

Islamic Review

Edited by AL-HAJ KHWAJA KAMAL-UD-DIN.

Vol. XVII.]

[No

RAJAB, 1348 A.H.

DECEMBER, 1929 A.C.

Annual Subscription, 10s.

Single Copies

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PUBLISHED AT
THE MOSQUE, WOKING, ENGLAND

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
 مُحَمَّدٌ وَآلُهُ عَلَى سُلُوكِ الْكَلِيمِ

THE ISLAMIC REVIEW

RAJAB, 1348 A.H. Vol. XVII. DECEMBER, 1929 A.C. No. 12

FUTURE ADMINISTRATION OF THE MUSLIM MISSION, WOKING

SOME time in 1922 it occurred to me that the production and dissemination of Muslim literature was a more effective and economical method for spreading Islam in the West than all the other measures which I had adopted since 1912. The better to test the matter, I myself produced several new books and the result confirmed me in my opinion. But I could not devote my whole time to the literary side of my work without transferring most of my mission duties to other hands. This was the only alternative before me, and I thought I could not serve the cause better than by adopting it. I expressed my intention to this effect in the pages of the *Islamic Review* in 1925, and accordingly I established a Muslim Literary Trust apart from the Mission. As I do not believe in sectarianism in Islam and have strictly observed this principle in the conduct of the Mission, I thought that the new Trust ought to be constituted on the same lines; so I requested Lord Headley to act as President of the Trust, and he kindly consented to do so. Sir 'Abbās 'Alī Beg (late Vice-President of the India Council), Khwaja Nazir Ahmed (Barrister-at-Law), the present Imām of the Mosque, Woking, and myself became its trustees. Several new books were published and a reserve fund was also

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opened. I made a tour in South Africa with Lord Headley under the auspices of the Trust, and it was a success in every respect.

Towards the end of 1926 I came here to give practical shape to this new scheme, but the severe mental strain I had constantly sustained for several years past was too much. I was suddenly stricken with serious illness and I have had to struggle for my life for the last three years. Thrice I had to face moments when all hope of life seemed lost. At such a moment I made a will last April, directing my son and other friends to execute my wishes after my death by handing over the Mission to a non-sectarian Board, as the whole matter had already been discussed among our friends and the lines on which the new Board was to work had been agreed upon.

Words fail to express my gratitude to Almighty God Who has granted me again a new lease of life. I am out of danger, as my medical advisers tell me, though in a convalescent state and standing sorely in need of a long rest; but as my plan has become accomplished and the parties concerned have given their consent to it with some reservation, I write these lines. I hope my Muslim brethren will be highly pleased to hear that the Muslim Mission, Woking, and all its kindred institutions, which have hitherto more or less been a private and an individual concern, will now be a communal matter. The Mission, the *Islamic Review*, the Basheer Muslim Library, and the Muslim Literary Trust have all been amalgamated and transferred to a Board constituted on non-sectarian lines with the following gentlemen as its office-holders: Lord Headley, Chairman; Maulvi Muhammad 'Ali, Vice-Chairman; Khwaja 'Adu 'l-Ghani, Secretary to the Board; and Dr. Ghulam Mohammad, M.B.B.S., Financial Secretary. Sir Mian Mohammad Shafi, who has also consented to be a trustee, has been requested to act as its legal adviser.

The Trust Deed has been drawn up and sent to all the trustees. Sir 'Abbās 'Alī Beg, Mian Ahsanul Haq (Sessions Judge, Campbelpur), and other trustees have also signed the Deed. There are a few formalities yet to be observed, and then the Trust Deed will be registered in Lahore, India. I

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intend to devote the coming days of my life to producing literature and to raising the reserve fund. Though my long illness has heavily told on the revenue of the Mission as far as our current account goes, yet as regards the reserve fund, I am thankful to God that I am not only handing over the Mission in a flourishing condition, but am also transferring to the Board a sum of about Rs. 44,000 in cash at the beginning of the coming year when the Deed is registered. Of this sum Rs. 37,200 are lying in the form of fixed deposit with the Imperial Bank and Lloyds Bank, Lahore. I am also transferring, under certain conditions, all my proprietary rights in the *Islamic Review* and Basheer Muslim Library, together with a stock of books on sale to the value of Rs. 15,000, and the furniture in Woking and at the London Muslim Prayer House. If God grant me strength, it is my purpose to produce more literature for the Board.

In conclusion I make two requests to my brethren in faith. The work of the Mission has increased in these three years, while its revenue has suffered much on account of my illness. The matter needs their immediate attention and help. I solicit their co-operation and appeal to their usual generosity. The Mission has overcome all the initial difficulties attendant upon an enterprise in a foreign land. It is now an established institution and admittedly a "Strength" in the West. But its stability mainly depends on financial soundness. We have got a reserve fund of about half a lac of rupees, as I said above, and if our brethren co-operate with me in raising it to several lacs in the form of investments, its proceeds will be enough to meet all current expenses; and the Mission will be an established entity with a splendid future before it.

The well-wishers of the Mission are requested to send their donations to Dr. Ghulam Mohammed, Financial Secretary to the Board, Aziz Manzil, Lahore, with directions whether their charity should go to the current expenses of the Mission or its reserve fund.

AZIZ MANZIL

LAHORE

October 31, 1929

KHWAJA KAMAL-UD-DIN

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THE CIVIL LAW IN THE QUR-ÁN

By SYED MAQBOOL AHMED, B.A.

I PROPOSE in this essay to enumerate and analyse those portions of the Qur-án which directly deal with the Civil Law: matters such as marriage, divorce, will, inheritance, contract, loan, etc.

It is not the aim of the Qur-án to be a tediously comprehensive guide in trivial matters and details of life, nor does it limit the scope of religion to the idealism of a "Sermon on the Mount." While recognizing religion as a combination of politics and philosophy, it neither dabbles too much in abstruse and abstract metaphysics beyond what is indispensable for practical ethics and morals, nor does it insult man's common sense by prescribing secular laws on the use, say, of a toothbrush or the clipping of his whiskers. It lays down only the basic principles on which the equitable rights of man could be properly based. Its laws are brief and to the point, so that a man could be put on the right path to deduction. Its laws are the unchanging nucleus out of which has grown the mass of the Muslim unwieldy jurisprudence of the four schools, now necessarily out of date—at least, according to my own persuasion which, with the Wahābīs, is no believer in any of the existing four schools of Islam.

The first matter of the Civil Law in the Qur-án that invites our attention is marriage, which in Islam, unlike other religions of the world, is a civil contract pure and simple, made on consideration of a sum of money, payable by the husband to his wife before conjugal rights are confirmed. This money is termed *Mahr*, and the amount entirely depends on the acceptance of the wife, which a wise wife always takes care to settle upon herself to an extent a husband would not easily pay off, should he ever think of bringing the contract to a close; this being one of the several impediments which Islam places in the way of divorce. Divorce has been condemned in Islam as vehemently as was at all possible to check its abuse, but at the same time, it has not made divorce absolutely illegal, as Hinduism and Christianity have done; and it is needless to

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point out that both these religions have now been forced to accept the inevitableness of divorce, and have made amends, or are trying to make, to meet this contingency of human life, thus showing how far from being practical or worldly-wise, much less divine, their individual law-givers were, who never foresaw the modern social complications which are being faced by their votaries to-day. Islam looks upon the question of divorce from the most reasonable point of view, and solves it in such an admirable way that it becomes one of the most substantial grounds for bowing our heads to its sources being nothing but divine. Mark the word "Islam"; it should never be confused with "Mohammedanism"—a word coined in Europe on the parallel of Christianity. Islam did not originate with Muhammad, any more than the English language with Shakespeare or Dr. Johnson. Nothing is more un-Islamic than to accept Muhammad (may he be blessed!) as anything but the last noble link in the great scheme of God to substantiate His will and laws to mankind, free from the dross of human ignorance and superstition which grew upon it till it reekingly choked itself for many centuries before his advent.

Although Islam condemns all inconsiderate, hasty, and fitful divorces, as well as divorces implied (technically termed in Arabic as *Zehâr*), it knows the nature of man too well, and the consequences of interference when a man deliberately makes up his mind to divorce. It is impracticable to compel a man against his will; for not even a thunderbolt from the heavens will cause their reunion when once the parties decide to separate. When matters come to this pass, it will be the height of folly for any law or legislature to insist on their remaining together; divorce must follow for the good of both sides. The Qur-ân at this juncture gives perfect liberty to either party, its only care being to make provision for the status of their expected child, if any. When a man divorces his wife, his first divorce is not as a rule considered deliberate by the Qādī (Judge), and in the absence of a Qādī, as in British India, by the elders of the family; he is given two more chances, with the interval of one month in each, to reconsider his decision, after which comes the final and irrevocable divorce. But the man

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does not at once free himself of all his obligations towards his divorced wife as soon as he divorces her. Besides the recovery of the unpaid *mahr* from him, and anything which has been settled by him on her over and above this, he is bound for the next four months to allot a separate house to his divorced wife and maintain her without any intercourse with her. This period is termed '*Iddat*'. If, within this period, a child is born to the divorced wife, the late husband shall either let the mother suckle it for a couple of years and pay for it, as he will do by employing a wet-nurse, or make any other arrangement for its nursing; for the child belongs to him and must be provided for by him. If no child is born to the wife within this period, and there is no expectation of any, she is free to leave the house of her husband, and marry whom she pleases, except her own late husband, who under no circumstances can remarry her until by chance she is again divorced by her second husband. Marriage of a divorced woman within '*Iddat*' is absolutely illegal; so is her expulsion by the late husband, except on the ground of her open adultery within the period. It will thus be seen that it is not an easy task to avail oneself of the permission of divorce in Islam; it bristles with such acute social and financial difficulties (the *mahr* of an ordinary respectable wife in India is never below ten thousand rupees, and goes to the incredible amount of lacs and crores in higher families) that an ordinary Muslim husband will think twice before plunging into it recklessly, and would try to patch up the schism between him and his wife rather than divorce her. It should, however, be pointed out that the Qur-án does not compel one to marshal out all one's reasons for divorce in the open court of a Judge, nor does it make it essential for one to expose all those delicate matters and scandals which lead to divorce and which go to provide for such an entertainment in English newspapers that cause us Easterners to blush for shame. The Qādi cannot do anything but grant a decree of separation. No occasion is caused to the unwilling parties to resort to their own private arrangement of separation in defiance of the order of the court, so that they are not compelled to lead that glorious life between marriage *de facto* and

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marriage *de jure*, so common a characteristic of the English society. Consummation of marriage in Islam begins soon after man and wife have cohabited. Thus there is no marriage before this, nor between minors who have not reached the age of discretion, and no marriage is possible without the consent of either party. The consent may be expressed or implied, but must be free from compulsion. Besides, it should not come from insane persons or minors. This is a very important point in Islam, as ceremonies do not bind the parties. It is the actual intercourse that binds, so that if a man undergoes ordinary marriage ceremony with a woman, and then decides to cancel the marriage without having had intercourse with her, he can do so, but he will have to pay compensation to the woman equal to the half of the *mahr* settled upon her. Ordinary divorce rules do not apply here, and the law about this in Islam is nearly the same as compensation for the breach of marriage promise to a betrothed in Europe.

Another point in the Islamic law of matrimony (not necessarily confined to Islam, though it has now come to that) is the sanction it gives for marrying at one time to the limit of four wives, provided every wife is treated impartially and with equal justice. Polygamy, needless to say, is neither unnatural, nor impracticable, nor immoral, but on the other hand it has an historical validity and with some races of mankind it is a biological necessity. A religion that condemns polygamy wholesale must needs be very limited in its vision and not able to rise to the demands of all those of one nation or tribe. It is well known that the habit of man taking a wife to himself varies differently in different climates. Monogamy sometimes develops into polygamy. For instance, in very cold regions like Tibet, monogamy is practised in part only—that is to say, a husband becomes only a shareholder in a common wife. In temperate climates like Europe and Japan, complete monogamy prevails, and prevailed long before Christianity came into existence; in a hot country polygamy becomes frequent, and the frequency and numbers increase with the intensity of heat. I do not say that polygamy is preferable to monogamy, nor is this the meaning of the Qur-án, which has made polygamy

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conditional. It may with advantage be repeated that the condition is such an impossibility in actual practice that only a superman with a very tough skin could avail himself of the permission. Ordinary mortals will have to limit themselves to one wife only. I have the experience of four Muslim countries—India, Persia, Turkey, and Arabia—and I can confidently assert that polygamy is not practised by more than two per cent of the population of these countries. But when it becomes a question of national economy to utilize and provide for so many orphans and widows—an essential product of war, or so many young maids who are otherwise destined to remain unmarried, because every nation always contains a considerable portion of men as homeless tramps and beggars with whom marriage is a financial impossibility, let alone all other consideration of ineligible bachelors—it will be the most unreasonable thing for any religion calling itself humane to disallow capable men to marry more than one wife, because some visionary faddist without taking the slightest trouble to consider all the pros and cons condemned marriage, or was alleged to have condemned it, and cast this surplus to starvation or infamy. Prostitution, I believe, is the direct outcome of the monogamous system exceeding its reasonable bounds, with the result that there is a dead loss to the population of a country and an appalling increase in venereal disease. A country which finds other outlets and incentives for the growth of population might afford this, but not a country like Arabia or Persia. As to the question of pure morality, let one first define morality itself, which has become, unfortunately like so many conceptions in the world, a relative term altogether. Even our own learned men (Ulemas) have considered man's morals from the breadth of his sleeve and skirt and the length of his beard and moustaches. As to Christian divines, I have to say that this word runs riot, and with them the necessary criterion of immorality is the pleasure which a man might derive from the bounteous nature irrespective of any harm done to himself or to any other. From their standpoint, of course, not only is polygamy immorality, but also ordinary marriage. Have not the Christian monks and nuns and high-priests when they

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make a vow of celibacy contributed to these foolish ideas? The Qur-án does permit polygamy, but it does not enjoin it; which means that it is in a better position to encompass within its universal bounds both polygamous and monogamous races, the races of East and West, of temperate and tropical regions. It is quite a different thing from forbidding polygamy altogether; for such an injunction clearly ignores all those conditions and circumstances under which sometimes polygamy becomes a national institution, if not an absolute necessity individually.

It has been said that Islam also allows unlimited concubinage. I do not deny that it at least has been the practice in the harems of Muslim potentates, but I do not find for it any sanction in the Qur-án, and there is a difference between a thing in practice and a thing in principle. The Turkish harem is undoubtedly a heritage of Byzantium, especially that monstrous and unnatural practice of employing and creating a race of eunuchs to guard it, which every reader of Gibbon will admit was established by the Greeks before the Turks had come to power. The Shah's harem is an improvement of the old Sassanide custom. In India the Moguls adopted it from Hindoo Rajas.

The following verses of the Qur-án relate to marriage and all problems connected with it:

MARRIAGE, DOWER, AND CONJUGAL RIGHTS

1. *Intermarriage with idolators prohibited.*

“And do not marry the idolatress until they believe, and certainly a believing maidservant is better than an idolatress, even though she should please you; and do not give (believing women) in marriage to idolaters until they believe, and certainly a believing servant is better than an idolater, even though he should please you; these invite to the fire, and Allah invites to paradise and to forgiveness by His will, and makes clear His communications to men, that they may be mindful.” (ii. 221.)

2. *Limit to the number of wives, payment of dower to wives and its relinquishment by them.*

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“ And if you fear that you cannot act equitably towards orphans, then marry such women as seem good to you, two and three and four; but if you fear that you will not do justice (between them) then marry only one or what your right hands possess; this is more proper, that you may not deviate from the right course.

“ And give women their dowries as a free gift, but if they of themselves be pleased to give up to you a portion of it, then eat it with enjoyment and with wholesome result.” (iv. 3 and 4.)

3. *What women to be taken in marriage.*

“ Forbidden to you are your mothers and your daughters and your sisters and your paternal aunts and your maternal aunts and brothers' daughters and sisters' daughters and your mothers that have suckled you and your foster-sisters and mothers of your wives and your stepdaughters who are in your guardianship, (born) of your wives to whom you have gone in; but if you have not gone in to them, there is no blame on you (in marrying them), and the wives of your sons who are of your own loins, and that you should have two sisters together, except what has already passed; surely Allah is Forgiving, Merciful.

“ And all married women except those whom your right hands possess [those who are taken prisoners in a war, and become convert to Islam, thus breaking the already existing tie with their infidel husbands]: (this is) Allah's ordinance to you; and lawful for you are (all women) besides those, provided that you seek them with your property, taking (them) in marriage, not committing fornication. Then as to those whom you profit by (by marrying), give them their dowries as appointed; and there is no blame on you about what you mutually agree after what is appointed (of dowry); surely Allah is Knowing, Wise.

“ And whoever among you has not within his power ample-ness of means to marry free believing women, then (he may marry) of those whom your right hands possess from among your believing maidens; and Allah knows best your faith; you are sprung the one from the other; so marry them with the

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permission of their masters, and give them their dowries justly, they being chaste, not fornicating, nor receiving paramours; and when they are taken in marriage, then if they are guilty of indecency, they shall suffer half the punishment which is (inflicted) upon free women. This is for him among you who fears falling into evil; and that you abstain is better for you, and Allah is Forgiving, Merciful." (iv. 23, 24.)

4. *Intermarriages with Ahlu 'l-Kitāb permitted.*

"This day (all) the good things are allowed to you, and the food of those who have been given the Book is lawful for you and your food is lawful for them; and the chaste from among the believing women, and the chaste from among those who have been given the Book before you (are lawful for you) when you have given them their dowries, taking (them) in marriage, not fornicating nor taking them for paramours in secret; and whoever denies faith, his work indeed is of no account, and in the hereafter he shall be one of the losers." (v. 5.)

5. *Marriage with low characters not allowed.*

"The fornicator shall not marry any but a fornicatress or idolatress, and (as for) the fornicatress, none shall marry her but a fornicator or an idolater; and it is forbidden to the believers." (xxiv. 3.)

6. *Marriage encouraged; a man should not marry unless he has sufficient means to support his wife.*

"And marry widows among you and those among you who are single and those who are fit among your male slaves and your female slaves; if they are needy, Allah will make them free from want out of His grace; and Allah is Amply-giving, Knowing.

"And let those who do not find a match keep chaste until Allah makes them free from want out of His grace. . . ." (xxiv. 32, 33.)

7. *Marriage with adopted son's widow or divorced wife permitted.*

"And when you said to him to whom Allah had shown

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favour and to whom you had shown a favour [referring to Zaid, whom the Prophet had adopted and gave his own cousin Zainab in marriage]: Keep your wife to yourself and be careful of (your duty to) Allah; and you concealed in your soul what Allah would bring to light, and you feared men, and Allah had a greater right that you should fear Him. But when Zaid had accomplished his want of her, We gave her to you as a wife, so that there should be no difficulty for the believers in respect of the wives of their adopted sons, when they have accomplished their want of them; and Allah's command shall be performed." (xxxiii. 37.)

DIVORCE, REMARRIAGE, AND 'IDDAT

- I. *Divorce irrevocable when thrice repeated, reunion with a thrice divorced wife, how affected; after first and second divorce wife may be retained.*

"And the divorced women should keep themselves in waiting for three courses; and it is not lawful for them that they should conceal what Allah has created in their wombs, if they believe in Allah and the last day; and their husbands have a better right to take them back in the meanwhile if they wish for reconciliation; and they have rights similar to those against them in a just manner, and the men are a degree above them, and Allah is Mighty, Wise.

"Divorce may be pronounced twice; then keep (them) in good fellowship or let (them) go with kindness; and it is not lawful for you to take any part of what you have given them, unless both fear that they cannot keep within the limits of Allah; then if you fear that they cannot keep within the limits of Allah, there is no blame on them for what she gives up to become free thereby. These are the limits of Allah, so do not exceed them, and whoever exceeds the limit of Allah, these it is that are the unjust.

"So if he divorces her she shall not be lawful to him afterwards until she marries another husband; then if he divorces her there is no blame on them both if they return to each other (by marriage), if they think that they can keep within the

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limits of Allah; and these are the limits of Allah which he makes clear for a people who know.

“And when you divorce women and they reach their prescribed time, then either retain them in good fellowship or set them free with liberality, and do not retain them for injury, so that you exceed the limits, and whoever does this, he indeed is unjust to his own soul; and do not take Allah’s communications for a mockery, and remember the favour of Allah upon you, and that which He has revealed to you of the Book and the Wisdom, admonishing you thereby; and be careful of (your duty to) Allah, and know that Allah is the Knower of all things.

“And when you have divorced women and they have ended their term (of waiting), then do not prevent them from marrying their husbands when they agree among themselves in a lawful manner; with this is admonished he among you who believes in Allah and the last day; this is more profitable and purer for you; and Allah knows while you do not know.

“And the mothers should suckle their children for two whole years for him who desires to make complete the time of suckling; and their maintenance and their clothing must be borne by the father according to usage; no soul shall have imposed upon it a duty but to the extent of its capacity; neither shall a mother be made to suffer harm on account of her child, and a similar duty (devolves) on the father’s heir [in case the father dies before the child is weaned, the heir is bound to pay the expense]; but if both desire weaning by mutual consent and counsel, there is no blame on them, and if you wish to engage a wet-nurse for your children, there is no blame on you so long as you pay what you promised for according to usage; and be careful of your duty to Allah and know that Allah sees what you do.” (ii. 228-233.)

2. *Widow remarriage.*

“And (as for) those of you who die and leave wives behind, they should keep themselves in waiting for four months and ten days; then when they have fully attained their term, there

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is no blame on you for what they do for themselves in a lawful manner; and Allah is aware of what you do.

“ And there is no blame on you respecting that which you speak indirectly in the asking of such women in marriage or keep the proposal concealed within your minds; Allah knows that you will mention them, but do not give them a promise in secret unless you speak in a lawful manner, and do not confirm the marriage tie until the writing [the term] is fulfilled; and know that Allah knows what is in your minds, therefore beware of Him, and know that Allah is Knowing, Forgiving.” (ii. 234, 235.)

3. *Divorce before consummation of marriage, and liability of the husband to pay the dower or to make gift.*

“ There is no blame on you if you divorce women when you have not touched them or appointed for them a portion, and make provision for them, the wealthy according to his means, and the straitened in circumstances according to his means, a provision according to usage; this is a duty on doers of good to others.

“ And if you have divorced them before you have touched them and you have appointed for them a portion, then pay to them half of what you have appointed, unless they relinquish or he should relinquish in whose hand is the marriage tie; and it is nearer to righteousness that you should relinquish; and do not neglect the giving of free gifts between you; surely Allah sees what you do.” (ii. 236, 237.)

4. *No fraud or coercion towards a divorced wife.*

“ O you who believe! it is not lawful for you that you should take women as heritage against their will [like the Jews who inherit brother's widow without her consent]; and do not straiten them in order that you may take part of what you have given them, unless they are guilty of manifest indecency, and treat them kindly; then if you hate them, it may be that you dislike a thing while Allah has placed abundant good in it.

“ And if you wish to have one wife in the place of another and you have given one of them a heap of gold, then take not

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from it anything; would you take it by slandering her and doing her manifest wrong?

“And how can you take it when one of you has already gone in to the other and they have made with you a firm covenant?” (iv. 19-21.)

5. *Stepson not to marry his widowed or divorced stepmother.*

“And marry not women whom your fathers married, except what has already passed; this surely is indecent and hateful, and it is an evil way.” (iv. 22.)

6. *The proper time to divorce; treatment with a divorced wife during her 'Iddat.*

“O Prophet, when you divorce women, divorce them for their prescribed time, and calculate the number of the days prescribed, and be careful of your duty to Allah, your Lord. Do not drive them out of their houses, nor should they themselves go forth, unless they commit an open indecency; and these are the limits of Allah, and whoever goes beyond the limits of Allah, he indeed does injustice to his own soul. You do not know that Allah may after that bring about reunion.

“So when they have reached their prescribed time, then retain them with kindness or separate them with kindness, and call to witness two men of justice from among you, and upright testimony for Allah. With that is admonished he who believes in Allah and the latter day; and whoever is careful of Allah, He will make for him an outlet, and give him sustenance from whence he thinks not; and whoever trusts in Allah, He is sufficient for him; surely Allah attains His purpose; Allah indeed has appointed a measure for every thing.

“And as for those of your women who have despaired of menstruation, if you have a doubt, their prescribed time shall be three months, and of those too who have not had their courses; and as for the pregnant women, their prescribed time is that they lay down their burden; and whoever is careful of his duty to Allah, He will make easy for him his affair.

“That is the command of Allah which He has revealed to you, and whoever is careful of his duty to Allah, He will remove him from his evil and give him a big reward.

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“Lodge them where you lodge them according to your means, and do not injure them in order that you may straiten them; and if they are pregnant, spend on them until they lay down their burden; then if they suckle for you, give them their recompense, and enjoin one another among you to do good; and if you disagree, another woman shall suckle for him.” (lxv. 1-6.)

7. *No 'Iddat if divorced before the consummation of marriage.*

“O you who believe! when you marry the believing women, then divorce them before you touch them, you have in their case no term which you should reckon; so make some provision for them and send them forth a goodly sending forth.” (xxxiii. 49.)

ZEHĀR AND ADOPTION

1. *Zehār condemned, adoption not recognized.*

“Allah has not made for any man two hearts within him; nor has He made your wives whose backs you liken to the backs of your mothers as your mothers, nor has He made those whom you assert to be your sons your real sons; these are the words of your mouths; and Allah speaks the truth and He guides to the way.

“Assert their relationship to their fathers; this is more equitable with Allah; but if you do not know their fathers, then they are your brethren in faith and your friends; and there is no blame on you concerning that in which you made a mistake, but concerning that which your hearts do purposely (blame may rest on you), and Allah is Forgiving, Merciful.” (xxxiii. 4, 5.)

2. *Penalty for Zehār.*

“As for those of you who put away their wives by likening their backs to the backs of their mothers, they are not their mothers; their mothers are no others than those who gave them birth; and most surely they utter a hateful word and a falsehood; and most surely Allah is Pardoning, Forgiving.

“And as for those who put away their wives by likening their backs to the backs of their mothers then would recall

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what they said, they should free a captive before they touch each other; to that you are admonished to conform; and Allah is Aware of what you do.

“ But whoever has not the means, let him fast for two months successively before they touch each other; then as for him who is not able, let him feed sixty needy ones; that is in order that you may have faith in Allah and His apostle, and these are Allah’s limits, and the unbelievers shall have a painful chastisement.” (lviii. 2-4.)

3. *Īlā* (an oath that one shall never go into one’s wife), terminable after four months, if divorce do not follow.

“ Those who swear that they will not go into their wives should wait four months; so if they go back, then Allah is surely Forgiving, Merciful.

“ And if they have resolved on a divorce, then Allah is surely Hearing, Knowing.” (ii. 226, 227.)

KHULA‘Á (SEPARATION AT THE INSTANCE OF WIFE) AND MAINTENANCE

1. *In some cases wife may obtain separation from her husband on payment of consideration.*

“ And if a woman fears ill-usage or desertion on the part of her husband, there is no blame on them, if they effect a reconciliation between them, and reconciliation is better; and avarice has been made to be present in the people’s mind; and if you do good to others and guard against evil, then surely Allah is aware of what you do.

“ And you have it not in your power to do justice between wives, even though you may covet it, and be not disinclined from one with total disinclination, so that you leave her as it were in suspense; and if you effect a reconciliation and guard against evil, then surely Allah is Forgiving, Merciful.

“ And if they separate, Allah will render them both free from want out of His ampleness, and Allah is Ample-giving, Wise.” (iv. 128-130.)

2. *Men are maintainers and correctors of wives.*

“ Men are the maintainers [governors] of women, because

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Allah has made some of them to excel others and because they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded; and (as to) those on whose part you fear desertion, admonish them, and leave them alone in the sleeping-places and beat them; then if they obey you, do not seek a way against them; surely Allah is High, Great.

“And if you fear a breach between the two, then appoint a judge from his people and a judge from her people; if they both desire agreement, Allah will effect harmony between them; surely Allah is Knowing, Aware.” (iv. 34, 35.)

(NOTE.—Nothing is more repugnant to Islam than to let a wife make her husband's life miserable. The methods prescribed above can only be resorted to when all other ways have failed and when divorce becomes the inevitable solution. They are merely the ways to avert the most undesirable thing, the divorce. She should, if practicable, be brought to the path of righteousness, and when everything fails, then only the final thing is to be resorted to. The Prophet's traditions make it clear that beating can only be allowed on very express grounds of wife's misconduct. This shows that beating on grounds other than this is not permissible, and her complaints against the unreasonable treatment of the husband could be entertained by the Court to the extent that the Court can order either their separation or punish the husband.)

LI'ĀN (WHEN HUSBAND SLANDERS HIS WIFE)

I. *Procedure in the case of Li'ān.*

“And as for those who accuse their wives and have no witnesses except themselves, the evidence of one of these should be taken four times, bearing Allah to witness that he is most surely of the truthful ones.

“And the fifth time that the curse of Allah be on him if he is one of the liars.

“And it shall avert the chastisement [for adultery] from her if she testify four times, bearing Allah to witness that he is surely one of the liars;

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“And the fifth time that the wrath of Allah be upon her if he is one of the truthful.” (xxiv. 6-9.)

SUCCESSION AND INHERITANCE

We now come to deal with the law of inheritance and succession in the Qur-án. “The principle laid down in the following verses,” says Maulvi Muhammad Ali in his admirable Commentary on the Qur-án, “is the basis of the Muslim law of inheritance. Children and near relatives—or failing these, distant relatives, whether males or females—are the lawful heirs, and the whole of the property does not go to the eldest son. Whatever objections there may be to this principle on the ground of division of property into small pieces, there is not the least doubt that the rule is in accordance with the broad principle of the brotherhood of man which Islam seeks to establish. Among the ancient Arabs, like the Hindoos, women had no share in inheritance, for they used to say: ‘None shall inherit but he who smites with the spears.’ The great reform by which the status of women was raised from the lowest condition to that of equality with men,” need not be gainsaid. A male takes share equal to the portion of two females, not because women are considered unequal to men, but because a female after marriage naturally replenishes her portion from the dowry and inheritance of her husband, and thus gains more advantage than her brother.

1. *Both males and females inherit.*

“Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave, whether there is little or much of it: a stated portion.” (iv. 7.)

2. *Respective shares of males and females.*

“Allah enjoins you concerning your children: the male shall have the equal of the portion of two females; then if they are more than two females, they shall have two-thirds of what the deceased has left, and if there is one, she shall have the half; and as for his parents, each of them shall have the sixth of what he had left if he has a child, but if he has no

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child, and only his two parents inherit him, then his mother shall have the third; but if he has brothers, then his mother shall have the sixth after the payment of a bequest he may have bequeathed or a debt [the payment of bequests and debts take precedence of the shares of the heirs]; your parents and your children, you know not which of them is the nearer to you in usefulness; this is an ordinance from Allah: surely Allah is Knowing, Wise.

“ And you shall have half of what your wives leave if they have no child, but if they have a child, then you shall have a fourth of what they leave after payment of any bequest they may have bequeathed or a debt; and they shall have the fourth of what you leave if you have no child, but if you have a child then they shall have the eighth of what you leave after payment of a bequest you may have bequeathed or a debt; and if a man or woman leaves property to be inherited by neither parents nor offspring, and he has a brother or sister, then each of them two shall have the sixth, but if they are more than that, they shall be sharers in the third after (payment of) any bequest that may have been bequeathed or a debt that does not harm others; this is an ordinance from Allah: and Allah is Knowing, Forbearing.” (iv. 11, 12.)

3. *Succession by contract.*

“ And to every one we have appointed heirs of what parents and near relatives leave; and as to those with whom your right hands have ratified agreements, give them their portion; surely Allah is a witness over all things.” (v. 33.)

4. *Shares of sisters.*

“ They ask you for a decision of the law. Say: Allah gives you a decision concerning the person who has neither parents nor offspring; if a man dies and he has no son and he has a sister, she shall have half of what he leaves, and he shall be her heir if he has no son; but if there be two sisters, they shall have two-thirds of what he leaves; and if there are brethren, men and women, then the male shall have the like of the portion of two females; Allah makes clear to you, lest you err; and Allah knows all things.” (iv. 177.)

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WILLS

1. *Will for charitable purpose.*

“ Bequest is prescribed for you when death approaches one of you, if he leaves behind wealth for parents and near relatives, according to usage, a duty incumbent upon those who guard against evil.

“ Whoever then alters it after he has heard it—the sin of it then is only upon those who alter it; surely Allah is Hearing, Knowing.” (ii. 180, 181.)

2. *Will for wives.*

“ And those of you who die and leave wives behind, making a bequest in favour of their wives of maintenance for a year without turning them out, then if they themselves go away, there is no blame on you for what they do of lawful deeds by themselves, and Allah is Mighty, Wise.” (ii. 240.)

Lastly we come to the subject of monetary transactions. If Islam enjoins mutual charitableness and strict integrity and honesty, it requires at the same time that the greatest precaution must be taken for safeguarding property rights. “ A noteworthy thing about the following verses is that the Arabs were quite an ignorant people, among whom writing was very rare; yet these very Arabs are now required to put down all their transactions, great or small, in writing, except in hand-to-hand dealings. Strange to say, this injunction was given at a time when Muslim society was itself in danger of being swept away. This shows that the Qur-án was not the word of the Prophet, but of the Almighty Being Who knew that Muslims must soon become a great nation, and that therefore they would need all those instructions of which a well-developed civilized society stands in need ” (Commentary on the Qur-án by Maulvi Muhammad Ali, London 1920).

MORTGAGES, SALE, TRUST, AND LOAN

1. *Witness on transaction of sale, writing in case of sale, mortgage in some cases.*

“ O you who believe! when you deal with each other in contracting a debt for a fixed time, then write it down; and

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let a scribe write it down between you with fairness; and the scribe should not refuse to write as Allah has taught him, so he should write; and let him who owes the debt dictate, and he should be careful of his duty to Allah, his Lord, and not diminish anything from it; but if he who owes the debt is unsound in understanding, or weak, or if he is not able to dictate himself, let his guardian dictate with fairness; and call in to witness from among your men two witnesses; but if there are not two men, then one man and two women from among those whom you choose to be witnesses, so that if one of the two errs, the second of the two may remind the others; and the witnesses should not refuse when they are summoned; and be not averse to writing it whether it is small or large, with the time of its falling due; this is more equitable in the sight of Allah and assures greater accuracy in testimony, and the nearest way that you may not entertain doubts afterwards, except when it is ready merchandise which you give and take among yourselves from hand to hand, then there is no blame on you in writing it down; and have witnesses when you barter with one another, and let no harm be done to the scribe or to the witness; and if you do it, then surely it will be a transgression in you, and be careful of your duty to Allah, and Allah teaches you, and Allah knows all things.

“And if you are upon a journey and you do not find a scribe, then there may be a security taken into possession; but if one of you trusts another, then he who is trusted should deliver his trust, and let him be careful of his duty to Allah, his Lord; and do not conceal testimony, and whoever conceals it, his heart is surely sinful; and Allah knows what you do.” (ii. 282, 283.)

2. *Trust to be faithfully discharged.*

“Surely Allah commands you to make over trusts to those worthy of them, and that when you judge between people, you judge with justice; surely Allah admonishes you with what is excellent; surely Allah is Seeing, Hearing.” (iv. 58.)

3. *Time to be given if debtor unable to pay.*

“And if the debtor is in straitness, then let there be post-

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ponement until he is in ease; and that you remit it as alms is better for you, if you knew." (ii. 280.)

4. *Usury prohibited, interest to be remitted.*

"Those who swallow down usury cannot arise except as one whom the devil has confounded by his touch does arise. That is because they say, Trading is only like usury; and Allah has allowed trading and forbidden usury. To whomsoever then the admonition has come from his Lord, then he desists, he shall have what has already passed, and his affair is in the hands of Allah; and whoever returns to it—these are the inmates of the fire: they shall abide in it.

"Allah does not bless usury, and He causes charitable deeds to prosper, and Allah does not love any ungrateful sinner.

"O you who believe! be careful of your duty to Allah and relinquish what remains due from usury, if you are believers.

"But if you do not, then be apprised of war from Allah and His Apostle; and if you repent, then you shall have your capital; neither shall you make the debtor suffer loss, nor you shall be made to suffer loss." (ii. 274, 276, 278, 279.)

"O you who believe! do not devour usury, making additions again and again, and be careful of your duty to Allah, that you may be successful." (iii. 129.)

EVIDENCE

1. *False evidence condemned, duty to give true evidence.*

"O you who believe! be maintainers of justice, bearers of witness for Allah's sake, though it may be against your own selves or your parents or your near relatives; if he be rich or poor, Allah is most competent to deal with them both; therefore do not follow your low desires, lest you deviate; and if you swerve or turn aside, then surely Allah is aware of what you do." (iv. 135.)

2. *Witnesses at the time of making will and procedure.*

"O you who believe! call to witness between you when death draws nigh to one of you, at the time of making the will, two just persons from among you, or two others from among others than you, if you are travelling in the land and

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the calamity of death befalls you; the two witnesses you should detain after the prayer; then if you doubt them, they shall both swear by Allah, saying: We will not take for it a price, though there be a relative, and we will not hide the testimony of Allah for then certainly we should be among the sinners.

“ Then if it becomes known that they both have been guilty of a sin, two others shall stand up in their place from among those who have a claim against them, the two nearest in kin; so they two should swear by Allah: Certainly our testimony is truer than the testimony of those two, and we have not exceeded the limit, for then most surely we should be of the unjust.

“ This is more proper in order that they should give the testimony truly or fear that other oaths be given after their oaths; and be careful of your duty to Allah, and hear; and Allah does not guide the transgressing people.” (v. 106-108.)

GUARDIANSHIP OF ORPHANS

1. “ And do not give away the property which Allah has made for you a means of support to the weak of understanding, and maintain them out of the profits of it, and clothe them and speak to them words of honest advice.

“ And test the orphans until they attain puberty; then if you find in them maturity of intellect, make over to them their property, and do not consume it extravagantly and hastily, lest they attain to full age; and whoever is rich, let him abstain altogether, and whoever is poor, let him eat reasonably; then when you make over to them their property, call witnesses in their presence; and Allah is enough as a Reckoner.

“ As for those who swallow the property of the orphans unjustly, surely they only swallow fire into their bellies and they shall enter burning fire.” (iv. 5, 6, 10.)

2. *Orphans' trust to be honestly discharged.*

“ And give to the orphans their property, and do not substitute worthless things for their good ones, and do not devour their property as an addition to your own property; this is surely a great crime.” (iv. 2.)

EUROPE'S DEBT TO ISLAM

EUROPE'S DEBT TO ISLAM

By GUSTAV DIERCKS, PH.D.

(Continued from November (1929), "Islamic Review," p. 403)

THE VARIOUS SCHOOLS OF THOUGHT AND POLITICAL PARTIES AFTER MUHAMMAD

When the Arabs left the deserts of their country they were, generally speaking, a very uncouth and uncultured people, who had been tempted to unsheath the sword largely by the expectation of material benefits to accrue from the spread of Islam. The conviction that this new belief of theirs was the only right one, reinforced by the full-blooded energy and resistless power resulting therefrom, together with the enthusiasm begotten of an intense national pride which bade them regard themselves as the chosen people of Allah, sent the Bedouins, utterly ignorant as they undoubtedly were of the finer side of things, storming down upon the boundaries of the Arabian peninsula and the lands of ancient culture.

This rush of the Arabs bears a resemblance to the migration of the Germanic peoples in many important points, although the Teutons when first setting foot on European soil stood on a far lower rung of the ladder of civilization than did the Arabs. For many of the latter had from time immemorial settled down and built up cultural kingdoms, besides progressing through the agency of a widely spread commercial traffic with the most significantly cultural nations. In these ways, and further through association with those Christians and Jews who had fled to Arabia, they had attained in a degree varying, indeed, in different parts of the country, to a civilization which, it is safe to assert, had remained completely apart from the existence of the warrior swarms of the Arabs—the pure Arabs, that is to say, whom we have now to consider. In the matter of physical strength Germans and Arabs were on a par, and because that physical strength was unimpaired they were able with ease to subdue the cultural peoples who had become by comparison degenerate and weak. The Arabs were inspired by a religious ideal, for which, as the be-all and end-all of their existence, they had set themselves to expend

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all their powers, and it was this which made them invincible.

The Germans, like the Arabs, felt an irresistible urge towards freedom and self-realization, although their racial characteristics were widely divergent, a circumstance which, as a matter of fact, is responsible for results so markedly dissimilar in their details. Both ethnical factors sought to keep nationality uncontaminated; for both were hard at work preventing their admixture with the vanquished peoples. This racial pride, this aristocratic exclusiveness, individualism, national feeling—call it what you will—had developed in the Arabs in a manner quite different from that which characterized the Teutons; for it is true that although the Germanic races accommodated and adapted themselves comparatively readily to foreign habits; the Arabs, on the contrary, tried to impress their national stamp on those whom they had conquered. If, on the one hand, we find the Germanic tribes operating, as it were, entirely in the southern European countries among the Roman population, whose language and culture they modified easily enough without being able to sow permanently the seeds of Germanic culture, we find, on the other, that countries vanquished by the Arabs were completely Arabicized—a phenomenon which is all the more wonderful when it is remembered that the number of the Arabian warriors from the beginning down to the middle ages of the caliphate was, in spite of the growth of the aristocratic Arab families brought into being by reason of certain laws and of polygamy, almost ludicrously small when compared with the mass of the foreign population.

What the Arabs brought with them from their deserts was, from the cultural-historical viewpoint, only Islam. This, by itself, as a religion was creative of culture neither more nor less than any other religion. In so far as it aroused foreign nations from lethargy, stirred their minds to newer activities, turned their ways of thought and *weltanschauung* into other channels, through the battles of which it was the cause, all national resources and capacities were indirectly brought to development and realization, thus imparting all round a stimulus to epoch-making movements and to the revolutions which the Arabs brought about, many uncouth and unen-

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lightened races being raised to a higher grade of civilization. It is in this sense that we can describe Islam as influencing the course of the development of culture, though in general its attitude was like that of every other belief in its pristine form—giving the cold shoulder to all intellectual progress. But science and the mental life generally unfolded themselves in the teeth of the opposition of a fanatical orthodoxy. Wherever it reigned supreme, they could not exist, or at least could not develop themselves unhindered—and vice versa. The progress of culture depends—given material prosperity—on intellectual progress; and seeing that the latter, almost always in opposition to some rigidly inflexible belief, succeeded in competition with the fanatical teachings of certain Muslims in Muslim countries as well, we can estimate the influence of Islam on culture as a religion which is as slight as in other religions, as being actually very high, since round Islam alone every form of activity revolved after all.

During the early patriarchal period of the caliphate, public interest concentrated itself purely on Islam and the spread of Islam. Men devoted to this end all their physical and mental powers. Soon afterwards, however, theological controversies began to raise their heads as a consequence of the divisions and schisms which had come into being after Muhammad's death, as well as of the uncertainty attaching to the text of the Islamic teachings. The minds of thinkers were thus set in motion and the way paved to sectarianism, which began to grow the moment that Islam clashed with the conquered countries, came into touch with others, and evoked through the aristocratic appearance of the Arabian conqueror the political and racial contrasts which we have noted on an earlier page.

The conquest of Syria brought Islam, in the first place, into very close touch with Christendom, which was treated with toleration until the arrogance of the Christian priests and their underlings, and their endeavours to ruin Islam, provoked the Government to retaliatory action. The conflict between the two religions took the form first of pen-and-ink warfare and of oral disputations between the theological

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experts of both sides; and it was not long before the Muslim theologians became conversant with the dialectical straw-splitting of the Byzantine Christians, with the result that they learnt to combine it with their natural inclination, peculiar to the Semites, for subtlety and nice distinctions, and use it in defence of Islam. Thus the interest of the theologians in the study of the Arabic language and in the evolution of grammar was at once aroused, and as a further consequence of these disputations many Christian teachings and Greek philosophies came into prominence and went a long way towards the bringing into existence of various schools of thought, while the literary remains of Islamic times and the Qur-án became the objects of philological research.

When the Arabs entered Persia, Islam came into touch with the teachings of Zoroaster and Mani and presently with those of Buddha, which in the same way as the Christian and Greek teachings worked towards disintegration; for shortly afterwards there arose two great religious parties: the orthodox, which we describe in general as that of the Sunnites, and another, the free-thinking party, which had, and still has, its origin and centre in Persia and is generally identified with that of the Shiah. Within these two great parties, and side by side with them, there soon arose a number of small sects or schools of thought, whose teachings sought to bridge the gulf between rigid belief in the divine revelation of the Qur-án and of the Sunna (the book of the traditions which was collected by Bukhārī in the ninth century) and materialistic atheism.

This sectarianism was, indeed, detrimental to Islam as a religion. But viewed from the cultural and historical standpoint it should be regarded as beneficial; for through its challenge it stimulated mental processes and gave a strong impetus to the development of a scientific character. But first and foremost it prevented rigidity in Islam during the crucial first century of its existence and strongly militated against that conception of the sovereignty of a rigid literal belief which kills initiative and stultifies the mind.

The orthodox were divided into four schools, amongst which the Hanafis were the most liberal. Under Christian

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influence there arose the school of the Murjites and Qadirites, each of which had its origin in Damascus. In spite of many teachings controverting the conceptions of the orthodox schools their line of thought was strictly dogmatic. If they differed at all from the orthodox, it was on the interpretation of the text of the Qur-án. For example, the Qadirites threw overboard the dogma of predestination and attached great importance to the idea of free will. When they were transplanted to Persia their teachings took on a very liberal tinge. In Basra, from among the sect of the Qadirites, there arose that of the Mo'tazilites, who rejected the revelation of God and the divinity of the Qur-án and spurned everything which they could not comprehend in the light of human reason or reconcile with it. Shortly afterwards the savants and the distinguished figures of Persian society joined this school of thought, and thus there came into being a circle of scepticism which, although outwardly connected with Islam, in reality was gradually falling a victim to atheism and materialism. In the principal towns, especially in Basra and Baghdad, the group of the Zindīqs, as these liberal thinkers were called, was fairly strong. Nay, during the golden period of Arabian culture under the Abbasid caliphs, Hārūnu 'r-Rashīd, Māmūn, and their successors, it was the fashion to be a Zindīq or to play the Zindīq. Māmūn himself has been described as such. At the time of the decline of the caliphate, which synchronized with the irresistible preponderance of orthodoxy, the Mo'tazilites were strongly discouraged, and finally in the eleventh century suppressed. Many of the most prominent writers and savants of the Orient came from the literary and learned clubs of these free-thinkers.

Christian influence, too, was very strong in the teachings of the Druses, who appeared in Palestine and Egypt in the eleventh century.

The soil of Persia was extraordinarily fertile in sectarianism, which here took upon itself a political veneer. Thus there sprang up almost immediately the political party of the Shiahs, who tried to combine the teachings of Islam with Persian ideas and looked upon 'Alī and his followers as the only rightful heirs to the Prophet. Some few of the extreme wing of the

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Shiahs paid 'Alī the homage due to the Deity. Many Christian sects took up the old Iranian idea of a Messiah, and taught that from the tribe of 'Alī the Saviour would appear. There were others who taught the reincarnation of 'Alī in his rightful heirs. The Shiahs had opponents in the Kharidjites, whose aim it was to cleanse Islam from all free-thinking tendencies; and they by reason of their fanatical appearance and behaviour did in fact cause civil wars, both terrible and bloody.

Since the decline of Greek philosophy and the spread of Christendom everywhere in the Orient, mysticism had raised its head, and had come to exercise a powerful influence on Islam. The teachings of the Neoplatonists and of the Indian theosophists especially, found many devotees among Muslims.

Thus arose the school of the Ishrāqīs, who base their tenets on the dogma of the Parsis, of the Manichaists, and the philosophies of the Neoplatonists. Further, through this connection of the latter with the Vedānta teachings and through Monasticism, which Christianity, like Buddhism, had helped to develop, the ingress of pantheistic Ṣūfism into Islam was made easy. Already in the eighth century, isolated individual ascetics had prepared the soil in Islamic countries for the sickly, anæmic outgrowths of both the religions, and there arose, from the ninth century onwards, everywhere Dervish orders which in Islam represented the Christian and Buddhist monastic orders, although in their rules they differed widely from the latter. One of the most frightful of these orders, which came into existence at the end of the eleventh century, struck horror to the whole Islamic world through its flagrant complicity in murder.

(To be continued.)

WHY I JOINED THE MUSLIM FAITH

TO THE EDITOR, *Islamic Review*,

My relations belonged to the Church of England, amongst whom were many dignitaries of the Church; but I never agreed to the teachings of Churchianity—the Atonement, the Divinity of Jesus, the Intercession, the Confession, and the Sacrament

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—which all to me seemed to be utterly against the real teachings of the Prophet Jesus, the teacher of Galilee.

I once visited the Mosque at Woking some three years ago and came in touch with the Muslims. I had since then put queries about the Religion of Islam to A. Khalique Khan, Assistant Imām, and for that purpose at times invited him to Southsea. His exposition of the teachings of Islam were modern, scientific, and assimilable to my mind. The extreme simplicity, coupled with extreme sincerity of the worship of Islam by its followers, impresses me with the feeling that this Faith occupies the first place in the Universe.

H. BUCHANAN-HAMILTON

[Mrs. H. Buchanan-Hamilton is a kinswoman of the late Marquess Curzon of Kedleston, and of the late Sir Francis Ley, Bart., representative of a family of considerable antiquity and honour, which possessed lands at Mayfield, in the County of Staffordshire, in the early part of the sixteenth century. She was brought up in Germany and is renowned for her artistic taste. She knows German and French besides English, her native tongue.—ED. I.R.]

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An Important Announcement.

Elsewhere we print an important announcement from the Khwaja Kamal-ud-Din Sāhib touching the future direction and management of the Woking Muslim organization.

The propagation of Islam, which is at once a duty laid on every Muslim and a necessity, demanded, in the first place, the establishment of an organization in the West, and, in the second, the erection of a mosque in London. As to the former, its work, its progress, and the literature it has produced have been now before the Muslim public long enough to enable them to form an opinion; while in the case of the latter, the selfless efforts of Lord Headley and the Khwaja Sāhib have been crowned with success through the munificence of His Exalted Highness the Nizām of Hyderabad-Deccan. But when all is said and done, our friends will realize that eventually the maintenance of both of these institutions devolves upon them. Consequently, in order that the moneys accruing for

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the purpose may be for all time securely safeguarded and their expenditure adequately supervised, both organizations have been vested in two separate registered Trusts, constituted of gentlemen of experience, integrity, and indeed of all-India reputation.

Muslims, it may be added, on the occasion when they have thus failed to protect their public funds against abuse, have had to undergo most unpleasant experiences; for public moneys, if left entirely in individual hands, are more often than not unwisely spent and are liable to do more harm than good.

Although the integrity of the Khwaja Sāhib is above all question, yet even he, throughout his connection with the Woking Muslim Mission, adopted the same course as that now to be followed by the Trust. He has always, first and foremost, published regularly a balance-sheet showing the incomings and outgoings of all such moneys as were intended for the Woking Muslim Mission, in the *Ishā'ati Islam*, Lahore—the Urdū monthly edition of the *Islamic Review*. And secondly, he has kept all money matters in the hands of others, never permitting such moneys to intermeddle with the direction and organization of the Mission.

Moreover, nowadays, work can be better done by literature. Oral lectures have their uses too, but their range is but limited when compared with that of literature. For this reason, also, it is essential that the subscriptions of Muslims should be entrusted to a body capable of producing literature of the right type.

We hope that Muslims and well-wishers of the Woking Muslim organization will welcome, as heartily as we do, the announcement of the Khwaja Sāhib and do their utmost to further the cause for which the Trust has been constituted.

Is the Bible the Word of God?

At the Worcester Diocesan Conference on October 18, 1929, Canon J. A. Lacey, of Worcester, following an address by Canon Raven of Liverpool on "The Place of the Bible in Christian Life," made bold to remark that while he regretted having to strike a discordant note, he simply could not keep

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silent. He pointed out that it was impossible for him to consider the Bible as one book, or to say that its account was true of the facts with which it purported to deal, and that he therefore could not bring himself to speak of it as the word of God. "There was nothing in the Old Testament or the New to suggest that they were to be called the word of God. What I find is a vast collection of literature which I love and which I read, as literature. I find in the Bible a broken record of men blindly seeking after God—I could find nothing else."

Those who are familiar with the stages of the compilation of the present Bible and the textual discrepancies which exist in the incomplete manuscripts from which the present versions are taken, will think twice before brushing aside the words of the Canon as eccentric or unworthy of a serious thought.

That gentleman's bold statements will, indeed, make the world their debtor for ever for calling public attention to a fact whose recognition is now long overdue. The importance of such statements become all the greater when one remembers the expressions of wrath which they never fail to draw from fanatics. But to crown all, be it remembered, these are the words of one who at his ordination to the priesthood had the Bible "delivered into his hands" and was told to "Take thou authority to preach the word of God." And further, it will be significant to note that they are the words of one who when ordained deacon was expected "to believe unfeignedly all the Canonical Scriptures of the Old and New Testament" and who replied by saying, "I do believe."

How he performed this feat then, or how he has managed to remain in Orders for so many years—the Canon is, by the way, seventy-six years old—is something which is beyond our understanding. We had better leave it to Canon Lacey to let us into his secret if he will.

The following apt criticism has been levelled at the words of the Canon by a lady in a letter to the *Daily Mail* (October 23, 1929). We reproduce it to show how utterly untenable is the position he has elected to take up:

"If Canon Lacey has ceased to believe that the Bible is the word of God, why does he not resign his canonry of

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Worcester Cathedral, with its stipend of £800 a year, renounce Holy Orders and leave the Church of England, whose fundamental belief is that the Bible is God's word? If it were not, there would be no canonry for him to hold, no Anglican or other Church, and no such religion as Christianity."

But in all the Canon's epoch-making observations there is nothing new to the students of the Qur-án (ii. 75), which declared fourteen hundred years ago that what constitutes the present version of the Bible was not the word of God. We cordially agree with Canon Lacey when he said: "I have tried to make clear that the Bible is a wonderful and beautiful historical record, but that it is not, therefore, to be accepted as being wholly the word of God Himself. Parts of it are inspired utterances, but they are the utterances of men who were seeking after God and who strove to express Him through the spirit. . . .

"Misconception of the true nature of the Bible has been, and still is, responsible for keeping a great number of people away from Christianity. Many people who do not go to church say, for instance, very rightly, that the Old Testament is full of cruelty. Obviously there is much of the Old Testament which one certainly could not call the word of God." ¹

Again he struck the nail fairly on the head when he remarked: "I am convinced that enormous harm is caused by the mistaken belief that the Bible is the actual word of God."

While we admire the courage of Canon Lacey's convictions, it is not for this purpose that we have recorded and criticized his views, but rather to draw the attention of our readers and Christian friends to the fact that his words, along with those of his predecessors such as Friedrich Strauss and Bruno Bauer, are but echoes of the Qur-án.

The true nature of the message of Muhammad is yet to be realized by Christian people in the West, who are apt to think that Muhammad enunciated his great message in an acrimonious spirit. Nothing could be farther from the truth than this. He wanted only to free the Christian world from the thralldom

¹ *Daily Mail*, October 22, 1929.

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of a priesthood which for the last two thousand years has been continually telling the people in effect that what constitutes the present version of the Bible is the word of God. But it is matter for satisfaction that the foundations of the great structure designed by Muhammad are now beginning to be visible, and it is but a question of time before we see the edifice completed.

1,300 Copies per hour of the Bowdlerized Bible !

At a time when such grave doubts as to the authenticity of the divine origin of the Bible are being expressed not only by laymen, but also by Christian scholars and divines, we are exultantly informed by the British and Foreign Bible Society (London) that they are selling 1,300 copies of the Bible per hour.¹ These staggering figures are enough to throw dust in the eyes even of those who are in the know in such matters, let alone the ignorant who are not conversant with the nature of the Biblical fabric.

As far as figures go, we, like everyone else, must perforce raise our hats to the efforts of the Society. But are figures always a true index to the value of a thing?

We, for our part, have always read the report of the Society with feelings of respect and admiration for their activities. But we find it a little difficult to see how grounds can be found for praise so extravagant as that contained in the *Daily Express* (London, October 19, 1929) to the effect that "the world's best book is the world's best-seller" simply because of the fact that 11,000,000 copies of it were sold last year in more than 130 languages. If the Bible is really the world's best

¹ The following figures may with advantage be studied by Muslims:

Eleven million copies of the Bible or portions of the Scriptures were sold by the Society last year, but there must be added to this total: Four million copies issued by the National Bible Society of Scotland; nine million by the American Bible Society; two million by other organizations and publishers (some distributed free).

This makes a grand total of 26,000,000 copies of the Scriptures, complete or in part.

The British and Foreign Bible Society was founded in 1804. It has since distributed 397,000,000 volumes, and during the last five years alone it has sold 52,000,000. Millions of Bibles have also been sent out by other societies.

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book, as appears to be believed and as we are told, how is one at all to account to oneself for the omission of certain verses and stories from the bowdlerized edition of the Bible issued by the National Sunday School Union, except by the fact that the Bible does indeed contain passages which cannot with impunity be put into the hands of boys and girls of an impressionable age. Thus we fail to see eye to eye with the *Daily Express* when it asserts that "to every mood, to every emotion, to every varying phase of the mind and the soul it makes an unfailing appeal." Apparently it excludes boys and girls of tender years from the possession of moods and emotions!

We do not deny that the Bible does contain inspired passages, but we join issue by insisting that the whole of the Bible is not inspired, that it is indeed the work of human beings who subjected it to all sorts of accretions, subtractions, and interpolations.

To return to the bowdlerized edition of the Bible for the use of boys and girls, the authorities, our readers will be interested to know, have thought it fit to excise all references to sexual matters and incidents connected with illicit relations. Thus the story of Potiphar's wife and Joseph has had careful pruning. The authorized rendering states that "his master's wife cast her eyes upon Joseph; and she said, lie with me"; but this School Bible simply records that "his master's wife cast her eyes upon Joseph; and tempted him to do evil."

Similarly there are omitted longer passages in the Authorized Version, which describe the persistence of Potiphar's wife, and also the scene when she seized hold of Joseph, who "left his garment in her hand and fled." None of the story told by the incensed woman to the servants in order to save her face and accuse Joseph is related, and readers are left entirely in ignorance of the human passion conveyed by the original Bible narrative.

The story of Samson is shorn of reference to the type of woman with whom he associated. Every passage respecting the idyll of Ruth and Boaz that might disturb the imagination of young people is eliminated. Again, the manner in which David made Abigail his wife is omitted, though the way in

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which she affronted her churlish husband, Nabal, is quoted in detail.

A selection from Bible poetry is given at the end of the volume, and includes psalms of surpassing beauty, such as "The heavens declare the Glory of God" and "Give the king thy judgments, O God." But the imprecatory psalms are omitted.

After having read the above, we are sure no one will accuse us of exaggeration when we declare that the Bible is full of changes introduced to suit the whims of individuals and that, as it is not the word of God—except in certain places—any enthusiasm evoked by the staggering figures of the British and Foreign Bible Society is necessarily damped.

Is the Qur-an the Word of God ?

This question is the natural consequence of our observations on the statements of Canon Lacey, with which we associated ourselves. We can very well picture a dogmatic Christian, brought up on patristic hatred for Islam, and Christian missionary literature on the subject, getting impatient and not even waiting to listen to our claim that the Qur-án is the word of God.

Although the question can be considered from many points of view, let us at least see if the Qur-án is free from the defects which have been pointed out above. Our position as to the nature of the Bible must be clearly grasped if the criticism to which we subject the Bible as well as the Qur-án is to be properly understood. We maintain that the present version of the Bible contains only a few verses which were at one time part of that Revealed Bible which has been lost to us for ever, and that the present Bible is the handiwork of different individuals at various periods of time.

The Qur-án itself claims to be the word of God and lays down one remarkable principle by which it and any other work making such claim must be judged. This criterion is embodied in the following verse: "Do they not then meditate on the Qur-án? And if it were from any other than Allah, they would have found in it many a discrepancy" (iv. 82). There is no discrepancy in the details of the Qur-ánic narratives

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such as are to be met with in the Bible, and this is especially true of the numerous prophecies of the Qur-án which were uttered by the Prophet when an absolutely helpless man. Had they not proceeded from the Omniscient Being, who knows the future as He knows the past, they could certainly not have been free from numerous discrepancies.

Now if we search the pages of the Bible, we shall find discrepancy after discrepancy. To give one interesting example in support of our contention, let us compare the description of the "Ark of shittim wood" in Exodus, I Kings, and Hebrews. In Exodus (xxv. 10-11 and xxxvii. 1) and I Kings (viii. 9) we are told that "There was nothing save the two tables of stone, which Moses put there at Horeb," but when we come to the last part of the Bible (Hebrews ix. 4), we find quite a different version of its contents. We are told that in it "was the golden pot that had manna and Aaron's rod that budded and the tables of the covenant." Which is true and which is wrong we must leave to Christian clergymen to decide. The fact remains that there does exist a serious discrepancy in two parts of the Bible.

But the question of a revealed book aside, an ordinary book written by an ordinary mortal would not be guilty of such contradictions.

The second point which we made against the present Bible being a revealed book is the fact that it deals with certain delicate subjects in a manner so crude that one blushes for shame at reading them. This is amply borne out by the bowdlerized edition of the Bible above referred to, issued by the Sunday School Council.

Not so the Qur-án. The whole, from cover to cover, could be read without shocking the most fastidious feelings. Besides, subjects ultra-delicate in their nature are therein handled with the utmost refinement both of manner and language.

There is yet another point which might be mentioned. God the Almighty says: "Surely We have revealed the Qur-án and We will surely be its guardian" (xv. 9). Now there is no other book in the world which has been preserved intact and so jealously guarded by its followers as the Qur-án. There

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are millions of Muslims who know it by heart from cover to cover. There is no difference, not even of a diacritical mark, between the version we use nowadays and the one current in the days of Muhammad. During the whole length and breadth of the Islamic world there does not exist a single copy with any variations from the recognized text. These words of the Qur-án constitute a most wonderful prophecy, whose fulfilment is, and will always remain, a standing testimony to the truth of the Holy Qur-án. Who else but God the Almighty could have uttered these words? Centuries have passed and they have not been belied.

There is one more point which throws still further light on this topic, and it is contained in the words of the Qur-án which read: "Falsehood shall not come to the Qur-án from before it nor from behind it; a revelation from the Wise, the Praised One" (xli. 42). The claim contained in this verse has been strengthened by recent archæological research. The Bible drowns Pharaoh (Rameses II) and says no more about this historic incident. But the Qur-án tells us that his body was recovered so that in time to come it might serve as a sign to the generations to follow (x. 92). At the time when the Qur-án revealed this secret of history, mankind was absolutely in the dark. One could not say whether the Bible was wrong or the Qur-án. And it was only very recently that the body of Rameses II was excavated to bear testimony to the truth contained in the Qur-án—the words of an illiterate Arabian. This is yet another very clear example of the supernatural knowledge of the Qur-án. Muhammad could certainly not have known of the discovery that has since been made.

To quote but once more in this connection. The Bible makes "a great fish," referred to in the New Testament, devour Jonah alive, but not so the Qur-án. Modern research has shown that even the largest fish, the whale, notwithstanding its huge size, has an extremely narrow throat through which no human body could possibly pass.

How true, then, are the words: "Falsehood shall not come to the Qur-án from before it nor from behind it" (xli. 42).

Can one say the same for the Bible?

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Woking Muslim Mission Staff.

On the frontispiece appears the photograph of 'Abdu 'l-Khālīque Khān (Nyazai), B.A., who after rendering selfless service to the Woking Muslim Mission in various capacities during the flower of his youth, is leaving us at the close of the year. Mr. Khān, after having proceeded to his B.A. degree in the University of the Panjab, and becoming well versed in English, Persian, Pushtoo, Panjabi, Urdū, and Arabic was, on the recommendations of Abdu 's-Samad Khān Sāhib, the noble Kiāni Chief, then Political Officer on the Indo-Afghan border, appointed to the staff of the British Trade Delegation which visited the Afghan capital in 1923. The Delegation was headed by Colonel Brett of the Khyber Service, and at the conclusion of the negotiations, in the beginning of 1924, the Khwaja Kamal-ud-Din, the Imām of the Mosque, Woking, who was at that time on a tour in the North-western Frontier Province of India, came to know of our ardent colleague's enthusiasm for science, philosophy, and religion. In order to enrich the Woking Muslim Mission with his services he recommended his name to His Holiness Sayyidana Sayed Abū Muhammad Tāhir Saifu 'd-Din, the Spiritual Imām of the Bohra community in India, famous for its wealth, piety, and love for Islam, and an immense power in the field of Indian commerce. His Holiness graciously consented to the proposal made, and our friend left for England in the beginning of 1925, to serve the cause of Islam. Ever since he has been acting in various capacities—as the managing editor of the *Islamic Review* for over two years, and as the Naib-Imām, delivering sermons and lectures not only at the Mosque, Woking, and at the London Muslim Prayer House, but before different societies of diverse schools of thought in London and the provinces.

He is a famous athlete and an all-round sportsman. On his father's side he claims to have in his veins the blood of the Nyazai Afghan chieftains, and on his mother's that of the Kiānis, the Persian nobles.

We wish him success and happiness in whatever walk of life may be his.

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Annual Meeting of the British Muslim Society, London.

The members and the associates of the Society whose names are appended below, assembled on November 3, 1929, for their annual meeting to receive the balance-sheet for the year 1928-29 and to elect office-bearers, the chair being taken by the Rt. Hon. Lord Headley. After the recitation of prayers by the President, the Secretary (Mr. J. W. Lovegrove) rose to read his annual report, which was approved, after which the balance-sheet was put before the Society and passed. The report made special mention, among other things, of the interest shown by Lord and Lady Headley in the celebration of the birthday of the Holy Prophet Muhammad by defraying all the expenses connected with the occasion.

Lord Headley was elected Life-President of the Society; Mr. Habeebu 'llah Lovegrove and Mr. Muhammad Yosri of Cairo, Joint Secretaries; Mr. Togo Tzushima, Treasurer; and Mr. 'Abdu 'l-Majid, M.A. (Imām of the Mosque, Woking), Mlle. Fakhri Loutfi (a Turkish lady), Mr. Reginald Farmer, Mr. S. Z. Shah (an Afghan), members of the Executive.

The proceedings concluded with the recital of a passage of the Qur-ān by Mr. Akili of Syria.

Prof. Dr. H. M. Léon (*Vice-President*), Aslam Khan, Togo Tzushima (*Treasurer*), Husain Fahmy, Miss F. Loutfi, S. M. Iqbal 'Abdu 'l-Majid (*Imām*), S. Z. Shah, Mohyiddin Bey el-Araby, Hilalie, R. Farmer, Miss J. Burlington, Kali Mullah, G. Tidemore Khizr, Mrs. Donaldson, Lady Headley, E. Brooks, Miss N. Corner, A. Q. Khan, Mr. Alard, Mrs. Alard, Dr. Krenkow, Miss Laxton, Miss E. H. V. Myers, Muhammad Radwān, Y Aqili, Mrs. Buchanan-Hamilton, F. Flisher, Mrs. Matthews, Miss Cooksey, A. Ryan, Mrs. F. Biddle, Mrs. Garner, A. W. Batten, Sulaiman Burrows, Faizal Rahman, Y. Yunus, S. M. Nazir, F. D. Punney, Amir Bey, A. Ullah, Muhammad Bakbsh, Ka Salab-ud-Din, Miss J. Fatima Dansken, Mohd. Hadjie, J. A. Zakian, Charles Abdu 'l-Ahad Bell, Omar Ouchaby.

* BALANCE SHEET OF THE BRITISH MUSLIM SOCIETY, LONDON, FOR YEAR 1928-1929

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