

Status of Prophet Muhammad in the light of Qura'anic Verses

Dr. Hafiz Muhammad Sani *

This article discovers the status of Prophet Hazrat Muhammas (SAW) in the verses of the Noble Quran, The author has mentioned the verse 31 of Surrah "Aal-e-I'mran" which says to the Hazrat Muhammad (SAW) to announce that whose loves Allah must obey and follow the prophet so that Allah is pleased with him and will forgive him. Likewise that there is mentioned in Surrah "Al-A'raf" verse 157 which set forths the fundamental command that those people who believe in the Prophet hood help him in his mission, follow the edicts of Noble Quran which is revealed on the Prophet (SAW), will be successful. Similerly there is a sublime mention of verse 1 of surah "Al-Kausar" which says, "Verily, we have granted you (O Muhammad (SAW), Al-Kautar (a river in phradise). And in the verse which says, "And have we not raised high your fame? (94:4). The article has become the index of the chapters of the Noble Quran alongwith the verses which speak very high of the status of the Prophet (SAW)

The author has also mentioned traditions narrated by the beloved wife of the Prophet Hazrat Ayesha Siddiqua (Riz), who reported that the Quran was the manner of the Hazrat Muhammad (SAW).

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In this article one may find a concise survey of writers of seerah from ancient times till today. There is also a chart of the names which the Noble Quran has given to the Hazrat Muhammad (SAW) in various chapters. There are a number of poetic appreciations of Hazrat Muhammad (SAW) by Allama Iqbal, and famous Persian poets along-with poetic homage of non-Muslim poets. Its reading makes one feel that this article is written by the pen of heart.

The writer has taken great pains to describe the survey of internet company "Microsoft", in 30th June 2000, for the greatest personality of third Millennium. The internet survey in the Christian world specially and generally in other countries affirmed that the Hazrat Muhammad (SAW) is the greatest personality continue the for third thousand years.

The author has also cited quotations from the work of Michael Hart "The 100" A ranking of the Most Influential persons in history". Dermenghem's book, Life of Muhammad and Rama Krishna Rao's book, Prophet of Islam. These eminent writers have paid rich tribute to the life and struggle of Hazrat Muhammad (SAW).

In this article one can find a chronology, order of life of Hazrat Muhammad (SAW) such as chapters and their verses highlighting the event of birth of the prophet (SAW), his first sermon his first revelation, the first holy war, the occasion of his prayer and likewise the important events in his life and manners. At the end there are valuable references.

Legal Study of Hudaibiya Treaty

Shah Moeen-ud-din Hashimi *

Islam is a complete and comprehensive code of Life. It has prescribed legal frame work as well as rules of Ethics for the believers. It not only provides guide lines for individual and collective life but also laid down principles for international relations and transactions. Respect and welfare of the human beings is given great importance.

The Islamic legal system recognizes the sanctity of conditions for making agreements with the non-Muslims. Holy Prophet Peace be upon him, along-with the administration of state also make a number of agreements and treaties with the different nations and tribes. These treaties are example of legislations during the period of Holy Prophet Peace be upon him. Treaty of Hudabia is one of these important treaties which were conducted in that period.

There are different political materialistic and strategic reasons for making treaty of Hudaibia. It was quite favorable for the Muslim to make an agreement with the Qureish of Makkah, one of the enemies who had blood relations with the believers and who shared common economic intrests with them. All the conditions laid down in this agreement were apparently very hostile to the Muslims but at later stage it proved to be a blessing in disguise.

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Ramifications of the Treaty.

- It is proved to be a clear victory for the Muslims.
- That an ambassador is eligible to conclude an agreement on the behalf of the state.
- It is a moral and legal obligation to respect and give regard to the ambassadors.
- It is appreciable to arrange a dialogue for peace before war.
- If non-Muslim combatants desire for peace, it would be preferable to make peace with them.
- The treaty must be recorded and signed by both the sides.
- Breach of contract is not allowed in Islam.
- Violation of any part of treaty would be held as breach of whole contract.
- It would not be permitted to damage the person, property and respect after having made a peace agreement.
- Foreign relations with non-Muslims are based only upon peace.
- Islamic state can make agreements with non-Muslims for the benefit of Muslim community.
- No war zone treaty can be made with non-Muslims to make sure the safety of residential areas and property.
- The use of weapons becomes prohibited after the treaty but the right to acquire weapons is not surrendered.
- It is legal to have trade relations with non-Muslims.
- It is obligatory for the believers to observe and abide by the Laws of the countries they visit and settle in.

Independence of Judiciary in Islamic Judicial System

Dr. Muhammad Zia-ul-Haq *

A special importance has been given to procedural law in al-fiqh al-Islami. Islamic Procedural law deals with several important issues related to judicial system such as procedural codes of courts, respect of Judiciary and Independence of judiciary. This study is about the opinions of Muslim Jurists regarding independence of Judiciary in Islamic Judicial system. The study is divided into three parts. First part of the study deals with introduction, importance and sensitivity of Qaza in Islamic Law. Legitimacy of Qaza and its effects on society have also been elaborated in this part. The concepts of independence of judiciary in Islam, Its evaluation and importance have been discussed in the second part of this study. In this regards juristic opinion have been presented and historical development of judicial immunity has been traced. Moreover legitimacy of Independence in al-shariah al-Islamia has also been analyzed. The third part of this paper deals with privileges and rights of judges. Important issues such as on merit appointment, right of free proceedings of the court, staff of the court, protection of service, civil and criminal community have been elaborated in third part of this study.

The study concludes that rise of a nation depends on Independence of Judiciary. Muslim societies were developed when this ingredient was actively available but now the one reason of the fall of Muslims is existence of free judiciary.

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Interpretation of Statutes in Contemporary Legal System with reference to Ta'bir al Nusus

Shahzad Iqbal Sham *

Besides other aspects of human life, Islam has its own complete codified legal system, along-with its jurisprudence which includes interpretation of statutes as well. But in our court set up, the contemporary state of knowledge does not allow a clear and unequivocal explanation of statutes viz. The Quran and Sunnah of the Prophet (S.A.W). An overwhelming majority of codified laws of the land. Taking the approval from the divine guidance, have their profound roots into the Muslim society of sub-continent.

The spirit of contemporary legal system is well consistent to the Quran and Sunnah, while simultaneously, at the time of interpreting these laws, the jurists, lawyers, Judges etc. rely upon the principles of western style of interpretation. Being ignorant to the principle of Ta'bir al Nusus, it is very difficult for them to distinguish between variables within the principles of Islamic types of legislation and variables in case of former. Ergo no generally accepted conclusions are available for the settlement of primary question i.e. The interpretation of statutes---- the Quran and the Sunnah___ in the perspective of Islamic Jurisprudence.

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If this is so, it is obvious that our judicial system should gradually switch, this state of affairs, over towards its historical experience. The jurists, on the other hand, feel it difficult to take the benefits from the available literature of Ta'bir al Nusus. Almost all such sources are meant keeping in view the scholars of Islamic sciences not the jurists. Therefore, the Jurists have to depend on the crutches of available western principles of interpretation of statutes, concurrent to our legal system but inconsistent with the spirit of Islamic law.

In nutshell, the issue can be framed in the following articulation:

1. The law of land, no doubt, at an acceptable level depends upon the Quran and the sunnah while interpreting these statutes, the jurists do not lay before them the principles of Ta'bir al Nusus. Yet this probably overemphasize the role of jurists.
2. Not in Arabic, but in Urdu as well as English, a considerable magnitude of literature about the principles of interpretation of statutes can be viewed but, one has to say, it is not in accordance with the demand of the legal circles of the age.

The problem is, of Course, that the solution is, no doubt, possible to give with any degree of assurance, as it rests on some interacting factors, that creation of literature by the scholars of Islamic Sciences keeping in mind the needs and trends of the legal sector, would be a valuable addition to the field of knowledge.

Does our recent experience of Islamisation suggest any sudden and comprehensive academic revolution or does it advise us a gradual reformation saturating the minds and trends of jurists? The article is written with a view to knock at the doorstep of Islamic scholars to feel and gauge their ability and then, paying their attention to this issue, they should play their part in responding and addressing the questions framed by the author of the article.

The Rise And fall of “Zaheri” School of Thought

Dr. Zaitoon Begum *

Every sect or a group unite to form an ideology of faith. To prove this ideology they evolve the principles of its formation and interpretation, which is conducive for their existence and extension.

The ever changing social changes and trivial differences in religion led to the making of a sect, and “Zaheri” sect is in one of them.

The intellectual, political and religious conflicts are the main underlying causes of this divergence.

The questions concerning the personality and otherwise of Allah, His words and deeds, the attribution of Noble Quran as Allah itself or a word of Allah, all are intellectual inquiries arising out of Greek, Roman and Iranian Philosophies coupled with the Islamic thought.

The political rivalry among the Muslims arose after the assassination of Hazrat Uthman (Riz). The conflict between Hazrat Ali (Riz) and Hazrat Mu'awia (Riz), the “Khawarij” the Shia'an-e-Ali, the “Ahl-e-Bayat” and the Abbasside were mere a political polarization. Each faction invented independent interpretation of the same text of Noble Quran and traditions of Hazrat Muhammad (SAW) in contrast to his opponents. The Khawarij's notion “No order other than Allah” led to the formation of Zaheri sect.

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As regard the religious, the third cause, the author contends, that the transforming of the complete Muslim society from the nomadic brought this difference.

No section of Islamic jurists would claim having totality of injunctions of Islamic law. The apparent, the hidden the restricted and absolute command, of the Noble Quran and the "Aha'dith" were the vibrant difference of opinions. The "Zaheri" opponents of "Ra'i" and analogy formed their own school of thought.

The Definition of Zaheri.

The author cited from patrus Bustani say that Zaheria is a Muslim sect which takes the apparent meaning of a text and negates analogy, it was formed by Dawood bin Ali. They held that the apparent meaning of text of Quran are correct and true.

The antiquity of Zaheria.

The author states a headith of the prophet (SAW) in which the prophet (SAW) ordained a group of sahabah not to offer "Asr" prayer other then the place of "Banu Qauraiza". While traveling the time of "Asr prayer approached. Few sahabah offered the prayer in journey the others deffered till the destination. The Prophet (SAW) was not annoyed on that. In this hadith the companions (Sahabah) who addressed to the express word of command and offered the "Asr" prayer at the destination of "banu Quraiza " were called "Zaheri". They were the founder of Zaheri sect as Ibn Hazm said this.

The Zaheri are also called “As-Siddiqoon”, “Ad-Dawoodeen” and “Al-Hizmoon”. It was founded in Iraq by Dawood bin Ali. Later this sect spread in Iran, Khurasan, Syria and Egypt.

The Zaheri fiqh was prominent alongwith Shafi, Maliki and Hanfi fiqh overshadowing the Hunmbli fiqh in the East, in the fourth century of Hijri. Some scholars from Cordova came to east to have first hand knowledge of Zaheri sect. They had learnt from them not to follow, ‘Taqleed’ or adopt a fiqhi school of thought, but directly to drive a “Hukam” from the apparent text of Quran and hadith.

Qazi Ibn Abi Ya’Ala through his personal efforts revived fiqh Hunmbli against ‘Zaheria’. Mean-while Ibn Hazm made a lot of contribution to fiqh Zaheria in Spain. His pupil Al-Hameedi: spread this fiqh in the East. The students and books of Ibn Hazm established this fiqah and in every century there was an established Zaheri jurist.

Ibn Hazm once said that it was the power of state that Fiqh Hanfi was established in the west. But he was no longer alive to see that sultan Yaqoob was forcing fiqh Zaheri on the people of Spain. Alas there was no other Ibn Hazm who would make prudent arguments for this sect, which at last diminished after him.

The Sources of Exegesis (Tafseer) in the period of the companions of the Prophet (Peace Be Upon Him)

Haroon-Ur-Rashid *

The main theme of this article is to highlight the contribution of the companions towards Tafseer of the Holy Qura'an and to explain the sources on which they based their contribution.

Some time it is assumed that the companions just reproduced in the Tafseer what they heard from the Prophet (S.A.W) and no intellectual contribution was made by them.

Some orientalist thought that the contribution of the companions in the field of Tafseer is in fact a mere reflection of that knowledge which they got from the Jews and Christians living in surrounding area of Al-Madinah-al-Munawwarah. The reality of these opinions is explored in this article the article deals with questions such as:

What is the truth of the matter?

- ❖ To what extent had they interacted with the people of the Book?
- ❖ Whether this interaction was open-ended or had its limits?

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- ❖ What was their own intellectual input in the Tafseer of Qur'an?
- ❖ When and where did they depend upon the Tafseer of the Prophet (S.A.W)

This study is based on four basic elements of Tafseer:

1. **Al-Qura'an Al-Kareem** (In many places the Qura'an itself explains some verses)
2. **Prophet (S.A.W)** (A great number of the sayings of the Prophet particularly relate to the exegesis of the Quran.
3. **Ijtihad** (This is a major source of Tafseer and it provides the opportunity of Tafseer at a large scale but with certain conditions and limits. The contribution of the companions in Tafseer in this element of Tafseer is very much visible)
4. **People of Book who embraced Islam.** (Some secondary level details about the lives of earlier prophets and their nations are taken in Tafseer in this particular area)

Qur'anic Sciences: The Problem of definition of the discipline and classification of its themes

Dr. Fazlul Hadi Wazeen *

U'loomul Qur'an or Qur'anic Sciences is one of the disciplines which have the capacity of further development and enrichment due to its vastness and everlasting nature of the Holy Qur'an as the last and final word of Allah (S.W.T).

There is room for further scientific researches in terms of possibility of adding new themes and reviewing some of the existing subjects according to the accepted rules and principles in the field.

This article discusses two basic and important issues of the Qur'anic Sciences, which seem to be problematic in some of their aspects and have to be studied and reviewed properly.

The first of the two is the issue of definition of the Qur'anic Sciences as a separate and particular discipline because some of the available definitions are not comprehensive and eventually unable to encompass all topics of the Qur'anic Sciences, while others are too general that might include other subjects which are difficult to be counted as the components of Qur'anic Sciences as a particular discipline.

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The second point is related to the classification of the various themes and branches of the Qur'anic Sciences. In the classic works of Qur'anic Sciences no efforts have been made for the classification of different branches of the discipline and they are discussed under separate chapters and headings, while some efforts made in some of the recent works in this regard are of the preliminary nature and incomplete in many aspects, need to be elaborated in a precise way.

The article tries to discuss and highlight the both issues after a critical assessment of the problematic aspects in previous works with an aim to reach to a cogent and convincing conclusion in the form of a new and more precise definition for the Qur'anic Sciences as well as a new better classification of its themes.

Problems In Arabic Faced By Pashto Speakers In the Idiom Usages Borrowed From other Languages

Dr. Faizan-Ur-Rehman *

Pashto speakers love both Arabs and Arabic, but there are some problems which they are yet to overcome. There are many idiomatic usages especially in contemporary Arabic which when taken literally by Pakistanies, in general and Pashto speakers in particular do not correspond to the meanings intended. For example "تبنى سياسة القاء القفاز" means "He has adopted the policy of challenging others" Actually this expression has been taken from the English idiom, "To throw off the gauntlets" similarly, "فلان يصطاد فى الماء العكر" has been taken from the English expression, "Mr. So and so fish in the troubled water". The contributor of the article has tried to collect such kin of usages and explains them so that Pakistanis in general and Pashto speakers in particular overcome such kind of problems.

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