

# *The* **Islamic Review**

FOUNDED BY THE LATE AL-HAJJ KHWAJA KAMAL-UD-DIN

N. XXXII]

MUHARRAM, 1363 A.H.  
JANUARY, 1944 A.C.

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## CONTENTS

	Page
A Declaration .. .. .	1
Holy Commandants .. .. .	2
The Kingdom of God—Another Name for Civilization. By The Late Khwaja Kamal-ud-Din .. .. .	2
Divorce in Islam. By Maulana Muhammad Ali, M.A., LL.B. .. .. .	16
The Abolition of Personal Ownership of Property. By The Late Shaikh Mushir Hussain Kidwai, Bar- at-Law .. .. .	27
Correspondence .. .. .	38
The War Laws of Prophet Muhammad .. .. .	40

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# ISLAMIC REVIEW

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
 نَحْمَدُكَ يَا رَسُولَ اللَّهِ مُحَمَّدًا خَاتَمَ النَّبِيِّينَ  
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**ISLAMIC REVIEW**

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### A DECLARATION

I, .....Lieut. in H. M. Forces, do hereby faithfully and solemnly declare of my own free will that I worship one and only Alláh—God—alone; that I believe Muhammad to be His Messenger and Servant and that I respect equally all prophets—Abraham, Moses, Jesus and others—and that I will live a Muslim life by the help of Alláh.

There is but one God (Alláh) and Muhammad is God's Messenger.

I further declare that I have this day advised the Military Authorities of my change of Religion and have instructed them to endorse my documents accordingly.

Given under my hand this 29th day of July,  
1943.

C. N. (Lieut.)

## ISLAMIC REVIEW

### HOLY COMMANDMENTS

“Say: Come! I will recite what your Lord has forbidden to you—(remember) that you do not associate anything with Him and show kindness to your parents, and do not slay your children for (fear of) poverty—We provide for you and for them—and do not draw nigh to indecencies, those of them which are apparent and those which are concealed, and do not kill the soul which Allah has forbidden except for the requirements of justice; this He has enjoined you with that you may understand.

“And do not approach the property of the orphan except in the best manner until he attains his maturity; and give full measure and weight with justice—We do not impose on any soul a duty except to the extent of its ability; and when you speak, then be just though it be (against) a relative, and fulfil Allah’s covenant; this He has enjoined you with that you may be mindful.”

—*The Holy Qur-an*, VI: 152, 153.

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### THE KINGDOM OF GOD—ANOTHER NAME FOR CIVILIZATION

BY THE LATE KHWAJA KAMAL-UD-DIN

*(Concluded from the last issue.)*

The words of the Prophet did not fall on deaf ears. The acquisition of knowledge became a sacred duty with a Muslim.

All other religions before Islam kept silence on this subject. Knowledge was, we know, a forbidden tree in Christianity, but other faiths also treated it with the like distrust, or, sometimes, with mere indifference. It is hard to appreciate the value of an institution sent from God if it did not come to foster the one gift that could differentiate between the human

## CIVILIZATION—GOD'S KINGDOM

and the beast. I allude to our intellect or conscience, for knowledge is its only nourishment. But from Noah to Jesus no Messenger from God said anything directly on the subject. We find the same deficiency in other Teachers of Religion. Though some branches of knowledge were cultivated by the Hindus of old, yet such cultivation was confined to the priestly class. Even the ancient civilizations did not care greatly for knowledge. It was left to the illiterate Prophet of Arabia to make knowledge an essential of faith for his followers. He himself knew neither how to read nor how to write, but he drew men's attention to the use of the pen. He found man dwelling in sheer incontinence and saw the remedy only in the acquirement of learning. His followers accepted the gospel. They entered into the fields of science, and very soon afterwards reaped the richest of harvests. They had been told to discover new learning, hitherto undreamed of. The world till then had been interested, though to a limited extent, perhaps, in the cultivation of occult power, which men mistook for spirituality. The human eye remained blind to all that was good and useful in the heavens and the earth. Nature was full of beauty and sublimity, but for thousands of years man could not see it. The mighty Son of the desert, the denizen of a barren land—and so Arabia is even to this day, without any natural resources or scenic beauties whatever—came to open the eyes of mankind to the wonderland of Nature. He told us of the treasures that lay hidden in seas and mountains, and in the heavens and earth. He created in us the taste for enjoying the beauties of Nature. He did not bore the world with any such sickly theology as had already killed all power of æsthetic appreciation. Man had been commanded by unnatural dogmas to have no concern, however

## ISLAMIC REVIEW

innocently, with worldly things, but the great Benefactor of humanity said to us :

“ Say : Who has prohibited the embellishment of Allah which He has brought forth for His servants and the good provisions ? I say : These are for the believers in the life of this world ” (Holy Qur-án xii, 32).

It was an exhortation entirely new in the annals of Religion. The Muslims hearkened to it and devoted themselves to finding out all that was for their benefit and improvement in creation. They applied themselves to discovering such knowledge as would enable them to succeed in this new pursuit, and the foundation of modern science was thus laid with phenomenal success.

Islam is a towering landmark between the former system of learning and the modern mode of culture. Learning remained confined to the priestly class—within the four walls of shrines and temples—who interested themselves in metaphysical riddles. They wasted their time on theories which had no bearing whatever on the practical side of life : Islam came to make the whole universe a subject of study. The Muslims not only restored to Europe the writings of Ptolemy, Euclid, and Aristotle, that had nearly been forgotten by Christian Europe, since it was almost in the nature of a sin to cultivate any knowledge under that regime, but they themselves made a splendid addition to the ancient lore. Besides this they contributed three treasures of intellectual wealth :

- (1) They renewed and improved scholastic philosophy which had been abused by Hellenic vanity and paralysed by the grossness of the Romans.
- (2) They systematized mathematical science.
- (3) They cultivated natural and experimental knowledge to which neither the Greeks nor Romans had attached any value.

## CIVILIZATION—GOD'S KINGDOM

The Muslims also did great service to medical science in all its branches ; and while non-Muslims went to the shrine of one saint or another to be cured of their ailments, the Muslims went to hospitals for treatment. Hospitals and asylums with capable nurses and able physicians spread everywhere in the early Muslim Empire. In Baghdad alone there were 864 licensed physicians. Hospitals for animals were also founded. Medicine and pharmacy were greatly advanced. Chemistry and algebra, astronomy and trigonometry, botany and optics—they were all either invented or advanced by Muslim learning. The sciences of agriculture and navigation also were greatly elaborated. The remains of the Moorish occupation in Spain to-day are eloquent of the wonderful system of irrigation introduced there by the Muslims. Egypt too, in the first Muslim century, had under cultivation an area five times as great as the present one. The cotton plant and sugar-cane were first introduced into Europe in those days. The weaving of silk and cotton, the printing of calico and the dyeing of stuffs were a few of the arts developed to a high pitch of perfection by the Arabs. They not only manufactured glass, but knew how to embellish it both within and without. Even aviation was attempted in the days of Al-Mamun, but Abu Al-Casim, the first inventor of the flying machine, crashed when flying and was killed. Upon this aspect of my subject I do not think I need dwell further. The reader can easily estimate the extent to which Muslim aspiration for scientific research should go, if he ponders the following words of the Qur-án :

“ Men of understanding ” are those who “ reflect on the creation of the heaven and the earth,” and say, “ Thou hast not created this in vain.” “ Glory be to Thee.” In the light of this verse we have to reflect that whatever we may perceive around us is

## ISLAMIC REVIEW

purposeful, and its purpose is for our benefit. The verse makes the whole universe, as it were, our university and every atom of it a book. It is not therefore a matter of surprise to find an extraordinary upheaval, if the term be permitted, of learnings in the beginning of Islam when such a mighty impetus for the acquirement of knowledge was given in words believed by Muslims to have come from God Himself.

It is true that the instances I have cited concern material progress only, but that is the primary essential of true civilization. Islam can justly claim to have given it to the world. Religion therefore has been the greatest benefactor to humanity even when the question is considered solely on the material side. In this respect I may say that we have not yet reached that stage of civilization to which the Qur-án intends to carry us. The Book says that the sun and the moon have been created to minister to our needs. We have not succeeded in harnessing them as yet ; the sun, for instance, has yet to plough our fields for us and his heat to replace that of coal-gas and electricity in our kitchens. Electric light is a blessing without doubt, but we need moonlight to take its place. This would not only save our sight from the harmful glare of electricity, but would also bring coolness and strength to our eyes. These are one or two of the hundreds of services which the two luminaries could render to humanity ; and there are millions of things in the realm of the stars and in the bowels of the earth and ocean that have been created for our service. Man has to a certain extent become aware of this, but the whole credit must go to the power that opened his eyes to it. That power is, after all, Religion ; but Religion in the guise of Islam, which has made a marked departure in this respect from other forms of faith. Thus has Islam redeemed Religion from all the charges hurled against it by Culture.



## CIVILIZATION—GOD'S KINGDOM

### THE MORAL ASPECT OF CIVILIZATION

Modern civilization, though still far from its appointed goal, continues to make steady progress. Certain of the elements in Nature have been brought under man's control; he may even claim to govern, though within certain limits, earth, water, fire, and air. Electricity has entered his service, and the day is at hand when the stars in their courses will do likewise, as is revealed in the Qur-án. But this progress is imperilled; for the Western world is its present pioneer, and the Western world has become diseased and its civilization cankered—a state of things which is enervating the human body, and must ere long lead to physical decrepitude on a scale which may leave no strength or stamina for further progress. If a sound mind be the child of a sound body, the latter in its turn owes its very existence to moral sanity. Every seat of civilization in the Western world has turned or is turning into a nursery of evil—evil that will physically paralyse the human race within two or three generations; and thus all progress will be stopped. Consider, for example, the effect of venereal contagion, which is playing dreadful havoc with our manhood. There is already an appreciable decrease in the birth-rate in the West, and those born in the coming generation are likely to prove a race of rickety weaklings, doomed to early extinction.

Medical science is contemplating a method of injection as a cure for this trouble. It may succeed in its attempt, and score yet another victory for science over disease; but its efforts must needs prove an additional danger to health in the long run. It will act as a sort of physiological atonement, no less perilous to moral well-being than that spiritual atonement given to humanity through the medium of the Formal Church in the West.

## ISLAMIC REVIEW

The fear of punishment is an effective check to evil on this earth. We find this truth exemplified in the fear of the law, of disease, and of the wrath to come. In each case it has noticeably stemmed the onrush of evil; but unfortunately, Western culture has removed the criminal stigma from a variety of evils that tend to destroy the fabric of society. The doctrine of Atonement removed the fear of punishment to be meted out to a sinner in the hereafter. If the West has become more unrighteous than the East, it is because that doctrine has put a sort of premium on sin in Christian lands. Fear of punishment by Nature in the form of some terrible disease has led to the discovery of a remedy administered to a wrongdoer to protect him against various wasting illnesses. The discovery of such a remedy would obviate the need of carefulness, and give the wrongdoer *carte blanche* to indulge his wicked passions. The human blood ought to be saved from further vitiation; but excess in self-indulgence, a necessary sequel of the contemplated injection remedies, will hasten on the state of physical wreck, which, in its turn, will engender and attract a number of deadly diseases—among them premature senility. Why should we not think of some moral injection to obviate the necessity of a physical one in this respect?

But there are many other evils, apart from sexual vice, which are steadily undermining the superstructure of the so-called civilized nations. These have invented poison-gas and liquid fire for the destruction of one another; yet syphilis, consumption, and other terrible diseases give the same result, but in a form even more terrible. Besides adultery of an unbridled nature, there are other factors making for immediate downfall. Drinking, gambling, cheating, and polite robbery, indulged in even by the so-called weaker sex; the

## CIVILIZATION—GOD'S KINGDOM

lynching of negroes ; murder, fighting, racial prejudice, usury, capitalism whose aim it is to rob labour of its rightful dues, exploitation, and all the rest. Want of filial regard and neglect of all moral and social bonds in the name of freedom are among the chief features of the age. Libertinism is confounded with liberty. These conditions present an awful prospect and can be no guarantee for the continuance of any of the present conditions of apparent prosperity. The fate of Pompeii waits at the door of many a town in the Western world. "Our history," so says the *Sign of the Times* of America, "will parallel that of Rome and other nations of history, whose lust and passion sent them with their wine, women, and song to the gates of hell and oblivion. They are paving their way to the infernal regions on this very earth of God." Is such a history worth while ? Yet the most pitiable thing in the whole business is the fact that the very writers who are discussing present-day civilization are by so doing accelerating its destruction. We need not look for any post-grave hell, we have got it here, in the mother cities of the world. It is a poisonous moral ulcer that has infected the whole system. But where is its remedy ? Material culture has quite definitely failed to find it ; and the same may, to a very great extent, be said of Christianity. The lands of culture and Christianity breed and nurse these vices. America spends millions of dollars on her foreign Christian Missions. They send missionaries for the purpose of improving the morals of others, but they themselves are confessedly bankrupt of all morality. Christianity has been weighed in the balance and found wanting. Whithersoever it has penetrated it has carried in its train drinking and gambling, fornication and adultery. An invidious comparison of the different teachings of the various creeds in this respect would be profitless.

## ISLAMIC REVIEW

The tree is known by its fruit. The East is cleaner than the West, and among Eastern races the Muslims present a purer life ; and this is no rash assertion. Figures and facts substantiate it. We have become impoverished in worldly goods by reason of foreign economic pressure, but moral wealth is ours, which will in the end bring supremacy to the downtrodden race when once it has awakened from the lethargy in which it is at present sunk. Though Muslims live for the most part in hotter climates, yet they are free from venereal disease. We are not wealthy, but there is no unemployment in Muslim lands. Pauper parents with millionaire children are a phenomenon quite unknown to the East.

It is not difficult to find the real cause. Islam is a livable religion, and its practical tenets have produced these happy results. The Qur-án is not a book of impracticable ethics teeming with ideals of a visionary. Other religions preach morality, we know, but the Book of Islam and the teachings of Muhammad have about them the discernible distinction. They neither sermonize on morality in general terms nor do they lose themselves in philosophical conundrums. Islam does not impart its lessons in a confused and jumbled form. Like a lecturer in the anatomical room, it gives the name of and locates every joint and nerve of evil. It probes into each individual case, it lays its finger on the diseased part and then puts it under its surgical or other medicinal treatment, as the case may be. A critic may doubt this statement, but let him, for a moment, consider the conditions obtaining in the world in this regard, and discover the causes. Culture has failed ; Christianity and other religions have also failed. Islam, though also a religion, wins the race. The why and how of the case are to be found in its tenets, which are both practicable and livable. I quote here a few

## CIVILIZATION—GOD'S KINGDOM

verses from the Qur-án dealing with this point. No doubt there are other books of religion that speak of these vices, but the Qur-án passes judgment on each and all of them with the emphasis appropriate for each. The Book omits nothing that can in any way affect human morals. But let us turn to the practical side of the business. The question of questions is : What other influence than the Qur-án reformed the wickedest people that the earth of God ever saw, at the advent of Muhammad in Arabia, and brought them to righteousness and clean-living ? Islam, shattered though it be economically at the present day, is still everywhere proud of this achievement.

MURDER.—“ O you who believe, retaliation is prescribed for you in the matter of the slain . . . .”

“And there is life for you in (the law of) retaliation, O men of understanding”. (Qur-án, ii, 178-79).

“And do not kill anyone whom Allah has forbidden except for a just cause.” (Qur-án, xvii. 33.)

SEXUAL VICES.—Adultery comes next to murder in its heinousness. It wrecks domestic happiness utterly and completely. Though passion for sensual indulgence in these days has weakened all sense of moral responsibility in the Western mind, such abnormal conditions must come to an end ere long. When I read of the flood of fornication in the civilized world I think that the punishment prescribed in the Qur-án alone can deter the evil. The Book says : “And go not nigh to fornication ; surely it is an indecency and evil is the way.” (xvii. 32).

“ (As for) the fornicatress and the fornicator, flog each of them, (giving) a hundred stripes, and let not pity for them detain you in the matter of obedience to Allah, if you believe in Allah and the last day, and let a party of believers witness their chastisement.”

## ISLAMIC REVIEW

“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, 2 and 3.)

Under the Quranic teachings every woman that embraces Islam has to make a pledge as the women used to do in the days of the Holy Prophet. She must promise that she will not steal, and will not commit fornication, and will not kill her children, and will not bring a calumny which she has herself forged. (Qur-án lx, 12.)

More than thirteen hundred years have passed since the Qur-án proposed the above pledge. It is as true to-day and applicable to-day, especially in the refined West, as it was in the unpolished Arabia of long ago. Children of illicit connection are killed, even when in the womb. Infanticide, in the form of birth-control, has become a recognized fashion of our time. In this respect and in allusion to the reasons that cause this crime, the Qur-án says : “And do not kill your children for fear of poverty ; We give them sustenance and yourselves (too ; ) surely to kill them is a great wrong.” (Qur-án, xvii. 31.)

The Sacred Book (iv., 24) also condemns the system of keeping women as mistresses, and brings experimental and companionate marriages under the same category.

GAMBLING AND DRINKING.—“O you who believe ! intoxicants and games of chance and (sacrificing to) stones set up and (dividing) by arrows are only an uncleanness, the devil’s work ; shun it therefore that you may be successful.” “The devil only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance, and to keep you off from the remembrance of Allah and from prayer ; will you then desist ? ”

## CIVILIZATION—GOD'S KINGDOM

CHEATING, ETC.—“And do not swallow up your property, among yourselves by false means.” (Qur-án, ii., 188.)

FIGHTING AND WAR.—If there are occasions for self-defence against persecution, fighting in such form as the circumstances demand and only to the extent of self-defence, is an indisputable human institution. This cannot be too strongly emphasized. The Prince of Peace came as a Teacher of humanity, but he did not “come for peace,” he came “to send fire and sword in the earth.” He would have done so, if he could. He also asked some of his disciples to purchase a sword by selling their garments. But perhaps the fit occasion did not arise. He left it to his people of the coming generations to promulgate their own rules of war and they have set the very worst possible example in the matter.

Laity and clergy have walked knee-deep in blood. They are at the same game now. In short, human society needed some ethics of war, some warrior prophet was required to give precept and example. The ambiguous words of Jesus, as quoted above, have had terrible repercussions throughout the world. Israel, with Ramachandra and Krishna—the two Indian prophets of their times—took harsh measures against their enemies: they knew no distinction between a civilian and a belligerent in the hostile camp.

In our day the Hague Tribunal has tried to meet the situation, but the Great War set all its rules at naught, as its decision had not, on man, the binding force of a Divine institution.

Muhammad appeared as the Last Teacher in the world of religion. He brought the Final Message from the Most High. The code of life promulgated for man, under Divine Revelation, would have remained imperfect, if the occasion that necessitated the

## ISLAMIC REVIEW

unsheathing of the sword had not arisen in his lifetime. It came, and he made the code complete.

RACIAL PREJUDICE.—The Father of democracy, as Muhammad can be rightly styled, spoke the following words on the day of his final pilgrimage to Makka, in a sermon that proved to be his last, for he left the world within a few months of its utterance: “The aristocracy of old time is trampled under my feet. The Arab has no superiority over him that is not an Arab, and he that is not Arab has no superiority over the Arab. All are children of Adam, and Adam was made of earth.”

The Arabs of the days of the Prophet were prouder of their race than are the white people of our days in the West. But the aristocracy of old time was uprooted by the Great Advocate of equality between man and man, and it is that equality alone which can eradicate racial prejudice. The world is on its way to universalism, and the work of Muhammad in this connection will very soon be complete. The Qur-án speaks very strongly of this equality on different occasions, but all its words may be epitomized in the truth promulgated by the Sacred Book, when it says, they are equal members of the family of God, be they white or black, colourless or coloured. (ii : 213.)

UNEMPLOYMENT.—This is one of the curses of modern civilization, though an immediate result of the war between Capitalism and Socialism. Both go to extremes. Neither nationalization of individual earnings nor allowing capital to fleece labour is a right solution of the question; though inequitable distribution of wealth, such as we see to-day, is at the root of the whole trouble. Nevertheless its equal distribution among all units of society is scarcely practicable. It would kill all incentive to work. Everyone must have something to live upon, but human society will never be



## CIVILIZATION—GOD'S KINGDOM

without unfortunate people who come to poverty through causes beyond their control. Sometimes they become incapacitated, and charity alone can in such cases meet their need. Islam has always been free from the curse of unemployment. The Qur-án gives a golden rule to meet all the ups and downs of the case. It orders the Muslim to pay what is equitably due to others ; it orders him to pay them even more than is their due ; and last of all, it recommends us to treat strangers in the way we treat our own relatives and kinsfolk. (xvi, 90.)

USURY.—“ Those who swallow down usury cannot arise except as one whom the devil has prostrated by (his) touch does rise. 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.” “ Surely they who believe and do good deeds and keep up prayer and pay the poor-rate—they shall have their reward from their Lord, and they shall have no fear, nor shall they grieve.” “ 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 (it) 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 shall you be made to suffer loss ” (Qur-án, ii, 275-79.)

“ O you who believe ! do not devour usury, making additions again and again, and be careful of (your duty

## ISLAMIC REVIEW

to) Allah, that you may be successful.” “And guard yourselves against the fire which has been prepared for the unbelievers.” (Qur-án, iii, 129-30.)

FILIAL PIETY—“And your Lord has commanded that you shall not serve (any) but Him and goodness to your parents. If either or both of them reach old age with you, say not to them (so much as) ‘Ugh’ nor chide them, and speak to them a generous word.” “And make yourselves submissively gentle to them with compassion, and say: O my Lord! have compassion on them as they brought me up (when I was) little” (Qur-án, xvii, 23-24.)

I do not deny the existence of such laws in other penal codes, but they are passed as man-made laws, and can be evaded, if one can break them without being detected. It is not the evil itself, but it is “being found out” that sometimes keeps a man away from sin. But if he believes in the existence of the Omnipresent and All-Knowing God, Who has to take account of all our actions and Who reads even the hidden thoughts of our hearts, we are compelled to shun all forbidden things. This explains the difference that exists in this respect between Muslims and others, and why the former, comparatively speaking, are far less guilty of wrong-doing than the non-Muslims, more especially as regards offences against decency.

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## DIVORCE IN ISLAM

BY MAULANA MUHAMMAD ALI, M.A., LL.B.

*(Concluded from the last issue.)*

### THE ‘IDDA OR WAITING PERIOD

The final breaking off of marital relations is discouraged in many other ways and every chance is afforded to the parties to maintain the conjugal tie, even after differences have arisen leading to divorce.

## DIVORCE IN ISLAM

Every divorce must be followed by a period of waiting called the '*idda*': "O Prophet! when you divorce women, divorce them for their '*idda* (prescribed or waiting time)" (65 : 1). The '*idda* is about three months: "And the divorced women should keep themselves in waiting for three courses (*Quru'*) (2 : 228). A *qar'* (pl. *Quru'*) is the entering from the state of *tuhr* (cleanness) into the state of menstruation. In normal cases it is about four weeks, but there are variations in the case of different women. In the case of women who do not menstruate as well as those whose courses have stopped, the '*idda* is three months (65 : 4), and in the case of pregnant women, the waiting period is till delivery (*Ibid*). The '*idda* among other purposes serves the purpose of affording the parties a chance of reconciliation. Though they are divorced, yet they still live in the same house, the husband being plainly told not to expel the wife from the house in which she has been living unless she is guilty of misconduct, and a similar advice is given to the wife not to leave the house (65 : 1). This injunction clearly aims at restoring amicable relations between the parties and minimizing chances of the accentuation of differences. If there is any love in the union, its pangs would assert themselves during the period of waiting and bring about a reconciliation.

### DIVORCE IS REVOCABLE

In fact, reconciliation is recommended in plain words when, speaking of the '*idda*, the Holy Qur-án says: "And their husbands have a better right to take them back in the meanwhile if they wish for reconciliation" (2 : 228). Every divorce is thus an experimental temporary separation during its initial stages, and by making the parties live together, every chance is afforded to them to re-establish conjugal relations. Even after the period of waiting has passed away, the

## ISLAMIC REVIEW

two parties are allowed, even encouraged, to remarry : “ And when you have divorced women and they have ended their term of waiting, do not prevent them from marrying their husbands, when they agree among themselves in a lawful manner ; with this is admonished whosoever among you believes in Allah and the last day, this is more profitable and purer for you : and Allah knows while you do not know ” (2 : 232). Remarriage of the divorced parties is thus encouraged and recommended as being more profitable and purer for the parties. The condition is also laid down that such a revocable divorce, allowing reunion of the parties, can be pronounced twice : “ Divorce may be pronounced twice : then keep them in good fellowship or let them go with kindness ” (2 : 229). Thus the revocable divorce, the *taláq raj’i* in the terminology of the jurists, can be pronounced twice.

### IRREVOCABLE DIVORCE

After the first divorce, the parties have the right to reassert their conjugal relations within the period of waiting, and to remarry after the waiting period is over. A similar right is given to them after a second divorce, but not after a third. Before Islam, however, while the wife had no right of divorce the husband had an unchecked license to divorce the wife and to reassert his conjugal right during *‘idda* as many times as he pleased (Al-Tafsir II, p. 372). Thus women were looked upon as mere chattel which could be discarded and taken at will. This had demoralized the whole institution of marriage. Islam not only gave the wife a right of divorce, but also checked the husband’s licence to divorce as often as he liked, by twice declaring that revocable divorce could be given only twice : “ Divorce may be pronounced twice : then keep them in good fellowship or let them go with kindness ” (The Holy Qur’àn 2 : 229). It was thus laid down

## DIVORCE IN ISLAM

that, after the second revocation or remarriage, the parties must make their choice either to live together as husband and wife for ever, or to separate for ever, never thinking of reunion. Hence if even the second experiment failed and the parties were separated by a divorce for the third time, this was an irrevocable divorce, or *taláq bá'in*, in the terminology of the jurists.

### PRONOUNCEMENT OF DIVORCE IN THREE FORMS

The jurists have recognized divorce in three forms. A man would sometimes pronounce divorce thrice on one and the same occasion, and this would be understood as meaning that divorce had been given thrice. This is called *talaq bid'i* (or an innovation in divorce after the Holy Prophet's time). Or a man would divorce his wife for the first time in one *tuhr* following on with a second divorce in the second *tuhr* and with a third divorce in the third, thus divorcing thrice in one *'idda* or one period of waiting. This method of *taláq* is called *taláq hasan* (a good way of divorcing) in the terminology of the jurists. The name *taláq ahsan* (or the best method of divorcing) is given to the form in which *talaq* is pronounced in a *tuhr* only once, and this is followed by the period of waiting (Hidaya I, p. 333). This last method is the only method recognized by the Holy Qur-án. It is plainly laid down: "O Prophet ! when you divorce women divorce them for their prescribed time (*'idda*), and calculate the number of the days prescribed, and be careful of your duty to Allah, your Lord " (65 : 1). The divorce is thus to be pronounced only once, and when it has been pronounced, the *'idda*, or waiting period, follows, and during this time the parties have a right to revocation of the divorce. All other forms of divorce are against the Holy Qur-án and the Sunna of the Prophet.

## ISLAMIC REVIEW

### SUBTERFUGES TO MAKE THE REVOCABLE DIVORCE IRREVOCABLE

Thus the Holy Qur-án recognizes *talaq* only in one form, the *taláq al-sunna*, or the *taláq ahsan* of the Hanafi jurists. There is no mention at all of the other two forms, either in the Holy Qur-án or in Hadith. These two forms are, in fact, only subterfuges to make the revocable divorce an irrevocable one. The tendency to resort to these subterfuges is noticeable even in the lifetime of the Holy Prophet. The pronouncing of three divorces without an interval, seems to have been a remnant of pre-Islamic days. The Holy Prophet is reported to have shown indignation when it was brought to his notice that a certain person had pronounced three divorces together (*Sunan* 27 : 6), and a divorce thus pronounced was annulled by him (*Musnad* I, p. 265). Another report shows that until the time of ‘Umar, people used to pronounce three divorces together, but that they counted as a single divorce (*Ibid* I, p. 314). ‘Umar, in order to restrain people from such an un-Islamic proceeding, ordered three divorces given at one time to be reckoned as three separate acts of divorce, taking place at intervals, but this order had the opposite effect to that intended. It became a general practice to pronounce divorce three times on one occasion, and this was supposed to have the effect of three separate acts of divorce, thus making a revocable divorce irrevocable. This is really a negation of the very principle underlying the institution of divorce in Islam. It is true that divorce is allowed, but as it disturbs the normal family relations, it is looked upon with disfavour and is permitted only in extreme cases when the carrying on of marital obligations by the husband or the wife becomes impossible. But even after this extreme step has been taken, not only are the parties still free to resume conjugal relations within the waiting

## DIVORCE IN ISLAM

period, and to remarry after that period has expired, but they are actually encouraged to do so. The two forms of divorce called *bid'i* and *hasan*, take away the freedom to reunite which the Holy Qur-án has conferred upon the two parties, and they are therefore against the teachings of the Holy Qur-án and must be discarded. The revocable divorce of the Holy Qur-án cannot be made irrevocable as by this change, a death-blow is dealt to the beneficial spirit underlying the institution of divorce in Islam. Hence, whether divorce is pronounced once or thrice or a hundred times, it is only a single divorce, and it is revocable during the waiting period.

### EFFECT OF IRREVOCABLE DIVORCE

It is clear from what has been stated that irrevocable divorce is the very rarest of things that can happen among Muslims, and it can only occur if the two un-Quranic forms of divorce to make revocable divorces irrevocable, are brought in. When a man and a woman have found by two experiments that they cannot live together as husband and wife, it is absurd on their part to think of remarriage again. Hence the Holy Qur-án lays down that they shall not remarry after the second failure of the union, except in one case: "So if he divorces her (for the third time), she shall not be lawful to him afterwards until she marries another husband; then if he (the second husband) 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 limits of Allah" (2:230). Thus the one case in which marriage with the first husband is allowed, after being divorced for the third time, is that in which a marriage has been contracted with a second husband and that too has proved a failure. If there be such a rare case, the parties to the marriage have probably learned a lesson through

## ISLAMIC REVIEW

another marital union to the effect that they should behave better towards each other. An irrevocable divorce, being in itself a rarity according to the teachings of the Holy Qur-án, a case like the one spoken of, in the verse quoted above, would be a still greater rarity, but still if such a case should arise, the parties are allowed to remarry even after an irrevocable divorce.

### TAHLIL OR HALÁLA

*Tahlíl* or *halála* which means legalizing or making a thing lawful, was a pre-Islamic practice. When the wife was divorced irrevocably, by thrice pronouncing the divorce formula, and the husband wanted to take her back again, she had first to marry a third person on condition that he should divorce her after having sexual connection with her. This was called *halála*. It is a mistake to confound the *halála* with the marriage spoken of in the verse quoted under the previous heading, since *halála* was a kind of punishment for the woman who had to undergo the disgrace of sexual connection amounting practically to adultery, while the marriage spoken of in the previous paragraph is a perpetual marital tie, and the divorce in that case may not follow at all ; in fact, in the normal course of things it would not follow at all. It is for this reason that the Holy Prophet cursed those who resorted to this practice, his words being : “ The curse of Allah be on the man who commits *halála* and the man for whom the *halála* is committed ” (*T'irmidhi* 9 : 25). The Caliph 'Umar is reported to have said that if there were brought to him two men who took part in the practice of *halála* he would treat them as adulterous people. The three divorces, as allowed in the Holy Qur-án, of which the third is irrevocable, were of very rare occurrence, as such divorces naturally occurred at long intervals. The case of Rukána is mentioned in the reports ; he first divorced his wife in the time of



## DIVORCE IN ISLAM

the Holy Prophet, then remarried her and divorced her a second time in the reign of 'Umar, and finally in the caliphate of 'Uthman (*Zád-al-Ma'ád* II, p. 258).

### PROCEDURE OF DIVORCE

Divorce may be given orally, or in writing, but it must take place in the presence of witnesses: "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 give upright testimony for Allah" (The Holy Qur-án 65 : 2). Whatever the actual words used, they must expressly convey the intention that the marriage tie is being dissolved. As to whether a divorce would be effective under certain circumstances, there are differences among the various schools of jurists. Evidently intention is as necessary a factor in the dissolution of marriage as in the marriage itself, but while some recognize that divorce is ineffective if given under compulsion or influence, or in a state of intoxication, or in anger or jest, or by mistake or inadvertance, others hold it to be ineffective in some of these cases and effective in others. The Hanafi law recognizes that divorce is effective whether the words be uttered in sport or jest or in a state of drunkenness and whether a person utters them willingly or under compulsion, but Imam Shafi'i takes the opposite view (*Hidaya* I, p. 337). Evidently the Hanafi views are against the spirit of the teachings of the Holy Qur-án which declares divorce to be a very serious matter, and lays down special procedure to be gone through before it is resorted to.

### ILĀ'

*Ilā'* and *zihār* were two practices of the pre-Islamic days by which the wife was kept in a state of suspense, sometimes for the whole of her life. *Ilā'* which means

## ISLAMIC REVIEW

literally swearing, signifies technically the taking of an oath that one shall not go into one's wife. In the pre-Islamic days the Arabs used to take such oaths frequently, and as the period of suspension was not limited, the wife had sometimes to pass her whole life in bondage, having neither the position of a wife, nor that of a divorced woman free to marry elsewhere. The Holy Qur-án reformed this state of things by commanding that if the husband did not reassert conjugal relations within four months, the wife should be divorced: "In the case of those who swear that they will not go in to their wives, the waiting period is four months; then if they go back, Allah is surely Forgiving, Merciful. And if they resolve on a divorce, then Allah is surely Hearing, Knowing" (2 : 226, 227).

### ZIHĀR

The word *zihar* is derived from *zahr* meaning *back*. An Arab in the days of ignorance would say to his wife, *anti alayya ka-zahri ummi*, i.e., 'thou art to me as the back of my mother.' This was technically called *zihār*. No sooner were these words pronounced, than the relation between husband and wife ended as by a divorce, but the woman was not at liberty to leave the husband's house, and remained as a deserted wife. One of the Muslims, Aus ibn Sámit treated his wife Khaula in a similar manner. The wronged woman came to the Holy Prophet and complained of her husband's ill-treatment. The Holy Prophet told her that he was unable to interfere. She went back disappointed and it was then that he received the following revelation : "Allah indeed knows the plea of her who pleads with thee about her husband and complains to Allah, and Allah knows the contentions of both of you; surely Allah is Hearing, Seeing. As for those of you who put away their wives by likening them to the backs of

## DIVORCE IN ISLAM

~~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" (The Holy Qur-án 58 : 1, 2). The man who resorted to this practice was ordered to free a slave ; or if he could not find one, then to fast for two successive months, and if unable to do that, to feed sixty poor people (*Ibid* 58 : 3, 4).

### LI'ÁN

The word *li'án* is derived from *la'na* meaning curse. *Li'an* and *mula'ana* signify literally *mutual cursing*. Technically, however, the two words indicate that particular form of bringing about separation between the husband and the wife in which the husband accuses the wife of adultery but has no evidence to support the accusation, while she denies it. The Holy Qur-án makes adultery a severely punishable crime, since it aims at the destruction of the whole social fabric. At the same time it makes an accusation of adultery an equally serious crime, punishable like adultery if strong evidence of adultery be not forthcoming. This is to stop the tongue of slander, which is generally very busy, and does not spare even the most innocent persons. One man has no concern with another's private affairs, but if a man has strong reasons to believe that his own wife is adulterous, the case is quite different. The *li'án* is suggested, in this case, as the means of bringing about separation between husband and wife, for whether the accusation is right or wrong, it is in the interests of both to get separated. The following verses deal with this subject : " 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

## ISLAMIC REVIEW

is 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 punishment from her if she testify four times, calling Allah to witness, that he is one of the liars. And the fifth time that the wrath of Allah be on her if he is one of the truthful ” (24 : 6—9). After the parties have thus borne witness, they are separated for ever. It will be noticed that there is no mutual cursing in this case ; only each of the parties, while bearing witness of his or her own truthfulness, calls for the curse or wrath of God on himself or herself if he or she speaks a lie.

### CHARITABLE VIEW OF DIVORCE

Divorce is looked upon as a necessity in marital relations, under the varying human conditions, irrespective of moral turpitude on the part of husband or wife. The Holy Qur-án takes the most charitable view of the necessity for divorce, and therefore recommends as much kindness towards women in the case of divorce, as in that of marriage. Again and again stress is laid on this point : “ Divorce may be pronounced twice ; then keep them in good fellowship or let them go with kindness (*ihsán*) ” (2 : 229) ; “ And when you divorce women and they reach their prescribed time, then either retain them in good fellowship or set them free with liberality ” (2 : 231) ; “ So when they have reached their prescribed limit, then retain them with kindness or separate them with kindness ” (65 : 2). Thus woman is to be treated with equal kindness and generosity, whether she is a sharer in a man’s weal or woe as wife, or one from whom he has been compelled to part company. Marital differences, like other differences, may be as often honest as not, but the Holy Qur-án recommends that the most charitable view of them should be taken.

# THE ABOLITION OF PERSONAL OWNERSHIP OF PROPERTY

BY THE LATE SHAIKH MUSHIR HUSSAIN KIDWAI,  
BAR-AT-LAW.

*(Concluded from the last issue.)*

We must not forget that Islam does not believe that man is evilly inclined by nature and is born in sin. The Evolver, the Creator is free from all evil. Nor did He create evil in mankind. It is man who makes evil for himself by making a wrong use of his power, his qualities and his instincts. Because God chose to give free will to man to a certain extent, He did not impose upon him His own will that he should always walk straight. That means that the Evolver did not deprive man of his capacity to misuse the good gifts of God to him.

The Qur-an says :—"Of Allah it is to point out the (right) way, but some turn aside (of their free will) from it. Had He imposed His own will He would have surely led you all aright." (16 : 9)

And again :

"To every one of you has God given a law and an open way—and if He had pleased (not to give a free will) He would have surely made you one people. But (He designed) that He might try you in what He has given you respectively. Strive then to excel each other in good work., to God is your return altogether then will He inform you of that concerning which ye disagree." (5 : 48).

Thus free will (of course with limitations and with responsibility) has been given to man to engage in competition with his fellow-men in doing good to others and in Social Services.

Man has not been made an automaton.

Even the Prophet was repeatedly warned that he was not "made a keeper" over anybody. He was to use no compulsion. He was only to preach in a

## ISLAMIC REVIEW

gentle, persuasive manner. Man has been asked to use his intelligence. The Qur-án says :

“ He has enjoined you with that you may use your intelligence ” (6 : 162.)

For his actions he must not seek refuge under the wings of anybody—not even of his parents—and surely not of Rousseau or Lenin.

The Qur-án says :

“ And when it is said to them follow what God has revealed, they say : Nay, we follow what we found our ancestors following. What ! and though their forefathers had no sense at all, nor did they follow the right way.” (2 : 170.)

Man has got many passions and emotions in him. If used properly they are for the good, otherwise they injure Society or sometimes the individual himself. Sometimes even his reason misleads him.

Man wants to fulfil his desires. If he loves wealth he will use all his mental powers and all his physical strength to work for that. He will use all his brains to excel others in any profession he takes up. He will be ready to undergo sacrifices, to take risks. Suppose circumstances do not disfavour him and he succeeds in his work and in his profession. Suppose he becomes an expert in his profession—a producer of wealth by his brains. He asks for due remuneration for his expert advice. He wants to live a happy and comfortable life. Islam will allow him to do that provided he does not do any harm to Society. The idea of the Bolsheviks is that they would not allow him to do that though at present they do allow some extra wages to foreign experts. But when they stop this they will not only harm the individual, they will also harm the Society by leaving no incentive for a man to become an expert.

Suppose a man loves wealth. He uses his brains for that. He writes a “ best-seller ” which is useful

## PERSONAL OWNERSHIP

to Society. Islam will not rebuke him for getting a good price for his book. But Islam will expect from the author that he will not make a wrong use of the money he has earned by his brains and his pen. Islam will tell him that the real owner of the wealth is God ; that the author is only a trustee. Every second of his life adverse circumstances might have intervened which might have made it impossible for him to have succeeded in finishing the work. They did not. Therefore he should be thankful for the protection given to him and in thanksgiving he should give away his wealth to the deserving. He will have to pay Zakat also and will not be allowed to become a Capitalist by anti-capitalist Islamic Laws. He can say to every individual and even to the whole Society that his production is his own. He cannot say this to God Who controls all the circumstances and Who has given him brains.

Or suppose to a man the natural love of his family and children is the incentive for giving his best to the profession or work before him. Islam will not stop the incentive. It has laid down judicious Laws of inheritance which will allow the man's family and children to profit by the earnings he would leave for them to save them from want or penury and to carry on his name after him.

The best effort of the miraculous and God-inspired Prophet has been to put only as much check on the liberty of a person as was absolutely necessary for the good of Society and his own person and to give all inducement to a person for doing his best. For this reason he has not been rigid in his laws. He avoided the necessity of using force as far as possible. He tried to make everybody do good works voluntarily by the force of habit or by natural impulse. This is why he has not stopped natural incentives for good

## ISLAMIC REVIEW

work. This is why inheritance in a well-regulated form has been allowed. Nor has it been urged to forcibly sequester every property left by any person. The Prophet has contented himself by laying down such rules and laws that the wealth or property which anybody has honestly and legitimately collected or left will ultimately be to the advantage of Society. By the *Waqf alal-aulad* even his children can be stopped from mispending a man's hard earned money which he would leave behind. They can be bound down to spend it not according to their personal whims, nor for personal luxury, but for the public good, while at the same time due provision could be made for the continuance of the family name and reputation. The main object, however, has been to lay such laws as would be anti-capitalist, would distribute wealth, would offer equal opportunities to all and would help in forming a classless Society and one Brotherhood all over the world. This main object has not been lost sight of even when individual liberty and discretion have been respected.

Everybody knows that all the world is not even to-day governed under Bolshevist principles. Except in Russia nowhere else in the world is private ownership of property abolished. But Islam is for all lands, and for men in all stages of development and progress. If there were no laws of inheritance or for the distribution of property laid down, Islam would have failed in showing the people the right course under such governments as had not compulsorily or violently abolished, for one reason or other, even if they were Muslim States, personal or private ownership of all property.

But if all the laws of Islam are obeyed in the letter and spirit the evils of possessing property will be removed. In fact if a man treats his wealth as if it was a trust from God, the possession of private property



## PERSONAL OWNERSHIP

with full powers to spend it in the way of Allah, will prove a blessing to Society instead of being an evil. If a man really uses any property or wealth as he should use a trust given to him by an All-seeing, All-beneficent God then it would prove more good for Society that he had used his hands and brains or both to possess wealth and property than if he had remained a pauper or had collected only enough to support himself.

Thus all the evil in the personal ownership of property has been removed and under true Islamic laws it would not make much difference to Society whether private ownership was completely abolished in practice or man was allowed to possess property and even leave it to his children under the most just, judicious and equitable laws of Islam (far more just, judicious, and equitable than the Swiss Laws or any other laws).

Here we may say in passing that all sensible jurists have admitted the excellence of the Islamic personal laws. So it is not the fault of those laws if they are not properly understood and therefore not properly appreciated by a few persons.

The only point of preference which a representative of Turkey in another Country could point out to the Author for the Swiss Law was that it had no law of *mahjubul-irs* and that personally he would have suffered if Muslim Law had not been replaced by Swiss Law in Turkey !

We advised our friend to study the latest interpretations of the law of *mahjubul-irs*, and his complaint would disappear. Islam is self-sufficient.

In fact, all statesmen should study the Muslim Laws, particularly of inheritance, very carefully and take the advice of great jurists. One of the greatest modern jurists India produced, Justice Syed Mahmud, said that the best proof that the Quranic Laws were from God was the Islamic Law of Inheritance. Even

## ISLAMIC REVIEW

non-Muslim eminent lawyers like McNaughton write as to their naturalness and excellence thus :—

“ In these provisions we find ample attention paid to the interest of all those whom nature places in the first rank of our affections ; and it is difficult to conceive any system containing rules more strictly just and equitable ”. After such impartial statements what justification can there be for introducing Swiss or any other law anywhere in place of the Islamic Law ?

Those statesmen who fail to appreciate such “ natural, just and equitable ” laws only demonstrate their own lack of wisdom or their senseless spite and prejudice. The “ just and equitable ” natural Islamic Laws of inheritance were promulgated to meet the demands of Nature although as a principle all private and personal ownership had been abolished.

The Bolsheviks know that the greatest charge against Bolshevism is that it allows no liberty to man. It really establishes a dictatorship—it may be the dictatorship of the proletarian class, *i.e.*, a beneficent dictatorship—but sometimes even despotism is beneficent. It has been said that Bolshevism really makes a man a slave—it may be the slave of Society. On every occasion under Bolshevism a man has to obey harsh commands of others—do this and not that. This commanding and domineering Society resolves itself into a few officials or Commissars. For all practical purposes it becomes an oligarchy—even a personal rule of an individual—the Dictator.

Islam avoids all this. For Muslims there is no dictatorship of any man or group of men or class of men. No Muslim is a slave of another man, or group of men or class of men. There is only one Dictator—but he is not a man—He is not Anthropomorphic—“ Vision comprehends Him not ”. Man, even the most powerful man, even the greatest Prophet, is a slave,

## PERSONAL OWNERSHIP

but only of Him who has “ Nothing as His likeness ”— Who is an Infinite and an Eternal Being, “ without form or place, without issue or similitude, present to our secret thoughts, existing by the necessity of His own Nature and deriving from Himself all moral and intellectual powers.” (Gibbon and Ghazzali.)

In Islam God alone is qualified to command man —He alone is superior to man, لا اله الا الله He alone is infallible. The majority of men are not always in the right. Sometimes it happens that only one man is in the right. Such occasions arose even in the life of Lenin. So why should a man take commands from others which may, after all, be in the wrong ? Why should he not prefer to take commands from Him Who is never in the wrong? Is there any man who would not bow to Allah rather than to a fellow-being or group of fellow-beings or the majority of the fellow-beings or even all the fellow-beings, when there can be no absolute certainty that they are not all in the wrong ? Is there any man who would not like to retain his freedom of conscience, thought and action rather than become a slave at the command of others ?

Some elasticity was left as regards personal ownership to leave man his liberty and discretion and also his natural incentives for work as far as it was desirable or natural.

We would draw the attention of those who say that if Islam had meant the abolition of private ownership it would not have laid down laws of inheritance in the Qur-án itself, to the fact that one of the names of God is Al-Wáris (The Inheritor) and the Qur-án declares : ان الله خبير الوارثين

“ Thou art the best of Inheritors.” And it asks : “ And what reason have you that you should not spend in Allah’s way ? And Allah’s is the inheritance of heaven and earth.” (57 : 10.)

## ISLAMIC REVIEW

Thus the Law of Inheritance should not be taken to be in the way of the abolition of personal and private ownership of property. It would be best to leave the Law of Inheritance alone and for every true Muslim to leave his property to the Khairul-Warisin, "the Best of Inheritors."

The Bolsheviks have now behaved more ruthlessly against all property owners, even against Koolaks. This probably Lenin would not have done. Trotsky quotes Lenin thus :

"We must not ignore the resolution of the lower rank of the people, even though we are not in agreement with them . . . . We must give full freedom to the creative capacity of the popular masses. The essence of the thing is that the peasantry should have full confidence that there are no more landlords in the country, and let the peasants themselves decide all questions and build their own life."

Here Lenin not only gives freedom to the peasants "to build their own lives" but also admits that there can be "ranks." Trotsky after quoting the above paragraph has put in a query—"Oppportunism"? and has himself answered it :

"No, it was revolutionary realism."

The Bolsheviks will do well to keep "realism" or naturalism in view in all matters—in the question of personal property as in others.

Alas ! there is no Lenin now to guide the Bolsheviks.

However, it is a mistake to think that the Bolsheviks have abolished all personal or private property. Even when Lenin was alive, the New Economic Policy (N. E. P.) was adopted and it was a concession to private property. The N. E. P. gave freedom to the farmer to sell the remainder of his harvest, to whomsoever he liked after having paid, in kind, a fixed

## PERSONAL OWNERSHIP

graduated tax to the State. Later on, the State permitted private trade, as also the establishment of private industries and private ownership of houses. Thus private property and even Capitalism were recognised to a certain extent.

By private property Bolsheviks mean primarily "the means of production." The Communist manifesto says: "Communism deprives no man of the power to appropriate the product of Society" meaning that certain forms of private property may legitimately be acquired, clothes, a home, a garden, a little farm, but only for personal use—not for trade, not for profit.

Bolshevism is the enemy of the middle class property owner.

Says the Communist Manifesto: "The middle class owner of property must indeed be swept out of the way."

We know that even all inheritance has not been stopped in Russia. Limitations have been fixed, as they were under Islamic law, though on a different scale and in a different way. In Russia, and in several other European countries also, State comes in with "Death Duty" or "Inheritance Tax" on the death of a person.

Briefly, the position of a Muslim in respect of property stands thus:

If he is a true Muslim and wants to follow the ideal set by Islam in spirit and letter and the example of the Prophet and other saintly Muslims, he will possess, not even as a trustee, much personal property.

The limit put upon a person's property by the Prophet is given in the Hadith quoted earlier in this chapter, *i.e.*, a house to live in, some clothes to wears, and sufficient quantity of food and water. This is the limit to which Private Property is allowed—no more.

## ISLAMIC REVIEW

But if a person's natural love of wealth and property gets the better of him, Islam will not take him to task for it, provided he does not go against the spirit of Islam, and uses his wealth and property not for his own comfort and contentment alone but also for the benefit of Society.

The State will charge Zakat from him and other taxes. He will be expected to spend his wealth and property for certain given social services.

If a person acts up to the injunctions of the Qur-án he will not have much to leave as an inheritance, but if he has, then the law of inheritance will come into operation and will have the property distributed very judiciously to make large dukedoms, usurious capitalists and multi-millionaires impossible. If the man was very charitable and philanthropic he would have left property by *Waqf* to be spent on some charitable work. If he would have rather liked to continue his own family's connection with that *Waqf* he would have left it as *Waqf alal Aulad*.

Thus without any forceful encroachment upon personal liberty and without depriving men of their natural urge the same object has been gained by Islam regarding the distribution of wealth and the socialisation of property which the Bolshevists have in view.

It must not be forgotten by the Bolshevik that up to the present moment State ownership of wealth, property or of industries has not given much advantage to Russia. The criterion laid down by Trotsky is :

“ Victory belongs to that system which provides Society with the highest economic plan.”

But Mr. Hindus asks :—

“ What Russia has to match such giants of economic power and efficiency as the Krupp, the Ford Motor Company, etc ? ”

## PERSONAL OWNERSHIP

He further says :—

“ At present the Russians themselves admit that on the economic side their collectivism can boast of no success which private enterprise is achieving, neither in the province of production nor distribution. . . . In America private enterprise has scored its richest triumphs.”

However, for the present, the experiment in Russia is being carried on. It has been truly said that the industrial struggle has begun. If the Bolsheviki win, collectivism will sweep the world and private property, as a source of income, will vanish. If they fail, the private property in one form or other will flourish even in Russia.

Our reading of the situation is that the Bolsheviki will themselves adopt the compromise—which Islam presents. The ideal will continue to remain to be the abolition of private ownership but means will be adopted to give scope to personal incentive and to the natural urge of children and family, etc.

It must be noted that while Bolshevists are trying to reduce the family urge and the family circle so as to encourage collectivisation, Islam extended “ family ” circle so as to include in it all creatures and to make all people communistic not only racially or nationally or locally, and not only economically or socially but also internationally by its Universal Brotherhood in Islam.

Contrary to the levelling down process of the Bolshevists we, as Muslims, would adopt the procedure of levelling up and raise the standard of life of the proletariat in respect not only of physical comfort but also of mental happiness, to that of the present-day “ middle ” or even the “ upper class.”

It was with this object that Islam did not content itself with the abolition of all private ownership of property as a principle only by vesting it in Allah,

## ISLAMIC REVIEW

*i.e.*, in all His creatures, but also adopted measures, in case of practical difficulties and in view of the human nature, as the second best course, for distributing and dividing all property as generally, as voluntarily, as justly and as equitably as was possible.

Herein lies the superiority of Islam over all other systems, including the Bolshevik.

## CORRESPONDENCE

LONDON, N. W. II.  
16-7-43.

DEAR SIR,

I should be most grateful if you could send me a small pamphlet on the teachings of Islam and if you could let me know whether there are different movements in that religion as in others—Conservative or Orthodox and Progressive. I will send you the money for the booklet if you will let me know how much it is with postage.

Yours faithfully,  
(Miss) M. H.

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LEICESTER,  
23-7-43.

DEAR SIR,

For some years now I have been unable to reconcile my religious convictions with any Christian Church on account of their corrupt clergy and love of gold.

Now I have remembered that when I was in India some years ago I read a translation of the Qur-ân and was very much surprised to find that it contained much that was laudable. I am wondering if the Muslim faith can offer me that which is missing in the Christian faith, and I would like to study it, and if I find it genuine to embrace it myself. I shall be grateful if you would assist me in this matter, by letting me have any literature on the Muslim faith and also I would like to know where I could obtain a genuine translation of the Qur-ân.

I suppose it is unusual for a European to embrace Islam, but I know that it has been done, and will I suppose be done again.

In conclusion, I may add that I am thirty-nine years of age and so I am not likely to be taking this matter up lightly.

Trusting that you will reply at your earliest convenience, and thanking you in anticipation.

I am  
Yours faithfully,  
C. N. (Lieut.).



## CORRESPONDENCE

LEICESTER,  
27-7-43.

MY DEAR IMAM,

I thank you for your letter and pamphlet received this morning.

I have read "What is Islam" and it has recalled to my memory much of what I read in the Holy Qur-ân years ago. I fully intend to accept Islam and would be grateful if you give me full particulars of what I shall have to do in order to become a Muslim. I enclose a cheque for 13 shillings and would be obliged if you send me in return H. G. Sarwar's translation as recommended by you. I am glad to know that there are no degrees of priesthood in Islam, for I admit that the attitude of the Christian clergy has been largely instrumental in deciding me to leave the Church. In theory all Christians are supposed to be equal in the sight of God, but this does not seem to be carried in practice. The late Archbishop Lang is, to my mind, a typical example of what a prelate should not be, and the present pope of Rome seems to let consideration for his personal comforts and safety outweigh the responsibility which are his in this great world conflict. I notice that the offices of the Muslim Mission are in Lahore; I was stationed there myself in 1925 with the Seaforth Highlanders but do not remember the offices. It might interest you to know that I have visited Jum'a Masjid and the Pearl Mosque in Delhi, and I have often seen the Faithful at prayer in the former mosque from the walls of Delhi Fort.

Yours sincerely,  
C. N. (Lieut.).

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LEICESTER  
29-7-43.

MY DEAR IMAM,

I have read all the literature you sent me very carefully and my conviction that Islam is the only true religion is more assured than ever. I am prepared to abide by the rules of life and worship as laid down in the Holy Qur-ân and will to the best of my ability, live a Muslim life from now on. I beg that I may be admitted to the Brotherhood of Islam, and to this end I enclose my Declaration of Faith. I have also notified my Commanding Officer of my intention accordingly. I shall endeavour to spread the doctrine of Islam among my friends, and if you wish to publish my declaration in *The Islamic Review*, you are at liberty to do so.

I am glad that I made a study of the Holy Qur-ân when I was in Simla and Delhi, for it has helped me to come to a speedy decision in this important matter. I am looking forward to the arrival of the Holy Qur-ân which I ordered from you so that I can study it and increase my knowledge of Islam. You have been kindness itself and I shall take full advantage of your offer to instruct me, and settle any queries that may arise.

I fully anticipate a lot of opposition, and antagonism from official quarters when my conversion becomes fully known, but I am fully prepared to face it, even if it means resigning my commission. May the peace of Allâh be on your house!

Yours sincerely,  
C. N. (Lieut.).

## ISLAMIC REVIEW

### THE WAR LAWS OF PROPHET MUHAMMAD

“Rabah-b-. Rabi‘ reported : We were with the Holy Prophet in a battle. He saw the people mustering strong over a thing. He sent a man and said : Look over what they mustered strong. He returned and said : Over a woman who has been killed. He said : She was not to be killed while Khalid-ibn-Walid was in the vanguard. He sent a man and said : Tell Khalid : Kill no woman, and no labourer.”—*Abu Dawud*.

“Abdullah-ibn-Abi Aufa reported that in some of his battles in which he encountered the enemy, the Apostle of Allah used to wait till the sun declined. Then he used to get up among the people and say : O people ! Don’t wish to encounter the enemy and pray to Allah for peace, but when you meet, be patient and know that Paradise is under the shade of swords. Then he used to pray : O Allah, Sender of the Book, Mover of the clouds, Driver of the Allies, defeat them and help us to prevail over them.”—*Agreed*.

“Abdullah-ibn-Umar reported that the Messenger of Allah forbade to kill women and children.”—*Agreed*.

“Anas reported that the Messenger of Allah said : “March in the name of Allah, and with the succour of Allah and over the religion of the Messenger of Allah ; kill not the emaciated, old, nor the young children, nor women, and deceive not ; collect your booty, do good and show kindness, because Allah loves those who do good to others.”—*Abu Dawud*.

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