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November 1964
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The Islamic Review

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By AL-HAJJ KWAJA NAZIR AHMAD, Barrister-at-Law

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The Bane of the Purveyors of Soporifics in the Muslim World

Short Cuts and Magic Cures from Trinidad and India

Non-Muslim tributes to the mental achievements of early Muslims

We are pretty certain that every serious student of history is struck by the stark difference between the mental accomplishments of the early peoples of Islam down to the 15th century and the sterility of mind thence and of those who today claim to be their successors and profess the self-same religion. It is inconceivable that a people who produced geniuses in every conceivable field of human activity should be so sterile that today there is not one Muslim name worthy of being bracketed with such famous names as Marx, Einstein, Freud. To name only three in the field of intellect. Is it, as some would assert, due to the normal stage of senility which is the lot of every living human organism? Or is it due to the teachings of the religion of Islam itself which stuntify and atrophy faculties of the human mind? If it is the stage of senility, then the world of Islam should long ago have ceased to exist as an entity like so many other peoples before and since. But we know it is far from being defunct. Despite the fact that intellectually the Muslim world is ineffective, the world at large has to reckon with its presence. This is evident by the ever-increasing number of books in English on the Middle East and Islam. They tried to ride roughshod over the Muslim world for a century or so, but it was soon realized that the Muslims as a unit could not be made extinct.

As to the claim that the teachings of Islam are responsible for the present-day sterility of the Muslim mind, it is obvious that this cannot hold water when one remembers that these very teachings inspired the early Muslims, and it is these very teachings that enabled them to be the first people who invented "science". Let us step aside and let some non-Muslim modern writers speak for us in this regard.

Mr. John W. Campbell, Jnr. Editor, Astounding Fiction, London, writing in his essay entitled "Relatively Absolute", which appeared in Astounding Fiction for December 1954, writes:

"...Islam was civilized; Europe was not. Islam had achieved what no other civilization Man had developed or had been able to: it invented science.

"Rome didn't, and Greece didn't; they had each produced one of the two ingredients — as had many another people before them, and other peoples also produced independently after them. Philosophy is fine — but it won't stand alone. Athens fell flat on its beautifully philosophical face — for lack of an even passable sewage and water system. Rome had magnificent sanitary engineering systems — and fell flat on the problem of philosophy.

"Neither people cross-checked philosophy and engineering. The Romans had no respect for the airy-fairy philosophy of the Greeks: the Greeks never respected the harsh, materialistic Romans.

"We did not get our legacy of science from Rome or Greece; we got it from Islam, the only people who invented it in all human history" (italics ours, Ed., I.R.).

In talking of the tremendous influence the teachings of Islam had upon the Arab Muslims, Professor P. K. Hitti has the following to say in his Lebanon in History (London 1957):

"More than that, Muhammad laid the basis of an empire that was soon to embrace some of the fairest provinces of the then civilized world. Surely if someone in the early seventh century had the audacity to predict that within a few years unheralded, unforeseen forces from the hitherto barbarous, little known land of Arabia would be released to challenge the two contemporary world powers — Persia and Byzantium — to destroy the one and strip the other of its richest provinces, would have been considered a candidate for a lunatic asylum. Yet that was precisely what happened. With Muhammad, sterile Arabia seems to have been converted as if by a magic wand into a breeding ground of heroes and great men the like of whom in quality and quantity was hard to find" (italics ours, Ed., I.R.).

In reviewing The Great Arab Conquests by Sir John Glubb (London 1963), the reviewer of the book has the following to say on the inexplicable transformation that was brought about in the Arabs of Central Arabia by the Prophet Muhammad:

"...so closely General Glubb involves the reader in these Arab wars that at times his narrative sounds almost like a good
People responsible for the mental sterility of Muslims

This is all very well, to read and also to feel happy about it. The question is, then, why this mental stupor and the sterility of mind of the Muslim world? Many answers can be attempted and each one of them may be equally satisfactory in its approach to the problem. Colonialism and imperialism have been suggested as the two possible causes. But we venture to believe that the major share of the blame rests on the shoulders of the purveyors of magic cures and short cuts to material success who abound in the world of Islam. Below we give quotations from two parts, widely apart, of the world of Islam, which offer to everyone anything and everything for his satisfaction — either for a few pence or by parrot-like repetition of certain words and phrases. One has to read them to realize how quickly this kind of advice breeds mental slothfulness.

Trinidad

Extracts from a cyclostyled sheet published by the Islamic Missionaries' Guild of Trinidad and Tobago, Port of Spain:

"SPIRITUAL EXERCISES:

1. FOR ALL TYPES OF DIFFICULTIES IN LIFE OR FOR THOSE WHO SEEK SPIRITUAL PURIFICATION OR SPIRITUAL POWER AS WELL AS FOR OTHER PURPOSES:

Sura Fateha is to be read in the morning prayer joining Bismilla with Sura Fateha for example: 'Bismilla hir Rahmain nira Reehem Mi hamdu li Lahe Rabbi alaameen etc.' Say this 41 times between the 2 Sunnats and the 2 Farz of Fajir (sic) (Morning Prayer). After saying it, if blown on water and given for drink, it is good for memory, health and sinners. It can thus be used as a prayer and Spiritual Medicine." . . .

6. FOR HIGHER SPIRITUAL EXERCISE RE (5):

On every Friday after reading Asr Prayer on right time sit in one posture up to when Azan is called for Maghrib Prayer. During the time read YAA ALLAHO YAA RAHMANO YAA RAHEEM. After Azan for Maghrib Prayer as called then make Doah (sic) in connection with your difficulties. This must be done on every Friday until problem is solved.

7. FOR HIGHER SPIRITUAL EXERCISE RE (5) & (6):

On Thursday night after the 4 Rakats Farz Isha Prayer and the 2 Sunnats, do not read the Witir (sic) but sit in one posture and with great speed read 12,000 times: JALLALLAHOO AZZALLAHOO TABARAKALLAHOO RABBUL AALAEEM. Most of the night will be covered after reading this 12,000 times. After that, read the Isha Witir (sic) Prayer and then make Doah (sic) to God re your difficulties. After that, do not go to bed until the Fajir (sic) (Morning Prayer) has been read. If the Fajir (sic) Prayer is missed then the Doah will not be effective. This is a great night — the only night that appear impossible will be made possible by God Almighty.

8. FOR THOSE WHO TRIED EVERY WAY OF BUILDING UP THEIR FINANCIAL CAREER AND FAILED:

After Isha Prayers each day read Sura Qulho Wallahah Ahad with Bismilla Hir Rahmain nira Reheem 11 times but every time Qulho Wallahah Ahad is said Allahus Samad be said 100 times so that when the entire Sura is read 11 times, Allahus Samad be said 1,100 times. Darood should be read 100 times before and 100 times after. During the period, the following foods are prohibited: beef, fish, milk or curd (except taken in tea), garlic and onion. If these are taken, it would cause injury to the person instead of good.

10. IF YOU ARE CONFRONTED WITH MAGIC OR OBEEAH AND TO FORTIFY YOURSELF AND COUNTER-ATTACK THE EVIL:

Read the following 11 times and blow on index finger (right hand) and then circle finger around head: ABASARA SABARA SABARA JAMHOораSABARA BISMIILLAHIEE MALA ASMAN AR RAHMAIN ABASAAN AR RAHEEM HAIOS SAMAAN (The power is in the intonation and not the meaning).

11. IF SOMEONE ELSE IS INFLUENCED BY WITCHCRAFT OR OBEEAH:

Read the following 41 times and blow on oil and give to patient to be rubbed on body with it. 40 days is the maximum and 7 days the minimum. It can also be read for 14, 21, 28 days, etc. The same should be read over water 41 times for patient to take bath on three occasions on any three days during the period, e.g. on alternative days or weeks. The patient should take bath with the water.

TO BE READ: AW AMARA AW AMRAHAA KAHAAN ALAHEEMUN AR HAMAN TARRHAMAN AW UMMA MAATTA BAIHATTAA SOOWAHAAT AHU TAMARR TAMARR TAMARR TAMARR TAMARR TAMARR TAMARR TAMARR TAMARR TAMARR.

12. TO A PERSON SUFFERING FROM ANY EFFECT OF WITCHCRAFT (ANOTHER METHOD):

Read Sura Fateha 7 times, Sura Rabbi Falak 11 times, Sura Rabbinnasse 11 times, Sura Ayatul Cursi 7 times, Darood 7 times, then blow on water and patient to drink the water.

13. STUDENTS FOR EXAMINATION:

Read Darood (7) times, KAN FAYAKUNOO YAA RAYMANO MASOODI to be read 21 times and again Darood 7 times and blow on palms of hand and pass over head and then do the paper..."

India

India enjoys the proud privilege of having on its soil the shrine of one of the greatest sons of Islam — Khwaja Mo'inuddin Chishti (d. 1235 C.E.) — at Ajmer. The mausoleum is visited on the occasion of his death anniversary, known as Urs, by Muslims and non-Muslims whose number runs into tens of thousands. The "Urs" lends itself to offering a short cut to all and sundry who like to get everything on the cheap. Below are two excerpts from two of the circular letters issued by two of the many custodians of the shrine. It will be noticed that the words used in them border upon "shirk".

People used to attend Urs every year with their heartfelt desires and cherished wishes and returning used to go brimful with the fruition of their inner aspirations.

If you or any of your kith and kin intend to visit the Holy Shrine please inform me before your starting so that I may make all necessary arrangements for your lodging, etc. In case you find yourself unable to join the Urs, kindly let me know your inner heartly desires, so that I may be able to beseech on your behalf and entreat Khwaja Sahib to pray fulfilling your innermost desires" (italics ours, Ed., I.R.). . . . .

"Hazrat Khwaja Sahib was the descendant of Syedna Huzrat Imam Hussain R.A. and the great grandson of Hazrat Mohammad the prophet (peace be upon him) in the ninth generation. On this most auspicious occasion when the Janati Darwaza also remains open, thousands of pilgrims from all over India and abroad respectfully visit the sacred shrine, perform various cievations, offer Fateha, Nazar and Naiz thereat, and invoke thereby the holy Saint to enjoy peace of mind and the fulfilment Continued on page 32
The United Nations and the Palestine Question, 1947 - 1964

By Faye A. Sayegh, Ph.D.

. EXTENT AND DEGREE OF UNITED NATIONS INVOLVEMENT: A STATISTICAL SUMMARY

The Palestine question was first brought to the United Nations in April, 1947: it has been before the United Nations continuously ever since. No other problem has engaged the attention of the World Organization as intensively or as extensively.

The extent and degree of involvement of the United Nations in the fate of the Holy Land may be measured by the following yardsticks:

(1) Alone among the scores of problems brought before the United Nations, the Palestine question has been dealt with by all six organs designated by the Charter (in Article 7) as “the principal organs of the United Nations”:

(a) The General Assembly has had the question on its agenda at every regular session it has held since April 1947 (from the second to the eighteenth, inclusive), and has devoted its two special sessions (of 1947 and 1948) and the first of its emergency special sessions (in 1956) to the situation in Palestine — a total of twenty sessions.

(b) The Security Council, which dealt with the question for the first time at its 222nd meeting, has devoted one out of every four meetings it has held since then to the examination of the situation in Palestine.

(c) The Economic and Social Council has had the question on the agenda of four of its regular sessions.

(d) The Trusteeship Council has considered some aspects of the question in five sessions: four regular and one special.

(e) The International Court of Justice has held three public sittings to examine a legal question arising out of the unfolding of the Palestine question.

(f) And, finally, the Secretariat has performed the usual services required by the other five principal organs in the course of their preoccupation with the question, and has undertaken additional assignments at their request.

(2) The principal organs and their main committees have devoted 982 meetings to the Palestine question — as follows:

<table>
<thead>
<tr>
<th>Organ/Committee</th>
<th>Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly</td>
<td>657</td>
</tr>
<tr>
<td>Security Council</td>
<td>228</td>
</tr>
<tr>
<td>Economic and Social Council</td>
<td>12</td>
</tr>
<tr>
<td>Trusteeship Council</td>
<td>82</td>
</tr>
<tr>
<td>International Court of Justice</td>
<td>3</td>
</tr>
</tbody>
</table>

(3) Five of the “Specialized Agencies” affiliated with the United Nations have undertaken special programmes directly concerned with the situation in Palestine: World Health Organization (WHO), Food and Agriculture Organization (FAO), International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO).

(4) Fifty-two special subsidiary agencies were established for the purpose of dealing, exclusively or mainly, with the Palestine question.

(5) During their deliberations on the Palestine question, the principal organs of the United Nations received over 400 formal proposals submitted by member-states, individually or in groups, in the form of “draft resolutions,” “joint draft resolutions,” “amendments” and “joint amendments.”

(6) Of these 139 resolutions were formally adopted by the competent organs of the United Nations, as follows:

<table>
<thead>
<tr>
<th>Organ</th>
<th>Resolutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly</td>
<td>88</td>
</tr>
<tr>
<td>Security Council</td>
<td>37</td>
</tr>
<tr>
<td>Economic and Social Council</td>
<td>3</td>
</tr>
<tr>
<td>Trusteeship Council</td>
<td>10</td>
</tr>
<tr>
<td>International Court of Justice</td>
<td>1 (Advisory Opinions)</td>
</tr>
</tbody>
</table>

(7) Some of these resolutions dealt with procedural, organizational, administrative, and/or financial matters; others contained provisions of a substantive character.

The substantive resolutions formally adopted by the competent organs of the United Nations, regarding the Palestine question, were 70 in number:

<table>
<thead>
<tr>
<th>Organ</th>
<th>Resolutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly</td>
<td>35</td>
</tr>
<tr>
<td>Security Council</td>
<td>32</td>
</tr>
<tr>
<td>Economic and Social Council</td>
<td>1</td>
</tr>
<tr>
<td>Trusteeship Council</td>
<td>1</td>
</tr>
<tr>
<td>International Court of Justice</td>
<td>1 (Advisory Opinions)</td>
</tr>
</tbody>
</table>

(8) A breakdown of the substantive resolutions adopted by the competent organs of the United Nations regarding Palestine, on the basis of the original authorship of each resolution, would indicate the relative roles played by the various member-states in influencing the decision-making processes of the United Nations, and in shaping the cumulative body of resolutions formally passed by the World Organization concerning the Palestine question, over the past 17 years.

The following table singles out the “Five Permanent Members of the Security Council” for examination of their respective roles in shaping the cumulative body of substantive resolutions on Palestine formally adopted by the General Assembly and the Security Council.

NOVEMBER 1961
SUBSTANTIVE RESOLUTIONS REGARDING PALESTINE
ADOPTED BY:

<table>
<thead>
<tr>
<th>The General Assembly (35)</th>
<th>The Security Council (32)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Based on proposals sponsored solely by:</td>
<td></td>
</tr>
<tr>
<td>China</td>
<td>1</td>
</tr>
<tr>
<td>France</td>
<td>1</td>
</tr>
<tr>
<td>U.S.S.R.</td>
<td>4</td>
</tr>
<tr>
<td>U.K.</td>
<td>8</td>
</tr>
<tr>
<td>U.S.A.</td>
<td>18</td>
</tr>
</tbody>
</table>

Based on proposals sponsored, jointly with other member-States, by:

| France | 2 |
| U.S.S.R.| 12 |
| U.K.   | 14 |
| U.S.A. | 12 |

In short, of the 67 substantive resolutions on Palestine formally adopted by the General Assembly and the Security Council since 1947:

2 were based on proposals submitted by China;
21 were based on proposals submitted by France;
None was based on proposals submitted by the U.S.S.R.;
30 were based on proposals submitted by the United Kingdom; and
43 were based on proposals submitted by the United States.

II. UNITED NATIONS' DECISIONS CONCERNING THE ARAB REFUGEES FROM PALESTINE

(1) At the first session it held after the expulsion of the majority of the Arab inhabitants of Palestine from their homeland, the General Assembly endorsed the recommendation of the slain mediator, Count Folke Bernadotte, submitted to it in the form of a draft resolution by the Government of the United Kingdom. Recognizing the right of the refugees to return to their homes, the Assembly directed that they be
permitted to do so "at the earliest practicable date" if they so chose, and that compensation be paid for "loss of or damage to" their property.

This recognition of the right of the refugees to repatriation and compensation was contained in Resolution 194 (III) of 11 December 1948, which has become the foundation of all subsequent United Nations pronouncements on the question of the Palestinian refugees. Paragraph 11 of this resolution reads:

"Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for the loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible."

(2) At the following session (namely, the fourth session, held in the autumn of 1949), the General Assembly explicitly reaffirmed the provisions of the paragraph cited above, stating:

"Recalling its resolutions 212 (III) of 19 November 1948 and 194 (III) of 11 December 1948, affirming in particular the provisions of paragraph 11 of the latter resolution..." (Resolution 302 (IV) of 8 December 1949, Paragraph 1 of the Preamble).

(3) At its fifth regular session, held in 1950, the General Assembly further elucidated its intention, adding significant safeguards against possible discrimination "either in law or in fact" against the refugees upon their repatriation. It said:

"Calls upon the governments concerned to undertake measures to ensure that refugees, whether repatriated or resettled, will be treated without any discrimination either in law or in fact" (Resolution 394 (V) of 14 December 1950, Paragraph 3).

(4) The recognition of the right of the refugees to repatriation in accordance with their free choice has been "recalled" by the General Assembly at every regular session it has held since 1948 — 15 in all. More especially, it was re-affirmed in Paragraph 1 of the Preamble of each of the following Resolutions:

(a) Resolution No. 302 (IV) of 8 December 1949.
(b) Resolution No. 394 (V) of 14 December 1950.
(c) Resolution No. 512 (VI) of 26 January 1952.
(d) Resolution No. 614 (VII) of 6 November 1952.
(e) Resolution No. 720 (VIII) of 27 November 1953.
(f) Resolution No. 818 (IX) of 4 December 1954.
(g) Resolution No. 916 (X) of 3 December 1955.
(h) Resolution No. 1018 (XI) of 28 February 1957.
(i) Resolution No. 1191 (XII) of 12 December 1957.
(j) Resolution No. 1315 (XIII) of 12 December 1958.
(k) Resolution No. 1456 (XIV) of 9 December 1959.
(l) Resolution No. 1604 (XV) of 21 April 1961.
(m) Resolution No. 1725 (XVI) of 20 December 1961.
(n) Resolution No. 1856 (XVII) of 20 December 1962.
(o) Resolution No. 1912 (XVIII) of 3 December 1963.

That this regular recollection of the original resolution at every session of the Assembly is not a mere formality is made abundantly clear by the facts contained in the following paragraphs.

(5) The General Assembly established a direct relationship between the admission of Israel to membership in the United Nations on 11 May 1949, and the implementation inter alia of Resolution 194 (III) adopted five months earlier. Of some sixty members admitted to membership in the United Nations since its establishment, Israel was the only State the admission of which was predicated on the undertaking to implement specific resolutions of the General Assembly.

Resolution 273 (III) of 11 May 1949 states:

"Noting...the declaration by the State of Israel that it...unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a Member of the United Nations..."

"Recalling its resolutions of 29 November 1947 and 11 December 1948 and taking note of the declarations and explanations made by the representatives of the Government of Israel before the ad hoc Political Committee in respect of the implementation of the said resolutions..."

"The General Assembly..."

..."Decides to admit Israel to membership in the United Nations." (Paragraph 4 and 5 of the Preamble, and Operative Paragraph 2.)

(6) Whenever the General Assembly appropriated funds for the relief of the refugees, or set up new agencies for the administration of such relief, or extended the mandate of existing agencies, or endorsed programmes of public works or rehabilitation — it proceeded immediately to safeguard the rights of the refugees, which it had recognized in paragraph 11 of Resolution 194 (III), by asserting that the interim arrangements in question were "without prejudice to the provisions of paragraph 11 of Resolution 194 (III)". This important safeguard appears, in identical terms, in the following ten resolutions of the General Assembly:

(a) Resolution No. 302 (IV) of 8 December 1949, Para. 5.
(b) Resolution No. 393 (V) of 2 December 1950, Para. 4.
(c) Resolution No. 513 (VI) of 26 January 1952, Para. 2.
(d) Resolution No. 614 (VII) of 6 November 1952, Para. 4 of the Preamble.
(e) Resolution No. 720 (VIII) of 27 November 1953, Para. 1.
(f) Resolution No. 818 (IX) of 4 December 1954, Para. 1.
(g) Resolution No. 916 (X) of 3 December 1955, Para. 3.
(h) Resolution No. 1018 (XI) of 28 February 1957, Paras. 3 and 5.
(i) Resolution No. 1191 (XII) of 12 December 1957, Para. 5.
(j) Resolution No. 1315 (XIII) of 12 December 1958, Para. 4.

(7) On at least twelve occasions since 1948, the General Assembly has noted with manifest uneasiness that the provisions of Paragraph 11 of Resolution 194 (III) have not been effected. This failure, and the situation resulting therefrom, have been "noted" by the Assembly with "concern", with "regret", with "grave concern", with "deep regret", with "serious concern", or with different combinations of such feelings, as follows:

(a) 394 (V) of 14 December 1950, Para. 2 of Preamble: "concern"
(b) 512 (VI) of 26 January 1952, Para. 3: "regret"
(c) 818 (IX) of 4 December 1954, Para. 3 of Preamble: "grave concern".
(d) 916 (X) of 3 December 1955, Para. 4 of Preamble: "grave concern".
(e) 1018 (XI) of 28 February 1957, Para. 5 of Preamble: "serious concern".
(f) 1191 (XII) of 12 December 1957, Para. 5 of Preamble: "deep regret" and "serious concern".
(g) 1315 (XIII) of 12 December 1958, Para. 4 of Preamble: "deep regret" and "serious concern".
(h) 1456 (XIV) of 9 December 1959, Para. 4 of Preamble: "deep regret" and "serious concern".
(i) 1604 (XV) of 21 April 1961, Para. 3 of Preamble: "deep regret" and "serious concern".
(j) 1725 (XVI) of 20 December 1961, Para. 3 of Preamble: "deep regret" and "serious concern".
(k) 1856 (XVII) of 20 December 1962, Para. 3 of Preamble: "deep regret" and "serious concern".
(l) 1912 (XVIII) of 3 December 1963, Para. 3 of Preamble: "deep regret" and "serious concern".

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(8) Far from contenting itself with such repeated expressions of regret and concern, the Assembly has urged the subsidiary agencies directly concerned to labour towards the implementation of the provisions of Paragraph 11 of Resolution 194 (III).

(a) In the same paragraph in which it announced the principle of free choice of the refugees and recognized their rights to repatriation and compensation (and, if they chose otherwise, to resettlement and compensation), the Assembly instructed the Conciliation Commission, then established, “to facilitate” the implementation of those provisions and to “maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations” (Part 2 of Paragraph 11 of Resolution 194 (III)).

(b) In subsequent sessions, the Assembly has found frequent occasion to urge the Conciliation Commission to “continue its efforts”, to “continue its endeavours”, to “make further efforts”, or to “intensify its efforts” towards the implementation of the provisions of Paragraph 11 of Resolution 194 (III):

(i) 394 (V) of 14 December 1950, Paragraph 2 (b)
(ii) 512 (VI) of 26 January 1952, Paragraph 5
(iii) 1456 (XIV) of 9 December 1959, Paragraph 1
(iv) 1604 (XV) of 21 April 1961, Paragraph 1
(v) 1725 (XVI) of 20 December 1961, Paragraph 1 (a)
(vi) 1856 (XVII) of 20 December 1962, Paragraph 2
(vii) 1912 (XVIII) of 3 December 1963, Paragraph 4

(c) On other occasions, the Assembly has called for coordination and mutual consultation between the Conciliation Commission and the U.N. Relief and Works Agency for Palestine Refugees (U.N.W.R.A.) “in the best interests of their respective tasks, with particular reference to paragraph 11 of General Assembly Resolution 194 (III) of 11 December 1948”:

(i) 302 (IV) of 8 December 1949, Para. 21
(ii) 818 (IX) of 4 December 1954, Para. 2
(iii) 916 (X) of 3 December 1955, Para. 2
(iv) 1018 (XI) of 28 February 1957, Para. 4
(v) 1191 (XII) of 12 December 1957, Para. 6
(vi) 1315 (XIII) of 12 December 1958, Para. 6

III. FORMAL JUDGMENTS PASSED BY THE UNITED NATIONS UPON ISRAEL’S INTERNATIONAL CONDUCT

A. Resolutions formally adopted by the Security Council regarding attacks undertaken by regular armed forces of Israel on territories of neighbouring Arab States:

(1) Resolution of 18 May 1951 (S/2157):

The Security Council finds that the “aerial action taken by the forces of the Government of Israel on 5 April 1951” constitutes “a violation of the cease-fire provision provided in the Security Council resolution of 15 July 1948” and is “inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter” (Paragraph 11).

Proposed jointly by France, the United Kingdom, the United States and Turkey, this resolution was adopted by ten votes to none, with one abstention.

(2) Resolution of 24 November 1953 (S/3139 Rev. 2):

The Security Council finds that the “action at Qibya taken by the armed forces of Israel on 14-15 October 1953” constitutes “a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948” and is “inconsistent with the parties’ obligations under the General Armistice Agreement and the Charter”. The Security Council therefore “expresses the strongest censure of that action” (Section A).

Proposed jointly by France, the United Kingdom and the United States, this resolution was adopted by nine votes to none, with two abstentions.

(3) Security Council Resolution of 29 March 1955 (S/3378):

The Security Council “condemns this attack” (which was “committed by Israeli regular army forces against the Egyptian regular armed force” in the Gaza Strip on 28 February 1955) “as a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948 and as inconsistent with the obligations of the parties under the General Armistice Agreement between Egypt and Israel” (Paragraphs 4 and 5).

Proposed jointly by France, the United Kingdom and the United States, this resolution was adopted by eleven votes to none, with no abstentions.


The Security Council: (i) “Condemns the attack on 11 December (1955) as a flagrant violation of the cease-fire provisions of its resolution of 15 July 1948, of the terms of the General Armistice Agreement between Israel and Syria, and of Israel’s obligations under the Charter”; (ii) “Expresses its grave concern at the failure of the Government of Israel to comply with its obligations”; and (iii) warns that it “will have to consider what further measures under the Charter are required to maintain or restore the peace” (Paragraphs 3, 4 and 5).

Proposed jointly by France, the United Kingdom and the United States, this resolution was adopted by eleven votes to none, with no abstentions.


The Security Council: (i) “Reaffirms the Security Council resolution of 19 January 1956 which condemned Israeli military action”; (ii) “Determines that the Israeli attack of 16-17 March 1962 (near Lake Tiberias) constitutes a flagrant violation of that resolution”; and (iii) “Calls upon Israel scrupulously to refrain from such actions in the future” (Paragraphs 2 and 3).

Proposed jointly by the United Kingdom and the United States, this resolution was adopted by ten votes to none, with one abstention.

On the following day — 10 April 1962 — the Knesset (Parliament) of Israel adopted a resolution which stated, in Paragraph 1, that:


Not once has a similar resolution been adopted by any organ of the United Nations against an Arab State.

2 Israel Digest, Vol. V, No. 9, of 27 April 1962.
B. Resolutions adopted by the General Assembly after the invasion of Egyptian territory in 1956:

(1) Resolution of 2 November 1956 (997 (ES-I)):

Noting that "the armed forces of Israel have penetrated deeply into Egyptian territory"; and "expressing its grave concern," the General Assembly urges Israel "promptly to withdraw all forces behind the armistice lines" (Paragraph 1 of the Preamble, and Operative Paragraph 2).

Proposed jointly by the United States, this resolution was adopted by 64 for, 5 against, and 6 abstentions.

(2) Resolution of 4 November 1956 (999 (ES-I)):

"Noting with regret," that compliance with the resolution of 2 November had not been accomplished, the General Assembly "reaffirms," the earlier resolution (Paragraph 1 of the Preamble, and Operative Paragraph 1).

Proposed jointly by nineteen member-States from Asia and Africa, this resolution was adopted by 59 for, 5 against, and 12 abstentions.

(3) Resolution of 7 November 1956 (1002 (ES-I)):

The General Assembly "reaffirms the above-mentioned resolutions" and calls once again upon Israel immediately to withdraw all its forces behind the armistice lines" (Paragraphs 1 and 2).

Proposed jointly by nineteen member-States from Asia and Africa, this resolution was adopted by 65 for, 1 against, and 10 abstentions.

(4) Resolution of 24 November 1956 (1120 (XII)):

The General Assembly "notes with regret" that "no Israeli forces have been withdrawn" and "reiterates its call" (Paragraphs 1 and 2).

Proposed jointly by twenty member-States from Asia and Africa, this resolution was adopted by 63 for, 5 against, and 10 abstentions.

(5) Resolution of 19 January 1957 (1123 (XI)):

The General Assembly "notes with regret and concern the failure of Israel to comply with the terms of the above-mentioned resolutions" (Paragraph 1).

Proposed jointly by twenty-five member-States from Asia and Africa, this resolution was adopted by 74 for, 2 against, and 2 abstentions.

(6) Resolution of 2 February 1957 (1124 (XI)):

The General Assembly: (i) "Deplores the non-compliance of Israel to complete its withdrawal behind the armistice demarcation line despite repeated requests of the General Assembly"; and (ii) "Calls upon Israel to complete its withdrawal behind the armistice demarcation line without further delay" (Paragraphs 1 and 2).

Proposed jointly by seven member-States from Europe, North America, South America and Asia, this resolution was adopted by 74 for, 2 against, and 2 abstentions.

C. Resolutions regarding Israel's actions in Jerusalem:

(1) Trusteeship Council Resolution of 20 December 1949 (114 (S-2)):

The Trusteeship Council: (i) Is "concerned at the removal to Jerusalem of certain ministries and central departments of the Government of Israel" on 13 December 1949; (ii) "Considers that such action ignores and is incompatible with the provisions of paragraph II of General Assembly resolution 303 (IV) of 9 December 1949"; and (iii) calls upon Israel "to revoke these measures".

(2) Security Council Resolutions of 11 April 1961 (S/4785):

The Security Council "endorsed" the decision of the Mixed Armistice Commission of 20 March 1961, "condemning" Israel for a "breach" of the Armistice Agreement in Jerusalem (Paragraphs 1 and 2).

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D. Resolutions adopted by the Security Council after the assassination in Israel of the United Nations Mediator, Count Folke Bernadotte:

(1) Resolution of 18 September 1948 (S/1006):

The Security Council was "deeply shocked" by the "cowardly act" which was "committed by a criminal group of terrorists" (Paragraph 1 of the Preamble).

(2) Resolution of 19 October 1948 (S/1045):

The Security Council: (i) "Notes with concern that the Provisional Government of Israel has to date submitted no report to the Security Council or to the Acting Mediator regarding the progress of the investigation into the assassinations"; and (ii) reminds that government that all its "obligations and responsibilities" must be "discharged fully and in good faith" (Paragraphs 1 and 2).

No other country in the world, whether member or non-member of the United Nations, has been the object of so many rebukes, censures and condemnations by the principal organs of the United Nations — for actions in violation of the Charter, and for non-compliance with decisions of competent bodies of the World Organization.

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Essential differences between the Islamic laws and civil laws

We can deduce from the foregoing remarks that the Islamic laws differ from the man-made civil laws in three main points:

First: Perfection. The Islamic laws differ from the civil laws in that they are perfect. They abound in all the rules, principles and theories which are needed to govern the affairs of any society or group of people at the present time, while being of such a nature as would also be suitable for any society at any distant time in the future.

Second: High Quality. The theories and principles expounded in the Islamic laws are always higher in their level and quality than the character and ethics of the people, and in these laws there are doctrines and principles which are so superior that they are always higher than the society they govern, however developed that society may be.

Third: Permanency. The provisions of the fundamental laws of Islam are permanent and absolute, and need no amendment or variation due to the passing of time or to any change in circumstances. They are valid and useful for all times and for all peoples and places.

Legislation through the Islamic laws

As we have seen, the main purpose of the laws of Islam is that they be applied by the people to solve their difficulties and introduce order and justice into the affairs of their everyday life and also in matters relating to the life to come. The Islamic laws have not formulated exhaustive and detailed provisions regarding every minor case or problem that may arise, as is attempted by the civil laws. They have only laid down general provisions which may readily be applied to govern all possibilities and eventualities. Where pronouncements on minor points appear to us to be made in the Qur’ān, it will be noticed on a closer study that such “minor” points are not in fact “minor”, and that a pronouncement on such a point had been necessary because by a decision on it the people will be guided to find the answer to many questions which fall under the same head or category.

The general provisions laid down by the Qur’ān form the foundation of Islamic jurisprudence and the skeleton on which it is built. The formulation of Islamic jurisprudence was left by the Qur’ān to the jurists, who are to be guided by the provisions of the Qur’ān. From the laws of the Qur’ān the jurists are expected to build up a law which will meet the needs of the society for which they are legislating.

The manner in which the Islamic laws have provided for legislating for the people was the only possible one which would harmonize with the conception that these laws are perfect, of high quality and of a permanent nature. For a law to be perfect and permanent it must make such provisions as would, if applied at any time, be effective to ensure order, harmony, justice and happiness to the community in general and to every individual member, and would also encourage these individuals to follow the path of goodness and righteousness as would earn them a reward in the life to come. If a law lays down rules which would be applicable at the time it was made but would be unsuitable or obsolete at a future date, then such law cannot be termed permanent.

The right of the rulers to legislate not unfettered

The laws of Islam have assigned to the rulers or those in power in a community the right to legislate for their subjects. But such a right is neither absolute nor unfettered. It is laid down as a condition that this power to legislate should be exercised only in the light of the provisions of the Qur’ān, and that any legislation which does not conform with the spirit and general aims and intentions of the laws of Islam should be null and void. Thus it will be seen that this power can only be safely exercised by the State within a limited sphere, and on the following matters only:

(a) Legislation in the purely executive field for the purpose of securing the proper execution and enforcement of the provisions of the Qur’ān. Such legislation is similar to the ordinances, rules and regulations made by ministers in a modern State to provide ways and means for the enforcement of the civil laws of the country within the jurisdiction of the minister in question.
(b) Legislation in the administrative field for the purpose of maintaining peace and order and of protecting the rights of the citizen in the community as prescribed by the laws of Islam. Such legislation is made only in those cases where the provisions of the Qur’an are silent on the matter or have no detailed specific pronouncements to cover a novel case. In this respect such legislation must not depart from the scheme or the spirit of the provisions of the Qur’an.

**When are the powers of the rulers wrongly exercised?**

So long as those in power in a State exercise their right to legislate within the limits and bounds prescribed by the Qur’an, their acts are right and should be obeyed; but if they exceed the limits set on their powers, then their legislation is void and must be disregarded by the believers. So, for the legislation of the State to be effective it must be entirely within the spirit and general policy of the teachings of the Book, and anything beyond this is completely without effect. This is based on the words of God: “O you who believe! Obey God and obey the Messenger and those in authority from among you; then if you quarrel about anything, refer it to God and the Messenger” (4: 39). Also: “And in whatever thing you disagree, the judgment thereof is (in) God’s (hand)…” (42: 10). God commands us to give full obedience to his word, and commands us also to obey the Prophet Muhammad and those in authority among us. We obey God because He is God, but when we obey the Prophet we do not do so because *ipso facto* he is the Prophet, but because it is God’s wish that he should be obeyed, and so it is in the case of obeying the orders of those who are in authority among us and who, if they depart from the path set by God or exceed the limits prescribed by Him, produce only void orders and command no obedience.

The Prophet Muhammad emphasized this aspect when he said: “No creature should be obeyed, if his order is a transgression against God”; “Obedience is confined to good things”; and about the commands of those in authority: “Any one of them who commands you to commit a transgression you should not hear him or give any obedience.”

The rulers and those in authority in the majority of the Muslim countries have since the last century started to make extensive legislation for their countries and to organize a legal system on the pattern of the legal systems of the countries of Europe. They have followed the legal system of the West to a very great extent and have adopted wholesale the provisions of these Western systems on constitutional, civil, commercial, criminal and other matters, and have not drawn on or made use of the laws of the Qur’an except in a few instances like the *dhikfs* (religious and charitable trusts) and the *shufah* (right of pre-emption).

It must be admitted that the majority of these laws have been made in conformity with the provisions of the Qur’an and in keeping with the spirit and teachings of the religion of Islam, but, on the other hand, it is also true to say that quite a few of the provisions of such legislation are contrary to the spirit of the teachings of the Qur’an and are built on theories and conceptions altogether alien and foreign to the doctrines of the faith of Islam. An example of this can be found in the criminal laws of some of the countries, which make adultery in the majority of cases a perfectly legal and legitimate act, and allow the drinking of wines and spirits; while it is known that the Qur’an and the pronouncements of the Prophet forbid absolutely the committing of adultery or the drinking of alcoholic intoxicants. Another example is the fact that the laws of the religion of Islam forbid usury while the legal systems of the countries of Europe allow it, though not absolutely but in a rather mild and restricted form.

**Why have the Muslim countries adopted the legal systems of Europe?**

Some people may think that the reason why many of the rulers and those in authority in the Islamic world have adopted the legal systems of the countries of Europe is because no appropriate or adequate solution was found in a recourse to the laws of the Qur’an. This is not the true reason. The religion of Islam and the Islamic ethics and jurisprudence abound in principles, theories and rules which, if collected and systematically arranged, would produce a legal system and a code which would be both perfect and ideal compared with other legal systems. It is my opinion that if such a legal system — derived entirely from the teachings of the religion of Islam — were made, it would not be long before the non-Islamic countries would adopt it wholly and discard the legal systems upon which they pride themselves at the present time.

The main reason why the European legal systems have been imported by the world of Islam and adopted by them lies in the influence of the European countries who colonized the Islamic world and also in the absence of the jurists and learned men in the Islamic countries. In some Islamic countries the legal systems of the West were introduced by the force of arms on the conquest of the countries and their colonization by the Europeans, as was the case in India and North Africa. In other Islamic countries the legal systems of the West were introduced because of the weakness of those countries and of the predominance of the influence of the Europeans in them, and sometimes because of a misguided effort by those in authority in the countries trying to ape the West and adopt its “good” points.

It is an historical fact that the European legal system was introduced into Egypt during the reign of the Khedive Isma’il. It is also known that this Khedive had at the time tried to propagate in Egypt a legal system based on the laws of the Qur’an and the principles of Islamic jurisprudence, and that he asked the professors and heads of al-Azhar University to preare and draft such legislation, but that these had refused to comply with his request because of sectarian narrow-mindedness, which prevented them from cooperating with each other so as to produce an Islamic system of law in a co-ordinated and harmonious manner — thus sacrificing the achievement of such a praiseworthy task for the purpose of keeping blind loyalty to their different sects, and depriving the world of Islam of a unique and golden opportunity, which has not arisen since — a very unfortunate and lamentable act indeed.

It must be pointed out that some of the Islamic countries who voluntarily adopted the Western legal systems did not intend by so doing to offend against the ethics of the religion of Islam. This intention is demonstrated clearly in the Egyptian Criminal Code which was promulgated in the year 1883, where in the First Section it is stated: “It is the duty of the Government to punish the crimes and offences committed against the subject, because it is imperative on it to maintain peace and order and secure the welfare of the public. It is also its duty to punish offences committed directly in violation of the authority of the State. Whereupon this Code
...has set out the degrees and kind of sanctions and punishments which those in authority in the State may lawfully impose: provided nothing in this will derogate from any of the rights of the citizen which are recognized by or specified in the general laws of the Religion of Islam". This provision was taken from the Ottoman Code dated 5 June 853.

It is my belief that legislators in the Islamic countries have never at any time willfully intended to offend against the laws of the religion of Islam: but the fact remains that the laws which they legislated have nevertheless been at variance and in conflict with the religious law, in spite of the endeavours and precautions which, I am sure, many of the legislators have taken against such a result. The reason for such failure may lie in the fact that the legislators have either been Europeans who were ignorant of the laws of the religion of Islam or, if they were Muslims, were of those whose knowledge of law was confined exclusively to the European legal systems and did not include the Islamic laws.

The practical effects of civil legislation on the laws of the religion of Islam

One of the results of the introduction of European legal systems into Islamic countries was the setting up in these countries of special legal tribunals for the purpose of enforcing these European laws. On these tribunals sat European judges or native judges who studied the European laws, but were not familiar with the laws of the religion of Islam. These new legal tribunals soon usurped many wide spheres of legislation and acquired vast jurisdiction in many matters. As these tribunals administered exclusively the European laws, the laws of the religion of Islam had to be abandoned for all practical purposes and left in abeyance.

The educational authorities in these countries consequently set up special schools of law for teaching the European legal systems. Such schools paid little attention indeed to teaching the laws of Islam, and they ignored these laws except in the sphere of wakfs (religious and charitable trusts) and a few other minor spheres. This naturally led to very unfortunate and peculiar results. The learned jurists in these countries, who were the most educated class and the leaders of thought, were totally ignorant of the provisions of the laws and the spirit and the ethics of the religion of Islam. They were ignorant of the religion of Islam. This ignorance of the laws of Islam led to the interpretation of those few provisions of this law which were included in the legal system of an Islamic country in such a manner as to harmonize with the general policy of the European legal systems, and differed in many respects from the true interpretation which a jurist of the Islamic law would enunciate.

An example of this is to be found in the Egyptian Criminal Code. This Code provides that none of its enactments should be deemed to derogate from the rights and privileges of the citizen under the general law of the religion of Islam. In spite of this clear provision in the Egyptian Criminal Code, it must be admitted that the Egyptian jurists, who did not study or pay heed to these rights as they are set out in the laws of the religion of Islam, but made their interpretations in accordance with the provisions of the French legal system which they had studied, followed blindly the French system, which was completely alien to the policy and spirit of the laws of Islam. There were two reasons for this attitude of the Egyptian jurists in departing from the laws of Islam and in preferring the French legal system. In the first place, they had not studied the laws or ethics of the religion of Islam and their legal education had been confined to the French legal system; and in the second place, they were bound to follow the interpretations and expositions made by the European jurists and especially the French jurists, whose word carried weight and authority with it at the time; and these European jurists were, of course, completely ignorant of the laws of the religion of Islam.

The effect of the civil laws on the laws of the religion of Islam from the theoretical point of view

The practical effect of the adoption of the civil laws and legal systems of the West has been, as we have already seen, the relegation of the laws of the religion of Islam. But the adoption of these Western legal systems had no effect whatsoever, from the theoretical point of view, on the efficacy, nature and high quality of the laws of the religion of Islam. The European legal system had temporarily achieved the relegation or abatement of the laws of the Qur'ân, but it could never achieve the permanent avoidance or destruction of their intrinsic quality and efficacy. The laws of Islam continue to be the most just and proper laws for all times and to be permanently effective. It is an important rule of the laws of Islam, as well as of the European legal system, that a law cannot be repealed or avoided and nullified except by the makers of such law or by a higher law backed by a more superior authority; either the legislator himself would nullify or repeal his earlier acts or an authority with similar or higher power could do so, but no other.

So the only possible means of repealing the laws of Islam which were enacted by God Almighty Himself in His Holy Book and through the pronouncements of the Prophet, have to be God Himself either through the Holy Book or through the medium of a Messenger. But we know that the Prophet Muhammad was the last of the Messengers of God and that there was to be no other Qur'ân after the death of the Prophet or any pronouncement or interpretations of the primary doctrines of faith. One cannot fail to admit that no human authority in this world can claim to have the legitimate and unquestionable power of God, or be equal in authority and wisdom to the pronouncements of Muhammad the Prophet of God. While, on the other hand, it is true to say that the human legislators in this respect have the power only to make adjectival or administrative laws to regulate the proper enforcement of the main laws — the laws of the religion of Islam — as I have stated earlier. Legislation — in the absolute and unfettered sense — is only within the power of God and, through Him, of His Messenger Muhammad; and that power has not been exercised since the revelation of the Holy Qur'ân and the death of the Prophet.

When the civil laws conflict with the laws of the religion of Islam

If man-made laws conflict with the laws of the religion of Islam, the latter should in all cases prevail over the former, for the following reasons:

1. The provisions of the laws of the religion of Islam are still valid and cannot be revoked, repealed or amended by any human being; while the provisions of man-made laws can be repealed and amended at any time in the manner indicated above. This means that the provisions of the laws of the Qur'ân have absolute and unqualified precedence over the civil laws of a country; and it is a rule, both of the laws...
of Islam and of all the civil laws, that a law could be superseded by another law imposed by a more powerful authority.

(2) The laws of the religion of Islam provide that anything that is contrary to its spirit should be deemed null and void, and should not be obeyed by the believers, as I have explained earlier. Therefore all laws which run counter to the provisions of God's word in the Qur'ān are to be ignored in so far as they contravene or offend against the laws of God.

(3) Civil laws which contravene the laws of God do, by the mere fact of their contravention in this manner, annul their own provisions. If a law exceeds the orbit set for its efficacy or operation, it becomes false, *ultra vires*, and useless. This is one of the accepted theories and principles of Civil Jurisprudence.

How do the civil laws which offend against the laws of God become *ultra vires* and void?

The purpose for which those in authority in a State legislate civil laws is confined solely to securing the welfare of the community, organizing society, protecting the rights of the individual and maintaining peace and order in the relationship of the individuals *inter se*. It is in the interest and welfare of a community that its religious faith, doctrines and belief should be cherished and maintained. In Islamic countries the religion of the vast majority of the people is Islam, and Islam, therefore, is the religion which it is in their interest to cherish and maintain, and its laws should naturally be the laws which are to govern the people's affairs and conduct. It would have therefore been expected that the provisions of the religion of Islam should be the sole guiding principle underlying any legislation in these countries, and that civil laws would have been in conformity with the laws of God, even identical with them; but, surprisingly enough, this has not been the case. The laws in many Islamic countries were, instead, very much at variance with the provisions of the Holy Qur'ān, thereby exceeding the jurisdiction and limit defined for the operation of civil laws by the Qur'ān, and thereby also annulling their own validity in the process. Such laws are built on a wrong foundation and are fundamentally wrong and useless.

Anyone with even a slight knowledge of the laws and ethics of the religion of Islam will readily appreciate that the laws which are promulgated in Europe for the purpose of securing the welfare of the community and maintaining peace and order, and which frequently achieve this purpose, are not only unsuitable for the Muslim community but are also a source of grievance, offence and hardship to it. Laws built on foundations alien to the ethics and principles of the religion of Islam are offensive and annoying to the feelings of the Muslims.

1. The religion of Islam forbids any Muslim from adopting as his law any other law than that of God. Any law which is contrary to the general principles and ethics of the religion of Islam is severely condemned by clear pronouncements in the Qur'ān. A man, God says in the Qur'ān, may do one of two things: either obey God and His Prophet and that which has been revealed to him through the medium of the Prophet, or follow his own low desire — for to follow anything that has not come to man through the Prophet is to follow one's own low desire. We read in the Qur'ān: “But if they do not answer you, then know that they obey their low desires; and who is more erring than he who follows his low desires without any guidance from God? Surely God does not guide the unjust people.” (28: 50); also: “Then We have made you follow a course in the affair, therefore follow it, and do not follow the low desires of those who do not know. Surely they shall not avail you in the least against God; and surely the unjust are friends of each other, and God is the guardian of those who guard (against evil)” (45: 18, 19); and also: “Follow what has been revealed to you from your Lord and do not follow guardians besides Him; how little do you mind!” (7: 3).

2. God bids a believer not to be satisfied with any rule or judgment over him except that of God Himself. God also commands him not to claim a right except under that which God has revealed, and He orders him to discard any rule other than His. God considers the acceptance of any rule other than His as a transgression and an obedience to the devil. He said: “Have you not considered those who assert that they believe in what has been revealed to you and what was revealed before you? They desire to suit one another to the judgment of the devil, though they were commanded to deny him, and the devil desires to lead them astray into a remote error” (4: 60).

They who summon one another to a judgment in accordance with anything other than what was revealed by God or came through the Prophet are deemed to have summoned one another to the judgment of the devil and acquiesced in his power. The word “devil” (*taaghut* in Arabic) would include idol or idols generally to whom disputes were taken to be decided by divination, and any person or persons in authority to whom disputes are brought for judgment according to laws other than those of God and His Prophet, and also any idols that are worshipped or followed, or anything or any person that is obeyed in his command if that command is known by the believer to be contrary to the laws of God. He who believes in God should believe in nothing else, and should not accept any other judgment than His.

3. God did not allow the believer to take to himself or to accept anything in preference or in addition to what God and His Prophet had chosen for him. God said: “And it behoves not a believing man and a believing woman that they should have any choice in their matter when God and His Messenger have decided a matter: and whoever disobeys God and His Messenger, he surely strays off a manifest straying” (33: 36).

4. God has commanded that a judgment should be in accordance with what He has revealed, and He has ordained that whosoever does not give judgment in accordance with His word is an unbeliever, an unjust person and a transgressor. He said: “…and whoever did not judge by what God revealed, these are they that are the unbelievers” (5: 44); “... and whoever did not judge by what God revealed, those are they that are the unjust” (5: 45); and “…whoever did not judge by what God revealed, those are they that are the transgressors” (5: 47).

The interpreters of the Qur'ān and the Muslim religious learned men and jurists agree that any Muslim who brings forth any laws other than those made in accordance with the laws of God, or in reliance upon such laws, abandons or ignores all the laws that God has revealed or any part of these laws, without being aware of the nature of the variance of such laws with the laws of God, then he is, according to

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the Qur’án, an unbeliever, an unjust person or a transgressor, as the case may be. He who disregards the judgment of God on the matters of theft, blasphemy or adultery, for example, because he prefers the provisions and enactments of a man-made law justifying such matters, is without any doubt an unbeliever. In the same way he who disregards the laws of God for reasons other than arrogance and denial is deemed by God to be an unjust person if by his so doing he has deprived any other person of a right or a privilege. If a Muslim disobeys for reasons other than these he is considered a transgressor in the eyes of God.

5. God considers that men are not deemed to be true believers until they have asked the Prophet to decide in a matter of dispute amongst them, and until they therefore submit willingly, completely and without qualification to such judgment. God says: “But no! by your Lord! they do not believe (in reality) until they make you a judge of that which has become a matter of disagreement among you, and then do not find any strictness in their hearts as to what you have decided and submit with entire submission” (4: 65).

6. All that which has been made unlawful in the laws of Islam is forbidden to the Muslims, even though the government or ruling authority in the country allows it. This is so for the simple reason that the State or those in authority in the country have no power or right to legislate or to order or allow anything that is contradictory to the laws of Islam or at variance with their spirit and general intention. If a State or governing authority chooses to depart from the provision or scope set for its exercise of the power allocated to it by the laws of Islam to legislate for the people, it does not by so doing invalidate any provision of the laws of Islam or add to, or abate from, any of its provisions. Such laws are to be deemed altogether null and void, and the Muslim is not justified in departing from the laws of the Qur’an, if he chooses to give obedience to such void laws. A Muslim should not follow such void laws nor help in or induce their execution and enforcement, and he is commanded by God to disobey and seek to revoke these laws. God commands the Muslim to give due obedience to those in authority, but such obedience as is required from him is neither absolute nor unqualified: and he is commanded to cease giving obedience if the ruler or authority requests his obedience to things other than those specified by God and His Prophet. God said: “O you who believe! Obey God and obey the Messenger and those in authority from among you; then if you quarrel about anything, refer it to God and the Messenger . . .” (4: 59); and God also said: “And in whatever thing you disagree, the judgment thereof is (in) God’s (hand) . . .” (42: 10).

The Pronouncements and Traditions of the Prophet have indicated the limits within which the believers are expected to give obedience in this respect. The Prophet said: “No creature should be obeyed, if his order is a transgression against God”; and he also said: “Obedience is confined only to good things”; and about the commands of those in authority he said: “Any one of them who commands you to commit a transgression — you should not hear him or give him any obedience”.

The “Friends” of the Prophet Muhammad and the jurists and learned men of Islam have all agreed that obedience should not be given to those in authority except in cases where such obedience is, in fact, obedience to God, and they unanimously declare that no creature should be obeyed by a believer if such obedience is tantamount to disobedience to the commands of God. They also unanimously agree that the allowance by the State, or those in it charged with the making of legislation for the people, of anything which has been forbidden by the command of God, such as adultery and the consumption of wines and alcoholic liquors, or the revocation or temporary relegation of any of the provisions of the laws of God, is a grave transgression. In their view, also, the revolt of the Muslims against a transgressing Muslim ruler or person in authority is an imperative duty; and that the mildest form of such revolt is the cessation of obedience to the transgressing and ultra vires orders and commands of such a State or authority.

7. The provisions and principles of the laws of Islam are indivisible. A Muslim may not lawfully submit to some only of such principles and provisions and ignore or discard others. Of this I have said enough earlier.

These are some of the facts about the religion of Islam and the provisions of its laws and jurisprudence as prescribed in the Holy Qur’an and the Traditions and Pronouncements of the Prophet Muhammad. Of all these the true believer in the faith of Islam should be well aware; and every Muslim should be conversant with all these main doctrines and principles of his faith and he should at all times keep them in his mind and act faithfully in their light and guidance. The civil laws of a country, which are mainly intended to conserve the feelings, morale, character and traditions of the people, fail badly in their purpose and achieve the opposite of what they were intended to do and offend also against the laws of the religion of Islam, when they enact laws at variance with them. These offensive and transgressing civil laws are condemned by the true and faithful Muslims and are a source of grave annoyance to them.

We can see from all that has been said so far that the wholesale adoption of foreign legal systems in Muslim countries causes grave harm and is a very bad thing indeed. Such laws, apart from causing grave offence to the feelings of the Muslims, are the tools of blunt and unmitigated aggression and the germs of disorder and unrest.
THE TURKS OF CYPRUS

"ENOSIS" — a Foolish Dream

By L. Fielding

There are more than a hundred thousand Turks in Cyprus, that is to say one in five of the island's population. There are many distinguished men amongst them, but for the most part they are simple peasants, content to till the soil which has been tilled by their ancestors for almost four hundred years. When Turkey handed over the administration of the island to Great Britain in 1878 in return for British support in case of aggression, the Turks were still a majority; but a policy of free immigration greatly increased the Greek-speaking population. The newcomers were imbued with Greek ideas and spoke the Greek language. The Turks retained their Turkish language and their Islamic faith. They cultivated most of the arable land in the island; even today they cultivate between 35 and 40 per cent of it. They had, and still have, an intense feeling for their mother country.

For many years past the Greek Government has campaigned for the annexation of the island by Greece, called "Enosis". Over the past decade this propaganda has been greatly intensified. Its campaign has been greatly assisted by the leaders of the Cypriot Orthodox Church, whose head, Archbishop Makarios, has become the President of independent Cyprus. Cyprus was declared an independent State by the London and Zurich agreements in 1957, which were freely accepted by the Greek and Turkish Governments, as well as by the Turkish and Greek communities of the island, the latter represented by Archbishop Makarios himself. The constitution stipulates that Cyprus is a Republic under a presidential régime, the President being a Greek-Cypriot and the Vice-President a Turkish-Cypriot, elected by the Greek and Turkish communities of Cyprus, respectively. Complete communal autonomy is awarded in the constitution for the two groups of population, Greek and Turkish. It also includes many provisions designed to ensure equitable participation by the Turkish community in legislative and governmental functions. Against possible danger that the Greeks, who are in numerical majority, might disregard completely the interests of the Turkish community, the Vice-President is vested with a veto power on certain matters in the fields of foreign policy, defence and security. As far as taxation is concerned, the constitution requires both the Turkish and Greek members of Parliament to have concurrent majorities.

For the most part, Greek and Turkish Cypriots had lived together in comparative amity. The attacks of the Greek-speaking irregulars were mainly — although by no means exclusively — directed against the British military forces and administrative officials in the island. Many Turkish and Greek opponents of "Enosis" were also murdered by these irregulars. These men were intoxicated by the Greek dream of the "Megali Idea", the vision of a restoration of the Byzantine Empire. It is true that for a certain time Cyprus was a part of the Byzantine Empire — Byzantine overlordship ended in 1192 — but so too were the Balkans and most of the Near East. This intoxicating doctrine has as much reason in it as a claim for the restoration of the Roman Empire, a British claim to the United States or a Spanish one to the States of Latin America. It can only be taken seriously by vapiduous and hot-headed visionaries.

These are foolish and irresponsible dreams. But they have resulted in the Cypriot cry for "Enosis" or Union with Greece, to which, incidentally, Cyprus has never belonged.
Not only historically, but economically, geographically and strategically, the island is associated with the Turkish mainland. Cyprus is further from Greece than from Turkey.

national freedom and shall never waver from our policy of annexing Cyprus to mother Greece.” His policy is a familiar one. It is very similar to the Greek agitations which led to the annexation of Crete over a hundred years earlier.

The offensive against the Turkish community began to be intensified almost at once. It is true that the Cyprus constitution creaked a bit, but it was never given a fair chance. It was at once clear that the Greek-Cypriot leaders never intended it to work. One of the first signs was the forced resignation of the neutral President of the Cyprus constitutional court, Professor Ernst Forstoff of Heidelberg, in April 1963.

In an interview given a few months later, he said that he had resigned because he was convinced that President Makarios had no intention of abiding by the orders of the court. The present situation in Cyprus was, he said, the direct result of Makarios’ anti-Turkish policy. He said that he had told Makarios time and time again that if the Cyprus Government had been able to stick to the constitution for five years, most of the problems of joint Greco-Turkish rule in the island would have been mastered.

Makarios then accused the Turks of marking time on the application of the constitution. The accusation was a fantastic one, since it was clear that the Greeks themselves had no intention of allowing it to work. In November 1963 Makarios gave the Turkish Vice-President, Dr. Fazil Kutchuk, a thirteen-point plan for changing the constitution.

A campaign of terror

All this is in the political sphere. Having, practically speaking, destroyed the joint constitution, the Greek Cypriot leaders stepped up their pressure on the Turkish community. Events were no longer to be written on paper but in blood. Young Greeks were trained as special policemen (a status non-existent under Cyprus law) and armed with automatic weapons. Many of these had long experience of terror and intimidation in their guerrilla campaign against the British. A campaign of terror began against the Turkish Cypriots. Its aims were clear: either to drive the Turks from the island by terror or to reduce them to the status of a meek, unprotesting rabble. It was a hard aim to achieve; the Turk is by nature a fighter, and does not give up his rights or his country without a struggle.

The first fruits of this campaign was the murder of a Turkish man and woman and the wounding of several others on the pretext that they had refused to be searched by three young hooligans. This was in December 1963. The pretext was enough. A carefully planned Greek-Cypriot military plan was put into operation. Within twenty-four hours the Turks of the capital, Nicosia, were encircled by the Greek-Cypriot forces. All communications with the outside world were cut off and the Greek-Cypriot radio began broadcasting bulletins to the effect that Cyprus security forces were engaged in suppressing a Turkish revolt in the Turkish quarter of Nicosia.

Another mosque in Cyprus which was attacked by the Greek-Cypriots. Mosques seem to be special targets of these people, who are out to annihilate Muslims in Cyprus

Nonetheless these visions have had a very serious effect on the position of the Cyprus Turks. Though an independent Cyprus was guaranteed by Greece, Turkey and Great Britain as well as by the Cypriots themselves, it now appears clear that the Greek-speaking Cypriots never had the slightest intention of carrying out either the spirit or the letter of the agreement. On his election as Archbishop, the present President of Cyprus swore that “I shall work for the birth of our
From the military point of view it was an effective plan. But it foundered on the obstinate defence of the ill-armed Nicosia Turks. The Greeks believed that the Turks in Nicosia would be forced to surrender in a matter of hours or would be wiped out. The rest of the Turks, scattered and more or less defenceless, would have to agree to Greek-Cypriot demands. Turkey would not have time to act under the rights guaranteed to her by the treaties and the Turkish population would have to agree to Makarios' terms. It was an attempt to achieve political ends by sheer violence. It is far from being the first time in this century this has happened, but it would be worthwhile for President Makarios to consider how seldom it has succeeded. The Greek-Cypriots began to think of the Turks in different terms: "They are dangerous; when one attacks them, they defend themselves."

The assurance of the Greek-Cypriots may be seen from the remarks of the Minister of the Interior, Polycarpos Yorgadijs: "I shall take Nicosia in eight hours." A well-known EOKA fighter, Nicos Sampson, who took part in the attacks, counter-boasted: "I challenge you. I shall do it in six hours."

The Turkish-Cypriots armed themselves, as best they could, for self-defence. But this could not be done before much blood had been shed, mainly that of innocent Turkish peasants who only wanted to go on tilling their lands in peace and to know that they could bring their troubles and grievances to someone of their own faith and language. Despite the fact that over four centuries the two nationalities had become inextricably mixed, often living side by side not only in the towns but in some of the villages, the island little by little became converted into two armed camps.

The British troops in Cyprus tried to keep order. It was a thankless task. What it amounted to was to see that the Greek-Cypriots did not fire on the Turks. The Turks, for their part, fired only in self-defence. But even this comparatively ineffectual obstacle irritated Makarios. He wanted to get the British troops out of the way in order to go on with his plans. He wanted to take the whole Cyprus question to the United Nations and have the Treaty of Guarantee declared void, thus, in law at least, denying Turkey the right to intervene on behalf of her fellow countrymen. But the reaction of the Security Council was not what Makarios had expected.

**The "Turbulent Priest"**

On one point Makarios was right. He claimed that the Cyprus constitution had not created a nation but a State. Cyprus is indeed a State, inhabited by two nations. There are Greeks and Turks and no paper agreement makes them one people. The logical answer then seemed to be partition. But this was the one thing that the Greek-Cypriots feared.

A United Nations force came to Cyprus. It was, and to a great extent is, ineffectual. Above all it has too restricted an assignment. It has probably been able to prevent any mass attempt to exterminate the Turks, but it has not been able to prevent continual infiltration and intrigue and its powers are limited, in practice, to persuasion and investigation. Neither of these is much use to a dead man.

**CORPSES IN A MOSQUE**

When the whole population of a Turkish-Cypriot village was killed, dead bodies of only a lucky few were given religious burial (seen in the picture). The above picture was taken in a mosque in Ayiosmenos, a small Turkish-Cypriot village near the sea. It was attacked by 200 Greeks, armed with modern weapons, including tommy-guns

The latest attempt to reduce the Turkish population to subjection is economic blockade. This is still going on. The Turkish-Cypriots hold only a small section of the coastline and it is very difficult to send them supplies. Even Red Crescent supplies to the sick and wounded have been held up at the ports on various pretexts, mainly of a bureaucratic
nature such as demands for the payment of import duties. Ships have had to return with their cargoes still on board. Meanwhile the Greek-Cypriots have freedom for all their imports, which include, according to Turkish sources, considerable quantities of arms as well as regular Greek troops, estimated to number about ten thousand.

In the last few days the pressure on the Turkish-Cypriots has lessened slightly. Faced with the Turkish government's statement that it would send supplies direct to the starving Turkish-Cypriots in the Kokkina district, President Makarios has given an undertaking to the head of the United Nations forces in Cyprus, General Thimaya, that he will lift the economic blockade of the Turkish population. United Nations helicopters made an airlift of food to the blockaded villages and a United Nations armoured car has brought much-needed blankets.

However, the situation is still far from clear. Turkey still intends to send supplies to the Turkish-Cypriots, many of whom have lost everything. But it appears from newspaper reports that this may be done through the main Cypriot ports and not direct to the blockaded villages. Also it is far from clear whether this relaxation is local and temporary or whether it will apply to the whole Turkish population of the island and for an indefinite period. One of the Turkish-Cypriot leaders, Mr. Rauf Denktash, who is now in Ankara, has said that the situation of the fifty-five thousand Turkish-Cypriots in Nicosia is only slightly better than that of the Turks in the outlying villages.

Certainly there is a ray of hope here, and the Greek-Cypriots have been making much propaganda about their moderation and humanity. But the Turkish-Cypriots point out, very logically, that all that President Makarios is doing is to remove restrictions which he has himself imposed and that the overall picture has not greatly altered.

It is almost inevitable that any article on the Turks of Cyprus should be mainly political. After all, the extermination, or at best the muzzling, of a population of more than a hundred thousand men and women is a political problem of great importance. But the tragedy of the situation is that any political solution, whatever it may be, involves a vast number of personal tragedies. Men, women and children shot in the back and then thrown, without memory or monument, into nameless graves may be a small thing in the panorama of history. But it is bound to bulk large in the minds of those who see it happening day after day, and those who wait for their own fate in improvised camps, short of food, short of medical supplies and hoping only for the support of their mother country. The mother country, however, gets more and more involved in treaties, agreements and discussions which serve only to give more time to the oppressors. One feels inclined to echo the words of the English King Henry: "May heaven preserve me from this turbulent priest."

Naked chauvinism

The atrocities of the Greek-Cypriots could hardly have expected a good press; nor did it get one. The first two reporters able to enter the Turkish quarter of Nicosia after the slaughter, Rene McColl and Daniel McGeachie of the Daily Express, wrote: "Two hundred to three hundred people have been slaughtered in the last five days. We were the first Western reporters there and we have seen sights too frightful to be described in print — horrors so extreme that the people seemed stunned beyond tears. . . ."

"In the Kumsal quarter we made our way into a house whose floors were covered with broken glass. A child's bicycle lay in a corner.

"In the bathroom, looking like a group of waxworks, were three dead children piled on top of their murdered mother. In a room next to it, we glimpsed the body of a woman shot in the head.

"This we were told was the home of a Turkish Army major whose family had been killed by the mob in the first violence.

"Today was five days later and they still lay there. . . ."

French and Italian journalists reported similar sights.

This is not war; it is massacre, the massacre of a peaceful Turkish and Islamic community who wished only to live in peace and whose only crime, if crime it can be called, is to be the stumbling-block to a policy of aggression and annexation. A letter to the New York Times, by an American, sums up the situation.

"There is no rule of nature that states that Greeks and Turks cannot live together peacefully, productively, even happily. Such a relationship has ample precedent. Unhappily, individuals like Makarios of Cyprus destroy whatever Greco-Turkish accord has already existed, and with studied malevolent postponement reconcile, for it is upon discord and strife that their eminence depends. . . . On Cyprus a grotesque coalition of back-alley terrorists, of village communists, of neo-Fascist followers of General Grivas, with the benediction of a Mediterranean Raspasin, shame the dignity of government, impede the effort of the United Nations to end hostilities and threaten the peace of nations with the contagion of a tiny island's chronic malignancy. . . . We — safely removed from the shores of unhappy Cyprus — say and do too little to alleviate the suffering of what is left of a hundred thousand Turks on that island. . . . We may harden ourselves and deafen our ears when told of Turks in Cyprus. But we, none of us, be immune to the moral and physical consequences of such callousness."

It is possible that religious antagonism partially underlies this outbreak of ferocity. The Cypriot leader is an Orthodox Archbishop and the Turks are Muslims. But the basic element is naked chauvinism and ambition. The actions of the Cypriot leaders are driving the Eastern Mediterranean to the brink of war. Turkey is not unmindful of the plight of her fellow Turks. She has made one short sharp intervention in their favour and it is only the level-headedness of her statesmen that has restrained even more violent measures. As Ismet Inonu has said, it is the Greek-Cypriot leaders, now, alas, supported by Athens, who are throwing the shadow of war across that part of the world.

But no conflict there can long remain local. It is time that all the nations of the world, and the Islamic peoples in particular, should do all that they can to alleviate the sufferings of the Cyprus Turks and, in their own interest as well as in the interest of the sufferers, to force a return to normal policies and understanding co-operation, which is, or should be, urged upon them by both religions as well as by the solemn treaties and agreements freely accepted and signed by all the parties concerned.

THE ISLAMIC REVIEW
King Husain of Jordan
The upholder of the Cause of the Arabs and Muslims
A tribute to the occasion of his Birthday (14 November 1964)
By Bajhaj Talhuni

His Majesty King Husain of Jordan

At a first glance, it would appear that my opinion of His Majesty King Husain will be influenced by my own and personal sentiment towards a unique man and an inspired leader with whom I lived, day after day, long years of national and human struggle. But I found out that my personal sentiment applies to all citizens of Jordan, because the Jordanian citizen has grown up to witness, through all stages of his life, the great achievements of his leader and monarch, and thus his relation with his king, surpassing ordinary relations between a subject and his ruler, has become a feeling of private and personal sentiment. Thus my shyness disappears, as I am first and foremost an ordinary citizen in feelings, loyalty and belief.

The essential outline which characterizes His Majesty's personality and his human and national principles did not begin on the day he assumed power as a constitutional monarch, for His Majesty had been in contact with his nation through a long period of history dating back many centuries to his great ancestor, the Prophet Muhammad. Further, His Majesty had been in contact with his nation in the modern era through his great-grandfather, al-Husain Ibn ‘Ali, who rose in revolt, fought and died for the cause of liberating and uniting the Arab nation and for its sovereignty.

This mission which King Husain inherited made him face historical responsibilities not only in respect of his Jordanian family but also in regard to the whole Arab nation. The dimensions of His Majesty's personality as king and leader emerge from this point, wherefrom his ideals and concepts proceed.

The nationality of a Jordanian citizen in its origin and content is a nationality linked with the traditions of Islam and its tolerant teachings, and ties up with the hospitality, good nature and other virtues of the Arab. This nationality adopted its present form in the modern Arab revival, and settled in the Arab conscience which overflows with shining values derived from the history of the Arabs and their immortal tradition interacting upon the present culture of man.

Along the path of this mission, His Majesty shouldered his great responsibility of leading his Arab nation in Jordan, who lived for these national concepts ever since King 'Abdullah Ibn al-Husain founded the Hashemite kingdom of Jordan and established with his loyal subjects its pillars of strength and development.

King Husain, with all his youth, enthusiasm and loyalty towards his country and people, has set out to build a new Jordan. Great accomplishments have been achieved under the auspices of His Majesty in the fields of agriculture and industry, as well as in social, educational and hygienic services. His Majesty patronizes labourers and craftsmen as well as students, farmers and co-operatives.

His Majesty contributed much to the strength and power of his country, as is apparent in the high level the Jordan Arab Army has reached under his supreme command. This army is known all over the world for its efficiency, dexterity, good behaviour and loyalty to the Crown and the principles of His Majesty, as reflected in the principles of his country and nation.

His Majesty's Arab policy springs from his strong faith in Arab unity and freedom, and his adherence to unending efforts to realize a better life for all Arabs. His Majesty has found in Jordan, being an offshoot of the great Arab Revolution and a cradle of true Arabism, a good ground wherefrom to proceed to the high principles he has adopted and dedicated his life to. The Jordanian constitution stipulates that Jordan is an integral part of the Arab nation. His Majesty, born to witness the Palestine tragedy, has come to know what happened to the Arabs as a result of the Palestine catastrophe. The King's great admiration for the history of his nation, its glorious past and present potentialities, has formed the strong basis of his faith in the possibility of Arab unity and for securing redress of their just causes, of which the Palestinian problem is the most important.

Ever since His Majesty's accession to the throne he has stretched out his arms and opened his heart to his brothers, the Arab kings and leaders, and often left his country to meet them and work together for the good and welfare of the Arab nation and the fulfilment of its aspirations. The King has wanted all Arab governments and nations to unite in purpose and consider the solution of the problem of Palestine as their immediate and urgent objective. Continued on page 32
SOME FAMOUS MOROCCAN NAMES THAT THOUGHT AND INSPIRED MUSLIMS

The greatest historical thinker of Islam.
**IBN KHALDUN**
(1332-1406 C.E.) Born at Tunis. Died at Damascus. His History and its accompanying Prolegomena has been described as "the greatest work of its kind that has ever been created by any mind in any time or place" (A. J. Toynbee, A Study of History, Oxford, 1935)

The most distinguished geographer of the Middle Ages.
**AL-IDRISI**
(1100-1166 C.E.) Born at Cenla. He is the author of the Nuzhat al-Mushtaq fi Ikhbar al-A'lam (Recreation of him who yearns to know the lands). In this monumental work al-Idrisi grasps of such essential facts as the shape of the earth.

The greatest physician since Galen and the greatest clinician in Islam since al-Razi (Rhazes)
**IBN ZUHR (Avicenna)**
Born between 1091-4 C.E. and died in Seville in 1162 C.E.

The greatest speculative genius of Islamic Sufism,
**IBN 'ARABI**
Born at Murcia in 1165 C.E. and died in 1240 C.E.

The greatest mathematician of Islam.
**AL-KHwarizmi**
Born in 780 C.E. Died in 850 C.E.
HILES THAT HAVE INFLUENCED THE MUSLIM ISLIMS DURING THE LAST 1200 YEARS

AL-IDIYRI

The most distinguished geographer and cartographer of the Middle Ages.

Al-Musta'fa al-Mustafa al-Afraw (The son of him who yearns to traverse the seven with al-Idrisi shows a
such essential facts as the sphericity of the earth.)

IBN BATTUTAH

The Muslim globe-trotter of the Middle Ages.

Born at Tangier. Died at Marrakesh (1304-1377 C.E.)

The greatest Muslim philosopher whose writings became prescribed in the University of Paris and other institutions of higher learning.

IBN RUSHID (Averroes)

Born in Cordova in 1126 C.E. and died in Marrakesh in 1198 C.E.

An Immortal Conqueror.

TARIQ IBN ZIYAD

He landed near the mighty rock which has since immortalized his name, Jabal (Mount) of Tariq—
Gibraltar, in 711 C.E. and inaugurated the era of the conquest of Spain by Muslims and their rule for about 700 years.
Islam and Religious Co-existence

Muhammad is the First Man in the Spiritual History of Mankind to Accept and Enjoin the Essential Unity of Different Religions

By Afzal al-‘Ulama al-Hajj Sayyid ‘Abd al-Wahhab Bukhari

“In Islam there is no question of one religion against another religion, but rather of religion versus irreligion, which in Islamic religious terminology is expressed by the word ‘Kufr’”

Why homage to the Prophet Muhammad by the world is on the increase

The celebrated author, Winwood Reede, writing in his The Martyrdom of Man, cites the Prophet Muhammad as the example of the influence of the individual in history. He says that the words which he uttered to jeering crowd at Mecca, where he and his followers suffered the worst kind of persecution and social boycott, and at Ta‘if, another neighbouring city, where he was pelted with stones till he was almost dead, are being studied today by the devotee and the scholar at Oxford and Cambridge, Paris and Berlin, Morocco and Fez, Alexandria and Cairo, at Mecca, where he was born, at Medina, where he died and where he lies buried, at Kufa and Baghdad, at Samarqand and Bukhara, at Peking and Calcutta, in the numerous islands of the Pacific Ocean, in towns yet unmarked upon our maps, and in places situated by unknown streams. No less apprehensive is that fair-minded Christian divine the Rev. Bosworth Smith, who despite his high office in the Church, wrote in his Mohammed and Mohammedanism as follows: “By a unique fortune in history, Muhammad was a three-fold founder, founder of a religion, founder of an empire and founder of a civilization”. What the learned divine meant was that there are founders of religions, but they are not also founders of a civilization and an empire; that there are also founders of empires and civilizations but they are not founders of a religion. But in the Prophet Muhammad these three important facets of human personality meet in a happy symphony. It is this uniqueness of the Prophet that elicited the sobriquet “the Hero among Prophets” from Thomas Carlyle, writing in his famous book Hero and Hero Worship. It is this peerless aspect of the Prophet’s personality that made the writer of the Encyclopaedia Brittanica (9th Edn.), point to him as “the most successful of the prophets of the world”. Again, it is this comprehensiveness of the Prophet that made the Sufis and mystics of the East declare him to be the Perfect Man. Thus the East and the West had met in union in offering him their unstinted and almost enthusiastic meed of tribute.

Now it is meet to ask, what was it that made him so great? The answer would require volumes to delineate his whole personality or to expatiate upon his message. But for purposes of this all too brief an article, two salient features of his message may merit reference, as two samples of his teachings, which indicate his universal mind. One of these (and this constitutes one of his most cardinal and salient teachings) is that he preached the oneness of the human family; one might belong to the white West or the coloured East, it mattered little to him. They belonged to one family, the Homo-Sapiens Family. Removing the differences based on colour and family, he laid stress on righteous action as the only criterion of goodness and greatness. In his Farewell Message, delivered on Mount Arafat, he declared in terms that were most unequivocal and which have throbbed in the hearts of people all through these several centuries:

“There is no superiority for the Arab over the non-Arab; nor for the red (or white) over the black, except through piety and good deeds.”

The Qur’ân, the word that was revealed to him, declared equally emphatically:

“O ye people, We have created you of a male and a female and distributed you among nations and families in order that you may distinguish yourselves from one another. But the best of you are those who are the most pious” (49:13).

The two peculiarities of Muhammad’s teaching

Thus the teachings of the Prophet cut across the barriers of communities and countries, colour and other disintegrating influences of society and unite the whole human race into one family. True piety and good deeds were to be the only criteria of greatness. According to the Prophet, we are enjoined upon to consider ourselves as humans first and therefore one, and to recognize that fear of God alone (the which term indicates in religious parlance solicitude and goodwill towards others) constitutes the basis of superiority of the one over the other and nothing else. It was this message that had drawn to the warm and comforting belt of Islam the various races of mankind throughout the long corridors of its history. And this was an ideal which could be practised. Notice the words of the Indian poetess, the late Sarojini Naidu, who acclaimed the moral achievement of Islam in this strain: “When the call for prayers is sounded and the faithful are assembled in the Mosque, what mattered it if one was a Negro and the other a polished Turk? The unity of Islam was exemplified five times a day.” To our own world, this message has a special significance: we who are divided into power blocs, and by our passions and prejudices tearing asunder the unity of the human race, need very much to be reminded of this life-giving message. The conscience of the world, it seems to me, is yearning to this great ideal, and perhaps in its implementation lies the future well-being of the human race. If we, as individuals and groups, increasingly realized that we were humans first and every other thing afterwards, we would be making a substantial contribution to human happiness.

Another most important and very dynamic teaching of the Prophet which in its results is as beneficial to the human race as that which we presently notice is the ideology of the essential unity of religion. The Prophet taught that all religions in their essence and pristine purity were one, emanating as all of them did from the self-same Divine source. Only by the passage of time, and the operations of factors like...
climate and myriad other things besides that, had brought about the differences. He preached that “there was no nation but a messenger or a warner was sent to it” (The Qur’án, 13:8, 16:36, 35:4).

The great Creator who made the light of the sun available to all, the prince and the peasant alike, could not have denied spiritual benefits to any individual and any nation. He summarily rejected the idea of a group of people constituting the chosen race as special beneficiaries of the Divine grace. He taught that salvation was the birthright of each and every individual, who satisfied certain norms of conduct. This was

Read the following verse from the Holy Qur’án:

“And say, We believe in God and that which was revealed for us (through the Prophet Muhammad) and to Abraham, Isaac and David and that which Moses and Jesus brought, and that which was revealed to all (other) prophets from their Lord and we do not differentiate between their (several) teachings, and we submit ourselves to Him (i.e., we are Muslims)” (3:84).

Thus to be a Muslim, one has not only to believe in the Prophet Muhammad but one is required to believe and respect all other prophets of God. He should not differentiate between them. They all belong to the noble galaxy of prophethood. “Do not extol me even over Jonas,” the Prophet once remarked. The Prophet Jonas had abandoned his mission, being disgusted by the insincerity of his people. This act of his did not meet with Divine approval; he was severely admonished and ordered to go back to his people and preach. Then he was re-admitted to Divine grace. The humility of the Prophet was so great that he would not accept his superiority even over Jonas, though admittedly he was the hero among this noble band of redeemers of mankind.

In Islam there is no question of one religion against another religion but of religion versus irreligion

In Islam, therefore, there is no question of one religion versus another religion. By proclaiming the unity of religion as such, he had cut across the barriers that are artificially created between one religion and another, as by proclaiming the unity of the human race he had cut across the man-made barriers between one nation and another. Thus by proclaiming through Divine will the essential unity of human beings as well as the essential unity of religions, the Prophet was, once and for all, suggesting the removal of the two very potential causes of conflict between man and man, viz., differences based on nationality and those based on religion. The only thing which the Prophet could not and did not countenance was irreligion, or no religion, which would ultimately lead to chaos and disorder. An ideology of “believing in nothing and daring everything” irrespective of consequences, is a dangerous ideology. It was this that the Prophet set his noble face against and he was unequivocal in its condemnation. And who is there, “with soul so dead,” to borrow a phrase from a poet, who would not agree to the condemnation of disbelief in God or call Him by whatsoever a name you like (for all good names belong to Him)? Let us therefore remember, what is more often than not forgotten, that in Islam there is no question of one religion versus another religion; but rather of religion versus irreligion, which in religious terminology is expressed by the word Kafir. Thus a Kafir is one who does not believe in God and therefore does not consider himself responsible for his deeds. It was in this context that the Prophet used this word Kafir when he said, addressing the vast concourse of people at the Farewell Pilgrimage: “Do not turn after me Kafirs, some of you smiting the necks of others”.

Having accepted the essential unity of different religions, the Prophet only invited them to that which was common between them, and that was the belief in one God. There is no religion but has one supreme God for its pivotal point. The Qur’án was revealed as a Reminder of this basic truth of all religious and all philosophical systems. Indeed, one name of the Qur’án mentioned in the Qur’án is Tazkirah, which means a “Reminder”. This word reminder is suggestive of the fact that people of different faiths possessed this basic truth. It could not be otherwise, for all religions had come from the same source. And since this basic truth was relegated to the background, the last Revelation came to remind people of that which they had, and to bring them back to it in its

A standing testimony to Islam's practice of religious co-existence.

In our picture we see a church and a mosque, both of which have been standing side by side since the days of the hegemony of Islam in Jordan

quite a logical position to which no exception could be taken with any the least justice and equity. He declared that throughout the long corridors of history, whenever and wherever vice and corruption became the order of the day, God sent prophets to redeem mankind from the paths of error. He said that as many as “one hundred and twenty thousand” prophets were sent for the spiritual reclamation of man. This number was only suggestive and not at all inclusive, indicating the magnitude of Divine mercy on mankind. And this was not all; in addition he enjoined upon all Muslims to believe in all these several prophets and friends of humanity, irrespective of whether they are mentioned in the Holy Qur’án or not.
pristine purity. Thus to the Christians and the Jews the call of the Qurʾān was:

“O ye people of the Book. Come to a proposition which is common between us that we shall not worship any but God” (3 : 64).

The emphasis of the Qurʾān is on the unity of religion

The Qurʾān emphasizes the points of agreement between various faiths and creeds. Thus to the Zoroastrian the Qurʾān would remind him of the Yazdan, the God of all good and virtue, to the Hindu brother the Qurʾān would remind him of the philosophy of the Adwaita — “not two”, which was developed and preached in India by its sages and seers from time immemorial. It would remind him of the teachings of the Vedanta where God is described in the negative “Neti”, not that “Is this God?” Mark the striking similarity between the Muslim article of faith, “There is no God, but God”. Then again the Hindu idea that God is Arupi, that is, one which has no Roumap, no likeness or similitude. Mark the similarity between this idea and that which the Qurʾān came to remind us, “There is nothing like unto Him” (42 : 11). In the face of the teaching that God has no forms, and that He is Arupi—the Formless; adumbrated is the sayings of the ancient Hindu sages, the question of the worship of the idol is simply untenable. It is extremely reassuring that the President of India, Dr. Radhakrishnan, who is the Sankara of modern India, has clarified the issue beyond doubt. Mahatma Gandhi, in his prayer meetings, openly exhorted his audience not to make images of him. It seems to me that world conscience is getting increasingly focussed on the unity of God.

The question is why Islam lays so much emphasis on the question of the unity of God? For one thing this is a fact borne out by the essential teachings of the prophets and sages all the world over. This is further proven by that which we see around us in the physical world. There appears to be one law governing the whole cosmos. This rising and setting of the sun, the wakening and the waning of the moon, the physical phenomena, the solar system, the gliding of the mighty orbs in the firmament, all these point out to one law which is immutable. And indeed it is this immutability of the laws of nature that lends guarantee to life around us, and makes for any progress in the field of science.

This very unity in the laws of nature is strongly suggestive of the unity of God. It is to this idea that the Holy Qurʾān refers in the verse:

“If in these two (viz., the heavens and the earth) there were gods beside the One God, then these two would have gone asunder” (21 : 22).

The unity of physical laws proves by implication the unity of God.

A salient feature of the message of the Qurʾān

There is another very salient feature of the message of Islam which I would like to mention. According to it, man is the viceroy of God. To use the words of the Qurʾān His is the Khalīfah (representative of God). Having been created in the “best of moulds”, his soul having been endowed with the knowledge of all the secrets of creation, Man interprets God’s will and gives meaning to God’s creation. It is he who is endowed with the capacity to assemble the material created by God and scattered throughout the world and give meaning to life. All inventions and scientific discoveries could not have at all taken place except through this agent of God, which is man. The poet Iqbal, in a moment of ecstasy declared:

“O Lord, You created the night, I invented the lamp,
O Lord, you created the dense forests, I created the garden,
O Lord, you created the sands, I created glass out of the sands!”

This is by no means a challenge to God, but an expression of man’s exalted position in His grace. The Qurʾān declared:

“We exalted man and bore him over the sea and the land and raised his stature over several other species of Our creation” (17 : 68).

Now the argument of the Qurʾān is that it was highly inconceivable that man, who was thus raised to the vicegerency of God, could worship any other object except God; Muhammad is the Prophet of God and therefore even he cannot be worshipped. This implies that prophets and seers cannot be taken for objects of worship, however otherwise exalted they may be. They must be followed and not worshipped. God alone is the fit object of man’s worship. Thus unity of God postulates the position of man in the universe: worship of anything other than the creator lowers his position. It also does not stand to reason that God’s viceroy, the inventor of the Sputnik, should worship anyone else except his own Maker. The Prophet maintained that this was the teaching of all the prophets, seers and muntas in all ages and in all climates. The Prophet was the remider of the self same Divine message.

The conception of salvation according to the Qurʾān

Now a word about human salvation according to the Qurʾān. As noticed earlier, salvation was the birthright of each and every human soul and that there was no superior or chosen class of human beings. All were equal in the eyes of their Creator. The one prerequisite for salvation was the belief in one God, a living faith, that would transmute the baser metal into God, that would transform man to the exalted position of being the vicegerent of God. The second, following as the corollary to the first, is the belief in the accountability of man or woman before the Maker. In religious terminology this is referred to as the belief in the Day of Judgment. The third prerequisite to human salvation is the resultant of the two earlier beliefs, viz., righteous deeds that would be conducive to the welfare of society and further the cause of well-being among all.

These three constitute the least common measure of human salvation. The Qurʾān declared:

“Aye, one who submits his whole being to God and is the doer of righteous deeds. He shall have his reward from his Lord” (2 : 112).

Belief in God, belief in the Hereafter and righteous deeds, are thus the threefold prerequisites to human salvation. In Islam there is no priesthood, there is no intermediary between man and his Maker. Man stands face to face with God, the individual soul facing the Universal in humble submission to Him. That is the grand concept that the Prophet placed before all, irrespective of their nationality, race or colour.
China and the Muslim World

By Feng Chia-Sheng

China and the Arab world are separated by high mountains and deep oceans. Once, however, they were close neighbours as well as good friends. Between them flowed a constant traffic of commerce, ideas and achievements in science and art.

Such contacts date from very early times. The explorers Chang Chien (second century B.C.) and Kan Yin (first century C.E.), travelled in Central Asia and brought news of faraway Arabia. In the fifth century, according to the Arab historian al-Mas'udi, Chinese junk sailed up the Euphrates. Muhammad said to his disciples, “Seek ye learning though it be in China.” Such evidence, though fragmentary, testifies to mutual awareness and respect.

From the seventh century, contacts became direct, many-sided and fruitful. In China the Tang dynasty (618-907 C.E.) was in its prime. The Umayyads ruled in Damascus, then the Abbasids in Baghdad. The Chinese and Arab empires were the world’s strongest, and bordered on each other in Central Asia. In 651 C.E. they made their first diplomatic contact: a mission from Caliph 'Uthman to the Tang emperor Kao Tsung. The Chinese dynastic history of this period contains a chapter, Records of Ta Shih, describing the geography and products of the Arab world as well as further embassies sent to China in the seventh and eighth centuries — by the Caliphs Abul 'Abbas Abu Ja'far and Harun al-Rashid.

Chinese chronicles mention no less than 37 Arab embassies and missions during the Tang era. Some, while diplomatic in name, were actually commercial. From the writings of the Arab merchant Abu Zayd Hasan we learn that his companion, Ibn Wahhab, came to the then Chinese capital, Changan (the modern Sian). He had an audience with the emperor, Hsi Tsung, received sumptuous treatment and many gifts, and was accorded the special privilege of returning by post-horse to Canton.

Development of trade

Sino-Arab trade, which continued to expand until the fourteenth century, proceeded along two main routes. One ran overland from Baghdad to Changan through Persia, Central Asia and the “Silk Road” in present-day Sinkiang province. The other, also starting from Baghdad, went by sea across the Persian Gulf and Indian Ocean, rounded the Malay Peninsula and ended in Canton. In Baghdad, Chinese shipping was often seen and Chinese merchandise — chiefly silk, porcelain, paper and musk — was sold in a special bazaar. In Changan, Arab and Central Asian merchants offered their wares at the “Western Market”.

In the Tang period, Arab vessels called chiefly at Canton. During the Southern Sung dynasty (1127-1279) most of the maritime trade went through Hangchow and during the Yuan dynasty (1280-1368 C.E.) through Chuanchow in Fukien province. So flourishing was the latter port that the noted Arab traveller Ibn Batuta, who visited it in the fourteenth century, called it “the commercial centre of the world”. Prominent among the items Arab merchants then brought to China were pearls, rubies, perfumes and medicines.

Arab merchants settled in considerable numbers in ports along China’s east coast. Some came for varying periods from their trading headquarters in various islands of Southeast Asia. Others set up commercial houses in China itself, working directly with their homelands. In the eleventh century, one of them who lived in Canton became very rich and donated a large sum for public improvements. For this the Sung emperor Sheng Tsung honoured him with the gift of a saddled white horse.

Sons of resident Arab families received a Chinese education. Not a few took the civil service examinations and became officials. Pu Shou-cheng, an Arab of Chuanchow, whose original name has not come down to us, was appointed a magistrate and wrote a book of poems in the classical style. His brother, Pu Shou-keng, was an assistant to the Prime Minister under Kublai Khan.

In the thirteenth century, the armies of the Yuan (Mongol) dynasty waged wars of conquest in Central Asia. They brought many Arabs resident in this region back to China. One, Ikhtiyar al-Din, rebuilt Kublai Khan’s capital at Tatu (Peking) in 1266 C.E. Another, Shams al-Din, distinguished himself in Chinese scholarship. He made extensive studies of the Book of Changes (I Ching) and was among the editors of the Ching Shih Ta Tien, an encyclopaedia commissioned by the emperor in 1330 which described the territories, political
and military system, economy and literature under the Mongol dynasty.

What China taught the Arabs

The advanced science of the Arab world owed much to China. The technique of paper-making from flax and linen, invented by the Chinese, reached the Caliphate in the eighth century. By the year 794 C.E., Baghdad had its first paper manufactory. Printing was introduced there during the same period.

Alchemy, which originated in China in the second century B.C., and attained its peak there under the Tang dynasty, was carried to the Arab countries at the same time. This precursor of modern chemistry (and to some extent of pharmacology) was greatly advanced by the Arabs. Jabir Ibn Hayyan, for example, has left descriptions of two important operations of chemistry: calcination and reduction. He also improved methods of evaporation, sublimation, melting and crystallization and knew how to prepare crude sulphuric and nitric acids. Gunpowder, invented by Chinese alchemists in the seventh and eighth centuries, was brought to Western Asia by Arab merchants 400 years later.

The maritime compass, which the Arabs began to use for navigation in the thirteenth century, also came from China. In medicine, Chinese physicians had learned at a very early period to consult the pulse in diagnosis, and in the fourth century C.E., a ten chapter work appeared on this subject. The writings of Ibn Sina (Avicenna, 980-1037 C.E.) give theories on the pulse similar to those in older Chinese books.

It was through the Arab world that gunpowder, the compass and paper came from China to Europe.

What the Arabs taught China

Priceless too were the contributions of the Arab world to China. The Chinese, like the Europeans, learned from the splendid Arab astronomers who gave many of the stars the names they still bear and worked out the first scientific ideas of the solar system. In his proof that the earth and other planets revolved around the sun, Copernicus based his theories on those of al-Zarqali (d. 1087 C.E.) and al-Battani (d. 929 C.E.). In Peking in 1267 C.E., Jamal al-Din presented Kublai Khan with seven astronomical instruments and a new type of almanac, The Almanac of Ten Thousand Years. During the Ming dynasty (1368-1644 C.E.) the Muslim calendar was used in China side by side with China’s own. It was supplemented only when Jesuit scientists came to the Ming court.

Arab medical science long stood without equal. In the fourteenth century, when the Christian world stood helpless before the “Black Death”, considering it an act of God, the Muslim physician Ibn al-Khatib wrote in defence of the theory of infection. A clinical office and a department of Muslim medicine was established in Tatu (Peking) and Shangtu (near Tolon in Inner Mongolia) by order of Kublai Khan. A pharmacopoeia translated from Arabic into Chinese during this period and printed early in the Ming dynasty can still be seen in the Peking library.

There is as yet no agreement as to when the faith of Islam came to China, but 651 C.E., the year of the first Arab-Chinese diplomatic contact, seems to be the most reliable date. A Muslim tomb outside Canton is said to be of the seventh century and to be that of Muhammad’s maternal uncle. Arab merchants living in Chinese ports built mosques for their own religious needs. The Huai Sheng Mosque in Canton and the Ching Chin Mosque in Chuanchow date back to the twelfth century.

The Arab traders, however, did not do missionary work in China. The earliest description of Islam in Chinese was the work of Tu Huan, a soldier in the Tang forces who was captured by an Arab army in the battle of Taraz in 751 C.E. and returned to Canton by sea in 762 C.E.

The conversion of large groups of Chinese to Islam did not take place until the thirteenth century, when many Muslims from Central Asia were introduced into Chinese administration, and thus acquired a high position in society under the Yuan dynasty.

Today the Muslims in China, belonging to ten different nationalities, number about 12 millions. They have their own schools, mosques and traditional customs, and are well represented in the National People’s Congress and local organs of State power.

From the fifteenth century, contacts between Chinese and Arabs began to lessen — and finally ceased almost entirely. The Arab empire was undermined by attacks from both east and west; its frontiers moved further and further from China. In the earlier part of the Ming period (1368-1644 C.E.), a Chinese merchant fleet under Cheng Ho, a Muslim, sailed as far as Jiddah in Arabia, and embassies from southern Arabia, Aden and Mogadishu on the Somali Coast were recorded. But in 1517 the Arab empire was conquered by the ‘Usmal Turks, who were not traders. Not long afterwards the Portuguese, Spaniards and Dutch, then entering the heyday of their expansion, replaced the Arabs in the commerce of South-East Asia. From the end of the sixteenth century, commercial activity in the ports of East China was also on the downgrade. One reason lay in Japanese pirate raids, another in restrictions by Chinese emperors, who saw the rise of native merchant enterprise as a threat to the feudal ruling class.

During the latter part of the Ching dynasty (1644-1911 C.E.) Western capitalist aggressors forced China’s ports open to unequal trade. By this time, much of Asia had been brought under the military, political and economic control of imperialism. Early in the twentieth century, contact between China and Arab lands consisted only of small and extremely infrequent pilgrimages of Chinese Muslims to Mecca and a limited trade in tea with North Africa.

This tomb at Canton is said to be that of the Prophet Muhammad’s maternal uncle. The Chinese Muslims hold this shrine in high esteem.
What is an Islamic State?

By Dr. Sa'id Ramadhan

"Within the Muslim concept, religion is not entirely a private affair between man and God... Islam does not approve of any system in which the nation's interests would be controlled by an individual or a group... The inviolability of the human personality is the foundation of the justice demanded by God from all men"

Theocracy ruled out

It is only the Shari'ah (the Qur'an and the Sunnah)* that initiates the very sense of law in Islam and demarcates its legal bearing. By the exclusion of every authority other than that of the Shari'ah, we are retaining both its concept and its applicability from the accumulated heritage of different influences. We come face to face with what all Muslims believe to be the Word of God in the Qur'an, and with its human interpretation by the Prophet in his Sunnah. In other words, we come face to face with Revelation and Prophethood. Or, as Santilla has put it, "The law, which is the constitution of the community, cannot be other than the will of God, revealed through the Prophet". This gives rise to two main points regarding the characterization of the Shari'ah as a source of law: the role of mystery in Revelation and its manifestations, or, as it is usually said, the role of theocracy in Islamic law.

Theocracy, a word derived from the Greek word "theos", meaning "God", is a vague title attached to governments or states governed by God directly or through a sacerdotal class. Centuries of history have endowed this governmental system with an aura of ineradicability and a dark background of evil and horror. The concept of an "Islamic State", owing to its very designation, has had to suffer from the implications that accompany the seemingly parallel title "theocracy". No less a difficulty than the non-Muslim writers' failure to understand this problem was the influence of Western history on many Muslim writers. The long Western struggle between State and Church is of a nature quite alien to Islamic thought; for Islam does not authorize any material form, human or institutional, that could claim to be representative of God. God is God and man is man. The Prophet was a bearer of Revelation, and both were terminated by the Prophet's passing away. The Divine laws that Muhammad left behind are God's laws, but they are not God. They were revealed and conveyed in clear Arabic with its linguistic rules common for all purposes of expression, and through the human example of the Prophet. And the Prophet was but a man who, though perfect, passed away. It is the Divine laws which remain, being no more than an enjoinment on the believers to adhere to them in practice. It is the Muslim belief that no man, or class of people, or mosque, is privileged with a private relationship with God or has a special right to speak for Him. God spoke only to Prophets, and all other men stand on equal footing. Muslims differ with regard to the Divine texts, in interpretation or in application, just as they differ with regard to any other code of law. There is no authority beyond the text itself, and the authority of the text extends only in so far as its language implies and as human thought may comprehend. All men are human: no man impeccable or infallible. In clear contrast to the Western concept of "theocracy", Islam was a revolt against all anthropomorphic implications in the realm of faith. This can well explain the peculiar expression "une théocratie laïque et égalitaire" which Louis Gardet coined to characterize Islam: a peculiarity of expression revealing an inability to comprehend an ideology which is neither theocratic nor secular, in the expressive sense which either of these terms conveys. It is the impact of this paradox which renders Islam difficult to define. Professor Gibb, however, came very close to such a definition when he remarked that "it is characteristic of the practical bent of the Islamic community and of its thought that its earliest activity and most highly developed expression is in law rather than in theology". Notwithstanding the explanation he gave for this and the many deviations from which the Muslim community afterwards suffered, it should be noted that the "earliest study" to which Professor Gibb referred represents the prophetic, the authentic, introduction of Islam. Let us also suggest here that it might have been a deliberate plan - as, in fact, the Muslims believe it to be - and not a lack of genius that prescribed law rather than luxurious theological thought as the criterion of factual faith, and as the practical test for man, enabling him to live in accordance with his beliefs. A code of action, not mysterious outlets, is the characteristic feature of Islam.

Within the Muslim concept, religion is not entirely a private affair between man and God. A privacy is there, and in fact it constitutes the essence of all religious experience. But even in the privacy the individual is ruled by a code of law which is binding on all. And this privacy is never allowed to establish any kind of "sanctity" in a man or in a class of men. Even in Muhammad's authority over the Muslims, there is a clear line between the Revelation given to him and himself as a human being. His followers' complete faith in his prophethood went hand in hand with a comprehension of his humanness. In the famous Battle of Badr he was asked, "This place where we have been stationed, is it God's ordained selection (by Revelation), or is it your plan?" He replied, "It is but my plan." Then said al-Hubab Ibn al-Mundhir, "This does not seem to be the proper stationing". And he suggested some other place for reasons which he explained. The Prophet, convinced by this reasoning, ordered the Muslim army to change station.

Even more explicit are his famous words, uttered when judging a case: "It may be that some of you fail to prove your right in the case. I am but a human being. If my judgment wrongly favours one undeserving, this shall only take him to Hell."

The early Caliphs were always careful to clarify their status as rulers under the law, and not above it. "Caliph" is

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* Sunnah means the sayings and practice of the Prophet Muhammad.

1 Three Major Problems Confronting the World of Islam; see also Islamic Law, its Scope and Equity, by Sa'id Ramadhan, London, 1960.


3 The Qur'an, 18:110: "Say: I am only a mortal like you. It is revealed to me that your God is one God. So whoever hopes to meet his Lord he should do righteous deeds and make none sharer of the worship due unto His Lord."


5 H. A. R. Gibb, Mohammedianism, p. 72.

an Arabic word meaning "successor". They were designated as successors of the Prophet on the understanding that they succeeded the Prophet only in the sense of carrying out whatever commandments he had left his followers. Revelation having been terminated, the Caliph was no more than a human being appointed by the whole community in consideration of his capacity to rule. It was a public meeting at Saqifah (a place in Medina) that resulted in the election of Abu Bakr as the first Caliph. And it was this same Abu Bakr who assumed his office with the declaration: "I have been appointed as your ruler, but I am not the best among you. If I am right, then help me. If I am wrong, you should set me right."

A grave misconception, however, has arisen on the basis of a misquotation of the Qur'ān. The word "caliph" was used in the Qur'ān in two places,8 meaning the "successor" or the "viceroy". It was used in the plural in six other injunctions and its verb, "istakhalafa" and "kalafa", in another eight. But none of these can serve as a proof-text for those who characterize the Caliph as the Viceroy of God. The very first of these quotations testifies, rather, to something else. It reads as follows: "And when thy Lord said unto the angels: Lo! I am about to place a caliph in the earth. they said: Will Thou place therein one who will do harm therein and will shed blood, while we, we celebrate Thy praise and sanctify Thee? He said: Surely I know that which ye know not. And He taught Adam all the names . . . " The angels themselves did not conceive any Divine being in the word "caliph", as attributed by God to Adam. And even if it could ever imply anything of the sort, it should be applicable to every human being of whom Adam was the father and the model. Kalafa, the origin of khilaf (or "caliph" as it is usually written in English), means "to take the place of someone in his absence", and thus it cannot literally apply in conjunction with God, who is always present. It can only be a figurative expression, which is characteristic of the Arabic language and which should be interpreted within its context. That is why we consider the word "ruler" to be the best translation of the word "caliph" in these injunctions, thus meaning the power delegated by God to His creature Adam (and thereby to all mankind), whereby the latter rules over other creatures. And if the Arabic word "caliph" can be translated — in this sense and in these particular injunctions — as the "Viceroy of God", it should not be confused with the "Caliph of the Prophet", which means no more than the "Successor of the Prophet". Professor Gibb, after surveying the mistaken characterization of the Caliph as the Viceroy of God, had to remark: "But at the very heart of their theory there lay a contradiction of which the Muslim jurists were well aware, though it seldom found expression in their expositions. For the fundamental loyalty of the Muslims is given not to the Imam (Caliph or ruler) but to the Shari'ah (Islamic law)."

In his book *Mohammedanism*, he had to repeat it on many occasions and in different forms. "True," he said, "there was at one time the caliphate. But the caliphate was not a papacy, and from Umayyid times on the theologians and legists had resolutely refused to concede to it any spiritual authority."12 Again he said: "In orthodox Islam the Caliph has no interpretative functions and cannot define dogma."13 Professor Anderson explicitly remarked that "True, it is the duty of the Caliph or Sultan to lead the Muslim community in war and act as its executive in peace; but he is under, not above, the sacred law and may not meddle in what God has prescribed."14

It was under the Caliphate, and in sharp contrast to the intolerable yoke of theocracy in the European Middle Ages, that the State ruled by Islamic law in Spain became the acknowledged centre of free thought. Says Alfred Guillaume: "Scholars from the West visited Spain to learn philosophy, mathematics, astronomy and medicine. The oldest European universities owe an enormous debt to those scholars who returned from Spain bringing with them the knowledge they had gained at the Arab universities of that country."15

In brief, it may be said that the rule of Islamic law can never lead to "theocracy", for the simple reason that the absence of any priestly hierarchy lies at the very root of its conception of religion.

The system of government

Islam is distinguished by three characteristics with regard to its system of government:

1. The Qur'ān and the Sunnah do not prescribe any specific form of government. They set forth certain basic principles that ought to underly it and leave the details to be evolved in accordance with the requirements of the time, subject to the progress of human knowledge, the increase in population, the growth of the Islamic State, and the development of means of communication and expression of public opinion.

2. The very title of the society "Islamic" implies what the word "Islam" itself means: a complete surrender to and unconditional acceptance of God's power over all matters pertaining to life: "Behold, sovereignty rests with God alone" (The Qur'ān, 12:40). Thus, every one of God's injunctions transmitted by His Prophet must be carried out unquestioningly. God entrusted the execution of His ordinances and the application of His law to the community of the Believers and not to any individual, class or group. For this reason, all the legislation in the Qur'ān has been formulated in two, and only two, forms: either "O Prophet" or "O you Believers". The Prophet delivered God's Message in full, in witness of which God says in the Qur'ān: "Today I have perfected for you your religion" (5:4). Subsequently, after the Prophet, the affairs of the community remained the responsibility of the Believers, which goes side by side with that of the Prophet's. God has said: "Then certainly We shall question those to whom messengers were sent, and we shall question the messengers" (The Qur'ān, 3:6).

Students of constitutional law are in a position to appreciate the wisdom inherent in this characteristic of the Islamic system.


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8 The Qur'ān, 2:30 and 38:25-26.
9 Ibid., 2:30-31.
10 Ibid., commentary by Muhammad 'Ali, p. 17.
11 Gibb, *Constitutional Organization*, treatise in Law in the Middle East, p. 5.
12 Gibb, *Mohammedanism*, p. 20. In the first page of his book, the author states that Muslims dislike the terms Muhammedan and Mohammedanism, which seem to them to carry the implication of worship of Muhammad, as Christian and Christianity imply the worship of Christ.
It follows, therefore, that he whom the Islamic community chooses to take the place of leadership of the Prophet, after the termination of revelation, derives his authority from the decision of the community. Thus, he rules only by the people's choice and consent. The community accepts him as leader so that he may preside over the government in accordance with the injunctions of God and the teachings of the Prophet. If he should ever transgress his authority, he would be betraying his trust and making himself liable to deposition. And should the community err in choosing him, or should their control over him relax, they would also be betraying their trust. Should the people grant or conceive in the Imam (ruler) a status above that which Islam has prescribed, they would be committing a sin approaching that of idolatry.

(3) The third principle is actually derived from the preceding one. Even though the community is the final authority in electing its leader, as well as in controlling and guiding him (which in modern parliamentary systems is expressed as "all power rests in the people"). The Islamic community's authority is derived from God and the community is responsible to Him in the sense that the Will of God is supreme over the will of the people. Thus, the Imam cannot permit what He has prohibited nor prohibit what He has permitted. These limitations and the path to be followed by the people have been outlined in the Qur'an and Sunnah. God gave the people the authority to implement His law and to interpret its injunctions in the light of whatever new situations, not mentioned in either the Qur'an or the Sunnah, might confront them in the future.

The Qur'an and the Sunnah, which the community is not entitled to alter in any respect. In other words, the people — through their representatives — have no right to make any law which would

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16 Even those who, during the Omayyid period, believed in hereditary rule, were conscious of the necessity of approval by the people upon the heir's assumption of power.
17 According to Bukhari and Muslim, the Prophet said: "A Muslim must hear and obey whether he likes it or not, unless he is ordered to do wrong, in which case he should not obey."
18 According to Abu Dawood and Tirmizi, the Prophet said: "If people see a ruler doing wrong and do not stop him, God will punish them all.
19 Upon his election to the Caliphate, 'Umar Ibn Abi al-Aziz said: "There shall be no prophet after the Prophet Muhammad and there shall be no Revealed Book after the Qur'an. What God has permitted shall so remain until the Day of Judgment. I am not a judge but an administrator. I am not an inventor but a follower. Know ye that none who order disobedience to God shall be obeyed. I am not the best of you but a man whom God has burdened with the heaviest load.”
20 During his Farewell Pilgrimage, the Prophet thus addressed the people: "O People, listen to what I am going to say, for I do not know whether I shall ever see you again in this place; I accept what I have said, for I have delivered my Message and left you two guides, clear-cut ordinances, which, if you follow, will never allow you to go astray: the Book of God and the Way of His Prophet none who order disobedience to God shall be obeyed. I am not the best of you but a man whom God has burdened with the heaviest load.”
21 The Prophet once said: "O people, you have road signs, therefore follow them and you have a goal, therefore strive towards it. God has imposed upon you duties, do not neglect them; and he has prohibited certain things to you, so do not commit them: he has laid down limits for you, so do not transgress them. He has left things unspoken out of His mercy for you, not out of forgetfulness, so do not ask about them." (Authentic tradition related by al-Hakim in al-Mustadrak). The prohibition of "asking" referred to in this Tradition is meant to convey the risk of eliciting from the Prophet injunctions which would bind the community as laws and therefore narrow down the freedom of decision and action envisaged by God.

contradict the letter or the spirit of either the Qur'an or the Sunnah.

This last characteristic is by no means strange to modern constitutional systems, where there are often certain basic laws which are considered immutable.

**General principles**

1. **Consultation (shura)** is required by the second characteristic of an Islamic Government as outlined above. The Qur'an is explicit about this: "Their affairs are a matter of counsel among themselves" (42 : 38). Thus, every business relating to public affairs derives its legality from the principle of consultation among the people. We have seen that the Prophet assembled his companions before the Battle of Badr and told them: "Give me your advice, O you people." Deferring to an opinion of al-Habab ibn al-Mundhir relating to the deployment of the army, the Prophet modified his own plans. We have also seen that he decided to go out for Uhud, despite his own conviction, at the advice of the majority of his Companions. The Caliphs after him pursued the same course and used to consult the Prophet's Companions, individually and collectively, in a variety of methods.

It is evident that this principle of consultation is not confined to any particular form. This, too, has been left to the discretion of the people and their circumstances. It can be said, however, that the modern systems of election correspond to the Islamic principle, provided the voter's freedom of expression is guaranteed and the qualifications of the candidates are clearly set down.

The consultative assembly elected by the nation is entrusted with closely supervising the Head of State and his executive organs. The assembly is also entrusted with making laws required by the interests of the nation, provided such laws are not contrary to the Qur'an or the Sunnah. The decisions of the assembly are to be taken by majority vote.

It follows from this principle of consultation that Islam does not approve of any system in which the nation's interests would be controlled by an individual or a group. In this connection, the Prophet said: "He who pledges his allegiance to a ruler whose rule has not been established upon consultation of Muslims has no claim himself to any allegiance; neither has the ruler to whom he has given his pledge."

2. **The Imam, or Head of State, whether elected by direct general vote or by the Consultative Assembly, must be an adult Muslim of good conduct.** Muslim jurists have put forward many qualifications required of the Head of State, many of which were arrived at by deduction, dictated by consideration of public interest and of the weighty tasks entrusted to the Imam. There is no doubt that most of these conditions — like deep knowledge of Islam, firmness of character, justice and breadth of vision — would make the

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22 The surah (Qur'anic chapter) in which this verse occurs is entitled "Al-Shura"; this title underlines the importance of consultation.
23 While discussing Islam as a faith and a social system, we have stated that the Islamic revolution flowed from the conscience of the individual. The cornerstone of all social, economic and political institutions must be the righteous individual, motivated by faith rather than by fear of punishment. This individual quality is essential to any system which rests on religious faith. Says God: "And every one of them will come to him on the day of Resurrection alone" (The Qur'an, 19 : 95).
24 Hasan al-Banna in *Our Problems in the Light of the Islamic System*.
25 We do not propose to discuss these conditions, because they refer to details and not general principles.
Head of State more capable to perform his office in a State based on a particular ideology with clear-cut aims. Besides, most of these qualifications are required by the Head of every State. Nevertheless, it is important that the community should be conscious of the necessity of these prerequisites. In this connection, we have the admirable saying of the famous judge, Abu 'Ya’la, regarding the attitude the people should adopt towards candidates for the office of Head of State: “If one of them is more learned and another more courageous, the nation should weigh these qualities against one another. If it is found that courage is more likely to be needed in order to safeguard the country’s frontiers and to overcome armed rebellion, then the more courageous should be elected; but if it is found that learning is necessary to keep peace in the country and to overcome heretics, then let the more learned be elected.”

The qualifications with which we are here concerned are those which are clearly indicated in the Qur’ân and the Sunnah, namely, that the Head of State must be a Muslim, in accordance with God’s words, “those in authority from among you” (5 : 8); furthermore, that he should be a male, in accordance with the Prophet’s saying, “No people can succeed if they entrust a woman with their leadership”; that he should be adult, in accordance with the Prophet’s admonition: “Refuse to be governed by boys”; and that he should be of upright character, because he is to lead the community in the path thus described by the Prophet: “I have been sent to bring the virtues of character to perfection.” Consequently, what we have stated above as the necessary qualifications to be possessed by the candidate are the minimum requirements.

Once the Head of State has been elected, the nation is duty-bound to give him its allegiance. The Head of State is responsible to God and to the nation; his responsibility is part of the obligation of consultation already referred to. His responsibility relates to the manner of his administration and to the executive machinery entrusted with the conduct of public affairs. With reference to the latter, the Prophet has said: “He who places a man in authority over others, knowing that there is among them some other one who would serve the cause of God better, is indeed betraying God and his Prophet and the Community of Believers.” As regards his personal affairs and his personal rights and obligations, the position of the Head of State is the same as that of the rest of the community, and no special privileges are due to him. The Caliphs conformed to this demand and often called upon the community to judge them. Thus, Abu Bakr said at the beginning of his Caliphate: “If you see me on the right path, help me: and if you see me on the wrong path, correct me.” The second Caliph, ‘Umar, said: “If anybody sees some crookedness in my conduct, he shall straighten me out.” And the Prophet himself stressed the necessity of this spirit of criticism, without which no nation can survive: “If it should ever happen that my community is afraid to tell the wrongdoer, ‘O thou wrongdoer,’ it would be the end of it.”

There is nothing in the ordinances of the Qur’ân or the Sunnah which would prevent the nation from electing the Imam for a limited period or would deny it the right to depose him. These matters are left to the will of the community, to be decided in accordance with the public interest of the time, with the sole condition that in case of deposition, the law of Islam should be the arbiter of right and wrong.

(3) The judicial apparatus is independent from the executive, but it is bound by the Qur’ân and the Sunnah as well as by the legislative decisions passed by the representatives of the community. All citizens of the Islamic State, including the rulers, are equal before the law in court procedure, judicial investigation, application of laws and execution of judgment. This equality rests on the Qur’ânic injunction: “If you judge between people, judge with equity,” and on what the Prophet said to his Companion, Usamah, when the latter pleaded for leniency in the judgment imposed on a convicted thief: “Art thou asking me to transgress against the laws of God?”. Thereafter, he stood up and thus addressed the people: “O people, many of those who lived before you went thus astray. If a noble among them committed a theft, they let him go; while if a lowly one did it, they carried out the sentence. By God, if Fatima, the daughter of Muhammad, had stolen, Muhammad would have cut off her hand.”

(4) The human personality must be protected; it is inviolable with regard to life, property, honour, belief and security. All citizens of the Islamic State and all who reside in it, whether Muslims or non-Muslims, enjoy full equality in this respect. It is the right of the hungry to be fed, of the naked to be clothed, of the refugee to be sheltered, of the sick to be succored — even if the hungry, the naked, the refugee or the sick belong to an enemy nation. Any discrimination between people on account of their religious, national, linguistic, racial or professional differences, is forbidden.

If a person voluntarily deprives himself of all these rights by committing an overt act of hostility against the State or by acting as an enemy agent or spy, he is to be punished in accordance with the law; but even then, the judgment should not be affected by emotions or by national prejudice. The Qur’ân says: “And let not your dislike of a people seduce you from justice; deal justly, for this is a demand of piety” (5 : 8).

The inviolability of the human personality is the foundation of the justice demanded by God from all men. The Qur’ân says: “And kill not the human soul which God has made sacred except in the course of justice” (6 : 152). Similarly, the Prophet said: “A Believer is he whom people can trust in respect of their possessions and their persons.”

Freedom of opinion, oral or written, of worship, association, choice of profession and of movement, is guaranteed to all citizens. This right flows from the principle of every individual’s complete responsibility to himself and to God, for: “Every person is held in pledge for what he does” (The Qur’ân, 74 : 38). It is not permissible to restrict the freedom of the individual in any way, except if he transgresses his legal rights at the expense of the rights or the integrity of others or harms the interests of the nation by an illegal deed. Any restriction of the above freedoms, unjustly imposed by the government, is a deviation from the spirit of Islamic law, for: “We have accorded honour to the sons of Adam” (The Qur’ân, 17 : 70).

(5) Ahl al-Dhimmah, or the non-Muslim subjects of the Islamic State. The Muslims are bound to them by a sacred covenant which must be observed at all costs. They are equal to Muslims with regard to all civic rights and before civil and criminal courts of justice. The freedom of belief and of worship is guaranteed to them, and in all disputes arising from personal matters they are to be judged in accordance with their own religious laws; but if they so desire, they may be judged, like the Muslims, in accordance with Islamic law. It is their right to protect and preserve their particular culture and to educate their youth in accordance with their own principles. Islam has exempted them from the payment of the zakat tax, which is compulsory for the Muslims, and has also exempted them from compulsory military service. As a counter-service for these exemptions, and for the protection

which the State affords them together with all its other
citizens, they are liable to a Military Exemption Tax (Jizyah),
which is considerably lower than the rate of zakat paid by
the Muslim population. If, however, a non-Muslim volunteers
for military service, his co-operation may be accepted and he
is not liable to the payment of Jizyah. Non-Muslim women,
children, disabled and old men, priests and monks, are, in any
case, exempted from the payment of Jizyah.

All these rights are fully guaranteed to non-Muslim
subjects, so much so that the Prophet said: "If anyone wrongs a
Dhimmi (i.e., a non-Muslim subject) I will bear witness
against him on the Day of Judgment ". The non-Muslim can-
not be deprived of these rights unless he openly renounces
this covenant or breaks it by committing an act of hostility
or open rebellion, in which case the decision against him
must be passed under the law.

It is obvious from the above that the slanderous allega-
lation that Islam discriminates against its non-Muslim citizens
is totally without justification. In all history there is nothing
comparable to the justice which Islam, both in theory and
in practice, accords to those who differ from it in faith. The
judicial autonomy it accords to non-Muslim subjects is one
of the basic characteristics of its law. There is no doubt that
there have been periods in Muslim history when this principle
was violated; but those were periods of injustice against both
Muslims and non-Muslims, and oftentimes the non-Muslims
suffered less. In any case, whatever injustice has occurred in
history in this connection must be attributed to the injustice
of the government in power, and not to Islam.

Foreign policy

(1) The Oneness of Mankind. Islam has declared the
ethnical oneness of all men. Wherever they live, human
beings are fundamentally the same, and it is to this oneness
that the Qur'an appeals in the words: "O men, revere your
Lord, Who created you from a single soul, and made out of
it a pair, and thereupon brought forth multitudes of men and
women " (4:1). The goal of human life is for people to come
closer together and to know each other better, and not to
become estranged from, and hostile to, one another: "O
people. Behold, We have created you from a male and a
female and made out of you nations and tribes so that you
may know and be good to one another. The noblest among
you before God is who is best in conduct. Behold, God is
Knowing, Aware " (The Qur'an, 49:13). This means that
the Muslim, by virtue of his faith, ought to be filled with a
genuine love for mankind, conscious of the fact that geo-
ographical borders, political divisions and differences in appear-
ance, race or language, must not be a barrier between man
and man. The principle of human oneness is expressed in the
fact that Islam, when it made justice obligatory on man, did
not differentiate between individual and individual, between
nation and nation: what is right, is right for Muslims and
non-Muslims alike, and justice is obligatory on all. Nothing
would confirm this fact more than the famous case of Ibn
Ubayryiq, where nine Qur'anic injunctions were revealed taking
the side of a Jewish subject as against a Muslim in spite of
the latter's powerful tribe.

It follows, therefore, that the Islamic State cannot remain
isolated from other peaceful States, but must freely collaborate
with them in propagating knowledge and in furthering matters
of common concern, without suffering injustice or inflicting
it on others.

(2) The Unity of the Muslim community does not conflict
with the principle of the oneness of all mankind. This unity
which is expressed in such words: "The Believers are naught
else but brethren " (The Qur'an, 49:10), does not presuppose
the existence or establishment of a nationalistic bloc among
Muslims, but denotes, rather, a unity of faith and thought
among a group of human beings who have a right to live in
accordance with their beliefs, and are duty-bound to accord
the same right to others, without resorting to compulsion or
enmity. The Qur'an says: "There is no compulsion in
religion " (2:256), and "Do not be aggressors, for indeed,
God does not love aggressors " (2:190). Besides, Muslim
unity is not exclusively reserved for the people who already
belong to the community, but it is always open to anyone
who voluntarily accepts the teachings of Islam. It should be
borne in mind that the members of the Muslim community
believe in Moses, Jesus and Muhammad alike, as well as in
all other prophets: "... every Believer believes in God and
His Angels and His Revelations and His Messengers — we
make no distinction between any of the bearers of His Mes-
 sage " (The Qur'an, 2:285). The sublime concept of this
unity bears within it the element of the meeting of all revealed
religions and their mutual respect.

It may well be that the world, after having experienced
all the varying forms of nationalism and tribalism, and having
found that all paths leading to the solution of international
problems are blocked, will ultimately realize the need of a
new human bond that will overcome all these warring elements
and will stand by right whenever and from whomsoever it
comes.

The Muslims are duty bound to play their role in this
endeavour, to free themselves from group interests and greed,
to unite in the cause of right without hatred and false pride,
and to become aware that this is the trust conferred upon
them by God: " Thus we have appointed you a nation of the
middle, so that you may bear witness before all peoples "
(The Qur'an, 2:143).

The unification of Muslims referred to cannot be defined
in any precise form: indeed, no individual person or group
has a right to define it. Such a form is to be shared by the
general will of the community who alone holds the reins of
interpreting and implementing the God-ordained principle
of brotherhood. The unification of Muslims thus reclines on two
pillars: their brotherhood under Islam and their general will
— the first determines its nature and the second formulates its
working course and shape. Unless and until these two go
hand in hand, nothing lasting can be accomplished: the only
result would be a new form of nationalism which would not
represent Islam or Muslims.

(3) Patriotism. Just as the principle of Muslim unity does
not contradict that of the oneness of mankind, so too the
pride of every people in its homeland does not contradict the
principle of Muslim unity. The only kind of " nationalism "
which is justifiable is that of loyalty to one's homeland, the
taking of pride in the noble qualities which its people may
possess, and the harnessing of those qualities in the service
of Right and Truth: but certainly not allowing the national
boundaries between good and evil, truth and falsehood.

(4) International relations. If the relationship of the
Islamic State with other peaceful States is, as we have stated,
one devoted to the exchange of knowledge and the furtherance
of mutual benefits, so its relation with all aggressive powers is
dominated by the duty to repel hostility by all peaceful means
if possible: " And if they incline to peace, incline thou also
to it " (The Qur'an, 8:61). If peaceful means do not succeed,
war becomes obligatory according to the law of Islam: "If
anyone makes war on you, make war upon him in like

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manner” (The Qur’an, 2: 194), and the State may conclude peace only after aggression has been repelled: “And fight them until oppression ceases and all religion is for God alone. But if they desist, then let there be no enmity except against the wrongdoers” (The Qur’an, 2: 193). Thus, war is justified only as a means of upholding the right and repulsing the wrong and not for the sake of greed or false pride; and this is the meaning of “Jihad in the way of God”.

Just as Islam has decreed laws of peace, so it has decreed laws of war. We are reminded of this in the instructions which the first Caliph, Abu Bakr, issued to the Muslim army that was sent out to meet the Roman army: “Do not be harsh on them, do not kill children, old men or women; do not cut down or burn palm trees, do not destroy fruit trees, do not slay a sheep or a camel except for food. If you see people who have taken refuge in monasteries, let them be safe in their place of refuge.” In these immortal instructions we see the spirit of Islam, which resents aggression, destruction and bloodshed and enjoins justice, mercy and tolerance.

Whenever the Muslims come to terms with their enemy, they are obliged to keep faith with those terms, whatever the cost, in accordance with the words of the Qur’an: “Keep to the covenant which you have made before God and do not break your oaths after you have made them, for you have made God your witness. Behold, God knows what you do” (16: 91). And the Prophet has said: “Betrayal is forbidden to us by our religion.”

If Muslims have reason to fear betrayal from people with whom they have concluded an agreement, they are not allowed to attack them before issuing a warning: “If you suspect treachery from a people, then confront them fairly with their treachery. Behold, God loves not the treacherous” (The Qur’an, 8: 58). Also, the Muslims are never permitted to make preparations for an attack during a period of truce. We are told that once, when there was a truce between Muawiya and the Byzantines, Muawiya wanted to move up his ranks closer to the enemy, for he expected the truce to end soon and wanted to be ready for attack. Whereupon Amr Ibn Anbasah, one of the Prophet’s Companions, turned to him and said: “God is great, God is great! Keep faith and do not betray, O Muawiya! I have heard the Messenger of God say: “Whenver there is a truce with another people, it must not be broken until it has run its term and before the enemy has been fairly advised of it.”” Thereupon Muawiya retreated to his previous position.

An agreement with an enemy which the Muslims are thus obliged to honour is an agreement which they have entered into out of their free will and not one which has been imposed on them by force; for whatever has been imposed by force cannot rightly be regarded as inviolable.

Islam demands for the sake of self-defence and the ensuring of peace that the Islamic State must be strong enough so that no aggressor should ever be tempted to attack it and that it should never be taken unawares by treacherous moves: “Make ready for them all that you can of armed forces and horses tethered at the frontier, so that you may thereby dismay God’s and your enemies and others besides them of whom you are not aware; God is aware of them” (The Qur’an, 8: 60).

27 This incident has been related by the Imam Ahmad, Abu Dawood, Tirmizi, Nisaai and Ibn Habban.

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**Editorial Continued from page 4**

of their desires. Protecting from all unfortunate events cannot be brought about by any other means than prayers.

“I cordially invite you and your relatives to attend the Urs, the most blessed occasion for Making (sic) the Niaz and for seeking the blessings of the Saint. . . .

“If you are unable to join the Urs you can seek the pleasure and blessings of the Saint by taking part to the best of your ability in the annual sacred Nazar-o-Niaz, and this you can do by sending any amount by M.O., postal order, by draft or cheque, as thousands of people do.

“You can also let me know your aspirations so that I may pray on your behalf on the solemn occasion for their fulfilment.

“Please intimate your friends and relatives about the Urs Sharif and thus gain the pleasure and blessings of Khwaja Sahib.

“I also arrange for sacred functions like the Kham-e-Khwaqan, Qurban Khwai, Milad Sharif, offering of flowers, sandal scent, chadar or gilaf at the Tomb. You may write to or contact me on all such matters. Tabarkaats will be sent to you after Urs Mubakak. . . .”

The offer is tempting. You can get everything for a paltry sum!

* * *

We would not take notice of this sad state of affairs if it was isolated and localized. The tragedy is that while the world of Islam is suffering from the malaise of its ineffectiveness and inaction in world affairs, it is plagued with the traffickers in Cheap-Jack cures and short cuts. No wonder that the Muslims of today make only good takers, efficient blacksmiths and shoemakers! The mental paralysis caused by the short cuts cannot be expected to produce geniuses.

The Qur’an is a book that engenders in its readers self-confidence and self-sufficiency. It exhorts them to work and make an effort to achieve their object. It does not believe in parrot-like repetition of words and sentences.

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**King Husain of Jordan Continued from page 19**

His Majesty’s brave stand and the heroism of his army in defending the holy places, and the stubborn resistance of his nation along the defence line of the Arab World, has motivated the Arabs to consider the Palestine cause as their foremost problem — a problem which constitutes a challenge to the Arab nation — and to face the danger of Zionism and imperialism which threatens the destiny of the Arabs and their future. Further, the King has never refrained from offering help to any Arab State in its struggle for freedom in its days of hardship.

To His Majesty, international policy consists of compliance with obligations, honesty, respect, mutual understanding and co-operation among nations for the well-being of mankind, and adherence to any principle making for peace and justice. In this respect, with sincerity in every word, King Husain says: “Jordan is a friend of those who seek its friendship and the friendship of all Arabs, and an enemy of those who are its enemies and the enemies of the Arabs.”

His Majesty believes in international understanding and calls for sincerity, truth and loyalty for every Arab cause and for all that serves and helps to preserve justice all over the world. His Majesty has paid visits to various countries of the world, when he has been pleading by speech and action for the Arab cause and Arab rights.

I have a strong hope and belief that His Majesty, being the honest servant of his people and nation, will realize more success, victories and glories for Jordan and the Arabs. His Majesty will always remain, in his own country as well as in the Arab and Islamic worlds, and in all spheres of humanity, the bearer of a welfare mission and the pioneer of a blessed revival.

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**THE ISLAMIC REVIEW**
THE HISTORY OF THE IDEA OF THE MIRACLE (I'JAZ) OF THE QUR'AN

By NA'IM AL-HUMSI

The words Mu'jizah and I'jaz probably not used in the first two centuries of Islam

The Arabic word i'jaz is derived from the verb 'ajz (to be incapable or unable), and it generally means "inability". An act of i'jaz would be an act without comparison, and matchless. The Arabic word mu'jizah (miracle) is derived from the same source — a miracle being an act which is beyond the capacity of the ordinary man, and is evidence of supernatural powers.

The terms mu'jizah and i'jaz, as the hallmark of supernatural ability or prophethood, have not been used in the Qur'an, although there is abundant mention in the Qur'an of its sublime origin and of the fact that it is something which cannot be matched by man. It is not possible to determine in use by jurists for a similar purpose). But perhaps this is not conclusive evidence that the terms i'jaz and mu'jizah were not known then or had not been used before in this context, although it can be confidently asserted that these terms were not fully current or popular, and that they were easily displaced by such terms as aayah, burhan and sultan. This may be concluded from the fact that Ahmad Ibn Hanbal (d. 241 A.H.—855 C.E.) used the term mu'jizah as a synonym of karamah (dignity) and as an attribute of saints, and also as the hallmark of the prophets of God. The very first known book to be entitled I'jaz al-Qur'an was written by Ibn Yazid al-Wasiti (d. 306 A.H.—918 C.E.). Soon afterwards the terms aayah, burhan and sultan began to be used less, while the term mu'jizah and i'jaz began to be more current, with the latter confined solely to the aspect of the matchless quality of the Qur'an as evidence of its divine source. It would be difficult to trace in detail the stages through which the terms mu'jizah and i'jaz passed before they became confined to this narrow technical sense, but this sense is now too well established to be questioned.

The unmatched challenge of the Qur'an

The prophethood of Muhammad was the subject of heated and continuous argument between the Muslims and the followers of other religions. The argument, in brief, was that the Qur'an itself had challenged the Arabs on more than one occasion to produce its equal in any respect — ideas, style, etc. — and that the Arabs had failed to match the Qur'an, and that this was clear evidence that the Qur'an was revealed to Muhammad by God, and conclusive proof that Muhammad was the Prophet of God. The Qur'an summed up the challenge thus: "Say: If men and jinn should combine together to bring the like of this Qur'an, they could not bring the like of it, though some of them were aiders of others" (17:88). The Qur'an thus was something which men and jinn could not bring the like of. In Arabic, the Qur'an was something mu'jizma 'anhu. This is the term which Ibn Jarir al-Tabari used to denote this concept, and it is perhaps the first time that the term was used in this specialized sense; and from this term i'jaz was soon derived. It was some time later that the first meaning of i'jaz — i.e., that the Qur'an cannot be matched by man — was followed by the second meaning, namely, that the Qur'an is a miracle and the hallmark of Muhammad's prophethood.

Philosophers give several definitions of mu'jizah (miracle) but the most common one is that a mu'jizah should be an unusual event, coupled with a challenge, undisturbed by opposition. Al-Qurtubi in his book al-Jan' li ahkam al-Qur'an gives five prerequisites of a mu'jizah: (1) the event or act should be something which only God is capable of; (2) that it must be contrary to the laws of nature; (3) that it...
must be predictable by the wise; (4) that the event or act should take place as predicted; and (5) that the event or act should not be within the power of any man.

The background to the ḫījāz of the Qurān

'When the Prophet Muhammad received the revelation of the Qurān the Arabs were torn with rancour and dissension. They had very high qualities and characteristics which could have, if properly channelled or developed, made them powerful and great. The aim of the Qurān revealed to Muhammad was to improve the condition of the Arabs as well as the world in both material and spiritual respects. Thus the Qurān contained ideas and objectives which were religious, social and cultural. It also had political and nationalistic ideas the aim of which was to close the ranks of the Arabs and consolidate their strength for the propagation and defence of the new faith (this is summed up in the following verse of the Qurān: ‘You are the best nation raised up for men: you enjoin good and forbid evil and you believe in God’ (3: 109)).

One of the important facts which must be constantly kept in mind is the study of the concept of the ḫījāz of the Qurān is the cultural and literary background of the Arab before the Qurān was revealed. There had been a strong and vigorous literary movement among the Arabs for some time before the days of Islam. Poets and orators competed in the market places, and commanded great respect. Poets and orators, like Tarafah, Zuhayr and Qays Ibn Sa‘idah, had also debated ethical and religious questions, and there was great interest in religious matters among the Arabs, some of whom embraced the Sabian, Jewish and Christian faiths.

Muhammad did not come forward simply as a social reformer with ideas of his own to ameliorate the condition of the Arabs. He came as the Messenger of God with the aim leading his people out of the darkness into the light. Since the message which Muhammad carried was not familiar to the ordinary Arab, and since his claim to direct contact with God through the revelations was something which the Arabs had not heard of before (for what they knew about prophets and prophethood was derived solely from their occasional contacts with the Christians and the Jews, and what they had heard about such prophets as Abraham and Ishmael), they were instinctively very suspicious of Muhammad’s claim. They were also amazed and bewildered, particularly in view of the reputation for honesty, truthfulness and straightforwardness which Muhammad enjoyed among his people. But they could not escape the fact that the Qurān which he presented to them appeared distinctly superior, in style and meaning, to any prose or verse which any Arab had hitherto produced. If the Qurān had been claimed as the handiwork of Muhammad his people might not have found it too difficult to believe this, especially because the reforms indicated by the message which Muhammad put forward appeared eminently necessary and suitable for the conditions under which the Arabs lived. And perhaps no resistance would have been offered against these reforms. But the fact is that at that time, as always, there are two likely reactions to a reform movement. One comes from the side of those who find it beneficial, perhaps the weak who are exploited by the strong and who see in the reforms the key to their freedom and salvation. This side is also joined by persons who may not them-

selves be exploited or oppressed and may not have a direct or immediate benefit to derive from the reforms, but who are motivated by a sense of public spiritedness or have high ideals and motives, or charity and goodwill. The other side is that of the strong and the exploiters, who naturally see in a movement for reform the end of their position of pre-eminence and a threat to their privileges. These are also joined by persons who are narrow-mindedly conservative and who instinctively oppose change, whatever the aim or purpose of the change. It is this latter side which opposed Muhammad. Muhammad naturally found it necessary to support his claim of revelation by proof which would be convincing to his opponents, and he had to present to them a mu‘āṣarah which they would accept without question and which would settle this dispute for good. Previous prophets had offered miracles of various kinds — Moses performed a miracle with the stick, Abraham had his fire, Jesus cured the sick and raised the dead. All these miracles, however, were physical and tangible.

The Arabs had asked Muhammad to perform such a miracle, and the Qurān on several occasions records this request to the Prophet and answers it: ‘And thus have We revealed the Book to thee. So those whom We have given the Book believe in it, and of these (i.e. people of Mecca) there are those who believe in it: and none deny our messages except the disbelievers. And thou didst not recite before it any book, nor didst thou transcribe one with thy right hand, for then could the liars have doubted. Nay, it is clear messages in the hearts of those who are granted knowledge. And none deny Our messages except the iniquitous. And they say: Why are not signs sent down upon him from his Lord? Say: Signs are with God only, and I am only a plain warner. Is it not enough for them that We have revealed to thee the Book which is recited to them? Surely there is mercy in this and a reminder for a people who believe’ (29: 47-57); ‘And they say: What kind of a Messenger is this? He eats food and goes about in the markets. Why has not an angel been sent down to him to be a warner with him? Or a treasure given to him, or a garden from which to eat? And the evildoers say: You follow but a man bewitched!’ (25: 7, 8); ‘And they say: We will by no means believe in you, till you cause a spring to gush forth from the earth for us. Or you have a garden of palms and grapes in the midst of which you cause rivers to flow forth abundantly. Or you cause the heaven to come down upon us in pieces, as you think, or bring God and the angels face to face (with us). Or you have a house of old, or you ascend into heaven. And we will not believe in your ascending till you bring down to us a book we can read. Say: Glory to my Lord! am I aught but a mortal messenger?’ (17: 90-93); ‘Nay, say they: Medleys of dreams! nay, he has forged it! nay, he is a poet! so let him bring to us sign such as the former (prophets) were sent with (with). Not a town believed before them which We destroyed: will they then believe?’ (21: 5, 6).

On the uselessness of miracles for the purpose of convincing those who doubted the prophethood of Muhammad the Qurān says: ‘And if We had sent down to you a writing on paper, then they had touched it with their hands, those who disbelieve would have said: This is nothing but clear enchantment’ (6: 7); also, ‘And even if We open to them a gate of heaven, and they keep on ascending into it, they would say: Only your eyes have been covered over, rather we are an enchanted people.’

(To be continued)
ISTANBUL SUMMIT CONFERENCE

Iran, Pakistan and Turkey Plan “Regional Co-operation for Developments”

Others Invited to Join in

A decision of great historical significance was taken in Istanbul on 20-21 July 1964 by the Heads of State of Iran, Pakistan and Turkey. An agreement for mutual co-operation and co-ordination, not only in the field of Regional Developments but also in cultural and social relationship was arrived at. All such Muslims as are interested in the current affairs of the world of Islam felt greatly interested and joyed to see the signs of a better understanding amongst the Muslim countries. The Muslim world has been feeling the need of a “Muslim Commonwealth” for a long time. It is earnestly hoped that the spirit of perfect harmony and regional solidarity which prevailed during the Istanbul Conference will prove a stepping-stone to a universal Islamic unity.

The strong cultural and historic ties which bind the three countries of Iran, Pakistan and Turkey have provided them with a solid basis for regional co-operation. The recommendation of the three Heads of State, that appropriate ways and means should be adopted to enlarge and develop further co-operation in the existing relations in all fields, is very significant.

The plan is to be carried out “in a spirit of regional co-operation notwithstanding their activities as members of other organizations of a regional character”. All the three countries, as it is, are members of the Central Treaty Organization. Turkey is also a member of the North Atlantic Treaty Organization while Pakistan is also a member of the South-Eastern Asiatic Treaty Organization.

It is very encouraging to note that the three participants in this new Plan have invited other countries of the region to join them in this co-operation.

Ministerial Council

A Ministerial Council has been created in order to take and implement appropriate decisions on matters of common interest. It is composed of the Foreign Ministers with the participation of other Ministers of their respective governments. A regional planning committee, composed of the Heads of the three Plan Organizations, has been appointed in each of the three countries to deal with work relating to regional collaboration and harmonization of development plans. To serve the Regional Planning Committee and the Ministerial Council a secretariat has been established. The Ministerial Council will be the highest decision-making body. It will meet once in four months. During the Summit Conference in July the three Heads of State endorsed the recommendations made by the Ministerial pre-summit meeting held in Ankara the previous month.

The Regional Planning Committee

The Ministerial Council will be assisted by a Regional Planning Committee composed of heads of national planning organizations in the three countries.

The Planning Committee will study development plans and production potential of the countries to recommend joint purpose projects and long-term purchase agreements.

The meeting set up a working group to study measures to improve air transport within the region and establish a “strong and competitive” international air line. The group’s report will be considered at the next meeting of the Council of Ministers.

Working groups were also set up for shipping, road, railway and telecommunication. It was agreed that postal and telegraph rates among the three countries should be reduced to the level of internal rates.

A working group was set up to consider measures for co-operation in the field of petroleum and natural gas and for their exploration, drilling, refining, transportation and distribution.

The Heads of State of Iran, Pakistan and Turkey: His Imperial Majesty Muhammad Raza Shah Pahlavi, Shahanshah of Iran (left), His Excellency Field Marshal Muhammad Ayub Khan, President of Pakistan (right) and His Excellency Kemal Gursel, President of the Republic of Turkey (centre) in conversation with each other at Istanbul

Ten-Point Agreement

They agreed in principle:

(1) To free movement of goods through all practical means such as the conclusion of trade agreements;

(2) To establish closer collaboration amongst existing Chambers of Commerce and eventually to form a joint Chamber of Commerce;

(3) To the formulation and implementation of joint purpose projects;

(4) To reduce the postal rates between the three countries to the level of internal rates;

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(5) To improve the air transport services within the region and the eventual establishment of a strong and competitive international air line among the three countries;
(6) To investigate the possibilities of securing a close co-operation in the field of shipping including the establishment of a joint maritime line;
(7) To undertake necessary studies for construction and improvement of rail and road links;
(8) To sign at an early date an agreement with a view to promoting tourism;
(9) To abolish visa formalities among the three countries for travel purposes;
(10) To provide technical assistance to each other in the form of experts and training facilities.

Cultural relations

Furthermore, the Heads of State have directed to explore all the possibilities for expanding the co-operation in the cultural field among countries of the region. Cultural relations should be particularly orientated towards creating mass consciousness of the common cultural heritage, disseminating information about the history, civilization and culture of the peoples of the region *inter alia* through the establishment of chairs in universities, the exchange of students, the grant of scholarships, the establishment of cultural centres and the joint sponsoring of an Institute for initiating studies and research on their common cultural heritage.

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**IBN KHALDUN (1332-1406 C.E.)**

*Ibn Khaldun's Muqaddimah is “greatest of its kind that has ever been created by any mind in any time or place”* (Professor A.J. Toynbee in his *A Study of History*)

**Ibn Khaldun's early life**

The great Arab historian Abu Zayd ‘Abd al-Rahman Ibn Khaldun was born about the year 1332 C.E. in Tunis. His family had come originally from Moorish Spain, but had settled in North Africa two generations before. The Ibn Khalduns were of the wealthy and educated class. The grandfather of Ibn Khaldun, soon after he came to Tunis, was able to secure the post of Minister of Finance. Ibn Khaldun's father spent his life in the study of Muslim law, theology and letters.

Ibn Khaldun, destined to become the most illustrious member of the family, was given the customary education of a young man of high rank. He began by memorizing the Qur'an completely and learning the various differences in the recitation of certain passages. After that had been done successfully, he studied grammar, poetry and finally jurisprudence. At 20 he was prepared to make his way in public service and became Secretary to the Sultan of Fez in Morocco.

In North Africa at this time, after the fall of the Almohade (al-Muwahhid) dynasty which had ruled for more than 100 years, the political situation was in a state of confusion. Many small powers struggled for supremacy; rulers became powerful with rapidity and fell with an equal speed. Ibn Khaldun's brother became a victim of power politics after his fall from the good graces of the Sultan of Tlemcen and Ibn Khaldun himself had to serve two years in jail during this time.

Later, in 1362 C.E., Ibn Khaldun went to Spain to serve the Sultan of Granada, and was sent on a diplomatic mission to the court of Pedro the Cruel of Castille. This Christian king offered him an appointment, but Ibn Khaldun turned down the offer in order to accept the lie of the Sultan of Granada. He then brought his family to Granada from North Africa.

However, he did not stay long in Granada due to the political situation, and returned again to North Africa, where he obtained the post of Chamberlain to the Sultan of Bougie in Algeria. In this capacity he gained military experience by leading a number of punitive expeditions against warlike Berber tribes. For the next several years Ibn Khaldun changed employers often and lived in many parts of North Africa, and once more for a short while in Spain.

**The date when he wrote his Universal History**

In 1375 C.E., Ibn Khaldun left active life and went to Oran (Algeria), where he lived in a castle called Qal'at Ibn Salama for four years. It was here that he wrote the major portion of his famous *Universal History* (*Kitab al-Ibar*, lit. Book of Examples), which has given him his place among historians, philosophers and sociologists. At the end of the four years, Ibn Khaldun returned to Tunis in order to study documents there that pertained to his *History*. In Tunis he delivered a number of lectures so popular that they earned him the jealousy of both scholars and courtiers.

And thus it was, in this atmosphere, that he determined to make a pilgrimage to Mecca. In 1382 C.E. he set sail for Alexandria on the start of this pious journey. At first, he got only as far as Cairo, where he was offered a lecturership which he accepted. Probably he stayed in Cairo because he was so impressed with the city, which he had never seen before. He has described the city glowingly and quoted one of his teachers, saying, “What one sees in dreams surpasses reality, but all that one could dream of Cairo falls short of the truth.”

From Cairo he travelled to Mecca to perform his Pilgrimage in 1387 C.E. Afterwards he returned to Egypt and worked there as a jurist until 1400 C.E. In this year he went to Damascus where he remained while the city was attacked by Tamerlane. Reportedly, Ibn Khaldun was let down over the city walls by ropes to negotiate with Tamerlane. According to legend the historian had a long conversation with the Tartar King and gave him parts of his *History* to read and correct. The king is even supposed to have offered Ibn Khaldun a place in his retinue, and to have saved some of the notables of the city of Damascus at the request of the scholar. Although it is pleasant to think that the scholar and the king were able to speak so freely and respectfully one to the other, and that these two minds met and influenced one another under such romantic circumstances, it seems more likely that the two only met and negotiated as enemies at truce. Nevertheless it seems probable that it was from this encounter, among others, that Ibn Khaldun had with warring chiefs, that he formed his opinions about the strength and virility of a barbarian society and the corresponding effeminate of wealthy city societies.
After this incident Ibn Khaldun returned to Egypt and was offered the post of Chief Justice. He took it and six years later died, while still holding the post. He was buried in Cairo in a Sufi cemetery.

During his life he had travelled from one end of the Mediterranean to the other. He had lived in Spain, most of North Africa and Egypt, and had travelled to the Arabian Peninsula and to Damascus. What he saw made him think and wonder about what lay behind the changes in government and in society which he saw so plainly in all his studies and travel. His answer to this is to be found in his Universal History and the Muqaddimah (Prolegomena) to it.

Professor Toynbee’s pronouncement on Ibn Khaldun

It must be remembered that at the time Ibn Khaldun wrote his History, the prevailing mode of writing history was to keep, or make up, a chronicle. Men can only do this when they assume that society is static and that the only thing that will change is the name of the king, the amount of crops per year and the number of children born to the High Priest. So it is all the more surprising that Ibn Khaldun was able to write his History and its accompanying Prolegomena, a masterpiece of unitary thinking founded on environmental determinism. Professor A. J. Toynbee describes it as “the greatest work of its kind that has ever been created by any mind in any time or place” (A Study of History, Oxford, 1935, 2nd Edn., III, p. 322). For he assumed that it was not only the name of the king that changed but that inherent in that change was a change in policy, or religion, which the king would impose on the ruled population, and that therefore there would be a corresponding change in the ruled society.

Unfortunately, Ibn Khaldun did not become known beyond his own time and culture. He was not read in the West until quite recently, when modern scholars began to study the nature of society. Perhaps if he had been read in Europe in the 15th or in the 18th century, he would have had a great effect on modern European thought. For Ibn Khaldun speaks directly to the West today, and it seems surprising that he could have been ignored so completely for so long. Nor was he widely read in the Islamic world. He did not inspire his contemporaries or any successors to continue to teach his philosophies. He stands alone as a man of original and timeless thought.

In history Ibn Khaldun sees an endless cycle of progress and retrogression, analogous to the phenomenon of human life. Kingdoms are born, attain maturity, and die within a definite period which rarely exceeds three generations, i.e. 120 years. During this time, they pass through five stages of development and decay. For Ibn Khaldun, civilization necessarily involves corruption and degeneracy.

Chief features of Ibn Khaldun’s Prolegomena

Although the History written by Ibn Khaldun is our only comprehensive source for the history of North Africa, an area not generally well covered by the other medieval chroniclers, and is for this reason important in its own right, the Prolegomena is the more original and interesting part of the work. It is in the Prolegomena that Ibn Khaldun expresses all his theories about society and its various institutions. The Prolegomena is divided into six books. The first of these deals with a general theory of society, the next two with politics, the fourth with urban life, the fifth with economics and the last with a theory of learning and knowledge.

Extracts from Ibn Khaldun’s own introductory remarks on the writing of history are given below in order to demonstrate the stature and political depth of the man who wrote the Universal History.

On the nature of history

“History is the record of human society, or world civilization; of the changes that take place in the nature of that society, such as savagery, sociability, and group solidarity; of revolutions and uprisings by one set of people against another with the resulting kingdoms and States, with their various ranks; of the different activities and occupations of men, whether for gaining their livelihood or in various sciences and crafts; and, in general, of all the transformations that society undergoes.”

On factors leading to error in historical writing

“... All records, by their very nature, are liable to error — nay, they contain factors which make for error. The first of these is partisanship towards a creed or opinion. ...

“... The second factor conducive to error is over-confidence in one’s sources. Such sources should be accepted only after thorough investigation involving the criticism of falsehoods and the correction of distortion. ...

“... A third factor is the failure to understand what is intended. Thus many a chronicler falls into error by failing to grasp the real meaning of what he has seen or heard and by relating the event according to what he thinks or imagines. ...

“... A fourth source of error is a mistaken belief in the truth. This happens often, generally taking the form of an excessive faith in the authority of one’s sources. ...

“... A fifth factor is the inability rightly to place an event in its real context, owing to the obscurity and complexity of the situation. ...

“... A sixth factor is the very common desire to gain the favour of those of high rank. ...

“... The seventh cause of error, and the most important of all, is the ignorance of the laws governing the transformation of human society. ... If ... the historian understands the nature of events and of changes that occur in the world, and the conditions governing them, such knowledge will help him more than anything else to clarify any record and to distinguish the truths it contains from the falsehoods. ...

“... Another cause of error is exaggeration ...

“... Another hidden source ... is the ignoring of the transformations that occur in the condition of epochs and peoples with the passage of time and changes of periods. ...

On historical change

“... The conditions of the world, and of the nations, with their customs and modes of occupation, do not persist in one unchanging state or Stable pattern, but are transformed with the passage of time and move from one condition to another. And just as individuals and times and cities change, so do zones of climate, and epochs, and countries, and states — for such is the law laid down by God for his worshippers. ...

“... The cause of these changes in conditions and customs is that each people follows the customs of its rulers. ... Now a dynasty will adopt many of the customs of its predecessors, while not forgetting its own, hence the prevalent set of customs will differ from that of the preceding generation. Should the ruling dynasty be supplanted by yet another, which will in turn mix its own customs with those prevailing, a new state of affairs will come about, which will differ from the first stage even more than it differs from the second. ...

“... This gradual change, in the direction of increasing difference, will proceed until it ends in total dissimilarity.”

November 1961

In this interesting work, the Assistant Professor of International Studies at the University of South Carolina, U.S.A., attempts to estimate the democratic content of the governments of Algeria, Ethiopia, Libya, Morocco, Somalia, the Sudan, Tunisia and the United Arab Republic with the aid of some excellent maps.

In referring to the struggle for power in Morocco, the author quotes Mulay Ahmed Alawi, the Minister of Information, as saying: "Hassan will be the king of the Moroccan people as well as king of all the political parties," for "to Hassan II, a governmental programme is dictated as much by the obvious needs of the Moroccan people as by the aspirations of which they might be only vaguely aware."

The author maintains that in a number of fields of social policy, such as housing, education and rural development, real progress has been made.

In discussing the recent border dispute with Algerians, which flared up into a full-scale war, Mr. Zartman thinks that the régime in Morocco was outdated. But the fact escapes the attention of our author that in the 1963 Parliamentary election the Government party of Mr. Guedira and the Opposition parties won the same number of seats, and that this election and the existence of a strong opposition press shows that there are strong vestiges of democracy in Morocco, one of the few African States where a strong opposition is still tolerated even taking into account the arrest of some of the opposition leaders.

Somalia, which became independent on 1 July 1960, represents the supreme case of an African State which requires the support of other independent States to achieve its territorial and racial unity. The Somalis should have been given complete independence after the last war but, owing to a shameful decision of the United Nations in 1949, a large part of Somalia was replaced under Italian trusteeship and the British-administered territory only became independent with its Italian counterpart on the date quoted above. The Ogaden Muslim province of what is now Ethiopia was united with Somaliland under the Italian fascists, and the British Army of Occupation from 1941 onwards continued to administer these territories as one unit. Mr. Zartman points out that the British Foreign Minister, the late Mr. Ernest Bevin, was in favour of maintaining the unity of Somaliland and of forming a homogeneous Somali State by adding the predominantly Somali Northern Frontier District of Kenya and the Port of Djibuti and the rest of French-administered Somaliland. But today, unfortunately, many of the African States support Kenya and Ethiopia against Somaliland, which "is an Islamic republic in almost everything but name. . . . All legislation must comply with the general principles of Islam, and the Shari'ah is to be the main source of law: Islam is the State religion, and the President must be a Muslim."

We are told in this book that the proportion of Muslims in Ethiopia is one in three. Muslim writers on this subject would give a far higher percentage. The fact is very little known that the predecessor of Haile Selassie was a Muslim.

There is a recurrent but brief mention of the influence of Islam and the influence of "Tariqas" in the newly-emergent States of the Sudan, Libya and Somalia, and also of "modernization, renaissance and re-examination of the doctrines of Islam have manifested themselves as religious attempts to cope with Westernism and secularism." The author deals with the policy of the Sudan in its southern provinces where British missionaries for many years campaigned against Islam.

With regard to Libya, Mr. Zartman believes that although "the weakening of provincialism may in time eliminate the luxury of having several capitals, the large civil service shows no sign of ceasing to grow. Popular participation and leadership responsibility are two sides of the same coin that is too little in circulation. The law and the elite of Libya are growing in their roles, shaping the political process as they find their way. However, the even more difficult task — that of bringing the people along with them — must not be forgotten."

When Mr. Zartman comes to discuss Egypt, he opines that "increased contact with Tito also appears to have influenced Nasser to adopt a policy that pays more attention to domestic problems. Nasser's policies — foreign and domestic — have been popular among Egyptians, and Nasser, with his renewal of the revolution, has returned the favour by paying attention to the condition of the people."

As to President Bourguiba of Tunisia, Mr. Zartman has the following to say: "By concentrating on domestic development . . . he has offered his people rational hopes instead of irrational hates."

In Algeria, Mr. Ahmed Ben Bella is held to be the most popular figure. According to the author a single party evolution is favoured by the widespread desire for unity.

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Since the bloodbath of Bizerta in 1961 when the French forces in the naval base of Bizerta killed at least a thousand Tunisians, there has been a radical change in the foreign and Arab policy of this progressive North African State under its leader, President Habib Bourguiba, who has been justly praised for his brilliant party organization, the New or Neo (now the plan) Destour.
He accurately gauged French public opinion and through his vast party organization, and his apparent moderation, induced the then French Premier, Mr. Mendes-France, to grant Home Rule to Tunisia and thus open the way for Tunisian, Moorish and ultimately Algerian independence.

Again, he and his lieutenants, notably Mesmoudi in France, accurately estimated as early as 1958 that only General de Gaulle had the prestige to grant independence to Algeria.

In the early days of independence, Bourguiba had difficulties with Colonel Nasir over the activities of the extremist Secretary-General of the Neo-Destour Party, Salah Ibn Yusuf, and with Morocco over his recognition of Mauretania's claim to be an independent State. Also, he experienced difficulties with some of the Algerian political exiles living in Tunisia and with Colonel Houari Boumeddine, the Algerian army leader who paved the way to Ahmed Ben Bella's rise to power at the expense of the Algerian Government in exile.

The massacre of Bizerta and the solidarity expressed by Colonel Nasir and the Maghrebian leaders of Morocco and Algeria led to a new epoch in Tunisian foreign policy and her relations with her Arab brothers.

Bourguiba showed his brilliant versatility once more in aligning his country more solidly than ever behind the Palestine Arabs in their struggle to regain their country, and his interventions at the Arab League meeting have been of a very high order. He clearly enjoys the confidence and respect of the Middle East leaders of the Arab States. His policy towards the Eastern and Western blocs has now become more flexible and at home he is vigorously carrying out a vast programme of social reform under the banner of "Destourian Socialism".

This book deals mainly with the period up to Bizerta and contains some very useful historic background material. It comments on Bourguiba's reforms in Muslim law covering the prohibition of polygamy, the emancipation of women and the expropriation of Habous lands. The recent confiscation of the farms of the French and Maltese have come too late for inclusion in this publication.

In dealing with the re-interpretation of the Ramadan fast in particular and other reforms, progressive Muslims will most likely claim that much of Bourguiba's social legislation is consistent with the liberal and progressive tenets of Islam which have been distorted in time by an artificially created Muslim hierarchy.

The authors rightly point out that the Muslim authorities during the French Protectorate, with few exceptions, supported the foreign occupier and opposed the Destourians, and that the French paid lip-service to Islam while twisting the religious laws to acquire property for their settlers and attempted to grant citizenship to some Tunisian Arabs and Jews in order to perpetuate the French occupation. It is in this that lies the rooted aversion of Bourguiba and the Destourians to the religious hierarchy, not to the Islamic faith. In his numerous speeches Bourguiba repeatedly shows his religious beliefs; he believes that Islam is the only dynamic religion and that the Ramadan fast is to be adapted to the struggle for economic development in the under-developed Muslim States. In this book modernization and the degree of democracy possible in a small country run by a brilliant president and a dynamic one-party government are intelligently commented on. The authors consider that Bourguiba's personality is the real basis of unity in Tunisia.

The Yussufist revolt of this ambitious leader who opposed a temporary compromise with the French in order to further his personal ambition receives some attention. So also do tactics used to displace the trade union leader, Ahmed Ben Salah, in 1956. Ben Salah is now one of the leading lieutenants of the President and the ablest exponent of Destourian Socialism.

This is a very useful book and provides an excellent background for the study of Bourguiba, the Destour, and contemporary Tunisia.

---

**A MUSLIM CATECHISM**

**for beginners and young children**

by MUKHAMMAF RAEEF

_The need for a Muslim Catechism is greatly felt in all English-speaking countries, where thousands of Muslim children attending schools have no proper text-books from which to learn about their religion. The present work fulfils this need in a simple language._

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OCTOBER 1964
75 Telford Avenue,
London, S.W.2.

Sir,

Like me, there are many others who would like to know how Muslim women in general are faring in the various Muslim countries under the rapidly changing social conditions of the world.

I am fully aware of the fact that Islam has given far better rights to women than any other religion has. No scripture, for example, gives an elaborate charter of rights to women such as the Qur’ân has done. But, in practice, we see that in the Western countries women are enjoying far more rights than the women in Muslim countries.

The Western people who visit Muslim countries form a very poor opinion about the position of women there. Periodically one reads very satirical views on this subject in the Western press. A recent example of this is a report by a correspondent of the Times, published on 1 July 1964, who makes an absurd and absolutely unwarranted observation on the behaviour of Muslim men in Turkey towards their womenfolk. It is greatly distressing to see that he drags in the fair name of Islam as being responsible for this attitude of the Turks. In his own words: “A Turk has been taught to regard women as inferior beings whose duty is to remain in a state of subservience to the male.” We cannot expect press correspondents in these hectic days to go to libraries and consult the Hadith and the Qur’ân as to what they say on the matter. Such people go to a country and report what they see happening there in actual practice. Occasionally, of course, you do come across cases of intentional misrepresentation and distortion of facts.

But the point is that “Status of Women in Muslim Society” is no longer an academic question today. Most of us know what is written in the Qur’ân and what our Prophet has said in this respect. What I am anxious to know is whether or not women are, in actual practice, being accorded the rights which Islam has granted them. In case such rights are being denied them by their man-governed societies, what are the women doing about it? As we all know, men have sometimes found it very convenient to read meanings in the Qur’ân and Hadith which are not there. Such deliberate or otherwise misinterpretations are not only depriving the Muslim women of their birthright but are responsible for the gross disfiguration of the image of Islam in the West.

With a view to having this problem openly and frankly discussed in your esteemed magazine, I request your Muslim women readers to send you their views on the subject. They should let us know what rights are being accorded to them in their respective countries as also what rights are being denied to them. In case they are putting up a struggle for their rights, I assure them that women all over the world would be glad to know of it and, maybe, some of them would like to extend a helping hand in their struggle. For example, during the recent past, various Muslim countries have introduced legislation governing matters of divorce, polygamy, minimum marriageable age and other aspects of matrimonial life. A criticism of such changes with a resume of the struggle behind them would surely be of great interest to women of other countries.

Equally interesting and informative would be reports on the various voluntary social services which are being run by Muslim women in their respective spheres. Drawing on my experience of the Western countries, I presume that there must be some voluntary organizations of women in the Muslim countries which render social services such as old people’s homes, child welfare centres, care of the disabled and the incurables, and legal and financial aid to those women who are in need of such aid.

In the end I shall request you, Sir, to give generous space in your magazine to any letter or article which may be sent to you for publication in response to this appeal. It is undoubtedly a very noble cause. After all, almost half the population of the world consists of women. It would not, therefore, be wrong by far to assume that half of your readers are women.

Yours truly,

SALIMA SORAYYA.

* * * * *

IN THE SERVICE OF ISLAM!

“Nasir Darayai,”
Bhera,
West Pakistan.

Sir,

I am longing to see Islam spread and flourish throughout the world which will usher in a new era of peace, goodwill and toleration, so badly needed in the present-day world.

Mankind has always been in need of a dependable shelter. Islam is one and the only unfailing shelter. It is the sacred duty of Muslims to prove it so.

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