking their own wishes' as

their lords and ultimate measures of the social order. The believers, as their public obligation, cannot forget that they have already bartered away their life to God for very good things:

Lo ! Allah hath bought from the believers their lives and their wealth because the gardens will be theirs; they shall fight in the way of Allah and shall slay and shall be slain. It is a promise which is binding on Him in the Torah and the Gospel and the Quran. Who else fulfilleth his covenant better than Allah? Rejoice then in your bargain that ye have made, for that is the supreme triumph. (Triumphant are) those who turn repentant (to Allah), those who serve (Him), those who fast, those who bow down, those who fall prostrate, those who enjoin the right and who forbid the wrong and those who keep the limits of Allah - and give glad tidings to believers (Q.9: 111-12).

No public order in terms of Islam can be established without the provision of supreme adjudication which can test the claims, orders and decrees of the rulers in compliance with the Divine Command; "Allah commandeth you that ye return trusts to the deservings thereof, and if ye judge between mankind, that ye judge justly (4: 58)." The interaction of the Companions established the institution of supreme arbitration accordingly in 37 A.H.

The Muslims of today cannot go against their tradition. They can only improve upon it to be faithful to Islam in fulfillment of the above command.

The principles of constitutional adjudication laid down by the Companions in the charter of the Arbitration are light and rules to all the supreme constitutional courts in Islam. They should be discussed, thrashed out and incorporated in the present constitutional orders of the free Muslim nations. All the unrighteous regimes which came after the Khulafa AI Rashideen did two things:

They over-worked the differences of the Companions that emerged during 35 A.H. to 40 A.H. for serving their own ulterior ends and played down the set up of the Tribunal which the Companions had brought forth by their interaction, because the institution like that was antithetical to the continuity of their own unrighteous rule. The jurists attached to their unholy regimes tried to ignore, rather deplore it. The second thing they did was that they kept all justice under their thumb. Constitutional petitions were never made or heard in their history.

In modern states the judges appointed by, the government hear cases, the constitutional cases of extraordinary importance. It is not

unusual that some of the judges are retired and fresh judges are brought during the cases. This abuse of government authority in the appointment of judges when a government itself is a party to, a delicate issue is an incurable part of the constitutional history of many modern nations.

Sometimes it may happen that if a constitutional decision goes against a government, it takes steps to nullify its effects and waits until a new bench is constituted after the tenure of the present judges is over. The government fills up the positions with jurists who share its views. Then it gets the decision reversed.

According to the Muslim constitutionalism, supreme constitutional adjudication presupposes judges who are not appointed by the government. The interaction of the Companions constituted the supreme tribunal. by nomination of the judges or arbitrators in equal number from and by both of the parties to the constitutional dispute.

The Tribunal was constituted in 37 A.H. when nearly two years of mutual discussions and talks and even skirmishes could not lead to a solution.. The document constituting it is given by Baladhuri but may be read in Taha Husain's *Fitnah Al Kubra*. What it contains as the ijma of the companions from the Shari'i point of view has its own character:

The supreme adjudication in Islam repudiates and discredits the postulates of the modern state. Its entire set-up in Islam is materially and existentially independent of the government. All the officers, garrisons, commanders, governors, parties and citizens are directly under the pledge to uphold its awards leading to the solution of constitutional disputes of fundamental importance.

In other words, the supreme court in Islam is a very high institution, rather an ultimate institution. Its judges cannot be appointed by the government, nor its judgment depends for its implementation on the will of the Executive. Every citizen, every officer, every unit, civil or military is charged with its implementation. The Companions willed it as such.

The Muslims of today can get rid of their internal riddles by creating their supreme adjudication by following the unanimous agreement of the Companions as light to themselves and improving upon it in the light of historical experience. This is how abrogation works in Islam.

Judicial order comprises courts of various levels and kinds spread all over a country. But if it does not converge in a Supreme Arbitration or Constitutional Court, it has no worth in Islam, because it lacks the machinery which examines the law itself so that the unlawful is not delivered and made part of the legal norms of the nation.

The judicial order is only complete when all of its levels and kinds are related to the Supreme Arbitration. Its function is not to make law, but is to declare law in concrete cases which come before it. This power of examining the law, therefore, is inseparable power inherent in judicial order.

The idea of legalised illegality is foreign to Islam.

Therefore, no court in Islam can legalise an illegality, for it always has to declare the proper law. Whenever courts start to legalise an illegality or put their seal of approval on acts of unlawful authorities, they exceed their limits and in themselves they degenerate and serve as the main spring of an illegitimate and immoral 'order', let loose on the people. Then there is no end to distortion of truths. Every day piles up injustice. If there is a genuine situation which merits condonation, these are the people and nobody else to do it.

There are newly emerging states in which the courts are invested with the authority by the regimes controlling them to review the programmes and manifestos of different parties and allow them to survive or give them death sentence at their discretion.

When the judges, even of a supreme court, sit down to examine the action schemes and manifestos of the political parties, they do not remain judges, but reduce themselves to a handful of common men and voters in a community of millions, all alike. Their views and judgments are not then worthier than their number vis a vis their nation.

A handful of men or voters have no right to exercise the rights and powers of all the men and voters. If they think that their judgments are the declarations of court, they commit excesses and are contributors to the regime of Fasad (disorder) in the people.

No court in Islam can encroach upon this of the people's power which inherently belong to them and not to courts, even to supreme arbitration.

The Supreme Arbitration of 37 AH. established with its terms by Consensus of the Companions, forms the necessary precedent for the judicial order in an Islamic state. It can be further improved but can not be contradicted by any state which is raised on the basis of Islam.

The courts are not to exercise political rights and powers of the people. The Supreme Arbitrators appointed by the Companions were not asked to do it, nor did the charter handed down to them empowered them to do that. They were only asked to declare the law for the constitutional dispute put before them.

In the charter was outlined the basic model of the constitutional adjudication of Islam. The supreme courts of the Islamic republics can not undo it in their constitution without grafting a rejection of Islam in their body.

Appointments

So far as the appointments of Arbitrators or Supreme Constitutional judges was concerned, it was easy in 37 A.H. to let the parties in dispute nominate them in equal number, because the bipolarization of the Umma and its very obvious representation in the form of two parties and camps was very clear beyond any doubt. It is very rare in history.

Therefore, a more suitable method to abrogate it must be adopted. One thing which is absolutely ruled out by this precedent is government appointments to the seat of Supreme Arbitration.

Government appointments to the positions of supreme adjudication suit a modern or Kelsenian state in which all the courts are organs of the state, and the state is the government in power for the time being. The Umma of Islam which is under the covenant to uphold the Mizan (balance of justice) in its fold can not allow this method to have a grip on its public order.

By establishing a supreme court, independent of government, the Muslim constitutionalism returns to its own spirit.

In the context of our time, the institution of Supreme Arbitration should be pressed to its logical perfection so far as it is humanly possible. It should also be free from the influences of the political parties and other interest. It may be developed into a clear system by some method as that the Supreme Arbitrators are chosen through an electoral collage consisting of the Fuqha, jurists, and practicing experts in law. Only these groups know well who are the

genuinely competent jurists of integrity that can be appointed to the Supreme Arbitration.

Or it may so happen that the proposed electoral college present a list of Arbitrators and refer it to the general suffrage who may be allowed to return a third of their number to the position of Supreme constitutional judges of the nation for a fixed tenure of time. Thus, the appointment will have nothing to do with the government and other political groups. Other more congenial options are also open. They must be duly worked out.

Practically, every organ of the society will have to be an organ of its execution. This is what the document of the Supreme Arbitration (Tehkim) laid down in 37 A.H. meant for solving its constitutional disputes and thwarting the growth of anarchy in Islam.

The theory of modern state according to which the courts are its organs makes the judges government servants. Thus the judiciary has grown into a profession. It gives rise to careerism, which is prepared to serve a Bokasa* and when the latter is overrun by his adversaries, it is charmed to serve under the new masters, applies their decrees in its judicial process and optimistically look forward in the direction of next change and new masters.

The career judges staffing the benches of supreme courts soon develop their own ratiocinations and professional ethics. The latter enter as legal norms into the constitutional destinies of nations. In Islam such norms are termed as 'plausible discourse through guile (Ref. 62: 113). They say: The municipal courts (courts in national jurisdiction) have always to enforce the laws of the *de facto* government as it is. Such a government which can enact law, can appoint judges and can enforce the execution of law. If a judge believes that a situation has arisen which in all conscience compels him to exercise the sacred right of revolution or Counter-revolution, he should leave the bench and not seek to use his position on it to further his revolutionary or counter-revolutionary purposes.

The moralisation goes even further: The more unsettled the times and the greater the tendency towards the disintegration of established institutions, the more important it is that the court should proceed with the vital task of maintaining law and order and by so doing act as a stabilizing force within the community. This objective can only be achieved if the acts of the government of the time are presumed to have the force of law.

These views brilliantly pleaded by the Rhodesian judges are destructive of public order. They do not represent the law, but only professional stakes of the carrierists, which to them look like fundamental legal norms. They can not be allowed to determine the destiny of an Islamic State and turn it into a sort *of Mulukiyah*.

***Note:** Bosaka was a Chief in a Central African state who came to power by overthrowing its government in the seventies of the twentieth century.