



*(Guide Line of an)*

**ISLAMIC  
CONSTITUTION**

RASHEEDUL HASAN

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( GUIDE LINES )

## INTRODUCTION

The need of the hour is to present Islam to the world in its true perspectives. It is a great tragedy, the eternal Message of Truth and peace stands totally misunderstood and the responsibility for this lies initially on the shoulders of the Muslims themselves, in as much as, it is they who, by their un-Islamic conduct, dealings and behaviours, have been grossly misrepresenting Islam. Though we claim Islam to be the most perfect and complete way of life, the lives that most of us are living, in practical field, have nothing to do with the true and lofty ideals of Islam. Muslims, in general, these days, are virtually out of recognition.

Politics and religion are inseparable in Islam. Hence the ingredients for the constitution of an Islamic State are interlinked and interconnected with the incidence of Islam, as a faith.

The entire world is the Sovereignty of Allah. He has Himself provided with all the necessary laws, regulations and rules for the maintenance of peace and order in the universe and for the establishment of universal brotherhood. In order that peace, happiness and amity prevail in the human society, it is essential that His laws are obeyed and acted upon. There cannot be a higher, greater and nobler Authority than that of the Absolute, Mighty, Kind, Gracious, Benevolent and Just Lord—Creator Himself.

The sum and substance of the Islamic teachings are "Do good and righteous deeds, eschew all kinds of evils and indecencies and in addition adore and serve Allah

and serve humanity and at the same time have faith—Iman—in Him, the Lord-Creator. If this is bad, condemn Islam. If not, why decry it? Let sense prevail.

What reason could there be for mankind not to submit to the most Benevolent, just and flawless Divine Laws, specially when the same is essentially for the good and benefit of the humanity at large? I would challenge the world, just to cite one single provision of the Law of the Lord, which is harmful or injurious to the cause of the society. As already observed, peace and happiness of the mankind in general, depend wholly and solely on implicit obedience to these provisions.

The present unrest, strife and struggle in the world and the total lack of peace therefrom are entirely due to the defiance and disobedience to the Divine Laws.

An Islamic Constitution, therefore, must virtually be an embodiment of those eternal basic principles of law, derived from the Divine sources.

This work, I must state at the very outset, is not a Constitution in itself. It is only a brief guide-line of the Basic Principles of Islam, on which the constitution of an Islamic State must be based.

Without indulging in an elaborate 'Introduction', I would only cite some of the Quranic injunctions on the Government and administration of States, owing allegiance to Allah. These directions will speak for themselves.

**On the Teachings of Tourat, the Book of Moses (peace be on him)**

“Verily We revealed the Law (Torah): therein was Guidance and Light: The Prophets who bowed and submitted (in Islam) and the Rabbies, and the Doctors of Law (the Theologians) governed the Jews by it (the Torah). To them (the Prophets, Rabbies and Doctors) was entrusted the protection and preservation of the Book of Allah—

And they were witnesses thereto. Therefore, fear not men, but fear Me, and sell not My Signs for a miserable price. And whoever fails to judge (govern and administer) by what Allah hath revealed (Divine Laws), are those who reject—the Kafirs” (unbelievers—Kaferoon).

“And We ordained therein for them. Life for life, eye for eye, nose for nose, ear for ear, tooth for tooth and wounds—equal for equal” ; But if any one remits the retaliation by way of charity (forgives), it is an act of atonement for him, and whoever do not judge by (the Light of) what Allah hath revealed, they are those who do wrong (transgress)—wrongdoers” (Zalemoon)—Quran-5 : 47—48.

**On Injeel (The Gospel)—the Book of Jesus Christ (peace be on him)**

“And in their footsteps, We sent Jesus, the son of Mary, confirming that what had come before, from the Law (Tourat) and We gave him (Jesus) the Gospel (Injeel). Therein (too) was Guidance and Light and confirmation of that which had come before, from Tourat (Law) and Guidance and Admonition for the God-fearing ones”.

“And let the people of the Gospel judge with that, which Allah revealed therein ; But those who do not judge by what Allah hath revealed in them, they are those that rebel—disobey and defy (Fasiqoon--the disobedient ones)”. 5 : 49—50.

**On Quran, the Book of Muhammad (peace be on him).**

“And We revealed unto thee (O Muhammad !) the Book with truth, confirming that which came before, from the Scripture and guarding over it (preserving the truth of it). Therefore, judge between them with what Allah hath revealed and follow not their vain desires, deviating from what hath come to you of Truth : To each among you have We prescribed a law and an open

way, and if Allah hath so willed, He would have made you a single people (one nation), but **(His plan is) to test you with what He hath given you.** So go ahead (as competing in a race) for all goods (virtuous) deeds (only): Towards Allah is the resort of you all. Then will He let you know about what you fell into dispute."

"And (He commands) to judge between them by what Allah hath revealed and follow not their vain desires and beware of them, lest they beguile thee from some of what Allah hath revealed unto thee: But if they turn away, be assured that for some of their sins, it is Allah's decree to punish them. And verily most men are rebellious, defient and disobedient".

"Do they, then seek after a decision of (the Days of) Ignorance? (based not on revelation); But who can be better than Allah, with regard to decisions (law and Guidance) for a people of assured faith? 5": 51—53.

(The Law and the Gospel stand repealed and superseded by the final and the last revelation—the Glorious Quran, on the last and greatest prophet—Muhammad, peace be on him).

Thus, the section of mankind who believe in Allah, and are saddled with the great responsibility of running a State, must do so, according to the Divine Laws, as revealed by the Lord. Let the Muslim rulers and administrators think and ponder over these directions.

I would conclude the 'Introduction' with a quotation from Prof. Briffault's Book—"The Making of Humanity":

"The ideals of freedom for all human beings, of human brotherhood, of the equality of all men before the law, of the democratic government by consultation and universal suffrage, ideals that inspired the Franch Revolution, and the declaration of Rights that guided the framing of

the American Constitution, and inflamed the struggle of independence in Latin American Countries, were not the inventions of the West. They find their ultimate inspiration and source in the Holy Quran."

(from "Things to Remember" Editorial  
Dawn—14th August, 1969)

This unalloyed truth has, so frankly, been admitted by a foreign writer and educationist, but we, the Muslims, the recognised custodians of those sources—the Quran and Sunnah, are still groping in wilderness for the ingredients of an Islamic Constitution—what a pity !

—The Author





# ISLAMIC CONSTITUTION

( THE GUIDE LINES )

Every advanced State of the world has a Constitution of its own, which reflects its distinct ideals and ideologies. As the face is the index of the mind, so is the Constitution of a State. As one goes through the Constitution of a particular State, one visualises the ideals, the State stands for. The Constitutions of most of the modern states are the brain-works of some human beings, the result of thought, deliberations and decision of their leaders and politicians. The Constitution of such states, therefore, are based on materials and ingredients furnished by these fertile brains. As such these Constitutions are mainly materialistic in spirit. There is hardly any spiritual trait discernible therein. But so far as an Islamic state is concerned, if it is an Islamic State in the true sense of the term, it's Constitution must be based solely and wholly on the Divine Authority—the Holy Quran, as interpreted by the Sunnah of the Holy Prophet. The spiritual feature is the soul of it and the material side is its body.

According to Islam, Sovereignty of the whole world belongs to Allah alone. He is the Creator of all the worlds and everything therein. The believers in Allah, as representatives of their Lord, make use of all these things as gifts of God—as sacred trusts from Him—whereas the unbelievers, though cannot but make use of them, do so, claiming them to be the products of nature—a most vague and confusing theory, as against a distinct and definite conception given by Islam. The Godless, however, cannot claim themselves to be the creators, owners and masters of these things. The whole lot of

unbelievers and all the Godless scientists of all ages, put together, cannot bring into being one single particle of earth or atom or a drop of water. They know full well that even the most insignificant of things, need a creator, yet they will not believe that the heaven and the earth, the sun and the moon, the planets and the stars, light, air, land and water need a creator. I do not want to digress into this side issue. The fact remains that Islam—un-quivocally declares Allah to be the Creator, Owner and Absolute Sovereign of all the worlds and everything therein, that go by the name of the gifts of Nature. The slogan of the Sovereignty of the people is wholly un-Islamic, raised by interested persons, just to exploit and misguide the masses.

Now, sovereignty is meaningless, without full legal authority. True to this concept, Allah, as the Absolute Sovereign, is also the Fountain Head, the source and origin of all the Laws, legal principles and doctrines. As such, the fundamental laws and the legal principles of the Islamic States, come from the Almighty Lord Himself. The Holy Quran is the embodiment of the whole lot of substantive laws, as also most of the legal principles, wherefrom requisite legal deductions and analogies are to be made.

Nothing is obscure or uncertain in Islam. The concept of God, the concept of Man, the concept of the world and the Hereafter are distinct and definite. It has a positive definition for almost all the worldly objects and hardly leaves anything to speculation.

Islam gives a definite status to all the created beings and particularly to men, it gives the exalted and dignified position of the vice-gerents of the Lord Himself.

It assigns a distinct, definite and comprehensive purpose for man's life and does not leave its followers to

grope in the darkness of uncertainty and ambiguity. It provides solution for almost all the vital problems of life. It teaches the utility of all the created matters and objects in the world and makes the whole lot of them subservient to man.

All these premises and datas are based on Islam's cardinal doctrines—**“Belief or Iman in Allah, His revelations and apostles with an implicit faith in the Hereafter and accountability thereat”**. Wordly life, in Islam, is not an irresponsible one. It is a life on probation for the eternal life of the Hereafter. This life is beset with duties and responsibilities. The Holy Quran is an exhaustive charter of those duties and responsibilities and is a perfect and complete code of guidance for the whole Mankind.

The Constitution of an Islamic State, therefore, must be based on this Divine Book. It is a great tragedy that we, the Muslims have, in general, drifted away from the Quranic teachings and ideals, with the results that even a section of eminent Muslims is, at times, heard to say that the Quran cannot furnish the necessary ingredients and materials for a modern democratic Constitution. This is an outrageous onslaught on Islam and a positive insult to it. Such assertions only indicate a colossal ignorance on their part, about the lofty, sublime and exhaustive teachings of Islam. It militates against Islam's claim to perfection, a conception which every true Muslim must be wedded to.

There is no gain saying the fact that it was Islam that gave the world, it's first democracy, based on somewhat modern lines. Equality, fraternity and freedom are Islam's basic teachings and they must find their fullest demonstration in an Islamic State, if it is truly based

on Islam. Though on principle, all modern democratic Governments are great exponents of equality, fraternity and freedom, in practical field, they are far away from the true standard of these ideals. But these are the elementary, primary and imperative ideals, imposed by Islam on the Muslims with a religious sanction behind.

An Islamic democracy, therefore, is quite different from most other democracies of the world. And this is but natural. As we have already seen, Sovereignty in Islam rests with Allah and not with the people, as is the case with other democracies. An Islamic State is Allah's Khilafat-Dominion and is to be run by His Khalifa—the vice-gerents. And Allah Himself directs how His Khilafat-Dominion is to be run.

From the few Quranic Passages quoted, in the very Introduction, we must have noticed that an Islamic State is to be governed and administered according to the revealed laws of the Lord. This is the general and over all provision for all the Muslim States.

Apart from this, there is one specific verse—rather a magnificent one, by which the Lord promulgates a Divine Order, setting out the duties and responsibilities of those who are placed in charge of the administration of an Islamic State, when one is established in any part of the world.

### THE DIVINE ORDER

The Lord Says :

“They, when We establish them on the earth (on any part thereof) shall—

- (1) Establish regular 'Salat' (prayers); and
- (2) Pay regular 'Zakat'; and
- (3) Enjoin the doing of the good and forbid the doing of the bad;

And to Allah is the ultimate resort of all affairs." 22:41

At this stage, I refrain from an elaborate discussion of the provisions of the Divine Order. In brief, clauses Nos. (1) and (2) relate respectively to the spiritual and economic sides, whereas the third clause covers the whole administrative side of a State. An analysis of the provisions will establish this to the hilt. A brief discussion will follow later on.

Democracy, being the subject under discussion, I would venture a brief discourse on what an Islamic democracy is, vis-a-vis the Quranic provisions for the administration of a State.

Democracy, as generally defined, is the government 'of the people, for the people and by the people'—implying thereby that the government is to be run by the representatives of the people elected by the people on the basis of universal adult franchise and for the good and welfare of the people. The President of such a State too must be elected by the votes of the people.

The Holy Quran does not, in so many words, provide for election of representatives of the people for political purposes, such as, the legislatures or parliaments, but it does make express provisions for the election or selection of representatives for the specific purpose of taking up the duties of 'Amar-bil-Maaroof and 'Nahi Anil Munkar' i. e. enjoining the doing of the good and forbidding the doing of the bad—as contemplated in the third clause of the Divine Order, cited above, (to be discussed at some length hereafter). These provisions of commanding the doing of the good and

forbidding the doing of the bad—are, in fact, as already observed, the main functions of all the Governments, whatever their denomination—democratic or monarchical.

The reason, why the Holy Quran does not make detailed provisions for election of representatives in the field of legislation, is that, the Quran itself furnishes most of the substantive laws and canons for an Islamic State—the Khilafat-e-Rabbani. As for instance, the law of inheritance and succession, the law of marriage and divorce, the law of contract, trade and commerce, the law of evidence, etc. are all provided for by the Holy Quran, as further expounded and interpreted by the Sunnah. There is, therefore, hardly any necessity for extensive legislation in these and many other fields. All that is necessary, however, is the codification of the Quranic laws, the interpretation and exposition of the Divine provisions, in the light of the Sunnah, and in matters where there is no express provision in the Divine law and Sunnah, to make analogical deductions from the Quranic principles and doctrines, according to the recognised principles of Ijma, Qias and Ijtihad. Unlike an Islamic democracy, in all the other forms of democracies, secular or otherwise, legislation is their main headache.

For the implementation, however, of the aforesaid purposes, that is, the codification of the Quranic laws, interpretations of the Divine provisions in the light of the Sunnah and for analogical deductions from the broad Quranic principles, Legislature of a limited scope and nature may have to be constituted. Now, the question is who could be the members of such a legislative body and how are they to be selected or elected?

The Holy Quran contemplates and provides for a "Consultative Assembly" "**Majles-e-Shura**" and lays

down that all "affairs among them" ( the Muslims ) are to be conducted by mutual consultation. The direction is general enough to cover all matters of the Muslims—the Muslim society and the Muslim State.

Let us now have an idea about the qualification of the members of the Majles-e-Shura, as laid down in the Holy Quran. It runs as follows :

"Those who readily respond to their Lord (in implicit obedience) and establish regular 'Salat' ( prayers ) and **conduct their affairs by mutual consultation among themselves** and spend by way of Zakat (and Sadaqat,) out of what We have provided them with....." 42 : 38.

A brief, yet a wonderfully comprehensive definition : In a very few selected, significant and pregnant expressions, it lays down the qualifications, attributes and characteristics of the Members of the Majles-e-Shura.

First, they readily respond to the call of their Lord i.e. they owe allegiance to Him and implicitly obey all His commands, orders and injunctions.

Secondly, they are steadfast, punctual and regular in their 'Salat'—prayers—the oft-repeated command of the Lord.

Their third attribute is that they are regular in payment of **Zakat** and **Sadaqat** and other charities, out of all the gifts and bounties of Allah.

Muslims, with the aforesaid Islamic attributes, as their characteristics, are to conduct all their affairs, social and political, by mutual consultation among themselves. In fact these are the essential attributes of all Muslims, in general.

Of the three characteristics, the second and the third, i.e. steadfastness and regularity in Salat, and regular payment of Zakat and charity, are of special significance, so far, as a Muslim's practical life is concerned—Salat



forming ones moral and spiritual sides and Zakat, the economic and material sides. The former moulds a man's character on the highest of excellence and loftiest of standards and the latter (Zakat) signifies a benevolent, charitable and magnanimous bend of mind—free from selfishness, miserliness and meanness.

Now, visualise for a moment an assembly of men with these attributes and traits of character, forming the Islamic "Majles-e-Shura", to conduct the affairs of the State and the society. It is bound to be an ideal Body.

Conversely, persons not possessing the above qualities and characteristics, naturally go out of the Majles-e-Shura. The result is, (1) non-believing persons, disobedient to the Lord, (2) not regularly offering their Salat and thus lacking in moral and spiritual background and (3) not particular in the payment of Zakat, Sadaqat and charities and as such selfish, mean and miserly, are excluded from the Islamic "Majles-e-Shura". Members possessed of the aforesaid qualifications would naturally be men of utmost piety, honesty and intergrity, as also of ripe wisdom, prudence and experience. Such persons naturally must be elderly and of advanced age.

Such a 'Majles' is to be the Advisory Assembly—the Parliament or the Legislative Council—of a Muslim State according to the teachings of the Holy Quran.

Now as to the strength of the Majles or number of members and the mode of their election, or selection these are matters of detail and can be provided for, by rules to be framed on the broad and basic principles of Islam.

The number of members of the Majles-e-Shura.

The number of members, however, must not be unyieldy. It should be determined by the volume and nature of work. A huge and large number, on the pattern of the Western democracies, in the name of people's

representatives is un-Islamic. Such unyieldy body involves heavy expenditure verging on extravagance—Israf—which is severely condemned by Islam. Judges of the High Court are taken according to the nature and volume of work. On this very analogy, the number of members to the Legislatures also is to be fixed according to the nature and volume of work. The number must not exceed the bare necessity.

Therefore, it should be enough, if that body consists of a reasonable number of honest, wise, intelligent and selfless persons from amongst the intelligentsia, having the welfare of the people and of the State at heart and as such enjoying the confidence of the masses. Such persons alone are the true representatives of the people in the real sense of the term. The masses too cannot but have confidence in such leaders. Hence the Holy Quran limits the scope of consultation, within such a class of sincere well-wishers, in the best interest of the masses themselves.

The provision, limiting the scope of consultation within the intelligentsia, is not with the motive of curtailing the voting power of the people. Its real object is to safeguard the interest and well-being of the masses.

The intelligentsia, as contemplated by the Islamic "Majles-e-Shura" are, in fact, the true leaders within the definition of the Holy Quran. The Prophets, according to the Holy Book are the greatest leaders of Mankind. One of the attributes of prophetic leadership as laid down in the Holy Quran is selflessness. The Holy Quran says : "And obey and follow those who ask for no reward or recompense of you : They alone are the receivers of the (true) Guidance." (36 : 21). Politicians, assuming the role of leaders, must acquire and possess this lofty attribute of leadership—selflessness—to be in a position to lead the people and to be worthy of being followed by them.

Now a word as to be minority representation on the Advisory Assembly—Majles-e-Shura. The provisions of Islam—Quran and Sunnah, are themselves ample safeguards for the minority. The Constitution of an Islamic State should expressly provide for that. However, the minority might be allotted a few seats in the Assembly. Though all the qualifications of the Muslim members of the Majles-e-Shura cannot apply to them, yet persons, to be the members of the Assembly must be educated and able men of character, honesty and intergrity.

## THE UMMAT-E-MUSLEMA & ELECTION

The Holy Quran defines the Ummat-e-Muslema—the Muslim nation, in very clear terms as follows :

“You are the best of nations, raised for the whole Mankind, to order (the people) to do the good (to enjoin the good) and to forbid the doing of the bad and to believe in Allah.” (3 : 110)

The three obligatory duties of each individual member of the Muslim nation, therefore, are :

- (1) To enjoin the doing of the good ;
- (2) To forbid the doing of the bad ; and
- (3) To believe in Allah.

It will appear that the obligatory duties Nos. ( 1 ) and (2) above, are identical to the third item of the ‘Divine Order’ already discussed in brief, which saddles the administrators of an Islamic State with the duties and responsibilities of ordering the doing of the good and forbidding the doing of the bad.

To enjoin the doing of the good and forbid the doing of the bad are, in fact, the main functions of

every welfare state of the civilised world, whatever might be its nature and denomination. By virtue of this Quranic definition of the 'Ummat-ø-Muslema', every individual Muslim must, in addition, have implicit faith in Allah—the third characteristic in the definition cited above. (3 : 110).

In the result, these are sacred duties imposed upon each and every Muslim, in his individual capacity. Besides, Allah extends this obligation on all Muslims, in their collective capacity too, but makes a very salutary rule, by which the whole population of a particular locality is exempted from active individual participation in the discharge of these sacred duties.

Our Lord provides :-

“And there must be a class of persons from amongst you who shall call people towards the good and order the doing of the good (enjoin the good) and forbid the doing of the bad. They are the successful ones”—(the ones who attain real success—Falah). (3 : 104)

This proviso makes it incumbent on every Muslim society of the different localities, to elect a number of persons from among them, to take up these duties and responsibilities and discharge them on behalf of all the members of that particular locality. In Shariah, this duty is known as 'Farz-e-Kefaya'—representative responsibility, in the legal terminology. The implication of this mandatory provision is that a number of persons must be elected or selected from every specified locality, which might be termed as a 'Constituency', in electoral language, to take up these duties and responsibilities and to discharge them. Unless such representatives are elected and these duties and responsibilities are carried on and fully discharged, the burden of the entire Muslim Society of that particular locality, in respect of these responsibilities, remains

undischarged. Each and every individual Muslim of such a society, would be guilty of the breach of duty and everyone of them would be answerable to Allah for non-compliance. The election or selection of a group of persons, for the aforesaid purposes is a 'must' for the Muslim society.

Thus, this Divine injunction lays down the broad principle of election of representatives and sets out the purpose for such election. Though it does not prescribe any definite mode and procedure of election, it goes without saying that such elections are to be held in an assemblage of the Muslims of a particular locality and on the basis of consensus of opinion. The mosques, which are the centres of congregational prayers, can best be utilised for this purpose.

This system, clearly envisages an administration wholly based on election and needless to say, that such elected representatives, who **ab-initio** volunteer to serve Islam, the community, the country and the State—for the sake of Allah—Lillah—, must be selfless men of the highest moral standard, honesty, integrity and character as envisaged in the definition of "Majles-e-Shura". When the administration is entrusted to and carried on by such persons, it is bound to be of the highest order.

Though, these elected representatives, under the Divine provisions, initially volunteer their selfless and disinterested services for the sake of God (Lillah), it is upto the Head of the Islamic State to fix a generous and suitable remuneration for them and barring those amongst them who are unwilling to accept the remuneration, the rest would be perfectly justified in accepting and enjoying the benefit, pay and privilege as bestowed upon him by the Khalifa or the Head of the State. The Head of the State or any such authority so delegated in this behalf by the Head, would be fully

authorised to make all appointments from among suitable persons for suitable positions and to fix suitable pay for such incumbents. This procedure is fully supported and covered by precedents from the administration of the Khulafa-e-Rashdeen.

It would be highly interesting to note, in this connection, that the guiding principle that used, generally to be followed in making important appointments was, that the candidature of a person for a particular appointment would **ab-initio** disqualify him for it. Hence canvassing, naturally, was a disqualification. On this analogy, a person offering himself for election or campaigning and canvassing at it, would, in Islam, automatically disqualify himself for such election. The worthy and fit persons of a constituency would be elected or selected by the people themselves. Such persons alone would be the true representatives of the masses.

The mode, manner and procedure for election, might be formulated in the light of the aforesaid and other teachings of Islam. I do not want to enter into these details here.

I might, however, give a very brief tentative outline on the matter. As demanded by the various politicians, even if the entire adult population of the country were to take part in the election or selection of their representative, the mode for such election must necessarily be different from what is now in vogue in the country.

All that need be done is to fix the number of representatives to be selected or elected—say one member per ten to fifteen lakhs of people. It will thus give two or three members to a district, according to the size and population thereof. The people of the district are to be left to select their own representatives, keeping in mind the qualifications and attributes laid down for the members of the "**Majles-e-Shura**". As

already observed, there would be no candidature, but the procedure for the nomination of representatives, duly supported, may be followed. Previous consent of such persons may be obtained. The number of such nominations should be fixed and a date for scrutiny thereof should be announced in case more names are nominated than the number of seats.

The whole adult population of a particular Constituency would then be called upon to cast their votes in favour of all the willing nominees and the election would be made on the basis of number of votes, obtained upto the requisite number of seats.

The elections would be conducted by a High-Powered Election Commission to be drawn from among the top-ranking Judiciary of the State.

This method would ensure the election of the really honest, selfless and worthy persons and such persons only could be the true representatives of the people on whom the people would have the fullest confidence and within the meaning of Majles-e-Shura. The politicians and the so-called leaders will have nothing to grumble and complain in case they are really honest in their profession that they want the welfare of the people.

## **SOVEREIGNTY OF THE PEOPLE.**

We have already seen that Islam does not and cannot recognise the absolute Sovereignty of the people. Absolute Sovereignty belongs to Allah alone. People as the vicegerents and representatives of Allah, are to execute the laws of the Lord and as such people's sovereignty, is a limited sovereignty, subject to the over all control of Allah's laws. In this sense, Islamic democracy is the highest form of democracy and not a democracy in the prevailing sense of the term.

If we just take into consideration the true factual conditions obtaining in the so-called democratic States, we will have to admit that the ordinary masses, particularly in our country, are more or less unconcerned with political parties and election etc. They hardly bother about these things. All that they are concerned with, are two square meals a day, a few yards of cloth to wear and a bit of peaceful life—commodities so rare these days. If they get these, they are quite satisfied. It is only the politicians and the so-called leaders who carry politics to them, excite and incite them and move them into action and try to exploit them in their own interest. It is they who guide, rather 'misguide' the people. It is more for the interest of the political leaders themselves, rather than that of the masses, that propoganda and campaigns are carried on, in the name of the people and the more powerful and noisy the propoganda, the greater is the success !

In the result, the politicians and leaders of the winning party reap the benefit, become Ministers, Deputy Ministers, Parliamentary Secretaries and this and that or at least enjoy the sumptuous emoluments, allowances and benefits of the members of the National and Provincial Assemblies ; but the unfortunate masses virtually remain where they were ! Islam does not approve of such sort of things. Such top-heavy administration is un-Islamic. Hence, it leaves the welfare of the masses in the hands of some selected honest, sincere, selfless, disinterested true leaders, as defined by the Holy Quran (already quoted)—persons who ask of no reward or remuneration for their services and who are possessed of the attributes laid down for the members of the Majles-e-Shura.

An Islamic State, as already observed, is the Dominion of Allah. The **Khalifas** (vice-gerents) of Allah are to run the State. This Khilafat, originally initiated on the earth by the Apostles, chosen and appointed by Allah Himself, is virtually the heritage of

Khilafat-e-  
Rabbani



the Ummats—followers of the prophets. These followers are to run the Khilafat of the Almighty Allah—the Khilafat-e-Rabbani.

With the close of the line of prophets, in the person of the last and the greatest Prophet—Muhammad (peace be on him), it is the great **Ummat-e-Muslam**, who is to run the Khilafat according to the provisions of the Holy Quran and the Sunnah.

A true and pious Muslim worthy of representing the prophet in all respects is to be elected as the Chief or the Head of the Islamic State, as was done in the case of the first Khalifa, to succeed the Prophet. There is no place, as we have already seen, from the definition of Majles-e-Shura, for a dishonest, selfish and unworthy politician, in the Muslim leadership, far less for the position of Ameerul-Mumeneen. The first Caliph, Hazrat Abu Bakr (Allah be pleased with him) was elected on the unanimous verdict of the leading Muslim intelligentsia of the metropolis - Medinatun-Nabi and the entire Muslim community accepted and confirmed the election. The second Khalifa Hazrat Omar Farooq was nominated after consultation, in private, with the leading Sahaba-e-Keram, by Hazrat Abu Bakr and the exigency of the circumstances demanded this. Farooq-e-Azam justified the nomination to the letter. Hazrat Osman was elected next and so also Hazrat Ali, the last Caliph of the Khulafa-e-Rashedeen.

Then come a host of self-seekers, who trampled all the democratic principles under foot, sacrificed all the Islamic teachings of selflessness, honesty and integrity and replaced them by selfishness, dishonesty and self-aggrandisement. Democracy was slaughtered at the alter of Monarchy.

Thanks, infinite thanks to Allah, Hazrat Imam Hussain, the worthy grandson of the Holy Prophet, did not submit to the brutal forces of Yazid. Instead, he with most of his near and dear ones, embraced martyrdom, rather than owe allegiance at the dirty hands of the tyrant usurper Yazid. The temporary triumph of Yazid was in reality the ultimate victory of Truth. The martyrdom of the Imam, was the survival of Islam. The great saint Hazrat Sultanul Hind Gharib Nawaz Moinuddin Chishti of Ajmer sings :—

“Shah-ast Hussain, Padshahast Hussain,  
Deenast Hussain, Dee-Panaa ast Hussain ;  
Sar Dad, O Na Dad Dast Dar Daste-Yazeed,  
Haqqha-Ke Bena-i-La-Ilah Hussain.”

“King is Hussain, Emperor is Hussain,  
Religion (Deen) is Hussain, Saviour of Deen is Hussain,  
Gave his ‘head’ but not his hand to the hand of Yazeed.  
Truth is, that the foundation of La-ilah is Hussain”.

Let us, therefore, seek for the true democratic ideals of Islam in the history of the Pious Caliphs,—the Khulafa-e-Rashedeen.



Islamic Republic of Iran. A significant initial feature of the 1979 Constitution was the inclusion of Article 4, which stated that the Islamic Republic of Iran was based on Islamic principles and that the Islamic Consultative Assembly was the highest authority in the country. This article established the principle of the supremacy of Islamic law over all other laws and regulations.

# ISLAMIC CONSTITUTION

## PREAMBLE

Allah Rabbul Aalameen is the Lord-Creator of the Universe and everything therein. He is the Cherisher, Sustainer and Evolver of all the living beings, specially of the mankind. He has given perfect, complete and exhaustive Guidance and laws for the whole human race and Al-Quran is that Divine Code of life. The Constitution of an Islamic State, therefore, must be based on the Holy Quran, as interpreted and expounded by the Sunnah of the Holy Prophet. There can be no Law in an Islamic State, repugnant to Quran and Sunnah. Not to speak of the Holy Quran, which is too big a thing and which can furnish the minutest details of a world Constitution, I assert, that even the Exordium of the Holy Book—the **Fatehatul-Kitab**—Opening Chapter can furnish all the ingredients for a world-Constitution of the highest order. The seven small verses of **Al-Fateha**, are so comprehensive, that they can provide all the materials for exhaustive legislation for the well-being of the whole human race. I would go a bit further and declare that even the Revolutionary Creed of Towheed—Kalema-e-Tayyaba—the Word—Pure, LA ILAHA ILLALLAH—can be the Foundation on which an ideal Constitution can be framed, ensuring the highest standard of Human Rights, that is agitating the thoughts of world leaders and politicians today.

It is well-known that the acceptance of the 'Creed of Towheed' by all the Muslims—young and old, is essential for their being Muslims, and, evil in any form or shape, is incompatible with this Mighty Creed. It implies therefore, that there can be no ills, evils or corruptions in

the Muslim society. The main aim and object of an Islamic Constitution, therefore, must be to establish its citizens on the highest standards of virtue, honesty, morality and character and if the teachings of Islam are sincerely and honestly adhered to, the Mussalmans are bound to be free from all ills and evils. It is a tragedy of the highest magnitude, that most of us—the Muslims—are devoid of these attributes and the reason is not far to seek. Most of us are oblivious of the salutary teachings of our Gracious Faith.

Allah's first command to the unlettered Prophet—Nabiy-el-Ummi, was : 'Iqra'—'Read'. The first revelation runs :

"Read : In the name of thy Lord Who createth—createth man from a clot (of congealed blood). Read : And thy Lord is most Bounteous, Who teacheth man by pen, teacheth man, that which he knew not."

What a lofty Divine command—full of significance !

And the Prophet too, accordingly directed his followers to acquire learning—"Talabul Ilme Farizatun A'la Kulle Muslimin O Muslimatin—"The acquisition of knowledge is binding—compulsory—on every Muslim—male and female."

Therefore, the Constitution of all Muslim States must provide compulsory education for all—male and female—and the acquisition of the knowledge of Quran and Sunnah must be the first compulsory subjects, to be supplemented by other kinds of teachings, scientific, technological, legal, medical etc. etc. as of necessity. Religious—Islamic—teachings must be the basic compulsory education for all. We must remember that the life of this world is transient. Our permanent 'Abode' is the perpetual Hereafter—Allah declares :

"And that Abode of the Hereafter : We have kept it reserved for those who intend no high—handedness in the world, nor any mischief ; and the fair End is for the righteous—Muttaqeen." 28 : 83.

## THE INGREDIENTS

I would now take up the ingredients, furnished by **Al-Fateha** for an Islamic Constitution.

**AL-FATEHA**

The Exordium—Opening Chapter  
of

**AL-QURAN**

Bismillahir Rahmanir Raheem.

In the name of Allah, Most Gracious, Most Merciful.

1. Alhamdulillah Rabbil A'laameen ; Praise be to Allah, The Creator Cherisher and Sustainer of all the worlds.
2. Ar-Rahmanir Raheem ; Most Gracious, Most Merciful.
3. Maleke Youmed-Deen. The Owner, Master of the Day of Judgment.
4. Iyyaka N'aabudu-O-Iyyaka Nastayeen. Thee alone do we worship and from Thee alone do we seek help.
5. Ihdenas-Siratal-Mustaqeem ; Show us the Straight Path (Guide us in the Straight Path)
6. Seratallazeena A'namta A'laihim. The Path of those on whom Thou hast bestowed Thy Favours—Grace.
7. Ghairil Maghdube A'laihim O Lad-Dalleen. Not of those who have invited Thy wrath, nor of those who have gone astray.

This opening chapter of the Book—Fatehatul Kitab—has got a number of Divinely given significant names, some of them being : Ummul Quran—Mother Essence of Quran Ad-Dua—prayer-Solicitation, Al-Kanz—The Treasure Sab'Am Minal Masani—seven oft repeated verses etc. etc.

The First Verse :

Alhamdulillah Rabbil A'laameen—"All praise is for Allah, the Creator Cherisher and Sustainer of all the worlds."

It declares that Allah alone is the Rabb—Creator, Cherisher and Sustainer of all the worlds.

Now, the first thing that the Constitution of a country must define, is the norm, form and character of the particular State.

Quite consistent with it, the very first verse of Al-Fateha,—“Alhamdu lillah-e-Rabbil Aalameen” asserts, in most clear and unambiguous terms, the absolute and undisputed Sovereignty of Allah over everything in all the worlds. The Muslims do accept this position without any the least reservation and admit that Allah is the owner of all the worlds, all assets and properties, all matters and materials, the land and sea and everything therein and thereon.

From the import of the expression '**Rabb**', we have already got it that Allah is the Lord-Creator, the Sustainer the Cherisher, the Maintainer and the Evolver—One who takes every thing, particularly mankind, through all the different processes of evolution, towards perfection. One who creates a thing, is necessarily the owner of it and Allah being the Creator of the worlds and everything therein is naturally the Absolute Owner thereof.

### **Rabubiat**

The special implication of Rabubiat, as contemplated in 'Al-Fateha' is that, one must have implicit faith in Allah with all his aforesaid and other attributes. Not that alone, all his acts and deeds, his utterances and behaviour, his manners and conduct and movements and manoeuvres must conform to this belief and must also bear testimony to it in practice. In other words his faith in Allah must be reflected in every field and sphere. It must find expression in all his life's works and activities.

To elaborate the point further, one believing in Allah as the 'Rabb'—the Lord Creator, must see that the object and purpose for which his Lord created him are fulfilled in his life.

The implication of Rabubiyat further is that man must, within his limited capacity, imbibe the Divine attributes and behave with others exactly as the Benevolent Rabb behaves.

Let us analyse this point a bit further. Take one family unit for instance. The Head of that family, in his limited capacity of course, is the **Rabb**—the lord or master of that family. His wife, children and other members of his family are all dependent on him. Being the Head of the family, he is responsible for the proper up-bringing, education, training and maintenance of his children and dependents. In this position of his, all those Divine Attributes of Rabubiyat must find their fullest expression in him, in the limited sense and capacity, of course.

Now extend this analogy to all the other fields of human activities, personal, social and national—from the Headship of a family, Headman of a town, city or province, right upto the Head of the State—all are charged with duties and responsibilities, attached to their respective positions. They must honestly and truly discharge those duties. As the vice-gerents of their Lord, they are to imbibe and also display the divine attributes in their relations and dealings with others, in all these different spheres of their activities.

The lofty ideals of Rabubiyat, transcendent from the various Divine Attributes, when adopted by human beings and displayed in course of human conduct, behaviour and actions, naturally envisages a society of the highest conceivable order—a society of the true vice-gerents—Khalifas of Allah. It was in fact a society of exactly this standard that came into existence, as the result of



the Quranic teachings, imparted by the Holy Prophet of Islam, that accounts for the meteoric rise of the Mussalmans during the days of the Prophet and Khulafa-e-Rasheda.

The Islamic States should adopt all possible measures, through proper education and instructions and through legislation, where necessary, to arouse the full consciousness in all the members of the Muslim Society, about their respective Islamic duties and responsibilities in all the spheres of their lives.

The Constitution of an Islamic State must clearly and fully define all the different kinds of duties and responsibilities of the members of the society as also of the administrators. None, in an Islamic State, is absolved of his responsibility for deliberate dereliction of his Islamic duties and responsibilities. Even the Head of the State is not above the law in the eye of Islam. In Islam, there is no room for the theory, "King can do no wrong." Monarchical form of Government is not Islamic. Islam contemplates the Khilafat type of democratic government—based on the ideals of '**Khilafat-e-Rabbani**'

Now, reverting to the responsibility of the family-head, suppose the head of a particular family is in such straightened circumstances, that inspite of hard labour and honest endeavours he cannot discharge his responsibilities in all these respects i.e. he cannot adequately provide for the food and clothing of his family members; he cannot give proper education to his children and dependents. It will then be the duty of the society as also of the State to provide him with those facilities. Each child, however poor, is a national asset. Even an orphan child cannot be neglected and it would be the duty of the society and the State to take care of him and to turn him into a useful member of

the society and the State. Similarly, in the case of destitutes and disabled persons and their family members, the State and the society must take up the responsibility of looking after them.

The Constitution of the State will have to provide for the proper education of the entire population in order to instill in them the consciousness about their position, their individual and collective duties and responsibilities. Properly educated in the true Islamic lines i.e. in the light of the Holy Quran and Sunnah, they are bound to realise their duties and responsibilities in all the different positions they occupy. There will be absolutely no necessity of birth control, family planning, and many other akin measures that have assumed gigantic proportions. The provisions of the Holy Quran, as interpreted by the Sunnah, fully cover all these problems. Complete and exhaustive provisions are there and what is needed, is only a thorough knowledge of the same and compliance therewith.

Our ignorance of, and disregard for the teachings of the Holy Quran and Sunnah is at the root of our moral degradation and all our ills, and evils. In the teachings of Islam, in other words, in the Quran and Sunnah, lie effective remedies for all our problems.

Under no circumstances, can the Muslim Society, be callous towards the condition of the less fortunate members of the Society, irrespective of caste and creed. Islam provides for compulsory payment of 'Zakat' by the well-to-do. The Holy Quran asserts that, in the wealth, riches and property of every wealthy man, there is a definite share for the needy, poor and the destitutes.

“And in their wealth there is a right for those who ask and the destitutes (51:19) Also (70:24). These are only some of the numerous economic principles of Islam.

It is a great tragedy that our Muslim society is oblivious to these obligatory duties of theirs, with the result the poverty, want and penury are on the increase in geometrical progression, in the Muslim community in particular,

Let our wealthy people, the business magnates and the high officials, pay the 'Zakat' to the fullest extent with honesty, let them give up their luxury and extravagances ( Israf ), let them curtail their cocktail parties and give up their Sharab, Kabab and night club activities they will, then on the one hand, save themselves from Allah's punishment and, on the other, make tremendous saving in order to bring out the highest amount of Zakat and Sadaqat which will relieve millions of poverty-stricken unfortunate ones of their misery and want, "The nakedness of the indigent world, can be clothed by the trimmings of the vain"—Vicar of Wakefield.

The elaborate provisions for 'Zakat' and Sadaqat—alms and charity—and the Divine injunctions for their strict observance, must not, however, make us oblivious to the fact that Islam severely condemns the habit of begging, in the strongest terms. Though Islam admires and encourages the charitable disposition of the mind as a great virtue and condemns miserliness, all the same, it discourages the tendency of begging and makes it absolutely '**Haram**'. ( forbidden ) on the part of the able-bodied men. It attaches great importance to the dignity of labour and makes it incumbent on all healthy persons, irrespective of lineage and family prestige, to earn their own livelihood, if necessary, by manual labour, rather than extend their hands to others for help and charity. The Holy Prophet of Islam, in order to uphold the dignity of labour, has left practical example of this lofty teaching, by sharing in manual work, with even the ordinary labourers.

Payment of 'Zakat' and 'Sadaqat' Charities are characterised by the Lord as nice loans lent to Allah and this noble teaching of Islam was so enthusiastically taken to, even by the ordinary Muslims, in the early days of Islam, that even the day-labourers would go about to find more and more work to improve their earning, not simply for the sake of their own maintenance, enjoyment, ease and comfort, but for the sake of earning the good fortune of being able to pay more and more towards Zakat and thus help those in want and hardship. The result was that during the Caliphate of Hazrat Omar, the pecuniary condition of the masses in general had so improved, that it became difficult to find deserving persons to accept Zakat. In other words, persons, dependent on charity, had become non-existent. What a transformation ! What a lofty ideal !

The Quranic teachings are great incentives for the payment of Zakat and hold out that payment of **Zakat** and **Sadaqat** does not decrease one's wealth and riches. The Quran says :—

“And that which ye lay out by way of interest (Reba-Usury) in order to obtain increase in men's wealth, will have no increase with Allah, but that which ye lay out by way of Zakat, seeking the good pleasure of Allah (will multiply) : it is these, that will be multiplied (several times)” 30 : 39. There are innumerable sayings—'Ahadeeth' of our Holy prophet also, to this effect.

And for non-payment of Zakat (alms and charity) in the way of Allah, the stern warning is :—

“Those who hoard gold and silver (wealth and riches) and spend not, out of that, in the way of Allah ( in alms and charities ), give them the ( gald ) tiding ( **Basharat** ) of a most grievous penalty—On the Day (of judgment), when heat will be produced on that (gold and silver) in the fire of Hell and therewith, would

be branded their fore-heads, flanks and backs (and it will be said) :— “This is what you had hoarded for yourselves : therefore, taste ye that which ye had hoarded.” 9 : 34. what a terrible humiliating punishment !

Had the rich and wealthy section of mankind in general, and the well to do Muslims, in particular, paid heed to these precious teachings, want and poverty would have altogether been effaced from the society in on time.

The Islamic Constitution, therefore, should legislate defining, in the light of the Holy Quran, the rights, duties, and liabilities of all classes and categories of people from the highest to the lowest, in these respects and provide penalty for wilful and deliberate breaches thereof. To quote a saying of our Holy prophet :—“Every one of you is a herdsman—a guard or ruler—and every one of you would be questioned about your herds.” In other words, every one of you would be made accountable for the conduct of those whom you guard and whom you control. The father or parents would be held responsible for their children, the guardians for their wards, the masters for their servants, the rulers for the rule, the teachers for the pupils, the administrators for those whom they govern and so on. This saying of the Holy Prophet is highly significant. It saddles every member of the society, in all their different capacities, with very great responsibility. It would be the duty of the Islamic State to rouse and instil the sense of these duties through the introduction of true Islamic education. Therefore, the correct and proper of education is the first and foremost concern of an Islamic State.

If the State and the people discharge these responsibilities, if proper education spreads among the people and if the children and the youths are brought up as true Muslims, the success of the Islamic State is assured. Failure to comply with these, on the

Proper  
education

other hand, is bound to create disruption, discontent, degeneration and indiscipline, in every sphere of life, resulting in chaos and confusion in the society and consequent weakness of the State itself. The present, is the brightest example of this state of affairs.

Let, therefore, our thinkers, educationist, legislators and administrators, start thinking and working in the true Islamic lines and success is assured.

The verse under discussion, (Alhamdulillah-e-Rabbil Alameen) carries with it the implication that the attributes of 'Rebubiyat should be imbibed by us. In other words, the attribute of Rabubiyat, namely, creating, maintaining, sustaining, cherishing and guiding our children and dependants towards progress and perfection, as our Lord Creator,—the Rabbul Aalameen does with us, must find its fullest expression in us as well. To be more precise the Head of the family must discharge his duties towards his dependants, the village-headmen towards the inhabitants of the village, the city-fathers to the citizens, the Provincial Heads to the people of the province and the Head of the State towards the whole nation.

Thus, this small verse **Alhamdulillah-e-Rabbil Aalameen** is the source of numerous legislations of social and fiscal nature and is undoubtedly the fountain-head of happy relationship between man and man.

## THE SECOND VERSE :

“AR-RAHMAN-IR-RAHEEM”—It declares the two most prominent, important and all encompassing attributes of Allah—His Kindness and Benevolence, His Mercy and His Forgiveness. A detailed discourse on the interpretation and implication of the two attributes—‘RAHMANIYAT’ and ‘RAHEEMIYAT’ would run into volumes. In short, His Rahmaniya—Kindness is spoken of in general, in relation to the entire living beings. He is kind to all human beings, irrespective of caste and creed—Muslim,

Hindu, Christian, Jew, Budhist, Jain, and all. All, whether owing allegiance to Him or not, even the non-believers included, are in enjoyment of all those common, general and universal gifts and blessings of His, such as the light, the air, the sun and water etc. This is indicative of the Lord's attribute of 'RAHMANIYAT' supreme kindness for no return whatsoever.

As all His created beings are blessed with His general and common gifts and bounties, whether they believe in Him or not, whether they are Muslims or Kafirs, so, in an Islamic State, a man, whether he is a Chirstian, a Jew, a Hindu or a Buddha, is not deprived of the general, common and ordinary benefits, privileges and facilities of the State. This is the special feature of an Islamic state within the true meaning of Quran and Sunnah. **The only condition is that one must owe allegiance to the State, to be entitled to those benefits.** If one does not owe allegiance to the State and defies it and its laws, one cannot, just as in any other state, secular or otherwise, claim any share in its benefits or privileges, for the simple reason that he is not a loyal and faithful citizen of the State, but a traitor, and as such is to be dealt with, according to the laws of the land.

The other attribute, as we have already seen, signifies the qualities of the Lord's mercy and forgiveness towards the whole mankind. So far as this world is concerned, the Lord is ever Merciful to all in general whether they have faith in Him or not. In the Hereafter, Allah's mercy—Raheemiyat would be limited only to the Momen—believers, who by virtue of their implicit faith in Him and faithful obedience to His Commands, and total surrender unto Him, come to occupy the position of his chosen servants and as such entitled to the Lord's mercy special favours and blessings and for their occasional breaches and infringements, that are bound to take place

as ordinary human beings, subject to "To err is human" the Lord will come forward with His attributes of Mercy and Forgiveness—Rahmeemiyat and forgives them all their short-comings. This attribute of the Lord, therefore, relates more to matters of faith and as such concerns the believers, with special reference to the Hereafter and the Day of Judgment. So far as the unbelievers are concerned, the question of Mercy and Forgiveness, in the Hereafter, does not arise, for the simple reason that they themselves reject God, Faith. Meeting with Allah, the Hereafter and the facts of reward and punishment there at. In this sense Allah is "Rahmanud-Duniya Raheemul-Akherat"—kind and gracious for all in this world and forgiving and merciful to only the believers in the Hereafter. The fact remains, however, that for the non-Muslim citizens of an Islamic State, who owe allegiance to the State and are law abiding and sincere well-wisher thereof, there is no reason why, as already observed, the ordinary benefits and privileges of the State, namely the offices, services and other facilities, should not be kept open to them, along with the Muslim citizens. These results would follow from the very nature, spirit and essence of Islamic Constitution, if it is really based on the Holy Quran and Sunnah. Here lies the complete solution of the minority problem, in a Muslim State.

The Headship of the State, however, is an exception to this rule. This position cannot be held by a non-Muslim in Muslim State for the simple reason that the position of the Head of an Islamic State, is equivalent to that of the Ameerul Momeneen, the Leader of the Faithfuls—the Caliphs, entrusted with the duty of administering the Quranic laws, of leading the congregational prayers, delivering sermons thereat and of carrying on the Mission of Islam, through out the length and breadth of the Universe and last, but not the least



of protecting and defending the Faith of Islam and the Islamic State from external attacks, onslaughts and invasions, should such a contingency at all arise. In case, God forbid, of a Jihad—a Religious war—a non-Muslim cannot be entrusted with the sacred charge and responsibility of leading and directing it. This being the peculiar position of the Head of a Muslim State, only a devout and true Muslim, can fill that position. His position is exactly like that of the Pope of Christendom, who can be no other than a pious Christian, the difference being that the Pope is only the Spiritual Head', whereas the Head of an Islamic State,—the equivalent of the Ameerul Mumeneen,—is the spiritual as well as the temporal Head.

Before concluding the discussion of the verse— "Ar-Rahmanir-Raheem", I would, very briefly advert to another aspect of the attribute of Rahmaniati. We have already seen that the sun, the light, water and air, the atom and ether, etcetra, that we see around us, are all gifts of Allah, blessings to Mankind from the Lord Creator Himself. Men as vice-greents of the Lord are bestowed with immense capabilities. They are directed by the Lord Creator, to apply their great capabilities and utilise all the earthly resources for the benefit of humanity at lerge. Allah declares that all these gifts are intended for men and have been made subservient to them. Though men cannot have absolute control over these Divine gifts, but by intelligent application of their talent, intellect, wisdom, thought, power and capabilities and by carrying on scientific researches, they can, to a great extent control the use of these gifts and take services out of them to their best advantage and benefit. Unfortunately, inspite of clear directions of our Lord in this respect, we the Muslims lag behind in the field of scientific researches. The Lord says :—

“Verily in the creation of the heavens and the earth and in the alternations of the day and the night,

are definite signs for men of (real) wisdom—those who remember Allah standing, sitting and lying on their sides and reflect (ponder) over the creation of the heavens and earth (and on partial realisation of the intrinsic worth and significance thereof cry out passionately): “Our Lord! Thou hast not created (all) these (things) in vain, Glory to be Thee, save (protect) us from the fire (of Hell)” (3 : 190-191).

Therefore, to reflect and ponder over these natural objects, is the duty of the devotees of Allah. The truly wise, prudent and sagacious ones do reflect and think over all these Divine gifts, carry out researches thereon, make the maximum use thereof, for their own benefit and the benefit of humanity at large, and as of duty, express their thanks and gratitude to the Lord. The great Persian poet Hafez, expresses the idea in two exquisitely beautiful couplets:—

Barge Darakhtane Sabz dar Nazare Hushiar,  
Har waraq Daftarest M'arefate Kardegar ;

“The green leaves of trees, in the eye of the sagacious;  
Every leaf is a volume, for knowing the Almighty Creator.”

The true devotees of Allah, on realisation of the significance of Allah's creations, passionately cry out “Our Lord! Thou hast not created these in vain.” This expression is very significant. Those who go deeper into these creations of Allah, carry out researches on them and unearth the beauties and utilities thereof, naturally realise, their worth, appreciate their value and thus come to the conclusion that these creations are not in vain; there is inherent and intrinsic worth in everything, which should be unearthed, brought out, utilised to the best use of humanity and the world at large and the Lord should be known through the medium of these creations, gifts and blessings of His.

Nations, other than the Muslims, perceptibly or

imperceptibly, have taken to these noble, lofty and significant teachings of the Holy Book and have made tremendous progress in that direction and have found out hundreds of utilities of these natural gifts and are thus deriving multifarious material benefits therefrom. Take for example, the discovery and control of the Atomic Energy. It should have been the Muslim scientists to work it out and utilise it for the benefit, and not for the destruction of the humanity. But the Muslims were hitherto, nowhere near that. Infinite thanks to Allah, Muslim world is now making headway in that direction but let this not be at the cost of the spiritual side.

In short, exactly, as the Lord has bestowed all His gifts and blessings on the whole mankind, so, as His vice-gerents, men in general, and the Muslims in particular, must take up their true and inherent position in the world, accept all these gifts and bounties, carry on extensive research work thereon as directed by the Lord, explore and unearth their multifarious utilities and enjoy their benefits and extend the same to the whole humanity at large.

The Ulema, who are the custodians of the Quranic teachings, should come forward and discharge their great responsibilities of disseminating all these sublime and significant teachings to the world. They should encourage scientific researches by Muslim scholars, rather than discourage and obstruct such pursuits. They should demolish the current popular notion, that the Islam is against scientific researches, progress and developments. Properly directed and understood, scientific progress and achievements, can convincingly establish the existence of God and can proclaim His glory all the world over.

Thus, we find, how one expression of the verse (Rahman) is so full of meaning and so pregnant ! To conclude the point, we the human beings, as already

observed, are to adopt the aforesaid Divine attributes **inter se**, among ourselves. To be kind in words, treatment and behaviour, it costs one nothing. These traits, therefore, are to be the common and universal features of men, irrespective of high or low, rich or poor. This is the ordinary and minimum standard laid down for men by their Creator and every one should conform to this bare minimum standard. Anything, short of this, is sub-human conduct. And so far as, the more honourable and fortunate ones are concerned, those who are in addition, blessed with means, riches, wealth, intelligence, wisdom and education, it is their duty to make those gifts and blessings too, available to their unfortunate fellow beings, who are deprived of these blessings, and that too, if possible, for no return whatsoever. Kindness, charity and benevolence, in the expectation of some return—even a word of appreciation,—lose their merit and spiritual value according to the teachings of Islam. What a high and lofty ideal ! It is a great misfortune that Islam is so grossly misrepresented and so tragically misunderstood.

Rahman and Raheem—the two all important attributes of Allah, also find place in the Formulla—“Bismillahir Rahmanir Raheem,” with which ‘Al-Fateha ; as also all the other chapters, except the ninth (At-Towba) of Quran, begins. These very attributive names form the subject matter of the second verse of ‘Al-Fateha’ which we have dealt with in the preceding paragraphs.

It is a most auspicious formula and our beloved Prophet, has directed his followers to begin each and every work with “Bismillahir Rahmanir Raheem.” The most salutary effect of compliance with this direction is that we would eschew all sorts of ills, evils and wrongs, and undesirable deeds, in as much as Allah’s name cannot be associated with any bad and undesirable thing.

The Third Verse :

‘Maleke-Yaumed-Deen’- The Absolute Owner, the Master, the Supreme Judge of the Day of Judgment, necessarily pre-supposes, certain previous stages and proceedings that precede the pronouncement of the final decision, which is the last stage of a trial. With reference to the Last Day of Judgment, whereof the Judge is the Supreme Lord Himself, it—the proceedings—means all the stages, which the world has gone through, reaching it’s destruction—known as “Qiyamat”. It implies, therefore the whole period from the inception of creation upto the end of the world. And with reference to an individual, from his birth to death—his worldly existence. On that Fateful Day, the entire humanity would be awaiting the final decision of their trail, before the Mighty Lord.

The expression Malek, in the verse—Maleke Yaumed -Deen—implies all the attributes of the undisputed Lord of the Day of Judgment, the All Powerful, All knowing, Omnisciant, Absolute and Just Judge—the Greatest Incarnation of Justice,—from whom there can be no concealment of facts and with whom there shall be no deviation from justice. This Day is the fateful Day of the Final Decision,

The implications of this verse on the administration of an Islamic State is immense, vast and varied. It is of the utmost importance too. The Islamic standard of justice and equity is unique in its excellence, perfect in its nature and unparalleled in its application. I would cite only a few relevant verses from the Holy Quran to establish this.

The Lord Says :

Islamic Standard  
of  
Justice

“Verily Allah orders—Commands—you to make over the trust to those, to whom it is due, and when you judge between man and man, to judge with justice-Adl” 4 : 58

“Oh ye who believe, be the staunchest upholders

of justice and the bearers of testimony for Allah, even if it goes against yourselves, your close relations—whether one is rich or poor ( it is immaterial). Allah's claim (upon you) is foremost above all. Therefore follow not your vain desires, so that ye may be able to do justice. Beware ! Allah is well-acquainted with all that ye do." (4 : 135)

Again—

"Oh ye who believe become the staunchest upholders of the rights of Allah and givers of evidence—testimony to truth and justice and let not the enmity (hatred) of any people ( nation or tribe ) towards you, make you not to do justice towards them—rather do justice ( to them ). This is nearest to piety( well nigh Taqwa ) and fear Allah—Verily Allah is well-acquainted with all that ye do" (5:8)

In Surah Nahl (the Bee) Allah—the Lord issues a general order of very high import. It runs as follows :—

"Allah commands you with **Adl** and **Ehsan** -(the doing of) justice and the doing of good and giving the kiths and kins (liberally) and He (Allah) forbids the shameful deeds and injustice and rebellion. He gives you instructions so that ye may receive admonition. (16:90).

The expressions Adl and Ehsan—Justice and good are very comprehensive terms and round them centres the whole good relationship between man and man and between administration of a State and its citizens.

There are quite a large number of verses in the Holy Book containing commandments of this nature. They furnish an insight into the lofty standard of justice, set out by Islam and when an Islamic State is established on those standards and teachings, it is bound to be a welfare state of the highest order.

This verse 'Malek-e-Youmud-Deen—the Absolute Owner and Supreme Judge of the Day of judgment, is, therefore, a standing warning for the entire human race for all times. It cannot be conceived that Allah would be unjust to any one. Time and again, the Lord declares in the Holy Quran that He would mete out even handed justice to all and would not do the least injustice to any soul. Not that alone, the Lord's justice would invariably be tempered with mercy and forgiveness to the highest and maximum degree. If that be not the case and if He were to conform only to the just and strict standard of, justice, no man would be able to stand that trial. No man, except a few Prophets, is wholly and absolutely innocent (Masoom). However righteous, pious and upright a man might be, in general, a scrutiny will disclose many an error, mistake, wrongs and even sins to his credit. Men therefore, will have to depend wholly on the mercy, grace and forgiveness of the Lord and not on his strict standard of justice. What, however, is expected of them, is sincere repentance to Him and unconditional surrender and resignation to His Mercy and kindness.

The direct lesson that this verse of 'Fateha' imparts to mankind, is that they must be absolutely fair and just in their mutual dealings in all the spheres of activities and what that standard of justice should be, has been clearly and precisely laid down, as deducible from some of the Quranic passages already quoted in the foregoing paragraphs. The Muslims and the Muslim States are bound by these Quranic provisions.

It therefore, boils down to this : that the administrators of the Muslim States in particular, must conform to these lofty standard, in letter and spirit. The Constitution of the Islamic States must set out these lofty ideals in the Constitution, in most clear and express terms and must enforce them on the Muslim citizens of the State.

The Fourth Verse :—

**Iyyaka Naabudu O Iyyaka Nastayeen** - "Thee Alone do we worship, adore—obey and serve—and from Thee Alone do we seek help and succour."

This is the Mid-verse of 'Al-Fateha' and its importance is supreme.

In short, Fateha, as we have seen, consists of seven small verses. The first three verses are exclusively devoted to the Divine Attributes, the different attributes and qualities (Ausaf) of the Lord; His power of creation, maintenance, sustenance, evolution and protection; His grace, mercy, kindness and benevolence, His sovereignty, might, power and prowess, culminating with a warning about the Final Day of Judgment. The last three verses are all but solicitations and prayers to Him to be guided in the Straight Path and protected from the crooked. These are thus the two distinct parts of 'Al-Fateha'—equally divided.

The middle verse, under discussion, is the connecting link between the two. It establishes the relationship between the All-Powerful Benevolent Lord and the humble, helpless creations—His servants and serfs. The relationship is clear, definite and unambiguous. "**Thee Alone do we worship, adore, serve and obey**" — unconditional and total surrender by the servant to the Lord. This declaration of allegiance is very very significant. It implies implicit obedience to Him and to all His laws and commands. It means complete submission to His will and total surrender to His Authority.

This resignation, submission and surrender, is followed by an unqualified declaration—'From Thee alone do we seek help and succour' and from none else. If the allegiance to the Lord is true and sincere, if the resignation is complete and unreserved, if the surrender is unconditional and genuine and if the obedience is loyal, sincere and faithful in letter and spirit, the Lord's help, succour and



protection too are spontaneous, assured and guaranteed. This is but natural. If we are true believers—Momen—it is, rather as a matter of right, that we can claim His succour, help and protection. The Lord Himself gives assurance to that effect ;— ‘O kaana Haqqan Alaina Nasrul Mumeneen’—“And helping the believers, is a matter of right of theirs, upon Us.” 30:47. Therefore owing allegiance to Him carries with it, the assurance of spontaneous help, succour and assistance from the Almighty Allah.

A Muslim—one who resigns and submits to Allah—cannot budge an inch from the obedience of the Lord in all his affairs, spiritual and mundane. The provisions of the Holy Quran in their entirety, as interpreted and amplified by the Sunnah, become absolutely binding upon him. Any the least disobedience, or infringement thereof is unthinkable. We have already observed in in the Preamble of this work, that the Benevolent Lord has made exhaustive provisions for the guidance of entire mankind, in all the various spheres of life, individual, social and national. At no stage, the glorious Quran fails to give the required guidance in any matter of life.

The verse under discussion is so very important that volumes can be devoted on it, but this is not the place for such a discourse.

Now, a few words on the implications of the verse in the Constitution of an Islamic State.

As true, sincere and loyal allegiance to the Lord is the condition precedent to entitle a believer—Momen to the Lord’s favour, help, succour and protection, so also sincere allegiance to the State and obedience to her laws, is the condition precedent for the citizens of an Islamic State, to entitle them to her benefits, protection and help, no matter whether they are Muslims or non-Muslims.

On the analogy of the principle laid down by the verse

under discussion, true and loyal allegiance to the authority of the State is the very foundation of Islamic Constitution, having Divine sanction behind it.

Here is the complete solution for the minority-problem. The only thing required of the non-Muslim minority, in an Islamic State, is sincere, loyal and faithful allegiance to the State and its Laws.

This Mid-verse of "FATEHA" is thus the sheet-anchor of relationship between man and Allah, as also the sheet-anchor of relationship between the State and its subjects of all denominations, whether Muslim or non-Muslim.

Now we come to the second half of Al-Fateha. We have seen FATEHA consists of seven verses. The three verses of the first-half are exclusively devoted to the Praises, Powers, Attributes, Mercy, Grace, Kindness and Authority of Allah Rabbul A'lameen and the three verses of the second half devoted to prayer and solifications of the servants—Abdullah—the humanity at large. The mid-verse, the discussion whereof has been concluded, is the link between the two halves of Fateha. This verse too is divided in two parts, the first part going with the first half and the second part with Fateha's second half.

### **The Fifth, Sixth and Seventh Verses.**

Ihdenas-Seratal Mustaqeem. Seratallazeena An-amta Alaihim. Ghairil Magadube Alaihim, O Lad-Daalleen."

(Our Lord!) "Show us the Straight Path, (Guide us in the Seratal-Mustaqeem)."

"The Path of those on whom Thou hast bestowed Thy favours (blessings and bounties)."

“Not (in the path) of those who have invited Thy wrath (Curse), nor of those who have gone astray.”

These three verses are interlinked and can, conveniently be taken up together for discussion.

After a categorical declaration in the second part of mid-verse of Fateha—“From Thee alone we seek help and succour,”—in the next verse, we are taught, what should be the very first thing for which we are to seek help and succour from our Lord—“Show us the Seratul Mustaqueem—Guide us in the Straight Path,” is the solicitation to be sought. The very next verse again, identifies the ‘Seratul Mustaqueem’, as the Path, only of those on whom Allah has bestowed His unmixed favours—blessings and bounties—“Seratallazeena An-amta Alaihim”—the Path of those on whom Thou hast bestowed Thy favours.”

We get two distinct things from these two verses—the Straight Path—**Seratul Mustaqueem**, and the **blessed ones** on that Path. A nobler and loftier Path cannot be conceived of. Such is the Path, that has been chalked out and ‘approved of’ by Allah-for His vice-gerents—Khalifa—the whole of mankind.

After thus, briefly defining and Identifying the **Seratul Mustaqueem**, we are told in the same breath the path, that is to be avoided—the path from which we are to seek protection—“**Ghairil Magdube-Alaihim-Oa-Lad-Daalleen.**”—Not (in the path) of those who have invited Thy wrath, nor of those who have gone astray.”

What a marvellous, perfect, complete and exhaustive solicitation! There is no lacuna anywhere. Such an unique, unparalleled, comprehensive, and universal prayer will not be found in the annals of any Religions. The Author of this solicitation is not any human being, not even the Prophet himself. Nor is it the composition of any earthly scholar or theologian. The Gracious, Merciful, Kind, All-Knowing and All-Wise Allah Himself is the Author. Hence it is

perfect, complete, comprehensive, universal, exhaustive and flawless. If all the theologians of the world of all ages and all the topmost scholars, collectively try to compose a prayer to replace this, their all-out efforts will be abortive. This is a standing challenge.

Let us now come to a bit detailed discussion of these three verses.

The fifth verse, we have seen, lays down the "Seratul Mustaqueem," which Allah has Himself defined in the Holy Quran, to be His Own Path—"O Anna Haza Siratee-Mustaqueema."— "And Surely this is My Own Path—Straight." 6:154.

Before coming to the exhaustive definition of Seratul Mustaqueem, let us have an idea of the "blessed ones" as contemplated in the sixth verse — "the Path of those on whom Thou hast bestowed Thy favours — blessings and bounties."

These 'Blessed personages' - 'Munyim Alaihi', in the Quranic terminology, have been very briefly defined by the Holy Quran itself. In chapter, An-Nessa (the Women) we get :

"Who so obeyeth Allah and the Apostle, they are with those, upon whom Allah hath bestowed favours, from among the Prophets (Nabiyeen) the Truthful ones (Siddiqeen), the Martyrs (Shuhada) and the Saints—righteous ones (Saleheen); and excellent is that companionship" ! " 4:68.

These only are the categories of personages, on whom Allah bestows His unmixed and choicest favours and blessings — the Prophets, Truthful ones, Martyrs and Saints. The main function of all these personages is to

guide the humanity at large, in the Path of rectitude, piety, and righteousness. Of them, the rank of the Prophets, is naturally the highest, and is reserved only for those personages that have been chosen by Allah Himself for the highest apostolic office. By prayers, devotion, meditation and constant efforts and endeavours and by spiritual developments-Reazat, one can attain to any of the aforesaid ranks, except that of the Prophets, which, as already observed, is reserved by the Lord, only for a limited number of chosen personages; and with the advent of the last Prophet Muhammad (peace be on him) the line of Prophethood is closed for ever. No other Prophet will come till the last day, but saints and sages-Siddiqueen, Shuhada and Saleheen—will continue to come and guide the human race in the light of the abiding and Final Guidance left by the last and greatest Prophet Muhammad (SM).

Thus we get a complete picture of the “blessed ones” as contemplated in the sixth verse of Fateha. What a noble, lofty and sublime ideal for mankind in general! We are taught to pray to Allah Rabbul A’laameen to show us the Path of such ‘blessed ones’; and not the path of even emperors, kings and multimillionaires, who are possessed of all the good things of earthly enjoyment and pleasures.

To enable us properly to traverse in that sublime Path, it is essential that we are fully conversant with the noble traits and attributes of these personages. We must have their life accounts, history and biographies before us, so that we can follow their examples in our practical lives. Our holy Prophet is the most perfect of all the world-prophets, being the last and the greatest of them and the biographical materials of this Prophet are recorded with such authenticity and accuracy, and in such minutest details, that has no parallel in the annals of history.

And then the Holy Quran itself is the best biography of this Prophet. The biographical materials of the other world prophets are so very meagre. It is only from the Holy Quran, that we get some authentic history of their lives. In view, however, of the most perfect ideal of the greatest Prophet, the ideals of other prophets are unnecessary for human life, and this is why Allah has made him the model and specimen for the whole of mankind. The Lord declares : **“O Laqad Kana Lakum Fi Rasulillahe Uswatun Hasana”**; and verily in the Messenger of Allah, is the finest specimen—model for you all ( O Mankind ! ) etc. 33:21.

The Quran and Sunnah are replete with the complete and exhaustive ideals of the Holy Prophet, to guide the whole human race for all times, in all the activities of their lives.

It is not possible for me to discuss threadbare the ideals of the “blessed ones” in this work. The fact remains that they are the true ideals of life for the Muslims, on Seratul Mustaqeem.

“Seratul Mustaqeem” has been defined in numerous places of the Holy Quran. There are quite a good number of short definitions ; but the most exhaustive definition finds place in the sixth chapter—Al-A’nam. Before coming to that definition, I would cite the bare text of a few short-definitions.

1.—“Oh the People of the Book ! Now hath come to you Our Apostle, expounding to you much of that which you used to hide, from the Book and forgiving much :

“Now hath come unto you from Allah a Light (Quran) and a Book Perspicuous, —

“Wherewith Allah guideth him, who seeketh His good pleasure, to ways of Peace and He bringeth them out

of the depths of darkness, by His Will unto Light and guideth them towards a Straight Path—Seratim-Mustaqeem.” 5:15—17

2. — “And whomsoever it is the will of Allah to guide, He expendeth his bosom - heart to Islam (total resignation) and whomsoever it is his will to leave astraying, He maketh His bosom close and constricted, as if he was ascending to the skies. Thus Allah layeth ignominy on those who do not believe and this is the Path of thy Lord—Straight—(**Seratu Rabbika Mustaqeema.**) 6:125-126

Again :

3. — Say ( O Muhammad ! ) “Surely my Lord hath guided me unto a Straight Path (Seratim-Mustaqeem)—Right Rigid Religion – the Community of Abraham the true, in faith and he (certainly) was not among the **Mushrikeen** – those who set up partners to Allah (idolaters)”. 6:161.

4. — “And Allah calleth towards the Abode of Peace and whomsoever He desireth, He guideth towards the Straight Path—Seratul Mustaqeem.” (i.e. Seratul Mustaqeem itself is the Abode of Peace) 10 : 25.

Taught through the mouth of Jesus Christ (peace upon him) :

“Surely Allah is my Lord, and also the Lord of you all ; worship Him alone, that is the Straight Path—Seratul Mustaqeem.” 19:36

5. — “O the children of Adam ! Did I not enjoin on you, that ye should not worship Satan, for verily he was to you an enemy avowed ; but that ye should worship Me (alone); that was the Straight Path—Seratum-Mustaqeem.” 36:60-61

These are a few short definitions of Seratul Mustaqeem.

Now, let us come to the exhaustive definition of **Seratul Mustaqeem** as appearing in Surah-‘Al-Anam’ (the sixth chapter). It runs as follows :

Say, (O Prophet), “Come, I will recite to you what your Lord hath made ‘Haram’—forbidden for you (i.e. prohibited you from), that (1) you associate not anything with Him (Allah) and (2) be kind, nice and good to your parents and (3) kill not your offspring for fear of sustenance : We sustain you and (also) them and (4) go not near shameful things (Fowahishat), whether open or hidden and (5) take not life, which Allah hath made unlawful, except for just cause, thus do We command you with, so that you may act with intelligence and (6) go not near the orphan’s property (wealth) except to improve (it) till he attains the age of maturity and (7) give full weight and measure with justice (accurate and not short weight). No burden do We place on any soul, that it cannot bear and (8) whenever ye speak, do so with truth and justice (speak the truth) even if (the interest of) a close relation is involved and (9) fulfil the covenant with Allah. Thus do We command you, that ye may remember—receive admonition. Verily, this is My Path—Straight—**Seratee-Mustaqeema**. Follow it ; follow not other paths, they will scatter you about from His Path. Thus do We command you, that ye might be righteous—God-fearing.” 6:151-153.

An unique and wonderful definition indeed ! It’s scope is so very wide—virtually all comprehensive. It embraces almost all the fields of a man’s life—spiritual as well as mundane.

From the discourse held so far, on “Siratul Mustaqeem, we have got a distinct picture as to what ‘Seratul Mustaqeem’ is and who are on that Path. Now, let us have



an idea of the path, opposed to ‘Seratul Mustaqeem’—as envisaged in the last verse of Al-Fateha.’

The Seventh verse — **“Ghairil-Maghdube Alaihim O Lad-Daalleen,”**—Not (the path) of those, who have invited Thy wrath—curse, (Maghdube-Alaihim), nor of those who have gone astray.

The solicitation continues—“Show us the Seratul Mustaqeem” as defined in the fifth and sixth verses—and save and protect us from the path of ‘cursed ones’— “Maghdub Alaihi” —and from the path of those that have gone astray—Daalleen ; It is thus complete and there is no loophole anywhere. We seek to be guided in the Path of the blessed ones and protected from the path of the cursed and misguided ones.

We have got a complete definition of the ‘blessed ones’. Now let us have an idea of the ‘cursed’ and misguided ones—the **Maghdub-Alaihi** and ‘Dalleen’—in the Quranic terminology.

Those who invite the wrath—curse of Allah are ‘Maghdub-Alaihi’. They invite Allah’s *Ghazab*—wrath by positive disobedience to the commands and injunctions of Allah and by defying His Laws and His Messengers and Prophets. Al-Quran is full of the history of those defying peoples and nations. The people of Noah, Hud, A’d, Thamud, Lut, Moses and many other prophets (peace be on them), are instances to the point. In many places of the Holy Quran we get details about these nations and about the punishment — Allah’s *Ghazab*—curse that seized them. Hazrat Noah’s people were annihilated by the ‘Deluge’ ; Hazrat Lut’s people were destroyed by shower of brimstones ; Pharaon and his people were drowned in the Nile and so on. It is not possible for me to go into those details in this work. In one verse of Chapter “Spider”

—Ankubut, Allah narrates the mode of his punishments to the sinning people in the following words :

“Therefore, We seized each one for his sin. Of them, against some We sent a violent tornado—hurricane (with showers of stones) ; and of them was (some) who was caught by a (mighty) blast—an Awful Cry ; and of them was (some) whom We caused the earth to swallow up and of them some, whom We drowned. It was not Allah to wrong—oppress them ; but it was their own-souls that oppressed them.” 29:40

This was the fate of many nations of old. They invited the wrath —curse—of Allah and they were thus punished. Let my readers study the Holy Quran for further details.

The other kind of misguided people are those that astrayed from the true Guidance by their excesses. They believed in Allah and His apostles, but in their excess of love for their prophets, they exceeded the limit and elevated their apostles to the position of Divinity. As for example the Jews—the ‘Yahood’ elevated their prophet **Uzair** to the position of son of Allah and the Christians—Nasara, elevated their prophet Jesus Christ (Masih-Ibn-Maryam) to the position of son of God—a blasphemy of the highest magnitude. The Holy Quran severely condemns this attitude of the Ahle-Kitab—People of the Book.

Moreover, of the People of the Book—the Jews had gone to the extent of killing many a prophets of Allah and thus invited Allah’s wrath and curse and became a ‘Cursed’ people—Mughdub-Alaihi. According to their own admission, they crucified Jesus Christ, the prophet of peace and love. Of course, we, the Mussalmans differ from this view. According to the Holy Quran, Jesus Christ (peace be on him) was not killed, nor crucified, but was

elevated—taken up and the person on the cross was, (by a Miracle of Allah) a different person, resembling Christ. (Vide—An-Nessa-5-15)

According to the teachings of Islam, the Jews and the Christians are the living examples, respectively the cursed people—Maghdub Alaihi and misguided people—Daalleen, those who have astrayed from the right Path—Seratul Mustaqeem.

Thus the Musalmans alone are on the Seratul Mustaqeem as chalked out by Allah and the rest are either Maghdub Alaihi or Daalleen.

I conclude my discourse on the second half of Al-Fateha here.

We now come to the implications of the last three verses on the constitution of an Islamic State. I would try to be very brief."

The Fifth Verse is : **Ihdenas Seratul-Mustaqeem—**“Show us the Straight Path’ – guide us in the Seratul Mustaqeem’

The first and the foremost thing, therefore, that an Islamic Constitution must provide, is to show the ‘Right Guidance’ to its citizens. In other words, the constitution must place before the nation, the ingredients of Allah’s “Seratul Mustaqeem.”

We have already seen the exhaustive definition. It contains nine commands or directions of Allah. To repeat briefly they are : (1) You must not assign partner with Allah, (2) must be kind, good and generous to parents ; (3) must not kill your offspring for fear of sustenance ;

(4) must not go near indecencies (Fawahishat) whether open or secret ; (5) must not commit murder, except on just cause ; (6) must not misappropriate the property of the orphans (and for the matter of that any kind of misappropriation) ; (7) must give full weight and measure in business transactions (and for the matter of that, any kind of mutual dealings) ; (8) must always speak the truth, even if it goes against yourself or close relations ; and (9) must fulfil the covenants—pledges with Allah”.

A brief, yet a wonderful and exhaustive Divine Ordinance.

A proper discussion of these all important commands and directions would run into volumes. Even a modest discourse would be lengthy for this work. I would, however, venture a very brief outline of the nine commands.

The first command is : “Do not assign anything as partner to Him”—Allah. This is an injunction against polytheism shirk or idolatry, which is the greatest sin against Allah. The Gracious, Merciful and Almighty Allah declares that He will not forgive the sin of polytheism—shirk, but He may, at His discretion, forgive any other sin (4:48). This, virtually establishes the Revolutionary “creed of Towheed, -LA ILAHA ILLALLAH”—which is the very foundation of Islam. Inherent in this Command is, worship, adoration and service of Allah. This is why this Command finds the first place among the directions of Seratul Mustaqeem.

The second Command enjoins good and generous treatment to the parents — “O Bil Waledaine Ehsana.” Thus, next to Allah is the position of the parents and it is so very natural. One of Allah’s Command is : “Thy

Lord hath decreed, that ye worship none save Him and (that ye show) kindness to parents ; if one of them or both of them attain old age with thee, utter not 'Fie' — unto them, nor repulse them, but speak unto them a gracious-kind word ; and lower unto them thy wings of submission through mercy, and pray (for them) : "My Lord ! have Mercy on them both, as they (so lovingly) brought me up in my childhood" (17:23–24). What a noble teaching ! There are numerous admonitions and instructions of this nature in the Holy Quran. Obedience to the parents has been made mandatory, next only to that of Allah. It is essential for peace at home.

The third order is : "Kill not your offspring for fear of sustenance" — ( want and penury ) and the reason assigned is : "We sustain you, as well as them." Thus sustenance—provision of food,—is the Province of Allah. Allah declares : "**O Ma Min Dabbatin fil Arde, Illah A'laa Allahe Rizquha**" — "And there is not a creature on earth, the charge of sustenance for whom, is not on Allah." (11:6). Hence it is a great sin to kill the offspring for fear of sustenance. This command is highly significant in these days of crisis of food. Men are to make their utmost efforts and endeavours to raise the production of food by scientific methods, but they must worship, adore and obey Him and rely for the production of foodgrains on Him alone. Bumper crops can be destroyed in a moment by His order. The Muslims are to resign and rely on Him alone. They must obey all the commands of the Lord in letter and spirit, and His help and succour would follow, as promised by Him — "O Kaana Haqqan Alaina Nasrul Momeneen," "And to help the believers, is their right on Me" 30:47

The fourth command : "**O La Taqrabul Awahisha Ma Zahara Minha O Ma Batana**"— 'and go not near indecencies (all ills, evils and wrongs) whether

open or secret." This is an important command against all kinds of social evils. The Lord orders us not even to go near any kind of indecencies and evils. If this one command is obeyed by the humanity, the whole social atmosphere would be revolutionised and this is what was achieved in the practical field by the Prophet of the Desert (peace be on him).

The fifth direction is : Kill not a soul—(do not commit murder which Allah has prohibited—made Haram, except for just cause. This is the Law of crimes of all countries. Allah also commands that no life can be taken without just cause i.e. except in the exercise of the right of private defence of person or property, as laid down by the common law. But what is the condition prevailing today, in most countries. Murders are committed at the slightest pretext, dacoities and robberies with murder are common incidents—not to speak of minor offences such as cheating, theft, burglary, etc.

The sixth command is : "Go not near the property of the orphan, except to improve it". In other words, do not misappropriate the property of the helpless orphans and by implication all kinds of misappropriation is prohibited. The orphans have been specially mentioned because they are helpless under the protection of their guardians.

The seventh command is to give full weight and measure in business dealings. This applies to all sorts of dealings and not restricted to business alone. No one can deviate from the standard of honest dealings in every sphere of life.

The eighth direction is : "Whenever you speak, speak with Justice — 'Adl', even if it goes against a close

relation". In other words, never resort to falsehood, speak the truth even if it goes against yourself or goes against your kinsmen. What a lofty standard of Islamic Justice !

The ninth command is an overall direction : "Fulfil the covenants and pledges with Allah." It covers all the activities of life. You are bound by the laws of Allah in all your works and deeds, and you must be true to that. You must fulfil your pledges,—express or implied — with Him.

The above is only a gist of the nine Divine directions. If we carefully scrutinise and examine them, we would come to the irresistible conclusion that it is a complete and wonderful piece of Legislative Enactment—a perfect human Law, which if adhered to, enforced and acted upon, can rid the human society of all the ills, evils and corruptions, that have invaded the different spheres of man's life in general. The present strife, struggle and unrest in the world is wholly due to disobedience to these nine directions, each and everyone of which is for the benefit of mankind. It is a tragedy that the highly gifted, intelligent and wise humanity has failed to appreciate the Divine Laws.

The Constitution of the Islamic States must define each and everyone of the above items, enforce them on its citizens and provide exemplary punishments for the infringement thereof. So far as the non-Muslim citizens are concerned, they would be exempt from the ethical—religious—items—the first and the ninth—in view of the Divine Injunction—"LA IKRAH FI-D-DEEN,— there is no compulsion in Religion."

It would be the duty of the Islamic States, to put the citizens on the right track as contemplated by Allah's 'Seratul Mustaqeem' and to see that they do not

deviate therefrom. Allah commands : **“Taawanoo A’laal Birre-wat—Taqwa O La Taawanoo A’Lal-Isme wal Udwan.”** —“co-operate with one another, in acts of piety and righteousness ; but co-operate not mutually in sins and transgressions” (5:2). A highly significant command. The Muslim States and Muslim society cannot encourage the people to indulge and participate in any kind of unseemly and objectionable activities—let alone sins and crimes. There cannot be mutual help and assistance in any undesirable and un-Islamic thing. Rather, the State must stop all sorts of irreligious and un-Islamic activities in the state. This, in brief, is the significance of the directions of Siratul Mustaqeem (the fifth verse).

Then we come to the Sixth verse : **“Seratullazeena An amta Alaihim’**—the Path of those on whom Thou hast bestowed Thy favours (unmixed blessings and bounties ).“

We have seen who those “blessed ones” are. They are the Prophets (Nabiyeen), the Truthful ones (Siddiqueen), Martyrs (Shuhada) and the saints and sages—the righteous ones (Saleheen). These personages are the true guides and selfless benefactors of mankind. They are the noblest and loftiest ideals for humanity. An Islamic Constitution must place the ideals of these ‘blessed ones’ before the nation and must call upon the citizens to strictly follow their ideals in their practical life. The best and the highest of these ideals is that of the prophets and our Holy Prophet being the last and the greatest prophet is the most perfect of all human beings—the **Khairul Bashar** and as such his ideal is the best, most perfect and complete ideal for the whole of mankind and hence Allah Himself declares : **“O LAQAD KAANA LAKUM FI RASOOLILLAHE USWATUN HASANA ’**—“And verily in the Apostle of Allah is the best, finest, excellent specimen—model for you all (O mankind !)” (33:21)



The Islamic Constitution, therefore, must place the ideals and precepts of this perfect man, as a model before the humanity. The Holy Quran and Sunnah are replete with the ideals of our Holy Prophet. The Holy Quran is, in fact, a complete and exhaustive biography of our beloved Prophet. In order to enable the Mussalman to follow the Holy Prophet, in their practical lives it is essential for them to be fully conversant with the teachings of Quran and Sunnah. It is, therefore, the first and foremost duty of all the Muslim states to impart the teachings of the Holy Quran and Sunnah, to all Muslim boys and girls of the country. Quran and Sunnah, therefore, must be made compulsory subjects in all schools and Colleges of the State. The Islamic Constitution must provide for this. In addition to this, steps must be taken by the Muslim States to extensively publish the teachings and provisions of the Holy Quran and Sunnah on social, political and economic problems of the Muslims and apply the same in practical life. Unless these things are provided for by the Islamic Constitution and applied in practice, no amount lip profession would be of any avail. Empty utterances of "Ihdenas-Seratul Mustaqeem"—'Show us the Straight Path, guide us in the Seratul Mustaqeem' would not guide us in Allah's Straight Path, unless we sincerely take our stand on that Path, and actually tread on it, obey all the commands and directions of our Lord and follow the ideals of the "blessed ones" in our practical life. We admit that the Holy Quran is our Guide—"Huda-Lil-Muttaqeen"—Sure Guide for the Muttaqee--the Muslims--but how many Mussalmans are conversant with its teachings. The State must impart the teachings of Quran compulsorily to all Muslim Citizens. "Acquisition of knowledge is Fard—compulsory on all Muslims, male and female"—Hadeeth.

Now we come to the implications of the last verse—**"Ghairil Maghdube Alaihim O L'ad-Daallen"**—Not

(in the path) of (those) who have invited Thy wrath—curse (ghazab), nor of those who have gone astray.”

This is the path opposed to and in contravention of the noble and lofty Path of Allah. We have seen, who are the persons that invite the wrath of Allah upon themselves and thus become ‘Maghdub Alaihi’. Persons who disobey and defy the Commands of Allah invite Allah’s wrath—Ghazab upon themselves and thus become ‘Maghdub Alaihi.’ And those who exceed the limit and commit excess are ‘Dalleen’—those who go astray. The paths of these two categories of persons are opposed to the Path of the ‘blessed ones’ and that must be avoided.

In an Islamic Constitution the path of these misguided ones shall have to be fully defined. The traits and characteristics of these persons are to be set out and the citizens must be warned against following these paths exactly, as Allah has warned: “**Haza Siratee Mustaqeema Fattabeoha O La’ Tattabewoos Subula, Fatafarraka Bikum An Sabilihi.**” Meaning:—

**– This is My Path—Straight—therefore, follow it, and follow not other paths, that will scatter you, about, from His Path – Thus doth He admonish you, so that ye may ward off evils (be God-fearing righteous) 6:154.**

The Muslim States, therefore, must guide their citizens in the Straight Path of Allah and keep them away from the paths of Maghdube Alaihi and the Dalleen — the cursed ones and those who have gone astray.

Here I conclude the discussion of the Seventh verse.

We have now come to the close of our discourse on AL-FATEHA—the ingredients it furnishes for the framing of an Islamic Constitutions. I feel, I have not been able to do justice to the subject, due to my own short-

comings. I would appeal to the world Muslim Jurists and Scholars to come forward and make their own contribution towards their Gracious Faith. I am confident an Islamic Constitution based on Al-Fateha would afford perfect peace, prosperity and happiness in Muslim national life and for the peace and prosperity in the international sphere too, the Broad and Basic Principles of the Holy Quran, are the Surest guides – the Magna Carta. This being, beyond the scope of my subject, I do not enter into that aspect of the Quranic teachings.

We have seen the supreme importance of Al-Fateha, as the sublimest of all solicitations and prayers. The theoretical teachings of FATEHA, can lend perfection, only by its outward and practical expression through “Salat”—the Muslim prayer. We have also seen that the recitation of Fateha, is indispensable for ‘Salat’ ; and Salat—is Fard—mandatory on all Mussalmans—male and female—beyond the age of twelve, all throughout their lives. A stern warning of our Holy Prophet is—“Whosoever establishes ‘Salat, establishes the ‘Deen’—Religion and whoever gives up Salat destroys the Religion.” Hence a Muslim—male or female — giving up ‘Salat’ becomes a positive enemy of the Faith. A dreadful thing even to think of ! Muslim States must compel all Mussalman citizens to offer their Salat regularly, in letter and spirit. I would cite a precious saying — a **Hadeeth-e-Qudsi** of our Holy Prophet.

The Holy Prophet said :

“He who does not recite this Sura (Al-Fateha) in Salat, his Salat is defective and incomplete. Allah says : “Salat is divided between Me and My servants —half is for Me and half is for them. When the servant utters “Alhamdu Lillahe Rabbil A’laameen” (all Praise is due to Allah the Creator, Cherisher and Sustainer),

Allah says, "My servant has glorified Me ; " Thereafter when he says— Ar Rahmanir-Raheem (The Most Gracious, Most Merciful), Allah says "My servant is praising me". Thereafter when he says 'Maleke Youmed-Deen' — (the Owner—Master of the Day of Judgment), Allah says : "My servant has been declaring My Sovereignty and Authority) — **This much is My due.**"

"Thereafter, common between Me and My servants is : "Thee alone do we worship, adore and serve and from Thee alone do we seek succour and help."

"And from here upto the end of the **Sura** (Fateha)— (Show us the Seratul Mustaqeem—Guide us in the Straight Path etc.) is the prayer—solicitation of My servant **and My servant has got what he has sought.**"

Just visualise the true Muslim — Salat, visa vis this Hadeeth-e-Qudsi. What a boon, bliss and blessing Salat is ! Let us conform our prayer to the letter and spirit of this Hadeeth and we would definitely get from our Gracious and Merciful Lord, what we seek and solicit of Him.

## FEMALE REPRESENTATION

Though not strictly relevant to my subject — the ingredients for an Islamic Constitution and Al-Fateha,— I propose to throw some light on the subject of Female representation in the Parliament or Assembly of Muslim States. There is absolutely no warrant for such representation in the provisions of the Holy Quran and Sunnah. On the contrary the positive provisions of Al-Quran go against such representations. I know these observations will create a furor among the progressive section of my sisters. But the truth must be told. We cannot withhold the Quranic Truths to please the softer sex and to incur the displeasure of our Lord with Whom we shall have to live forever in the Eternal Hereafter. This is the absolute Truth, that will come into operation with the closing of the eyes.

Islam has given the woman a very high, dignified and esteemed position. She is an equal partner with man. About men and women, the Holy Quran declares: **“Baadukum Mimbaad’** — you are one from the other’ — Again **“Hunna Lebasullakum O Antum Lebasullahunna”** — they are the garments for you and you are garments for them — i.e. one is the adornment for the other. Such a position for the fair sex was unknown before Islam.

A whole lengthy Chapter—An-Nessa—Women, of the Holy Quran is devoted to Womanhood—the place and position of women, their rights, duties and obligations, have been defined and dealt with therein, as also in various other places of the Holy Book. I do not want to go into all those details here. Let us advert to one very significant definition, throwing light on many important points. The Verse is :

AR-REJALU QAWAMUNA ALA-N-NESA-E-BEMA FADDAL Allahu B'aadahum A'Lal-Baadeu-wa Bema Anfaqoo Min Amowalihim. Fa-s-Salehatu Qanetatun Hafezatun Lil-Ghaibe Bima Hafezallahu; O wallati Takhafoona Nushuza hunna Fayazuhunna O Ahjuru hunna Fil-Madajeye O wadrebuhunna – F'ain A'taanakum Fala Tabghoo Alaihinna Sabila; Innallaha Kaana A'liean Kabeera." 4:34

Meaning :

“Men are stronger than (protectors and maintainers of) women, because Allah has given the one superiority over the other, and because they spend out of their wealth—earnings to support them). Therefore, the good and righteous women are obedient and they guard (in the) husband’s absence, what Allah would have them guard and as to those on whose part ye fear disloyalty (ill conduct), admonish them (first), (Next) vanish them to beds apart – remove them to separate beds, and (as last resort) beat them lightly; then if they obey you, seek not (any other) way (of unpleasantness) against them. Surely, Allah is Most High—Exalted—Great.” 4:34.

We get the following points from the quotation above :

- (1) Men are stronger than women ;
- (2) They are protectors and maintainers of the womenfolk ;
- (3) They are to spend from their wealth, property and earnings for the maintenance of their womenfolks—their wives, against the corresponding duty on the part of the women (the wives) to be righteous, obedient and guarding, what Allah would have them guard during the absence of their husbands i.e. guarding their

own chastity and safeguarding the trust-funds, money and property that the husbands usually entrust to the wives.

Admittedly, in the very formation of their bodies, men are physically stronger than the women, who are commonly known as the softer sex. Naturally, therefore, Allah has saddled the husbands with the sole responsibility of protecting and maintaining their wives.

The Arabic expression '**Oawamoona**' means those who stand firm in another's business, protect his interests and look after his affairs. It may also mean those who stand firm in their own business, protect their own interest and look after their own affairs. This, therefore, is the position of men with regard to their wives. The position of superiority of the former makes them fully responsible for the protection, maintenance and safety of the latter.

The next expression '**Fadi**' in '**Faddallahu**' means the favour of superior rank that Allah has given to the one (man) over the other i.e. to men over women. This implies that the rank of men is superior to that of the women. This physical superiority and superiority in rank, as also other kinds of superiority, carry with it the burden, duty and responsibility of protection and maintenance of the wives by the husbands. Earning livelihood is the sole concern, business and responsibility of the menfolk. They must maintain their wives and children to the best of their means, ability and capacity. The only corresponding duty cast on the wives, is to safeguard the interest of their husbands at home and to preserve their own chastity during the absence of their husbands and to be obedient to them. This is a sacred duty in every civilised society but in Islam, it is imposed by the Lord-Creator Himself, with a sanction of Religion behind it.

Home, therefore, is the proper place and province for the wives, and it is not an unimportant place. It is no

part of their function or duty to go about in search of employment. Education, the women, must have. Islam makes it compulsory for both males and females. That education would help them to become pious, righteous, contented, wise, intelligent and reasonable housewives. Their main duty would be to bring up their children as ideal young ones and give them the best of education and training. If this is done that would be highest achievement and the greatest contribution to the society, the country and the State.

An unostentatious, non-luxurious, simple, contented and homely life needs no augmentation of income. Of course, too much luxury and extravagance may, not give contentment with the limited income of an average earner, even if it be modest and decent. Islam teaches a life of 'plain living and high thinking' and with the true Islamic provisions prevailing, and being practised in all the spheres of life, a much more happy life is envisaged, even if the income be comparatively low.

Then again, the provisions of the Holy Quran relating to womanhood in general would also stand on the way of the respected Muslim ladies participating in outside public activities, such as Assemblies, meetings, clubs etc. The specimens, models and ideals of the Muslim womanhood are well-defined. The esteemed consorts (wives) of the Holy Prophet (Ummuhatul Mumeneen) are the ideals for the Muslim womanhood. The Holy Quran declares :

“The Prophet is closer to the believers (Momeneen), then their own selves and his (Prophet's) consorts are your mothers.” 33:6. Hence the respected consorts of the Prophet—the Ummuhatul Momeneen—are the respected mothers of the Ummat—the followers of the Prophet—both male and female. As such, the children, particularly



the females, must imbibe the habits, virtues and attributes of the consorts of the Prophet and derive their lives' ideals from the ideals of the Prophet's consorts, as set out in the Holy Quran. Even in ordinary human society, children, it is said generally imbibe the nature, habits, and traits of their mothers. This must be the position of Muslim womanhood, visavis the noble consorts of the Holy Prophet.

Now, let us have a glimpse into those lofty, charming, beautiful and noble ideals, so wonderfully set out in a few Quranic verses.

“O Prophet, say to thy consorts: “If it be that ye desire the life of this world and it's glitter and charms, then come, I will provide for your enjoyment and set you free in a handsome ( and honourable ) manner ; **but if ye seek Allah, (His pleasure) and His Apostle, and the Home of the Hereafter (Eternal bliss), then verily Allah has prepared for the good—Muhsinat amongst you a magnificent reward.**” 33:28-29.

Again :

“O Consorts of the Prophet, whoever amongst you are guilty of evident unseemly conduct, the punishment would be **doubled** to her and that for Allah is very easy ; but whoever of you is devout in the service of Allah and His Apostle and works righteousness—to her shall We grant reward—**twice** (doubled) and We have prepared for them generous provisions.” 33:30-31.

Again :

“O Consorts of the Prophet ! ye are not like any of the (other) women (in general). If ye fear (Allah), be not too complacent of speech, lest one, in whose heart is a disease (evil intention) should be moved with desire : but speak ye a speech good and desirable. And stay

quietly in your houses and make not a dazzling display like that of the former times of Ignorance (Ayyame Jaheliyat—Pre-Islamic times) and establish regular Salat (prayer) and give regular Zakat (charity) and obey Allah and His Apostle. And Allah only desires to remove all abominations—impurities from you, ye members of the Prophet's family (Ahle-Bayet) and to make you pure and spotless: And recite (and remember) what is rehearsed in your homes of the Signs of Allah and His Wisdom (the Quran), for verily Allah is well-acquainted with the finest mysteries." 33 : 32-34.

Again :

“Verily the Muslim men and the Muslim women, and the believing men and the believing women, and the devout men and the devout women, and the truthful men and the truthful women and the patient men and the patient women, and the humble (fearing) men and humble women and the charitable men and the charitable women and the fasting men and the fasting women and the men guarding their chastity and the women guarding their chastity, and the men much remembering Allah and the women so remembering; Allah hath prepared for them Forgiveness and great Reward.” 33 : 35.

“And it is not permissible for a believer man or a believer woman, when a matter has been decided by Allah and His Apostle, to have any choice of their own in such matters of theirs. And whoever disobeys Allah and His Apostle, he indeed, strays far, in clear (manifest) wrong-path.” 33 : 36.

This is not the proper place for a detailed analysis of the above precious Quranic provisions. A cursory glance even and a little thought, will convince anyone about the loftiness and excellence of these ideals, for the Muslim womanhood in particular and the Ummat-e-Muslima in general.

Besides, there are some positive restrictions on the free movement of Muslim females and also certain amount of Purdah regulating unrestricted and free mixing between them and other males in general. The Holy Quran lays down :

“Say to the believing men to lower their gaze and guard their modesty (private parts), that is best for their purity— Verily Allah is well-acquainted with what they do.”

“And say to the believing women to lower their gaze and guard their modesty (private parts) and not to display their beauty and ornaments except what (must ordinarily) remain exposed thereof and they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands’ fathers, their sons, their husbands’ sons, their brothers, their brothers’ sons or their sisters’ sons or their women or the slaves whom their right hands possess, or male servants, free of physical needs of a man or small children, who have no sense of the shame of sex and that they should not strike with their legs in order to draw attention to their hidden ornaments. And Oh believers, turn to Allah, ye all together, so that ye may attain bliss (success and salvation)”. 24:31.

Again :

“O Prophet ! say to your consorts and your daughters and **the believing ( Momen ) women ( in general )** to draw their veils (wrapper or loose garment) upon their bosoms, **that is the least they must do**, so that they might be recognised (as respected Muslim ladies) and not molested ; And Allah is All-Forgiving, Most Merciful.” (33 : 59)

All the above Quranic measures are preventive and pre-cautionary against getting involved in the great sin of **Zina**—adultery or fornicification. Islam envisages a pure

and clean society and therefore, prescribes these precautionary measures and provides deterrent and exemplary punishment for 'Zina'. The Holy Quran lays down :

“A ‘Sura’ (Chapter) — We have revealed it and We have made it compulsory—binding and We have revealed in it clear Signs in order that ye may receive admonition.”

“The woman or man guilty of adultery or fornication,—flog each of them with a hundred stripes and let not compassion move you in their case in a matter of law (prescribed) by Allah, if you (really) believe in Allah and the last Day (Day of Judgment) and let a party of believers witness their punishment (i.e. in public)”.

“Let not an adulterer marry except an adulteress or an unbeliever and an adulteress, let none but an adulterer or a unbeliever marry her and such a thing is made **Haram**—forbidden to the believers.” (24:1-3).

Very clear provisions and very severe punishment indeed !

In a truly Muslim society, there is no room for these vices and sins at all ; hence all these precautionary measures with regard to modesty, decency, movement, dress, Purdah, etc.

For obvious reasons I have resorted to extensive quotations from the Divine Code, to show that it is not feasible for Muslim females to participate in outside activities. They are to keep themselves indoors, look after the children and the household. It, however, does not mean that they should be kept confined within the four corners of the houses. They can certainly go out, whenever necessary with modesty, properly dressed, as enjoined by our Gracious and Merciful Lord.

From the lengthy quotations, I am confident our respected sisters would visualise the true ideals of the Muslim womanhood and would have respect for the precious Divine Dispensations, intended for their own benefit, in this transient worldly life and for their ultimate salvation in the perpetual life of the Hereafter.

I know all my cries, would mostly be lost in the wilderness. The world is in the grip of the Devil. The modern materialistic civilisation, with the blessings of Iblis, is a serious challenge to Islam. Iblis declared in the very presence of Allah that he would take a heavy 'toll' of human beings, out of the progeny of Adam. After his prayer for respite was accepted by the Lord-Creator, on his expulsion from the Paradise, Iblis openly declared : "Now that Thou hast accused me of misguidance, verily I shall lurk in ambush for them (men) in Thy Straight Path ; then I shall come upon them from before them and from behind them and from their right hands and from their left hands and Thou will not find the greater part of them grateful to Thee." (7:16-17)

This is actually the position now ; with the result that Allah's unalterable verdict : "Get thee (O Iblis !) from hence, despised and degraded, Surely whoever from them (men) shall follow thee, I will certainly fill hell with you all" (7:18) : would certainly come to play on the Day of Judgment and no amount of material Wealth, and treasures would be of any avail. Nor, would 'friend' Satan Come forward to the rescue of his followers. He would clean absolve himself of all responsibilities. His conduct then, would be, as the Holy Quran declares :

"And Satan shall say, when decision is given (on the Day of Judgment) ; "Verily Allah promised you a promise of truth and I (also) promised you ; but I failed

(deceived you) : And I had no power over you, save that I only called unto you and you readily responded to me (obeyed me) ; so blame me not, but blame yourselves. I cannot help you (now) ; nor can you help me. Verily I do now renounce your having associated me with Allah heretofore. A grievous punishment is prepared for the wrong-doers" (14:22).

Here is a complete picture of the whole drama of our precious life. Let the humanity think and ponder over, for a moment.

## CONCLUDING WORDS

Time and again Allah Rabbul A'lameen directs :

**Ateyullah O A'teeyur Rasool**—"Obey Allah and obey the Apostle."

One such all important direction is : **Man A'tar Rasool-Faqad A'taallah**—"Whoever obeys the Apostle, virtually obeys Allah." (4:80) The import is clear. Obedience to the Apostle is equivalent to obedience to Allah. Therefore the Sunnah of our Holy Prophet is as binding as the Holy Quran itself. Over and above, a general Divine command runs :—

"Whatever the Apostle gives you, take it and whatever he forbids you from, abstain from it." 59:7

A very stern warning is :—"O ye who believe ! obey Allah and obey the Apostle and render not your actions—deeds—in vain—wastes." 47:33

Anything done in disregard to the commands of Allah and the Apostle is absolute waste.

The administrators of Muslim States in particular and the Mussalmans in general, must naturally be very careful in all their acts and deeds and in the matter of administration of the State, the former must see that nothing is done against Quran and Sunnah. Their responsibility is very great. Whatever measures they adopt, whatever steps they take, they must see that it is in conformity with the teachings of Quran and Sunnah. There is nothing that has not been exhaustively provided for, by these two authorities. There should be an Advisory Board of eminent

Ulema of thoroughly independent spirit, to advise the administration on every matter of importance, in the light of the Holy Quran and Sunnah and decision of the Board must be binding.

Now, I would again advert to the Magnificent Divine Order, on the imperative duties and responsibilities of the administrators of a Muslim States, when they are established in any part of the world. The Divine Order, to repeat, runs :—

“And those, when We, establish them on earth (in authority) would :—

- (1) Establish regular Salat (Prayer)
- (2) and pay regular Zakat (Charity)

(3) and enjoin the right and forbid the wrong, and unto Allah is the ultimate resort of all affairs.”—22:41

Therefore, the administrators of a Muslim State must themselves establish Salat and also enforce it on all the Muslim citizens of the State. The implementation of the first clause, implies the establishment of the whole nation, the rulers as well as the ruled, on the strongest spiritual and moral foundation. In other words, the foundation of the whole Muslim nation must be laid on a solid spiritual base and Salat is the greatest single factor that contributes to the achievement of this object. During the golden days of Islam—not a single Muslim could be found, who was not regular in his Salat and for the matter of that, absolutely true to his Iman—honesty and integrity—and this accounted for the then meteoric rise of Islam and the Muslims. But these days, ninety nine percent Mussalmans have nothing to do with Salat and the result is obvious. Then again, of those who offer their Salat, very few realise the object, underlying its establishment.



With most of them, it is more or less conventional—**Rasmi**. The main object of Salat, which is nothing but the outward practical expression of Iman—Faith, is to keep one away from all sorts of ills, evils and wrongs. Al-Quran says: “Surely Salat keeps away from all ills, evils, indecencies (Fawahishat) and wrongs”-(29:45). Unless this object is achieved, ‘Salat’ becomes useless waste of time—a curse, rather than a bliss and blessing.

Our Holy Prophet said: “Salat is the means of attaining the nearness of Allah—**Qurbate-Elahi**. But he, whose Salat cannot keep him away from ills, evils and wrongs, instead of attaining the nearness of Allah, it casts him far and far away from Him.” Thus Instead of it’s being a boon and blessing, it becomes a curse. To be thrown away from Allah is nothing but a curse.

Therefore, all the Muslim administrators and the Mussalmans in general must be true to their Iman and Salat, in order to achieve the results they stand for.

If the foundation of a nation is laid on morality, honesty and integrity, the peace, prosperity and progress of such a nation are guaranteed. This is why the Gracious, Merciful, Benevolent and All-knowing Allah has made ‘Salat’, the first and the foremost condition of a State, the citizens whereof are ‘believers’ in him, i.e. Mussalmans—those who resign to Allah.

Now we come to the second clause of the Divine Order—Payment of Zakat. If the first clause is truly implemented, the second clause would become easy of performance. True and proper establishment of ‘Salat’ cannot but make the people thoroughly honest, selfless, benevolent magnanimous, economical, sympathetic and charitable. Such persons cannot be dishonest, selfish, mean, miserly, extravagant, and unkind. Their love, feelings and sympathy for the poor and the unfortunate ones would make

them pay the highest amount by way of Zakat. Their Salat would teach them benevolence, selflessness, fellow-feeling and their spirit of charity; would make them spend-thrift and broadminded to make them come forward with the highest amount of Zakat. This honesty and Iman would direct them not to conceal their wealth. They would rather find pleasure in paying more Zakat. Their love for the poor and unfortunate ones will make them pay the maximum Zakat, Sadaqat, alms and charities and this would certainly remove poverty from the country in no time. During the Khelafat of Hazrat Omar, as a result of people coming forward with the payment of Zakat to the fullest extent, poverty had become a thing of the past; so much so, that it became difficult to find a person deserving payment from Zakat fund. There cannot be a better solution of the cheap slogan: "**Gharibi Hatao**"—"away with poverty", than the Quranic Provisions of Zakat and **Sadaqat**. They would realise that it is their duty, and not a matter of sweet will or favour to pay Zakat. According to the teachings of Islam, the poor and the 'have nots', have got a definite share in the wealth and riches of the wealthy and well-to-do. Al-Quran declares: "And in their wealth, there is a definite share—'Haq' of the beggars and the destitutes." 51:19

Then again the categorical declaration of Allah is:

"Verily Allah hath purchased from the believers, their persons and their properties, because of—in consideration of—the Paradise—Jannat." 9:111

Therefore, the believers stand sold to their Lord-Creator. They have got no right to deal with their wealth and property according to their sweet will. They are to do so, as trustee of Allah, according to the direction of the lord and 'Zakat' is one of such positive directions.

If all the Muslims honestly pay Zakat, the poverty of the country would be a thing of the past. There

cannot be a better solution for the problem of “Gharibi Hatao” than this Divine Provision of Zakat, and the other kinds of charity and **Sadaqat**, as ordained by Allah. Plain living and high thinking is the ideal of Islam, the practical example whereof, has been set by the Holy Prophet himself. All Muslims must take to this noble ideal and contentment is assured.

Let the Muslim States, have a thorough research into the economic principles of Islam and honestly implement the same, and I make it bold to say that there would be a radical solution for all the economic problems of the Muslim States. It is unfortunate that we the Mussalmans are not ourselves conversant with the Quranic economic system with the result that we are groping in the darkness.

With the imposition of Zakat, Incom-Tax should be abolished in Muslim States, as is the case in Saudi Arabia, which is governed according to the Quranic laws. All the individuals should be encouraged to carry on honest, unrestricted business, without any fear of paying heavy income-tax. This would give maximum incentives to the people to employ their utmost skill, endeavoures and resources and to do good and extensive business. This would bring prosperity and happiness to the whole nation and the State.

As already observed all wealthy people must be made to pay the Zakat to the fullest extent and with the Islamic Iman and honesty, I am sure, none would hesitate to pay it for the welfare of fellow beings. Usury and interest must be stopped. These are absolute prohibitions in Islam. Allah says one’s wealth does not increase by interest and usury but increases unto Allah by Zakat. The Quran declares :

“Therefore, give to the kinsman his due, and to the needy and to the wayfarer. That is the best for those, who seek Allah’s countenance, and they are the successful ones.”

“That which ye give in usury in order that it may increase on (other) people’s property, hath no increase with Allah, but that which ye give in charity—Zakat, seeking Allah’s countenance hath increase many fold. 30:28-29.

In all Muslim States, Zakat should be collected by the State and ‘Baitul Mals’ established. The Zakat fund should be administered according to the provisions of the Holy Quran, as enunciated in Sura—“At-Touba”—the ninth chapter. The direction runs :—

“Verily the Sadaqat (Zakat, alms and charities) are for the poor and the needy and those employed to administer the (fund) and those whose hearts are to be reconciled to Islam ( new converts ) and for those in bondage (emancipation of slaves) and those in debt, and in the cause of Allah ( Fi Sabilillah ) and for the wayfarers. This is ordained by Allah—and Allah is All-Knowing—Wise.” 9.60.

These are the eight heads under which Zakat money is to be spent.

Income tax being abolished, that Department can be entrusted with the collection of Zakat. The non-Muslim businessmen and industrialists would be liable to pay income-tax or Jiziya tax instead of Zakat and the same Department would be in the charge of collecting these taxes.

The third clause of the Divine Order—enjoining the right and forbidding the wrong, is the subject-matter of general administration. The administration of all States

exist for maintenance of peace and order and suppressing crimes. These are the duties and functions of officers and staff employed by the State. In addition to the government staff for performing those duties and responsibilities, the Divine Clause, also saddles all the Mussalmans, of a Muslim State in their respective Mahallas, zones and regions, individually and collectively, to go on doing the duties of *Amar-bil-Maaruf* and *Nahi Anil Munkar*—ordering the doing of the good and forbidding the doing of bad. What a salutary Divine social system ! If the Muslim officers and staff in particular and the Mussalmans in general, discharge these Islamic duties of theirs, with honesty and sincerity, there can be no crime in Muslim lands. But the condition is quite reverse. What a tragedy ! Islam is a most scientific way of life. The brief concluding discourse on the provisions of the Divine Clauses, impartially considered, would, I am confident, lead to no other conclusion than this.

I would appeal to the world jurists, leaders and politicians, to honestly scrutinise and examine the Divine Order in it's true perspectives and give their honest and unbiased verdict on it's utility to the human society.

Allah Rabbul A'lamin is the Absolute Sovereign of all the worlds and everything therein. All His gifts, bounties and blessings are for His creatures, in general, and specially for mankind—the cream of His creation. He is All-Gracious and Bountiful to them and desires their peace and happiness in this world. The merciful Lord declares :—

“And if the inhabitants of the townships (humanity in general), had believed, had implicit faith—Iman (in Me) and feared Me (had *Taqwa* for Me and eschewed all ills and evils out of My fear), I would Certainly have opened

the doors of blessings and bounties (favours for them) from the heaven and the earth ; but they have belied (Me), and so I have seized them (with My punishments) for what they have earned." 7:96.

It is, for what the hands of men earn, that they suffer and the greater part of humanity have rejected Him in toto. What a tragedy and misfortune !

Last, but not the least, we as Muslims, must remember that our life in this world is a temporary life of probation. We are here on a 'test' and 'trial'. Everything we utter is being recorded, everything we do, is being preserved. The inventions of Science—the Tape-Recorder and the Television etc. do establish these scientific truths, enunciated by the Holy Quran about fourteen hundred years back. Allah's Tape-Recorder and Television are functioning from the inception of creation. Can there be any the least doubt about this new ? The entire human race would be put on trial on the Final Day of Judgment, when the whole record of their utterances, acts and deeds would be placed before them and they would be called upon to take their own accounts. Al-Quran declares :

"Everyman's record—augury—We have fastened unto his own neck, and We shall bring forth for him, on the Day of Judgment, a book which he will find wide open. ( And it will be said to him ) :—"Read thy book—sufficient art thou thyself this Day, to take thy account." 17:13-14.

Again :

"Every soul (man) is in pledge for it's own deeds ; except the companions of the Right Hand (the righteous) ; In the Garden (Paradise) they will ask one another concerning the sinners: "What hath brought you in this blazing

fire ?” They will answer—“we were not of those who used to pray—(offer Salat), nor did we feed the poor—(Miskeen) ; we used to indulge in vain talks with vain talkers and we used to deny the Day of Judgment, till the inevitable (Death) has overtaken us.” 74:38-47

We the Mussalmans in general and the Muslim administrators in particular must be alive to these Quranic teachings and must order our lives according to the dictates of Quran and Sunnah, so that we can face our trial on the Final Day of Judgment, from which there is no escape for anyone. Death is inevitable and accountability in the Hereafter is a certainty. The Merciful Almighty Allah declares :

“Every soul shall taste Death and ye will be fully paid, on the Day of Judgment for, that which ye have earned. Whoso is saved—removed—from the fire and admitted to Paradise, shall have achieved the desired object (the achievement Supreme) and the life of this world is nothing but chattles of deception.” (3:185)

Let us therefore, not be deceived by the dazzlings of the material world, that will perish with the closing of the eyes. Nothing can be a greater foolishness than this.

**“Our Lord, guide us in the Siratul-Mustaqeem, the Path of those on whom Thou hast bestowed Thy favours, not of those who have invited Thy wrath nor of those who have gone astray—Ameen.”**

## **AN EXPLANATION**

This work was completed long ago, when Bangladesh was part of Pakistan. The manuscript was placed with the then Bureau of National Re-construction for publication. The work was entrusted to some Press, but due to political changes, it could not be published. Even the manuscript could not be traced. I had to reconstruct the work from the materials in my possession. With great difficulty, I have been able to put it to the Press. As a Muslim, I consider my duty to render, whatever service I can, to Islam. The life of every true Muslim must be a dedication to his Gracious Faith. He should live and die for Islam. Each and Every Muslim, whatever his position in life, must make his own contribution to his dear Faith. As a follower of the Holy Prophet, it is his duty to convey the teachings of Islam. The Holy Prophet directs—"And convey from me, if that be even a sentence—one Ayat". But it is a great misfortune that we are generally, oblivious of our sacred duty, so strictly enjoined by Allah and His Apostle.

May Allah accept this humble work of a sinning servant of His—Amen !

**The Author**



