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THE

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WOKING ENGLAND

SEPTEMBER 1966

54th YEAR OF PUBLICATION

THREE SHILLINGS



"(O ye who believe!)...and hold fast to the pact of God all together, and split not"
(The Qur'an 3:103)

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Na'im al-Humsi, a Syrian Muslim scholar, is the author of several books in Arabic for the younger age-group, the best known being *al-Ra'id fi al-Adab al-'Arabi*.

Q. A. M. Yahya is a Pakistan Muslim scientist working in the Department of Physics, Dacca University, Dacca, Pakistan.

M. Borramans, a French scholar, is a member of the editorial staff of the French quarterly of the Institut des Belles Lettres Arabes, *Ibla*, Tunis, Tunisia.

The late Professor D. Storm Rice was Professor of Arts and Archaeology in the University of London.

Nádirah Shanan is an Egyptian woman scholar.

Muhammad Zerrouki is an Algerian Muslim scholar. He writes frequently in the French and Arabic journals.

Husayn Rofé is a British Muslim and at present residing in Hong Kong. He is a keen student of the Subud — an esoteric way of life introduced by an Indonesian Muslim named Subuh. Mr. Rofé has written a monograph on the Subud, published in England about six years ago.

Khamis A. Busaidy is a Zanzibari Muslim journalist.

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Contents

Editorial ...	3
The History of the Idea of the Miracle (I'jaz) of the Qur'án by Na'im al-Humsi	5
The Holy Qur'án and Science ...	9
by Q. A. M. Yahya	
Codes Regulating Personal Status and Social Evolution in the Muslim Countries of Syria, Morocco and Egypt ...	14
by M. Borramans	
The Fermo Chasuble of the Archbishop of Canterbury, St. Thomas Becket ...	19
by the late Professor D. Storm Rice	
The National Anthem of Libya ...	23
Woman and Jihad in Islam ...	24
by Nádirah Shanan	
Hayy — an Arab Robinson Crusoe ...	28
by Muhammad Zerrouki	
The Struggle for Leadership in the Early Caliphate ...	30
by H. Rofé	
What Our Readers Say ...	33
Book Review ...	34
Look at the Pig ...	35
by Khamis A. Busaidy	
Questions and Answers on Islam ...	37
Bahasa Indonesia — or How Indonesian Replaced Dutch ...	39

THE ISLAMIC REVIEW

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



"Muhammad is not the father of any of your men, but he is the Messenger of God and the Seal (last) of the Prophets. And God has full knowledge of all things" (The Qur'an, 33 : 40)

"There is no prophet after me" (The Prophet Muhammad)

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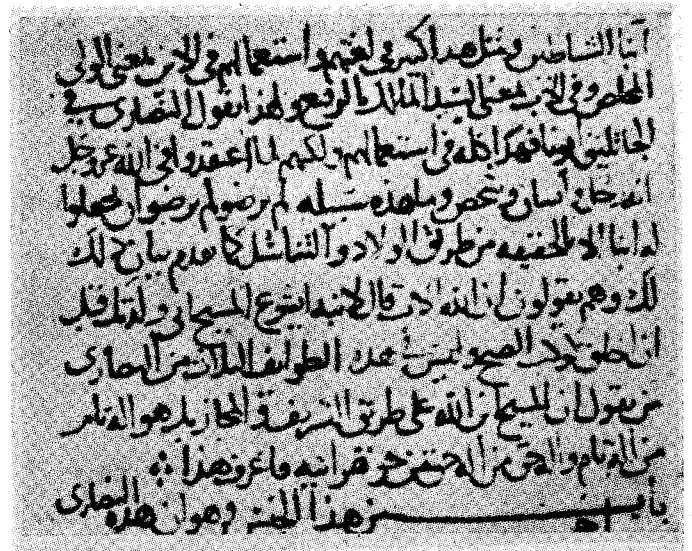
SEPTEMBER 1966 C.E.

Jumaada al-thaaniyah – Rajab 1386A.H.

A New Light on the Religion of Jesus Christ and the Views of the Holy Qur'an

The Qur'an has always maintained that the present dogmatized form of Christianity does not represent the teaching of Jesus Christ, denouncing especially the doctrine of Trinity. It addresses itself to the Jews and Christians in the following words: "O followers of the Book! do not exceed the limits in your religion and do not speak lies against God but speak the truth; the Messiah, Jesus son of Mary, is only a messenger and His word which He communicated to Mary and an inspiration from Him; believe, therefore, in God and His messengers and say not, Three. Desist, it is better for you; God is only one God; far be it from His glory that He should have a son; whatever is in the heavens and whatever is in the earth is His" (4 : 171).

In fact, this protest of the Qur'an is not new against proclaiming Jesus as God's divine son; for church historians have always known that the immediate followers of Jesus in the early decades after his death regarded him as merely another prophet of Israel and denounced St. Peter and St. Paul for preaching his message to the Gentiles—a message they held was only meant for the Jews. As to the denunciation by the Qur'an of the doctrine of Jesus being God's divine son, it has recently been corroborated by a MS just unearthed in the Sulaymaniyyah Library, Istanbul, Turkey, which tells us a great deal of the beliefs of one of those sects of Jewish Christians known as the Nassoreans or Nazarenes. They seem to have disappeared 1,500 years ago.



A part of one of the pages of the Nazarene MS in the Sulaymaniyyah Library, Istanbul, Turkey, discovered by Professor Samuel Stern of Oxford University

This *MS.* covers 600 pages and was discovered a few years ago by Professor Dr. Samuel Stern of Oxford University in the Sulaymaniyyah Library at Istanbul. Professor Stern's chief domain of studies lies in the so-called "sects" of Islam. While in Jerusalem Professor Stern talked of this *MS.* to Professor Sholom Pines of the Hebrew University of Jerusalem, an expert on early Christian history. Professor Pines took a photostat copy of this *MS.* for his research. He has come to the conclusion that the text accurately reflects the faith of the Nazarenes, whose doctrines had been previously known only through polemics against them by orthodox theologians such as Jerome and Ephiphanius.

The Arabic *MS.* consists of a translation from the Syriac and written some time in the fourth and fifth centuries by someone who belonged to the Jewish Christian sect of Christians, the Nazarenes, who claimed descent from Jesus's first disciples and who were driven out of Palestine in 62 C.E. into Syria as a result of a bitter quarrel with other Christians.

The Syriac text was translated into Arabic at an unknown date and was incorporated in the 10th century in a treatise defending Islam by a prominent scholar, the Qadi 'Abd al-Jabbar. 140 pages of the *MS.* consist of polemics by the Nazarenes against St. Paul, charging that he heretically substituted Roman customs for the authentic teaching of Jesus and falsely proclaimed him to be God.

The Qadi 'Abd al-Jabbar (d. 415 A.H.—1024 C.E.) is one of the best-known Arab scholars of his age. He spent most of his time in Hamadan (Iran), Asadabad (Afghanistan) and Baghdad (Iraq). He was held in high esteem by great scholars like the Imam Razi, who drew copiously from him when he wrote his famous *Tafsir kabir*.

'Abd al-Jabbar's own account of the Nazarenes is at variance with various conceptions about the sect. Although St. Jerome claimed that the Nazarenes believed in Jesus Christ's divinity, the *MS.* declares that they regarded Joseph as the natural father of Jesus, whose *Passion* and death were proof that he was simply a great prophet and righteous man. On the grounds that Jesus was an observant Jew, the Nazarenes practised circumcision, abstained from eating forbidden foods, faced towards Jerusalem when praying and observed the Sabbath on Saturday instead of Sunday. The Nazarenes refused to celebrate Christmas, which they regarded as a pagan feast.

Narratives of the Passion

Two narratives of the *Passion* included in the manuscript are conflicting. One comes close to the version in St. John but differs in details. The other, vastly different from the account in the Gospels, says a group of Jews complained to Herod that Jesus "corrupted and led astray our brethren". Herod assigned auxiliaries to go with them to arrest the man, but none could identify him. They met Judas, who said he would kiss Jesus's head and take his hand so that they could recognize him. There was a crowd in Jerusalem because it was the third day of the Passover. Judas kissed a man's head, took

his hand and then melted into the crowd. The man was arrested.

Brought before Herod the prisoner denied that he was Christ and trembled with fear. Herod said to the Jews: "I see you attribute to him sayings that were not his and you wrong him. There is a basin of water for me to wash my hands of this man's blood."

Pilate learned that Jesus had been brought to Herod and asked that he be sent to him for a talk, as he had heard that he was an intelligent man. In his meeting with Pilate the prisoner also denied that he was Christ and was too nervous for intelligent conversation. Pilate accordingly sent him back to Herod, saying, "There is no good in this man," meaning that no intelligent conversation could be had with him.

Herod sent him to prison for the night and the following day the Jews seized him and tortured him. At the end of the day they whipped him, crucified him and pierced him with lances so that he should die quickly. To the last the man did not perceive his crime, and he died crying, "My God, why did you abandon me? My God, why did you forsake me?"

Judas later asked the Jews what they had done with the man. On being told that he had been crucified he was amazed. They took him to see the body and he exclaimed, "This man is innocent." He abused the Jews, threw their money into their faces, then went away and strangled himself.

This story generally agrees with the version in the Qur'an (4 : 157), which reads :

"That they said (in boast),
'We killed Christ Jesus,
The son of Mary,
The Messenger of God'.
But they killed him not,
Nor crucified him,
But so it was made
To appear to them.
And those who differ
Therein are full of doubts,
With no certain knowledge.
But only conjecture to follow,
For of a surety they killed him not."

By going deeper into the problem connected with the *MS.* if it can be proved that it is genuine then it would mean that the religion brought by Jesus was the same as put before us by the Qur'an, and not the one that has been placed before us by the distorted, mutilated form of Christianity which is to be found in the current Gospels, and that the religion of the Nazarenes was the one that Jesus had originally brought.



The writer of the article

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

The 8th century A.H.—14th century C.E.

The views of al-'Alawī, Isbahani and Shatibi

By NA'IM AL-HUMSI

(X)

Among the most important scholars who dealt with the subject of the *i'jaz* of the Qur'an in the 8th century A.H. (14th century C.E.) was al-Zamlakānī in a treatise entitled *al-Tibyān fī I'jaz al-Qur'an*, the grammarians Jalal al-Din al-Khatīb al-Qazwīnī, who wrote *Talkhis al-Miftāh* (A Summary of the *Miftāh al-'Ulūm* by al-Sakkākī) and Yahya Ibn Hamzah al-'Alawī, the exegetists al-Asbahānī and al-Shātībī, and al-Zarakhashī, author of *al-Burhān Fī 'Ulūm al-Qur'an*.

Al-Zamlakānī

Al-Zamlakānī is the author of a treatise *al-Tibyān fī I'jaz al-Qur'an*. Al-Suyūṭī summarizes his views on *i'jaz* as follows (*al-Itqān*, Vol. 2, Chapter entitled *I'jaz*): "The *i'jaz* of the Qur'an lies in the special excellence of its style, in the balance between its terminology and their meaning, with the result that it is in the highest ranks of beauty in both form and meaning." In other words, the *i'jaz* lies in the excellence of the style of the Qur'an, in both the form and the meaning of the words used, and the harmony between them. But there is nothing new in this idea.

Al-Qazwīnī

Jalal al-Din al-Khatīb al-Qazwīnī is famous for a treatise entitled *Talkhis al-Miftāh*, which is a summary of *Miftāh al-'Ulūm* by al-Sakkākī, a recognized authority on rhetoric (*balāghah*). He does not deal specifically, or at any length, with the problem of the *i'jaz* of the Qur'an, but mentions in the introduction that the science of rhetoric is a very serious and meticulous science which helps to reveal the various aspects of the excellence and *i'jaz* of the Qur'an. Thus, in his view, the science of rhetoric is only a means to appreciating the *i'jaz* of the Qur'an; and he thereby holds the view that the *i'jaz* of the Qur'an lies in its rhetorical qualities.

Yahya Ibn Hamzah al-'Alawī

Yahya Ibn Hamzah al-'Alawī wrote the treatise *al-Tirāz* on rhetoric. In the third part of this treatise he deals specifically with the *i'jaz* of the Qur'an. He mentions the views of various scholars on this subject and examines them carefully, finally offering his own view. He places great emphasis upon the role of the science of rhetoric in the matter of the

i'jaz of the Qur'an. He says: "Rhetoric is a science by means of which it is possible to discern the *i'jaz* of the Qur'an . . . and it would not be possible to discover the truth about *i'jaz*, and to determine the grounds on which this view is supported, without mastering the science of rhetoric." In his view the eloquence and rhetorical excellence of the Qur'an should be evaluated by two standards. The first is one which he has set, and this appears in fact to be based on the Qur'an itself. In other words, he measures the Qur'an by the standards of the Qur'an itself. The second standard by which the Qur'an should be evaluated is the standard set by the leading authorities on rhetoric. In both cases the superb quality of the Qur'an would be demonstrated. Al-'Alawī quotes verses of the Qur'an to demonstrate his views on its eloquence and rhetorical quality, and affirms that these qualities of the Qur'an are of the highest. He says that the *i'jaz* of the Qur'an is one of the most fundamental principles, and is the evidence of the prophethood of Muhammad. He also criticizes previous scholars who had maintained that the *i'jaz* lay in the form of the terminology used, and he mentions in this respect al-Sakkālī, Ibn al-Athīr, al-Zamlakānī and Ibn al-Khatīb al-Rāzī. Al-'Alawī did not in fact make an original contribution to the subject of the *i'jaz* of the Qur'an, and had in the main merely collected the views of previous writers, classified them, and adopted some of them as his own. In his opinion, the *i'jaz* of the Qur'an is evidenced first by the fact that the Arabs were challenged to match the Qur'an and were not able to do so, and secondly by the fact that the style and meaning of the Qur'an were eloquent and rhetorical. In connection with the latter aspect he mentions that the Qur'an gave all possible proverbs, examples, parables, commands and good advice, all in beautiful form and style.

Al-'Alawī discusses at length the question of the challenge made to the Arabs to match the Qur'an (*al-Tirāz*, Vol. 3, p. 370 *et seq.*). He says that the challenge was revealed by God in three stages, first requiring that a greater part of the Qur'an be matched, and finally a much smaller part — the whole of the Qur'an, ten *Surahs*, and one *Surah*. He discusses the reaction of the Arabs to this challenge and examines the objections made to the *i'jaz* of the Qur'an from the point of view of the inability of the Arabs to meet the challenge offered.

He formulates these objections in propositions which he proceeds to answer. This is a summary of these propositions and answers :

1. *The verses in which the challenge was made were not evidence of the truth of the prophethood, and the challenge was not meant to be taken seriously — much the same as challenges made by speakers during effervescent speeches, and more in the nature of exaggeration than serious offers.* The answer given by al-'Alawí to this is that the Prophet Muhammad often repeated this challenge and that it was fully appreciated by the Arabs at the time that it was meant to be very serious.

2. *The challenge to match the Qur'án was not known throughout the world, and the inability of some people to meet this challenge does not prove the inability of the whole of mankind in this regard, nor does it prove the truthfulness of the Qur'án.* To this al-'Alawí answers that if the Arabs were unable to meet the challenge made by the Qur'án other nations would have been less likely to meet the challenge. Furthermore, although the Qur'án did not come to the notice of the whole of mankind when it was first revealed, it soon reached a greater section of them and later became known to the whole of mankind. It was still not matched by anybody.

3. *Even though the Qur'án may have become known to the whole of mankind, the challenge to match it was not met because this would not have been a sufficiently effective reply. The opponents of the Qur'án resorted instead to war. Had these opponents attempted to match the Qur'án their work would have had to be judged by an arbitrator, and this might have entailed long argument and a long period of waiting. The Prophet Muhammad would thus have gained valuable time during which he would have strengthened himself against his opponents. War was therefore a better reply. In any case, it was not quite clear in what respect it was required that the Qur'án be matched — whether in eloquence, style, rhetoric, meaning, etc.* Of these propositions al-'Alawí says that to meet the challenge to match the Qur'án would have been a much safer course than resorting to a war the result of which was by no means certain. The challenge was not intended to mean that the Qur'án should be matched in all respects — simply in some aspects which might be thought to equal the Qur'án. To the argument that it was not known in what aspects the Qur'án was to be matched al-'Alawí says that it would have been possible to enquire of the Prophet Muhammad about this. He adds that the Prophet Muhammad publicized the challenge and did not give further details of it simply because it was unnecessary to do so since the practice of making a challenge of this kind was familiar to people at the time, particularly poets and speakers, and it was known what was meant by such a challenge.

4. *The reason why the challenge to match the Qur'án was not met was the preoccupation of the Arabs with wars and their fear of the Prophet Muhammad and his supporters.* Al-'Alawí's answer to this proposition is that matching the Qur'án and meeting the challenge to do so would not have made the Arabs less capable of opposing their enemies in war. There were many great poems and speeches made during times of war. In any case, why did not the Arabs match the Qur'án during peace-time?

5. *It was possible to match the Qur'án and oppose it, and the fact that the Arabs did not match it does not indicate that they were unable to do so if they wanted.* To this al-'Alawí answers that if in fact it was possible to match the Qur'án this would have been done, and in the circumstances

the fact that this was not done can only mean that it was not possible.

6. *There may have been opposition proffered to the Qur'án, and it cannot be said for certain that the challenge was not met.* Al-'Alawí rejects this proposition, saying that if in fact such a thing happened it would have been considered of very great importance and news of it would have spread far and wide. Indeed, there was every likelihood that if something had feigned to match the Qur'án it would have achieved even greater fame than the Qur'án itself. It would have been strengthened and applauded by the many enemies of Islam at the time and would have been mentioned and disseminated in all quarters as a means of opposing the Prophet Muhammad.

7. *The challenge to match the Qur'án was in fact met. This was in the form of poetry by the Arabs, the Qur'án of Musaylama, and the writing of al-Nadr Ibn al-Háarith, Ibn al-Muqaffá, Qábús Ibn Washamkir and Abu al-'Alá al-Ma'arrí. These were equal to the Qur'án in many respects.* The answer given by al-'Alawí in regard to this proposition is that all these writings were simply not in the same class as the Qur'án and could not in fairness be compared with it. They were no match to the Qur'án in any way whatsoever.

8. *The reason why no attempt was made to match the Qur'án was that the Arabs did not know much about astronomy and news of the past, and of heaven and the angels.* The answer to this, according to al-'Alawí, is that while the Arabs themselves may not have been versed in these arts at the time, the Jews were, and the Arabs could have consulted them on these matters.

The foregoing propositions, and the arguments put against them by al-'Alawí, are not really of any great value, and were not in the main original. But they give examples of the lines on which arguments regarding the *i'jaz* of the Qur'án were made. Very often they were too lengthy, and the points they sought to establish very axiomatic.

After listing these propositions and answering them, al-'Alawí seeks to support the idea of the *i'jaz* of the Qur'án in this manner : to match the *Surahs* of the Qur'án would either be an ordinary matter or an extraordinary matter. If it be ordinary the silence of the Arabs in regard to the challenge made to them to match the Qur'án would be evidence that the Qur'án could not be matched. On the other hand, if it be extraordinary, then this very fact is indicative of the Qur'án being a *mu'jizah* (miracle). In this argument al-'Alawí appears to support the theory of *surfah* (i.e., that God prevented the Arabs from attempting to match the Qur'án) in addition to supporting the view that the Qur'án is not of a familiar nature. He does not, however, indicate the reasons why he considers that the Qur'án is not of a familiar kind. His argument in this respect is weak and unconvincing. It might have been the wise thing if he had first tried to determine whether a challenge had been made to match the Qur'án, and having found that it had been made he should have proceeded to the next stage, and discussed whether the Qur'án possessed qualities which were not of a familiar kind and which made it impossible to match.

Al-'Alawí reviews the various theories advanced on the matter of the *i'jaz* of the Qur'án at various times, and comments on them.

1. The theory of *surfah* was advanced by Abu Isháq al-Nasibí and al-Nazzám — who were *mu'tazilites* — and also by al-Sharíf al-Murtadá. There were three variations of

this theory. One was put forward by al-Nazzám, the other by al-Sharíf al-Murtadá, and a third view which he does not attribute to any specific scholar, to the effect that God prevented the Arabs from matching the Qur'án although they were in fact capable of matching it in every respect. His answer to the theory of *surfah* as a whole is that if it had in fact happened it would have itself been a *mu'jizah* of as great a significance as the Qur'án itself, and that the writing and speech of the Arabs before and after the days when the Qur'án was revealed would have been of the same high quality as the Qur'án.

2. He explains the views of scholars who maintained that the *i'jaz* of the Qur'án lay in its style, its lack of contradiction, its comprehensiveness, its news of the unknown, its eloquence, and its rhetorical qualities. He makes familiar comment on these schools of thought, and is in no way original.

3. He rejects the view that the *i'jaz* of the Qur'án is in the detailed and comprehensive nature of the facts and secrets related to it. This view, as we have already pointed out, is related to the scientific theory about the *i'jaz* — that the Qur'án contains the elements of all the sciences. He says that if this theory were accepted the Qur'án would be on the same level as scientific works from which posterity may derive hidden benefits. The plain and unambiguous verses of the Qur'án would in that case not be *mu'jizahs*, while other verses would either be perceived by posterity, in which case they would be the same as parts of scientific works which might appear meaningless at one time but become very meaningful subsequently; or these verses might remain forever unintelligible and indeterminable. Al-'Alawí goes into lengthy argument in this respect. He appears to forget, however, that the purpose of the Qur'án is not to enchant or intrigue with secrets or sciences, but simply to enlighten and guide.

4. Al-'Alawí mentions the view that the *i'jaz* of the Qur'án is in the sphere of rhetoric. He accepts this theory if it means that the Qur'án has reached the highest level of rhetorical excellence in both its style and meaning, and that there is nothing comparable to it.

5. Al-'Alawí also mentions the theory that the *i'jaz* of the Qur'án lay in its style (*nazm*). He rejects this view if based solely on the aspect of style, and maintains that the *i'jaz* is in style as well as in meaning and eloquence (*fasáahah*). To him style means something different from what it meant to 'Abd al-Qahir al-Jurjání or to al-Baqillání. To these two scholars style is related to both the words and their meaning and cannot be separated from them. This is especially the view of al-Jurjání, who maintains that the beauty of style is related to both the terminology and the sense. It is difficult to understand what al-'Alawí means by separating style from meaning and terminology, unless by "meaning" he intends the general purposes and sense of the words, while by the "eloquence" of the words he means their musical nature.

6. Al-'Alawí examines the school of thought which maintained that the Qur'án was a *mu'jizah* in every respect, and maintains that the *i'jaz* lay primarily in the eloquence and rhetorical qualities (as understood by him) of the Qur'án, and that it is unnecessary to discuss the other qualities of the Qur'án for the purpose of demonstrating its *i'jaz*.

7. Al-'Alawí discusses the theory that the *i'jaz* of the Qur'án lay in the opening and closing passages of the *surahs* of the Qur'án, and in the beginning and ending of each verse. He appears to consider this an important proof of the *i'jaz* of the Qur'án, but does not in fact explain it thoroughly.

To sum up, al-'Alawí maintains that the eloquence, rhetorical quality and style of the Qur'án are at the highest possible level, and cannot be matched by mankind, and that the excellence of the Qur'án in these aspects is evidence of its *i'jaz*. In many respects he is influenced by 'Abd al-Qáhir al-Jurjání. His views are not original, but his study of the subject is conducted on a scientific pattern, though his arguments often appear too lengthy and superfluous.

Al-Isbahání

Al-Isbahání's views on the *i'jaz* of the Qur'án are summed up by al-Suyútí in *al-Itqán* (Vol. 2, pp. 198 *et seq.*). Al-Isbahání is reported as saying: "Know ye that the *i'jaz* of the Qur'án has been accepted in two respects, one because it is itself not capable of imitation, and the second because people were prevented from matching it (*surfah*). The first view is based either on the eloquence of the Qur'án or on its rhetorical qualities and meaning. The *i'jaz* based on eloquence and rhetoric is not related to the terminology, for the language is that of the people and the Qur'án is an Arab Qur'án and in Arabic.¹ Nor is this in the ideas the Qur'án contains, because many of these are to be found in earlier scriptures, and God has said, "And surely the same is in the Scriptures of the ancients".² The Godly knowledge which the Qur'án contains, and the principles and the news of the unknown, are *mu'jizahs* not by reference to the Qur'án itself as a Qur'án, but because they have been given without previous learning or study. News of the unknown is the same whether it be in this or any other style, and whether in Arabic or any other language, and whether in words or signs. The style, therefore, is the outer shell of the Qur'án, while words and the meaning are its essence. The name given to a thing varies with its shape, rather than with its essence. The ring, the earring and the bracelet have different names because of their different shapes, but this is not related to their essence, which might be gold, silver or iron. The *i'jaz* related to the Qur'án appertains to its special style, and in order to prove that the style is a *mu'jizah* it must be shown that its style is different from other styles. The Qur'án comprises all the good qualities that can be found in style, and proof of this is the fact that it cannot be described adequately as either a message, a speech, poetry or rhythmic prose. . . . Those with taste would distinguish any part of the Qur'án from all other things. That is

1 Other references in the Qur'án to its language are the following: "Surely We have revealed it an Arabic Qur'án that you may understand" (12: 2); "And thus have We revealed it, a true judgment, in Arabic" (13: 37); "And indeed We know that they say: Only a mortal teaches him. The tongue of him whom they hint at is foreign, and this is clear Arabic language" (16: 103); "And thus have We sent it down an Arabic Qur'án, and have distinctly set forth therein of threats that they may guard against evil, or that it may be a reminder for them" (20: 113); "And surely this is a revelation from the Lord of the worlds. The Faithful Spirit has brought it on thy heart that thou mayest be a warner, in plain Arabic language" (26: 192-5); "An Arabic Qur'án without any crookedness, that they may guard against evil" (39: 28); "A revelation from the Beneficent, the Merciful; a Book of which the verses are made plain, an Arabic Qur'án for people who know" (41: 2-3); "And if We had made it a Qur'án in a foreign tongue, they would have said: Why have not its messages been made clear? What! a foreign (tongue) and an Arab! Say: It is to those who believe a guidance and a healing, and those who believe not, there is a deafness in their ears and it is obscure to them. These are called to from a place afar" (41: 44); "And thus have We revealed to thee an Arabic Qur'án, that thou mayest warn the mother-town and those around it, and give warning of the day of Gathering, wherein is no doubt" (42: 7); "Surely We have made it an Arabic Qur'án that you may understand" (43: 3); and "And before it was the Book of Moses, a guide and a mercy. And this is a Book verifying (it) in the Arabic language, that it may warn those who do wrong, and as good news for the doers of good" (46: 12).

2 The Qur'án, 26: 196.

why Almighty God said, "Those who disbelieve in the Reminder when it comes to them, and surely it is an Invincible Book. Falsehood cannot come at it from before or behind it: a revelation from the Wise, the Praised one."³ The *i'jaz* that is demonstrated by people being prevented from matching the Qur'án (*surfah*) is also quite obvious. When God called upon those who excelled in rhetoric and speech-making, and who with their tongues indulged in every sphere of meaning, to match the Qur'án, they were unable to bring forth something like it and did not attempt to oppose it. Those with wisdom and understanding thought that a Godly command prevented them from this. What *i'jaz* could be greater than the one where all the people of rhetoric were in the open unable to produce a match, when inwardly they had been prevented from doing this (*surfah*)!"

Al-Isbahání combined the theory of *i'jaz* from the point of view of style with the theory of *surfah*. These two theories are in fact contradictory. To him the style of the Qur'án consists of both the words and the meaning. The words alone do not establish *i'jaz*, for these words are the words of the Arabs. At the same time al-Isbahání does not consider that the meaning alone is the basis of *i'jaz*, for he says that many of the ideas in the Qur'án were contained in previous scriptures, and quotes the verse of the Qur'án "And surely the same is in the scriptures of the ancients". He likewise does not consider that *i'jaz* lay in news of the unknown because as such they would be given the same evaluation irrespective of the language in which they are given. The Qur'án, however, is a *mu'jizah* as an Arabic book, and its *i'jaz* is in its style. Al-Isbahání in this respect adopts the views of 'Abd al-Qáhir al-Jurjání in the matter of the style of the Qur'án, and uses the same example used by al-Jurjání in the treatise *Dalá'il al-I'jáz* on the rings made of different materials and the different items of jewellery made of the same material. He even uses the very same words used by al-Jurjání. He disagrees with al-Jurjání, however, on the matter of *surfah* which is vehemently rejected by al-Jurjání. According to al-Isbahání the Qur'án's style is exclusively its own and it cannot be likened unto any other form of speech or writing. He also considers that the *i'jaz* of the Qur'án can be perceived by the educated and the enlightened not by applying the dry scientific rules of rhetoric but by taste. An interesting part of his argument on *surfah* is the reference to "the people of rhetoric being unable in the open to produce a match when inwardly (*fi al-bátin*) they were prevented from doing so". He was most probably affected by the *Bátiniyyah* movement⁴ on the exegesis of the Qur'án.

Al-Shátibí

Abu Ishaq Ibrahim Ibn Musa al-Shátibí has views on the *i'jaz* of the Qur'án which are rather negative. He rejects the so-called scientific argument that claims that the Qur'án contains the elements of the sciences of every description. The main basis of his argument is that if such a claim about the Qur'án containing the elements of all the sciences were true it would have been made by the Companions of the Prophet Muhammad and the Muslims in the early days of Islam. He lists the grounds given by the supporters of the scientific theory as follows: (a) that the Qur'án contained the verses "And We have revealed the Book to thee explaining all things, and a guidance and mercy and good news for those who submit" (16 : 89), and "And there is no animal in the earth, nor a bird that flies on its two wings, but (they are) communities like yourselves. We have not neglected anything in the Book. Then to their Lord will they be gathered" (6 : 38); (b) that the opening parts of the *surahs* were of a type unknown to the Arabs; and (c) the views supporting this argument attributed to the Caliph 'Ali Ibn Abí Tálib. As regards the first of these arguments he says "all things" refer to matters of worship; to the second argument he replies that the Arabs knew something about this from the practice of exegesis on the Jewish and Christian Scriptures which made mathematical calculations presumed to reveal hidden meanings or news; and on the third proposition al-Shátibí maintains that the Qur'án should not be supplemented by outside sources.

Al-Zarkashi (d. 1391 C.E.)

Badr al-Din al-Zarkashi is author of the treatise *al-Burhán fi 'Ulúm al-Qur'an* (a copy of this treatise is available in Medina — see *Majallah al-Ma'arif*, Vol. 18 of 6 December 1926, p. 411 — and in Cairo). Reference to this treatise is made by al-Suyútí in *al-Itqán* (Vol. 2, p. 198). Al-Zarkashi does not have any original views on this subject. He maintains that the *i'jaz* of the Qur'án is not based on any one ground or attribute, and that no previous writer had fully explained the basis of *i'jaz*. In this respect he seems to support the theory of scientific *i'jaz* — i.e., that there are aspects, hitherto unknown, which prove that the Qur'án was a miracle.

(To be continued)

³ The Qur'án, 42 : 41,42.

⁴ The *Báhníyyah* (from the Arabic *bátin* — inward, internal) is a section in Islam that believes in the theory that verses of the Qur'án have hidden, spiritual meanings. This theory was the basis of several politico-religious movements in Islamic history.

Errata in July-August 1966 issue

Islamic Law of Nations (Shaybani's *Siyar*)

page	column	line	error	correct
32	2	22	Dabbusi	Dabusi
33	1	9	in his	in this
33	1	52-53	no more than the	no more the
34	1	9	Dabbusi	Dabusi
34	2	43	by all	out of all
34	2	48	Islam	Asia
34	2	59	(revised edition of <i>Pensee Chite</i> ,	revised edition of "Presence Africaine"
			Dabbusi	in <i>Pensée Chiite</i> ,
35	1	8		Dabusi
35	1	18	It should be . . . there was	In his life of Shaybani (p. 33-34), it should be . . . there was not
35	1	47	think that either	think either that
35	2	28	<i>muwada' al-</i>	<i>muwada'a</i>

THE HOLY QUR'AN AND SCIENCE

By Q. A. M. YAHYA

Limitations of Scientific Enquiry

Some definitions of "religion" and their approximation to the definitions of Islam in the Qur'an

A discussion of religion and science begins usually with reference to the alleged conflict between them and then either resolving or aggravating the conflict, which depends on the writer. The question whether religion and science are in conflict can offer endless scope to philosophical debating societies, and that question necessarily depends on what we mean by religion. We give below different definitions of religion as given by eminent people in recent times. Then we shall reproduce some of the verses of the Holy Qur'an embodying deep scientific truths which modern science has discovered and continue with the relationship between the Holy Qur'an and science where after a discussion of animism, existentialism, biological-anthropological views, etc., we modestly point out the limitations of science. These limitations have been conclusively proved and future researchers will not remove the barrier, so that our scientific efforts will never provide complete and consistent information.

"Religion is what the individual does with his own solitariness," as stated by Whitehead,¹ the mathematician and scientist. One of the greatest scientists of our time, Einstein,² said, "Instead of asking what religion is I should prefer to ask what characterizes the aspirations of a person who gives the impression of being religious. A person who is religiously enlightened appears to me one who has liberated himself from his selfish desires and is preoccupied with thoughts, feelings and aspirations to which he clings because of their super-personal value."

Other definitions run as follows: "Religion is an active enthusiasm for a fine quality of life" (Delisle Bruns³); "One's religion is whatever he is most interested in" (J. M. Barrie⁴); "Religion is the total response of man to all his environment" (C. A. Coulson⁵); "Recognition on the part of man of some higher unseen power as having control of his destiny and as being entitled to obedience, reverence and worship" (*The Oxford English Dictionary*); "The recognition of supernatural powers and of the duty lying on man to yield obedience to these" (*Chambers Twentieth Century Dictionary*).

The Holy Qur'an declares Islam as the religion of all prophets (42:13), Jesus and Moses included; that the religion is perfected in Islam (5:3); the ultimate prevalence of Islam over all other religions (9:32-33; 48:28; 61:8); and finally as the "natural religion" of man:

"It is other than God's religion that they seek (to follow) and to Him submits whoever is in the heavens

and the earth willingly or unwillingly, and to Him shall they be returned" (3:82).

Scientific principles and discoveries enunciated in the Qur'an

Some verses of the Holy Qur'an on scientific principles and discoveries:

(a) "*And of everything We have created pairs that you may be mindful*" (51:49).

"Glory be to Him Who created pairs of all things, of what the earth grows and of their kind and of what they do not know" (36:36).

This text establishes a great scientific principle that a pair exists in all creation. The Arabs certainly did not know that to every atomic elementary particle exists an anti-particle, a fact learned only recently! The well-known pairs are electron-positron, proton-antiproton, neutrino-antineutrino, etc., where the paired antiparticle is of the same mass, properties, but of opposite charge. To photon and a few ones, the particle is self-conjugate to its anti-particle. The concept of anti-particle came from a mathematical point of view: Dirac's equation of relativistic theory of electron admits solutions describing a particle of identical mass and of opposite charge which is positron, and this was then generalized.

(b) "*And We have created for them like it (the ship) what they will ride*" (36:42).

Here "it" stands for "ship" as the preceding verse is "And a sign to them is that We bear their offspring in the laden ship" (36:41). The reference of 36:42 is clearly to aircraft predicted about 1,400 years ago. It also includes the modern space ships on which man may travel to the moon and other heavenly bodies.

(c) "*But We will this day deliver thee with thy body that thou mayest be a sign to those after thee, and most of the people are surely heedless to Our signs*" (10:92).

The Qur'an on the body of Rameses II

This verse refers to the preserving of the body of Pharaoh, who had severely persecuted the Israelites and which resulted in the Exodus (cf. Gen. 47:11; Exodus 12:37;

1 A. N. Whitehead, *Religion in the Making*, Cambridge University Press, 1926, p. 16.

2 A. Einstein, *Science and Religion* (1941), reprinted in *Out of my Later Years*, London, 1950, pp. 24-25.

3 C. De Lisle Bruns, *Religion and the Common Man* (Conway Hall Pamphlet), London, p. 1.

4 J. M. Barrie, *The Twelve-Pound Look*, London, 1921.

5 C. A. Coulson, *Science and Christian Belief*, Fontana Books, 1958.

Numbers 33 : 31 ; The Qur'án 2 : 49, 3 : 10, 7 : 130-136, etc.). While the Exodus is too well-known from the Old Testament, the preserving of the body which is mentioned in the single verse of the Holy Qur'án gave opportunities to the anti-Islamic groups to attack Islam for a long time. The Mummy of Pharaoh, who is the same as Rameses II (lit., The Child of the Sun), and whose various statues are preserved in European museums, was identified in 1881. The anthropologists and historians have unanimously agreed that mummy as the body of Rameses II. For instance, we refer to the following : "His Mummy was discovered near Thebes in 1881 and in 1886 placed in the Egyptian Museum in Cairo" (*The Encyclopaedia Americana*, Vol. 23, American Corporation, New York-Chicago, 1949, p. 202 : art. "Rameses II").

Celestial orbits

(d) "Consider the heaven full of ways" (51 : 7).

"And He it is Who travelled the night and the day and the moon ; all (orbs) travel along swiftly in celestial spheres of theirs" (21 : 33).

The Prophet Muhammad could not read and the two verses describe clearly celestial orbits and the swiftly revolving planets.

(e) "God is He Who created seven heavens and of the earth, the like of them . . ." (65 : 12).

Each of the seven planets (earth being the eighth) is a heaven as well as an earth. The seven planets are Mercury, Jupiter, Venus, Mars, Saturn, Uranus and Neptune. Pluto was previously just a satellite of Neptune.⁶ Besides these, there are about 1,600 minor planets or asteroids in the solar system, and according to Arabic lexiconologists the word "seven" also signifies many.

(f) "Then eat of all the fruits and walk in the ways of thy Lord submissively. There comes forth from within it a beverage of many colours in which there is a healing for men ; surely there is a sign in this for people who reflect" (16 : 69).

Honey contains a large percentage of glucose and lavatose together with various vitamins. Its medicinal value has been recognized and is being used in medicines and foods. The Holy Qur'án has the best teachings, like the collection of honey from different flowers, and hence this Book has been called "healing" for men (10 : 57). Modern man, faced with so many problems, can only find healing in the Holy Qur'án.

(g) "And whomsoever We cause to live long, We reduce (him) to an abject state in constitution ; do they not understand ?" (36 : 38).

This is true to nations as well as individuals, and of course this is true to biological systems working in the body. The study of cultural, physical and even linguistic anthropology corroborates the same truth, and so this verse applies in a generalized manner.

(h) "And We taught him the making of coats of mail for you, that they might protect you in your wars ; will you be grateful ?" (21 : 80).

Pigeons find another mention (34 : 11), and the use of pigeons in the two world wars is well known. On account of their exceptional eyesight, Moscow engineers have recently used pigeons with success as quality inspectors ; for instance, to check faulty ball-bearings.

(i) "And We have made great mountains in the earth, lest it might be convulsed with them . . ." (21 : 31).

Of various possible interpretations, the geological significance is quite clear.

(j) "God is the (giver of) light in the heavens and the earth ; a likeness of His light (núr) is as a pillar on which is a lamp, the lamp is in a glass (and) the glass is as it were a brightly shining star . . ." (24 : 35).

"Light" finds special mention in several other places. Though physical light is different from *núr*, we see that physical light is also very distinct and peculiar. The velocity of light in vacua, *c*, is a fundamental constant of physics, and no material body can ever exceed this velocity since that would mean conquering the time ! Some miracles may be interpreted from the relevant theory of relativity.

(k) ". . . every nation has a term ; when their term comes, they shall not remain behind for an hour, nor can they go before" (10 : 47).

This historical truth applies so well in the history of science and scientific civilization. Nation after nation had the privilege of dominating the frontiers of science — Babylonians, Egyptians, Chinese, Greek, Italian, British, French, German, American and Russian.

Water gives life to every living creature

(b) "And God has created from water every living creature : so of them is that which walks upon its belly and of them is that which walks on two feet and of them which walks on four ; God creates what He pleases ; for God has power over all things" (24 : 25).

The organs of all living bodies are mainly composed of water, which contains two atoms of hydrogen and one atom of oxygen in a molecule. Before the Devonian, a little over 300,000,000 years ago, there were no land vertebrates : all back-boned animals were fish. In the Devonian, the amphibians effected a partial colonization of the land. Some biologists believe that life began in the depth of the ocean, others in layers of molecules absorbed in soil-water or air-water surfaces. The most appealing theory to biologists now is that life began in the surface water of oceans. Here there was abundant energy in the form of ultra-violet rays and comparatively stable temperatures and salinity, which were helpful in the creation of life from "water" as stated in the verse. Transition between a non-living organic combination and a similar one that is alive embodies the most incomprehensible of all biological mysteries. We know very little of life and God knows best, for He is the Knowing, the Wise !

(m) "He sends down water from the cloud, then water-courses flow according to their measure and the torrent bears along the swelling foam, and from what they melt in the fire for the making of ornaments or apparatus arises scum like it ; thus does God compare truth and falsehood ; then as for the scum it passes away as a worthless thing ; and as for that which profits the people it tarries in the earth ; thus does God set forth parables" (13 : 17).

This verse throws a flood of light on many questions and it has many facets. The parable signifies that the Prophet Muhammad and his followers, being meant for the benefit of mankind, will survive and prosper, while the worthless will

6 Cf. art. "Planets" in *McGraw Hill Scientific Encyclopaedia*.

pass away. This is not only true in life-science as the survival of the fittest in its modern concept, but also applies to trade, commerce, civilization and, say, scientific publications in journals, in which case a small proportion remains as a neat contribution.

Fisher's demonstration of the impossibility of Lamarckism and orthogenesis as agents of evolutionary change has enhanced the importance of the study of natural selection, by which Darwin used to denote the differential survival of the variant. In Fisher's epigrammatic phrase, natural selection is a mechanism for generating an extreme degree of (apparent) improbability of such a high degree that it could never have been produced by chance alone without the aid of natural selection, any more than monkeys typing out a play of Shakespeare while tapping the typewriter! Concentrating on the words "water", "foam," etc., in the verse and observing that it is a parable, the theory of evolution seems to be implied to some commentators of recent times. The biological support of the inevitableness of war is now opposed by the fact that the struggle for existence is not at all the major teaching of current biology in regard to social philosophy and ethics. Newer biology indeed strengthens one's belief in Islam. The existence of human views of pride, covetousness, lust, anger, etc., find natural roots in non-human animals, but newer biology strengthens the older evidence for biological basis for the human virtues of faith, hope and love. The former belief that the sins are man's inevitable response to his inherited nature is no longer tenable.

That science and technology has a still brighter future need not surprise us, since the Holy Qur'an says :

"Do you not see that God has made what is in the heavens and what is in the earth subservient to you, and made complete to you His favours outwardly and inwardly? And among men is he who disputes in respect of God without having any knowledge, or guidance, or a book giving light" (31 : 20).

Existentialism

Amongst all philosophies like Communism, Fascism, etc., the one which tries to contest conventional religions is Existentialism. Originally, the concept was due to the Danish thinker Soren Kierkegaard (1813-55 C.E.), a devoutly religious man. His thesis was : "Each person exists and chooses in time and has only a limited amount of it at his disposal to make decisions which matter to him" (*Unscientific Postscript*, 1846). Modern existentialism grew in the hands of Heidegger, Simon and Sartre. The philosophy popularized in Paris has now a large part of the West in its grip, and in the East it is spreading. And the Holy Qur'an says :

"... (They say) there is naught but our life in this world" (23 : 37),

while the dogma of modern existentialism is : "We and our surroundings exist and that is all to the complex business called life".

"Surely with difficulty is ease ; with difficulty is surely ease" (94 : 5-6)

signifies that Islam would be twice in difficulties and on both occasions triumph will come !

The Prophet Muhammad's knowledge of the newly-born child's subconscious mind

The canonical traditions⁷ of the Prophet Muhammad have numerous references to deep scientific and hygienic prin-

ciples. The first act to a Muslim child is the sounding of the words of the 'adân-iqâmah⁸ into its ears, as directed by the Prophet Muhammad,⁹ which shows that he had full knowledge of the newly-born child's subconscious mind. Islamic theories of economics, political science, international relations and sociology are all logical and scientific. With them is Islamic jurisprudence, a basically logical and scientific subject from where comes the fountainhead of that Islamic scholasticism which for many centuries was destined to supply the wants of medieval and post-medieval thought over a large part of the globe. The merit of these works can be judged by a careful perusal, for which we give selected references in Arabic and also translated works in Dutch, Italian, German, French and English.¹⁰

Conflict between science and religion

A modern non-theist dismisses all religions, starting his arguments from animism, the religion-philosophy of all non-civilized peoples. The first form of animism, called animatism by the anthropologists, is seen when a boy hits a table, for instance, and says "Naughty table". All religions are nothing but survival of the primitive animism, a belief shared by many anthropologists, which they are attempting to prove. Among anthropologists, Taylor's animistic theory of religion (E. B. Taylor, *Primitive Culture*, 1871) was the most promising, and it stood unchallenged for just thirty years. Then deep controversies appeared, making the present situation doubtful and controversial, though a host of disciples of different nationalities sat at his feet at that time to appreciate and learn the theory (cf. *Encycl. Britt.*, 1957, Vol. 1, p. 974).

The first scientists of the Renaissance never suspected that their activities were a threat to the Church. The Church became uneasy with the advent of Copernicus (1473-1543 C.E.), and Galileo was forced to suffer house arrest, escaping death by signing a recantation before the Inquisition. It was not until 1822 that the sun received a formal sanction of the papacy to become the centre of the planetary system. A severer blow came from Darwin, who showed that the earth, man and animals could not be created as described in the Book of Genesis, but they were all "evolved". Under the

7 Cf. 'Abd Allâh Ibn Ahmad Ibn Hanbal, *Kitâb al-Sunnah*, Mecca 1349 ; Tor Andrae, *Die Person Muhammads in Lehre und Glauben Gemeinde*, Archives d'etudes orientales, Stockholm 1918.

8 'Adhân-Iqâmah are two Arabic words. 'Adhân means "call" to the prayers, whereas 'Iqâmah means "standing up" for prayers. The words used in the 'Adhân and 'Iqâmah are identical with the addition of the words *Qad qâmat al-salâh* (the prayer is starting) to the 'Iqâmah. The words of the 'Adhân are : God is the greatest (repeated four times), I bear witness that God is the only object worthy of worship (repeated twice), I bear witness Muhammad is His Messenger (repeated twice); come to prayers (repeated twice); come to success (repeated twice); God is the Greatest (repeated twice); there is no object worthy of worship but God (sounded once).

9 The *Sunan of Tirmidhî* ; *Mishkâh*, 19 : 3.

10 Abû Hanîfah, *al-Fiqh al-Absat*, Ms. Cairo; *Fiqh al-Akbar* (I), (II), Hyderabad 1321. Tr. in German. J. Schacht in *Religionsgeschichtliches Lesebuch*; Al-Ghazzali, *Ihvâ' 'Ulûm al-Dîn*, Cairo, 1302; 'Abd al-Qâhir al-Baghdâdî, *Kitâb 'Usûl al-Dîn*, Istanbul, 1928; M. Asin Palacios, *El Justo Medo en la creencia*, Madrid 1929; L. Caetani, *Anelli dell'Islam*, Milan 1905; I. Goldziher, *Vorlesungen über den Islam*, Heidelberg 1910; C. Hurgronje, *The Achehnese*, Leyden 1906, 2 vols.; D. B. Macdonald, *Development of Muslim Theology, Jurisprudence and Constitutional Theory*, New York 19303; A. F. Mehren, *Exposé de la réforme de l'Islamisme*, Travaux; Troisième Congr. Intern. orientalism, St. Petersburg 1876; E. Sachau, *Zur aeltesten Geschichte des Muhammedenischen Rechtes*, Sitzungsberichte de Akad. der Wissenschaften in Wien, Vol. lxx; al-Samarqandî, *'Aqidah*, ed. A. W. Th. Junboll in *Tidschr. voor de Taalland en Volkenkunde*, Vol. Ned. Indie, 4th series 1881, Vols. 1-5; A. J. Wensinck, *The Muslim Creed* Cambridge 1932.

name of "Evolutionism", anti-theism acquired much of the biological theory.¹¹ Even Sir Julian Huxley asserted that in the evolutionary pattern of thought there was no place for the supernatural.¹²

Many intellectuals, Muslims or Christians, believe in the so-called "God of natural law", since God's power is manifested by apparent breaches in the order of nature of a catastrophic kind. But most believers go further, saying "God is omnipotent and all good", "He regulates man's sustenance," etc. A non-theist then argues why does a young child suffer and die if God is all-good? Diminution of crops, epidemics, etc., are no longer considered as Divine Wrath, since we now have scientific reasons for understanding and controlling them. In Islamic history, the question of reason and revelation came long ago. For instance, in the minds of Avempache,¹³ Averroes¹⁴ and Avicenna; but the conflict was successfully met by al-Ghazzali. The distinction between scientist and believer has been beautifully put by Lady Wootton:¹⁵ "To the faithful, doubt is a sin; to the scientist it is the first of all virtues. . . . To resist doubt is the scientist's temptation and the believer's triumph."

Limitation of scientific enquiry as recently established

Science is not the only path to knowledge. Supernatural revelation is a great path, though one may not recognize it. But other paths, like poetic insight or feminine intuition, are usually recognized. Science is the process by which men create knowledge in which they can place a somewhat measurable degree of confidence. Modern science, which began with the Greeks, has undergone many changes, modifications, and even all previous theories were shattered. What a scientist says today may be at most a half-truth to be changed with more accuracy in future. But our purpose is to expose here that science has a definite limitations. Who says this? It is the conclusion of the scientists, proved conclusively and exactly! Who says that in future science will not be able to remove the barrier? It has been proved most scientifically that it is just impossible, and this is the main object of the present paper.

(1) ALGEBRA. The solution of equations forms an important pillar of scientific research. Equations up to "fourth" degree can be solved, but beyond that it is impossible to solve a general equation of fifth or higher degree algebraically using a finite number of additions, multiplications. The proof is provided by mathematics itself. The crown of Galois's theory is the beautiful theorem that an algebraical equation is solvable by radicals if and only if its group for the field of its coefficient is solvable. By the known properties of symmetric groups on n letters, it follows that when n exceeds 4 the equation is not solvable. Use of elliptic modular functions which may be of academic interest or the reducible equations are not meant. Thus the rich science of Algebra stops at 4!

(2) EUCLIDEAN GEOMETRY. For 2,000 years people have tried to trisect an angle by the well-known Euclidean method, using ruler, compass and logical proof. In the preceding century, Wentzel proved that this is not possible since it implies the existence of the rational root of a cube, which it has not. Thus Euclidean science of geometry will never be able to trisect an angle or to divide into 6, 12, or many other parts!

(3) EXPERIMENTAL, PHYSICAL SCIENCES. Experimental inaccuracies are unavoidable, but we are referring to the quantum mechanical inexactitudes. Heisenberg's

famous Uncertainty Principle tells us that the position and momentum can never be simultaneously measured. Any experiment that gains some information loses other information, and complete knowledge necessary for prediction is necessarily unattainable!

(4) SCIENTIFIC MODELS. The models of science are admittedly hypothetical in nature, and we continue to verify the results of models with the experimental evidence. The model of "Gravitation", starting with Archimedes and connecting the names of Avempache, Galileo, Newton, Einstein and the present Unifield Field Theory, ultimately tells us nothing, because the model or imagery is far from reality. In spite of tremendous technological advances our attempts to look into the real working of nature has always remained confused, and this the Holy Qur'an predicted long ago:

"Who created the seven heavens alike; thou seest no incongruity in the creation of the Beneficent God; then look again, canst thou see any disorder? Then turn back the eye again and again, thy look shall come back to thee confused while it is fatigued" (67: 3-4).

(5) CONSISTENCY (of systems or theories in science). The scientists will continue to revise and improve the theories. A crying demand of every system or theory is that it must be self-consistent, leading never to a contradiction. Alas! the thrilling discovery of Austrian-born scientist K. Gödel,¹⁶ now Professor at the Institute for Advanced Studies, Princeton, U.S.A., has killed this hope of consistent science. We give a glimpse of Gödel's theory, for which the non-scientist reader may compare with *The Encyclopaedia Britannica*, 1967, under "Logic", and the scientist, especially the mathematician, can look into the original references quoted hereunder:

According to Gödel's "Incompleteness Theorem", all known system of type theory or set theory which are of sufficient strength to provide a logical foundation of mathematical sciences are *incomplete*. We state this incompleteness theorem of Gödel in stronger form as given by Barkley Rosser (*Symbolic Logic*, Vol. 6, 1941). On the hypothesis that the system in question is consistent, there is a well-formed formula A which is a sentence (hence without free variables) such that neither A nor $\sim A$ is a theorem. However, it can also be shown that if the system is consistent, the proposition expressed by A is true. More accurately, we can show, by means that are formalizable in the system itself, "If the system is consistent, then —", filling the blank with a statement of the proposition that is expressed by A . Hence the further meta-theorem follows that *the consistency of the system cannot be proved by means that are formalizable in the system itself*.¹⁷

11 D. M. MacKay, *Science and Religion by a Theist in Science in its context*, Ed. J. Brierley, Heinemann, London 1964; Margaret Knight, *Science and Religion by a non-theist*, *ibid*.

12 J. Huxley, "Brain and Will," *The Listener* for 9 and 16 May 1957.

13 Abu Bakr Ibn Yahya, also known as Ibn Bajja, corrupted by the Latin to Avempache, was a Spanish philosopher-scientist born at Saragossa (c. 11th century).

14 His actual name was Abu Walid Muhammad Ibn Ahmad Ibn Muhammad Ibn Rushd (1126-1198 C.E.), and he was the greatest Arab philosopher in the West. His commentaries on Aristotle's physics-metaphysics have been translated into Latin by Juntio Venice, 1552 C.E.).

15 Barbara Wootton (Baroness Wootton), *Testament of Social Science*, London, pp. 103-104.

16 K. Gödel, "Über formal unentscheidbare Sätze de Principia Mathematica und verwandter System" in *Monatshefte für Math. und Physik*, 38 (1931), pp. 173-178.

17 This is too brief a statement; for fuller exposition see K. Gödel, *The Consistency of the Continuum Hypothesis*, Princeton, 1940, and other works.

Thus we may be formulating the Axiomatic Field Theory or Relativistic Particle Mechanics, but we cannot be sanguine of their consistency, nor shall we ever be able to say about consistency by Gödel's well-established proof. In science it is admitted that only mathematics is "exact". Trouble started at the foundation of mathematics when non-Euclidean geometry emerged in the 19th century. The repair work at the foundation was led by intuitionist, epistemologist and meta-mathematics schools, to which belong persons like Russell, Whitehead, Weyl and Hilbert. But Gödel's theorem has dramatically settled that the question of consistency will remain always unprovable within systems.

While discussing consistency, one is reminded of the Prophet Muhammad. Traditions record the details of his talks, habits and all aspects of his life.¹⁸ There has been no other person whose details have been recorded to this degree, and we find there is no inconsistency anywhere in the canonical traditions. If we record our own details for a month we are almost sure to discover some discrepancy and inconsistency. The Holy Qur'an was revealed in the heart of Muhammad by the Angel Gabriel. This is the most widely recited book in the world. Copies of the Holy Qur'an for any period back to its revelation and from, say, Indonesia to Tunisia, are identical. No other book is known to have retained such purity for so many centuries. Miracles mentioned in the Holy Qur'an, together with after-life, etc., may not be scientifically provable now, or even in future. Then the fault lies with science, its limitation — indeed very narrow limitation — and that we are not sure of consistency of scientific systems. Also, we cannot tell the future: the correspondence principle explains the failure of causality on the basis that complete knowledge necessary for complete prediction is inherently unattainable, and any experiment that gains some information loses other information.¹⁹

Islam and Christianity

Scholars at the Hebrew University in Jerusalem this year (1966) have called for reappraisal of the beginnings of Christianity in the light of the newly-discovered 1,500-year-old texts of a Judeo-Christian sect claiming descent from the disciples of Jesus Christ himself.²⁰ The news first came from the London *Times* correspondent at Tel Aviv. The manuscript portrays early Christians as synagogue-goers who regarded Jesus as a prophet but not divine, and followed Jewish laws to the letter. The most important discrepancy concerns the

saying of Jesus in St. John, "For the Father judges no man but has committed all judgment to the Son" (5 : 22). The discovered *MS.* put this as, "I shall not judge men or call them to account for their action. He who sent me will do so".

The said *MS.* also gives an account of the Passion, which strongly suggests that another Jew may have been singled out by Judas Iscariot and crucified instead of Jesus, corroborating what the Holy Qur'an says, that Jesus was not crucified. The Holy Qur'an acknowledges Jesus, Moses, and all prophets, and teaches to regard them, but curses Jews for killing prophets and Christians for giving divinity to Jesus. The Holy Qur'an regards the Testaments to have been altered. In spite of these alterations, one sees clearly in Matthew: "Thou shalt worship the Lord thy God and Him only shalt thou serve" (Matthew 4 : 10).

Islam is the perfection of all religions and the advent of the Prophet Muhammad was predicted in previous scriptures, the scriptures of Moses and Abraham. Let us see what Jesus says in St. John: "I have yet many things to say unto you, but ye cannot bear them now. Howbeit when he, the Spirit of truth, is come he will guide you into all truth: He shall glorify Me" (John, 8 : 12-14).

Compare also Acts 3 : 21-22: "Whom the heaven must receive until the time of resurrection of all things, which God had spoken by the mouth . . . of all His prophets since the world began. For Moses truly said unto the fathers, A prophet shall the Lord your God raise up unto you of your brethren like unto me: him shall hear in all things whatsoever he shall say unto you."

And finally in Deut. 26 : 17-19: "The Lord thy God will raise up into thee a prophet from the midst of thee . . . and he shall speak unto them all that I shall command him." Similar prophecies are also to be found in Matthew 13 : 31, 11 : 33-34; Mark 12 : 1-11; Luke 20 : 9-18; John 1 : 22, 16 : 16, 16 : 26, as well as scriptures of religions other than Judeo-Christianity.

18 *The Encyclopaedia of Islam*, Leiden 1913-1942; 2nd ed. 1960

19 P. Bohm, *Causality and Chance in Modern Physics*; also H. Margerau, *Foundations of Physics*, reprint 1957.

20 Apart from Carbon 14 dating other accurate methods are used in geo-chronology, viz., *Potassium Argon Dating*, ed. A. O. Schaeffer and J. Zähringer, Springer Verlag 1966. These methods tell us the age of a document.

Codes Regulating Personal Status and Social Evolution in the Muslim Countries of Syria, Morocco and Egypt—

Continued from page 18

58 "The curve of repudiations had perhaps dropped a little, but the decrease was far from being satisfactory. The Rector of al-Azhar, well-placed to receive accurate information on the matter, did not hesitate to write in his latest work (The Shaykh Shaltut, *L'Islam, dogme et droit*) that the hopes raised by the adoption of these reforms have in great measure been unrealized" (Y. Linant de Bellefonds, art. *cit.*, p. 539).

59 Y. Linant de Bellefonds, art. *cit.*, p. 539.

60 Y. Linant de Bellefonds, art. *cit.*, p. 450. "Who will explain to me what interest a married woman could possibly have in seeing exposed to public view the causes (perhaps her physical inaptitude, some serious but secret defect in her person) which have led her husband to separate from her? For a cause certainly exists, otherwise we are dealing with a madman" (Professor Abu Zahrah in *Al-Qānūn wa l'iqṭisād*, Cairo, 2nd year, 1954, p. 43).

61 Y. Linant de Bellefonds, art. *cit.*, p. 540.

62 In "The Mali Code of Family and Guardianship" "... repudiation is forbidden. A repudiation pronounced in violation of the preceding prohibition dispenses the wife from her duties of cohabitation and obedience, and entails the separation of goods and property, the rights of third parties being respected. Until the decision of the court has been given, the wife conserves all the civil rights allowed her by law and the marriage contract" (Article 58). Henceforward, in Mali, marriage is dissolved only "by the death of one of the parties or by divorce legally pronounced" (Article 57). The causes, the procedure, and the results of this legal divorce, as with the physical separation of the two parties, are the same as in the clauses of the French Civil Code.

Codes Regulating Personal Status and Social Evolution in the Muslim Countries of Syria, Morocco and Egypt

By M. BORRAMANS

Evolution in the Right of Repudiation and of divorce

The Syrian Code dealing with divorce

Whether we are dealing with repudiation (unilateral dissolution of the marriage contract by the arbitrary desire of the husband), or with divorce (dissolution pronounced by the judge at the request of the wife), we must always have recourse, in our modern Codes, to the agreement dealing with *Talâq*.³³ This is usually drawn up in three parts. The Syrian Code deals first with divorce (*talâq* (Articles 85 to 94), then with divorce by mutual consent (Articles 95 to 104), and finally with separation for various reasons (Articles 105 to 115). The Moroccan Code also begins with repudiation (*talâq*) (Articles 44 to 52), then follows divorce (*tatliq*) (Articles 53 to 60), and finally repudiation with payment of compensation (*hall*) (Articles 61 to 65). The Iraqi Code, after dealing at length with repudiation (*talâq*) (Articles 34 to 39), gives details regarding all the forms of divorce (*tafriq*) (Articles 40 to 46), including divorce by mutual consent. This latter form, however, has its own distinctive character (*cf.* the other Codes). For the sake of convenience and clarity, we will in this article study the various sections of the Syrian Code, which seems to be the one which has received the most logical treatment.

1. REPUDIATION (*talâq*)³⁴

Talâq al-Sunnah ; Talâq al-Bid'ah

"Repudiation at discretion (*talâq*), the exclusive right of a husband to end the bonds of marriage whenever it suits his purpose, without any obligation to go to law, is still practised over-excessively in all classes of Muslim society. This is the considered opinion of the most highly-qualified observers. And the practice continues in spite of legal or administrative measures taken in recent years in the east and in Morocco, with the object of restraining or impeding it, and of limiting as far as possible the damage caused."³⁵ In support of this opinion we cannot but point out that, on the question of repudiation, there has been the least progress made, since from its early origins Muslim law has "multiplied the facilities" for it. In fact this right, and masculine psychology, have for many years tended to join forces in defending a privilege which custom has always recognized as a man's prerogative.³⁶ In any case, a man could not feel himself to be the "permanent prisoner" of a marriage without at the same time feeling he had become a total stranger to himself.

What, then, is this privilege which modern Codes have not dared to submit to a fundamental reform? "As far back as we can go in the history of Islam, we find jurists recognizing

two conceptions of repudiation, one of them relatively severe : Sunnite repudiation (*talâq al-Sunnah*), and the other, much less stringent, known as *talâq al-bid'ah*. This latter term has been wrongly translated as "innovated (or reformed) repudiation", giving the impression that it came after the first one. But this is not so, and Muslim authors insist on this point. Both kinds of repudiation co-existed during the lifetime of the Prophet Muhammad. So we will give to the word *bid'ah* the other dictionary rendering, and translate the expression *talâq bid'ah* as "irregular repudiation". The two methods of repudiation are both the prerogatives of the husband, which he can exercise independent of all judiciary control, and this means that he is never obliged to reveal the motives deciding him to separate from his wife. In cases of either Sunnite repudiation or irregular repudiation, at any time during the period taken up by the "retreat of continence" (usually three months), the husband has the right to change his mind and resume conjugal life, although the wife is not obliged to approve the change of decision. A retraction of this kind can occur only twice. At the third repudiation, and from the moment that it is pronounced, the separation is irrevocable. This does not rule out the possibility of re-marriage, providing the wife has first married another man, who has in his turn repudiated her."³⁷

The difference between Talâq al-Sunnah (Regular Divorce) and Talâq al-Bid'ah (Irregular Divorce)

What then is the difference between "regular repudiation" (Sunnite) and "irregular (reformed) repudiation"? With the aim of combating the ante-Islamic practice of repudiation for which neither formalities nor conditions existed, and by this to diminish as much as possible its frequency and its "despotism", the Prophet Muhammad established a series of rules, to which generally speaking all repudiations should be subjected. It was precisely these rules which gave to "Sunnite" repudiation its own distinctive character and distinguished it from "irregular" repudiation. Its main object is to ensure that the pronouncement of repudiation is made only during a period when the wife is in a state of menstrual purity, and before the couple have resumed conjugal relations interrupted by the last indisposition of the wife.³⁸ In a word, the husband, if he intends to abide by the rules of Sunnite repudiation, is only able to separate from his wife at the moment when he feels least inclined to do so. "Irregular" repudiation takes place without regard to the temporal conditions mentioned above. Being one single expression of will, it consists of three formulations which should normally be made in succession, in such a way that the marriage is immediately dissolved as it would be if, in

fact, it was the third time that the husband was exercising his right. This kind of repudiation is liable to be pronounced at any moment and under any circumstances. It can produce the immediate and irrevocable effects of a third formulation by the mere use of the word "three", or the sign of "three". It is, nevertheless, this kind of promulgation — very aptly called "irregular" — which has become what one might regard as the repudiation of common law, since it was for more than twelve centuries the one permitted by authorized teaching, and it produces all the effects inherent in the Sunnite repudiation.³⁹

Without going into the details of the arguments evolved by jurists during the course of history, with the object of "making a dead letter of the restrictive conditions inherent in the Sunnite repudiation", one might have thought that "... the moral condemnation attached to irregular repudiation (incidentally, the only kind which has ever been practised in Sunnite Islam), in spite of its validity from the strictly legal point of view, would have influenced the development of the rules which govern its functioning; and that this would have led Muslim legislators to increase the restrictive measures relative to both the moral fitness of the repudiator and the form which the expression of his will should take. . . ."⁴⁰ But no, there was no such tendency. On the contrary "... the evolution of the law was in the direction of even greater facility. The Caliph 'Umar (d. 632 C.E.) himself permitted the grouping of three repudiations into a single formula, thus instituting the notorious 'repudiation by three' which, in a system of severance of marriage bonds already detestable in itself, constitutes the most harmful of procedures".⁴¹ Over the years all repudiatory formulas came to be accepted, whether they were pronounced seriously, or by way of a joke, by reason of constraint or by mistake, or even through the effects of drink. Furthermore, all the juridical schools were unanimous in considering a repudiation as valid if it arose from a condition, an oath (or even a wager).⁴² The Egyptian reformists, headed by Muhammad 'Abduh (d. 1905 C.E.) and the Egyptian feminist Qasim Amin (d. 1908 C.E.), did not hesitate to criticize a system which proliferated abuses of this kind. The Turkish legislators attempted a few timid modifications in their Articles 104 and 105 of the Family Code of 1917 — incidentally still in force in the Lebanon and Israel — concerning Sunnite Muslims (the nullity of repudiation pronounced by reason of constraint or through drunkenness). But "it is to the authors of the Egyptian Decree of 1929 that belongs the merit of having undertaken changes of some importance in the system of classic repudiation, while remaining loyal to the general principles of Muslim law on this matter. The codes of personal status later promulgated in more than half a dozen Arab countries have but reproduced the Egyptian model of 1929. It is true they have sometimes pushed a little farther ahead in their urge to innovate. In doing this, however, they have in no way abandoned the general guiding principles upon which the Egyptian legislator in 1929 had based his reforms, principles which, though innovating, did not depart from the standard and time-honoured regulations."⁴³

Naturally we will not discuss the Tunisian Code, which has purely and simply abolished repudiation as dealt with in this article, since in Tunisia today "... divorce can take place only in a court of law . . ." (Article 30). The modifications made tend, in their ensemble, to reduce the facilities which have accumulated during the passage of years, and to restore all repudiations to the state of their original archetype — the Sunnite or "regular" repudiation. But what is most important is that they have four main objectives: "to insist

on the soundness of mind and will of the repudiator, to stipulate the use of a non-equivocal formula which does not group three repudiations into one single expression of will, but that these, generally speaking, must be successive, to prohibit repudiation from being conditional on some future occurrence or set of circumstances, and finally to give a certain degree of publicity to the break-up of a marriage and thus divest repudiation of the strictly 'domestic' character which it has always had in the past".⁴⁴

The Moroccan Code's reforms of the Law of Repudiation of Marriage (Talâq)

Two other reforms are peculiar to the Moroccan Code, but can be regarded as belonging to the above category, since they make obligatory that which traditional law already regarded as more or less optional. Firstly, the repudiator must be "sound in mind and will". The standard law had already declared the following persons to be incapable of repudiating: the minor and the insane, a person asleep or one who has fainted, and all those "whose judgment is seriously affected by anger, old age, disease, or even by some unexpected misfortune". Henceforward drunkenness (no distinction being made between intentional or culpable drunkenness and involuntary or accidental drunkenness), and coercion (contrary to Hanifite law), render invalid the formula of repudiation. Thus, according to the Moroccan Code "repudiation is null and void if pronounced by the husband when in a state of total drunkenness, or when he uses coercion or constraint, or when, through an excess of anger, he has wholly or partially lost his self-control" (Article 49). If the Syrian Code had already made the same stipulation, the Iraqi Code has added: a repudiation pronounced by a dying person (owing to a diminished use of the mental faculties): "Repudiation by the following persons is null and void: a sick person who is in that state of sickness which precedes death, or in that state of sickness which usually ends with death if he dies of that sickness, or in that state, and if his wife will inherit from him" (Article 35).⁴⁵

Further, the repudiation formula can no longer be accompanied "by the number three, expressed formally or with the fingers" (as was recognized by the Code of Personal Status of Qadri Pasha, Article 239). It is in this respect that the reforms "relative to the repudiation formula", and particularly the one prohibiting any further use of the repudiation known as "repudiation by three", are by far the most spectacular. They are also the reforms for which it has been the most difficult to find some scriptural or doctrinal justification, that is to say, one that is not dictated solely by considerations of legislative politics or simple justice.⁴⁶ The Egyptian legislator had been very much at a loss to furnish the reasons for his intervention in his Law of 10 March 1929 (Article 3): "A repudiation accompanied by words or gestures indicating a number, is equivalent to a single repudiation." By this we can appreciate that the articles having reference to this innovatory reform have proceeded by very discreet stages. The Syrian Code, using the Egyptian text, declares that "... a divorce pronounced verbally or by signs accompanied by a number is considered to have been pronounced only once" (Article 92). The Iraqi Code does not go quite so far, no number being mentioned: "A repudiation, repeated verbally or by signs, counts as only one (repudiation)" (Article 37.2). The Moroccan Code is the only one which is really clear on this matter: "Any double or triple repudiation, whatever its mode of expression, counts as only one single repudiation" (Article 51). This is doubtless a fairly

modest reform, albeit a spectacular one.⁴⁷ Though it would have been more interesting if some details had been given about the formula to be used. For example, what are we to make of the formulas with two meanings and other ambiguous expressions, which have necessitated on the part of all the different rites an immense casuistic effort? The Egyptian reform had not been very audacious, since it stipulated that "... the formulas with a double meaning, which can signify both repudiation and something else, effect repudiation only if the intention to repudiate exists ..." (Article 4). At the most, proof of presumption was replaced by the proof of declaration of the husband of his intention to repudiate. In Syria, there was silence on this question; in Iraq no definite position was taken up: "Repudiation is effective only in the form laid down for it by the Religious Law" (Article 34, *in fine*). But the Moroccan Code has been more categorical, since, in its view, "... repudiation can take place verbally, in explicit terms, or in writing, or again by means of unmistakable signs or gestures in the case of an illiterate person unable to speak" (Article 46).

Egyptian legislation on conditional repudiation

With reference to "conditional repudiation" the Egyptian legislation effected some subtle distinctions which partially disguised "... the extent of the modifications which classical Muslim law was made to undergo; conditional repudiation whose only object is to pretend to do or not do a certain thing is null and void" (Article 2). Thus in Egyptian law repudiation, even if it is subject to a condition, remains valid if this condition does not manifest the intention of the husband to intimidate his wife in order to make her act in the manner he desires.⁴⁸ The Syrian Code does not add anything to this. Now it became evident that the husband's pronouncement of one of these conditional formulas placed the household in a cruel situation. The Explanatory Note of the Moroccan Code describes it thus: "The Muslim wife is thus continually threatened with repudiation, without knowing when this repudiation may take place, and the husband himself may also not know. For the man who makes an oath of repudiation, and he who pronounces a repudiation which is conditional on some act taking place or not taking place on the part of a third person, does not know, neither does his wife, when the repudiation will take place." So that henceforward, in Morocco, "repudiation by oath is without effect" (Article 50), and "repudiation attached to a condition is null and void" (Article 52). Similarly in Iraq "any repudiation which is unrealizable, conditional, or pronounced in the form of an oath, is not effective" (Article 36). In these two countries the legislator "has extended to its ultimate completion the reform which the Egyptian law and the texts of other countries had merely initiated".

So that in the future every repudiation must be subject to a minimum of publicity, although here the reforms have remained well short of those which have modified its fundamental rules. In Egypt a system of registration has been in operation since the end of the 19th century. Registration is still carried out at the present time, in the presence of a kind of ministerial officer called a *mā'zūn*. This is not an obligatory formality for the validity of a repudiation, nor is it indispensable to its proof (except in the case of the death of the husband). The Moroccan Code does not go further than this. Although it stipulates that "... the repudiation must be received by two *'adūl* (notaries) (Article 48), the General Statement points out especially that repudiation, legally pronounced, takes full effect, whether registered or not. In other words, registration is advised, but is not obligatory.

We can presume that the administrative needs of the interested parties would lead them to obtain such an easy and convenient method of proving the rupture of the matrimonial bonds. The Iraqi Code seems to go somewhat farther than this, for it insists on all repudiations being registered: "Whoever wishes to repudiate must inform the *Shari'ah* court and apply for the registration of this demand for a divorce, and that a judgment be delivered" (Article 39.1 *ab initio*); but it at once goes on to say that "... if it is difficult for him to consult the court, he must register the repudiation with the court during the period of the 'withdrawal to widowhood'" (Article 39.1 *in fine*). Further, the participation of the judge, mentioned at the beginning of the article, cannot be considered to be of any great importance, since it is no longer stipulated in the remainder of the article. The clauses of the Tunisian Code (Article 30, already quoted),⁴⁹ which subordinate the dissolution of marriage to the "pronouncement" by the judge of the separation of husband and wife, constitute the only exception to the principle that registration is merely a formality, specially intended to provide the two parties with a convenient and easy proof of repudiation. But here it would seem that we are leaving the domain of repudiation and moving to that of judiciary divorce.

A unique reform in the divorce law in Morocco

A reform has been introduced uniquely by the Moroccan Code, and it is of importance because it completes the bringing together, so to speak, of the "irregular repudiation" and the "Sunnite repudiation", as was proposed by certain "reformists", who had only the Islamic viewpoint in mind when they decided to intervene in this question: "If a repudiation is made during a menstrual period, the judge orders the husband to resume domestic life" (Article 47).⁵⁰ In Morocco today the ruling is that repudiation can take place only during a certain period of the physiological cycle of the wife. No doubt "the application of this clause raises formidable difficulties regarding proof" and "the validity of the repudiation risks being subject in great measure to the goodwill of the wife", but it allows her to "have her say" about an event which interests her in the highest degree, and thus becomes a check on repudiations becoming too numerous.

Rupture-indemnity to be paid by the husband

During several decades another reform had been envisaged by those who considered that the changes made so far had been insufficient. They thought it would be a good thing if "... the wife who had been repudiated could obtain from her ex-husband an indemnity. Such indemnity would not, however, be of the same category as payment of damages. For although a wife might be wronged through a rupture of marriage without a motive, no fault whatsoever can be attributed to her husband, since, on putting an end to the marriage without divulging his reasons for so doing, he is only exercising a right which is incontestably recognized by both religion and the law".⁵¹ A repudiated wife has no right to anything at all because of repudiation, and repudiating husbands have no obligations whatsoever.⁵²

So the proposal was put forward to compel a husband to "... pay a kind of rupture-indemnity, which by itself might have the effect of making him more circumspect. It would dissuade him from carrying out a repudiation entailing burdensome consequences, if, on reflection, this step did not appear to him to be absolutely necessary."⁵³ From this aspect it would not be a question of "damages". For this would be assuming that an enquiry had been made as to the "valid

reasons motivating his action, which would amount to an attack on his discretionary powers. But it would be what had already been "recommended" by Muslim law as a pious custom, a "consolation-present" (*mut'ah*), for which the Holy Qur'an itself had made provision.⁵⁴ The Syrian Code had started to inaugurate similar reforms, somewhat timidly and not without a certain amount of equivocation. It had stipulated that "... if a husband repudiates his wife, and it appears to the judge that he has acted arbitrarily and without reasonable cause, and that the wife would thereby suffer poverty or hardship, the judge is empowered, after taking into account the degree of gravity of the husband's 'despotism', to impose on him a monetary penalty, an indemnity payable to the wife. Such indemnity is not to exceed the maintenance expenses for one year for a woman of the same social status. (The maintenance expenses incurred during the period of the wife's retirement to 'widowhood' are not included in this indemnity.) The judge at his discretion may decide whether the indemnity shall be payable in a lump sum or in monthly amounts" (Article 117). The ambiguity of this procedure lay in this appeal to the contentious jurisdiction of the judge, who would 'condemn' the husband for 'unjust' behaviour. To allow the wife to prove the husband has treated her 'unjustly' is to deprive repudiation of its fundamental character as an act for which the husband is not obliged to furnish a reason.⁵⁵ The Moroccan Code, more faithful to the Qur'anic verses and more aware of the stumbling-blocks to avoid, has specified that "... the husband who makes the decision to repudiate his wife must give her a consolation present or indemnity (*mut'ah*), the amount of which shall be fixed according to his means and the circumstances of the repudiated wife. This clause does not apply to the wife for whom a dowry has been fixed and who has been repudiated before the consummation of the marriage" (Article 60). It is no longer a question of the wrongdoings of the husband or of hardship caused to the wife. The "present" is regarded as a kind of "alimony", being based on the needs of the wife and the resources of the husband.⁵⁶

Such then are the reforms inaugurated by the modern Codes aiming at reducing the excessive number of repudiations, without, however, departing from the general framework of Islamic Law. Further, with the Moroccan Code, we see an almost complete return to the regular Sunnite repudiation — the sound mind and unconstrained will of the repudiator, an unequivocal pronouncement amounting to one repudiation only under all circumstances, the prohibition of all conditions or hypothetical eventualities, recommended publicity, and due consideration for the period of the physiological cycle of the wife. By adding to this the obligation enjoined on the husband to make a "consolation-present" to the repudiated wife, this Code has exhausted all the possibilities placed at its disposal by traditional Muslim Law. It succeeds in "... conserving the system of discretionary repudiation inherent in this

law, with its characteristic features, and in discouraging its abusive practice by effective measures, which do not, however, bring about the disappearance of the institution itself. That is to say, they do not transform it into a kind of legal divorce."⁵⁷

It should be mentioned that, in the event of the persistence of such abusive practice,⁵⁸ a number of people might advocate reforms of a more radical nature. Without going so far as to suggest that the wife "... be empowered to include in the marriage contract a clause whereby the husband renounces in advance the right to repudiate her ..." — a solution which is inadmissible in standard law, even among the most well-known writers of the modern school, because such a clause would be "... incompatible with the essence of marriage ..." (Muslim) — many people are said to be in favour of a modification of a strictly procedural nature. This measure would aim at "... making more stringent the registration procedure as practised at the present time. ... In fact, what now happens is that the husband goes to the court (or to the appropriate office), declares that he has three times repudiated his wife and, after having paid the fees demanded, is given a signed stamped form attesting that he is definitely separated from his wife."⁵⁹

The Rector of Azhar on the legal control of repudiation

In the opinion of no less a person than the Rector of al-Azhar "... it would be expedient to set up a preliminary and legal control of repudiations. And this control should have limits which are so precise as to remove all the fears of the out-and-out supporters of discretionary repudiation. These people are afraid, when it is a question of 'legalizing' repudiation, that gradual encroachment, or concession after concession, would eventually result in transforming it into divorce in the strict sense of the word. That is to say, that a point would be arrived at where the husband would be obliged to divulge the reasons (if such exist) which had led him to separate from his wife."⁶⁰ In a word, what they want is that the judge preside over such matters in a purely advisory capacity, having no legal or contentious jurisdiction: "the legislator, while forbidding him to probe into the reasons which have led a husband to repudiate, could nevertheless delegate to him the duty of checking the conditions under which the repudiation was carried out, and of making sure that the rules of form and procedure demanded by law have been strictly observed."⁶¹ It would seem as if the present-day legislative movement will eventually arrive at this measure of reform. In fact, the Tunisian Code seems already to have adopted this solution by its Article 31.3, which some commentators consider as postulating only a "... pseudo-divorce, closely related, at least when the initiative is taken by the husband, to the old repudiation of classic law ...", but subject to the control and scrutiny of the judge.⁶²

FOOTNOTES

33 This unique term, which can most accurately be translated by the doublet "repudiation-divorce", indicates fairly well the ultimate effect of the operation, whatever form it may have taken: the wife is freed, set at liberty. The root T L Q means, in its concrete sense, "to untrammel an animal". Since here the importance lies in the methods used in the operation, we must be careful to distinguish between a strict rendering of *talāq* — unilateral repudiation of the contract by the husband — and a wider meaning: "divorce" (to which we can apply the following vocables: *talāq* = to set free, and *tafrīq* = to separate), decided by the judge on the application of the wife.

34 We shall borrow freely from an article which is the most recent authoritative work on this question, Y. Linant de Bellefonds, "La

répudiation dans l'Islam d'aujourd'hui," in *Revue Internationale de droit comparé*, 1962, No. 3, pp. 521-548.

35 Y. Linant de Bellefonds, art. cit., p. 521. We recall the statistics given by the Ministry of Social Affairs, Cairo, quoted in this article: in 1939, 52,421 repudiations against 18,823 marriages; in 1940, 54,227 repudiations against 198,831 marriages; in 1942, 68,055 repudiations against 226,576 marriages, which is, on average, 33 to 35 repudiations per 100 marriages (whereas in France there are 9 divorces for 100 marriages, 6 in Belgium, and in the U.S.A. (*terre d'élection*), 22%). 'Abd al-Rahman al-Sabuni, in a thesis published at Damascus, *Madā hurriyyah al-zawjain fi l-talāq* (Extent of liberty possessed by husbands in repudiation-divorce), quotes the following figures: in 1958, 60,044 repudiations

- against 228,018 marriages (26.2%); in 1959, 60,775 against 220,557 (27.6%). Regarding the reasons for repudiation, he gives the following details: in 1958, 20,498 repudiations were caused by the husband, 9,960 by the wife, and 29,586 by both parties; for 1959, these figures are respectively: 20,446, 9,903 and 31,026. The statistics of 1958 and 1959 confirm that 72.9% of the repudiations of 1958 took place in childless households, 15.9% in families with one child, 6% in families with two children, 2.9% in families with three children, etc. In 1959 the respective figures were 72.5%, 15.6%, 6.1% and 3.1%. Furthermore, repudiation would seem to be a feature of urban life. In 1951, in Cairo, there were 14,573 repudiations for 32,895 marriages (45%); at Alexandria, 5,098 for 13,581 marriages (31%). By "repudiations" (in these statistics) are meant all the forms of *talâq* (cf. Footnote 33). Sociologists will note that although in some countries the practice of repudiation is virtually endemic, in others it is much less prevalent, such as in Syria and Jordan. In Algeria "... the evil seems to be much more widespread than in Egypt". In the city of Algiers itself an investigation showed that when questioned, married men would reply (on the average) that they had already repudiated two wives, and it was not rare for a husband to have repudiated five or six times (Roussier, "Le mariage et sa dissolution dans le statut local algérien").
- For Syria, al-Sabuni gives the following figures: in 1957, 2,248 repudiations against 30,524 marriages, and in 1958, 2,849 against 37,596. Of these 2,849 repudiations, 1,889 took place in childless homes, 463 in homes with one child, 222 in homes with two children, 118 in homes with three children, etc. In the city of Damascus there were 1,168 repudiations against 6,159 marriages. In Jordan, in 1956, there were 1,915 repudiations for 12,216 marriages, and in 1957, 1,825 for 16,993. In the capital, there were only 503 repudiations for 2,662 marriages (about 20%).
- In Tunisia, in 1960, for the 24,446 newly-married brides, there were only 960 divorced wives (3.9%), and for the 24,446 newly-married husbands, 1,192 were divorced (4.9%) (cf. *Bulletin de Statistique et d'Etudes économiques de Tunisie*, quarterly series, January-March 1963, No. 17, pp. 7-19).
- 36 On 16 December 1952 the Civil Tribunal of Cairo decreed: "It is a principle of Muslim law that repudiation is subject only to the will of the husband; that this is a fundamental rule which is at the basis of family life in Islam."
- 37 Y. Linant de Bellefonds, art. *cit.*, pp. 525-526. This last sentence enunciates one of the temporary obstacles to marriage, dealt with in turn by the Syrian Code (Article 36.1), the Moroccan Code (Article 29.3), and the Iraqi Code (Article 13). The Tunisian Code, in order to put an end to "blameworthy practices and tricks" (co-habitation of the repudiated wife with a *muhallil*, which would then enable her legally to marry the first husband, etc.), has changed this temporary obstacle to a permanent one (another innovation): "A man is forbidden to marry a woman whom he has three times divorced" (Article 19).
- Thus, for the various kinds of repudiation, we have the following classification: "Repudiation is divided into two categories: (1) *Revocable*. This is where the husband is permitted to co-habit with his wife during the "withdrawal to continence" (which she is observing because of him), without there being any need of a new marriage contract. (2) *Irrevocable*. Divided into two categories: (a) Imperfect. This is where the husband is allowed to re-marry his repudiated wife, by means of a new contract. (b) Perfect. This is where it is illegal for the husband to re-marry the wife whom he has repudiated by three distinct repudiations, and whose withdrawal to continence is terminated (Iraqi Code, Article 38). The law will then decide to which category of repudiation such and such a *talâq* belongs.
- 38 cf. The Qur'ân, 65:1: "O Prophet! when you repudiate your wives, repudiate them at (the end of) their period (of waiting). So count (the days of) this period. Be pious towards God, your Lord!"
- 39 Y. Linant de Bellefonds, art. *cit.*, p. 526.
- 40 Y. Linant de Bellefonds, art. *cit.*, p. 527. Here we should quote a hadith attributing to the Prophet the following declaration: "Of all the things permitted, the most detestable is repudiation", and, in opposition, another hadith validating a large number of repudiary formulas: "Three things are valid, whether they have been intended seriously or facetiously: marriage, repudiation, and emancipation."
- 41 Y. Linant de Bellefonds, art. *cit.*, p. 527. Farther on in the text, the author of the article endeavours to discover the reason for the success of this legal "artifice", a reason much more of a psychological than an historical nature (a re-casting of ante-Islamic traditions). "The husband mistrusts his own powers; he is afraid he may succumb to the attractions of his wife during the three months of retreat while she continues to live under his roof, albeit as a stranger. So he deliberately cuts all the connecting links. He steels himself against any kind of reconciliation which, according to him, would be only the result of a fleeting passion which he would regret almost immediately."
- 42 The lawyers went as far as recognizing the validity of conditional repudiation when it is pronounced before the marriage, and also that the "condition" is none other than this self-same marriage.
- 43 Y. Linant de Bellefonds, art. *cit.*, p. 529.
- 44 Y. Linant de Bellefonds, art. *cit.*, p. 529.
- 45 The Syrian Code, in cases where repudiation was pronounced during the state of "last illness" (preceding death), nevertheless guaranteed the succession rights of the repudiated wife (Article 16). But it should be pointed out that all the Codes remain silent regarding repudiations pronounced as a joke; thus where necessary this circumstance would be taken into account in courts of law, according to specialists on the matter. Incidentally, such repudiations are not very frequent.
- 46 Y. Linant de Bellefonds, art. *cit.*, p. 531.
- 47 "The Western jurist will doubtless come to the conclusion that this abolition of repudiation 'by three' really amounts to nothing very much (since, if the three formulas must henceforward be distinct from each other, it is not specified that they must be separated by a long period of time). All that is necessary is that each one of them takes place during a different 'session' (*majlis*). The husband who is determined to separate definitely from his wife will only have to follow up each of the formulas by a few remarks about the weather or any other subject, or he can merely change his bodily position or attitude; the three distinct 'sessions' will have been observed, and the final objective attained. However, this reform will not have been completely sterile... for the specified condition regarding the necessity of observing three distinct 'sessions', though it may be quite easy to observe, will be enough to bring many a husband to see reason" (Y. Linant de Bellefonds, art. *cit.*, p. 534).
- 48 Y. Linant de Bellefonds, art. *cit.*, p. 536. "From earliest times, the legislators of the four schools (rites) have been practically unanimous in recognizing not only a repudiation postponed until the end of a period (whether certain or uncertain), but also a repudiation which is subject to the realization of a condition, whether this be casual (dependent on pure chance) or potestative (even if its realization be dependent on the will of one of the parties or of a third part). ... In fact, they came to assimilate to conditional repudiation, and thus to declare it valid, that form of repudiation which takes the form of an oath or promise ('I will not do such and such a thing — if I do I will repudiate my wife')", *Idem.*, p. 535.
- 49 These clauses had also been adopted by French legislators in Algeria (cf. Article 6 of the Decree of 4 February 1959 and Article 11 of the Decree dated 17 September 1959).
- 50 And yet this practice of Sunnite repudiation by the Shi'ahs has not reduced the number of repudiations, according to Y. Linant de Bellefonds (cf. art. *cit.*, p. 542), who seems to have overlooked Article 47 of the Moroccan Code.
- 51 Y. Linant de Bellefonds, art. *cit.*, p. 544.
- 52 "She certainly has the right to claim from her ex-husband the remaining balance of her dowry, if this has not been paid in full. ... Further, it should not be forgotten that the husband is obliged to maintain her until the end of the withdrawal to continence." These are the two obligations of the husband, and they are independent of the repudiation as such.
- 53 Y. Linant de Bellefonds, art. *cit.*, p. 454.
- 54 Cf. The Qur'ân, 2:242: "To wives under the misfortune of repudiation belongs an alleviation (*mut'ah*=consolation present), in the recognized appropriate manner. A duty for the faithful!" For the Shaf'ites and the Zâhirites, the payment of *mut'ah* is considered a strict obligation, but the absence of the fixing of a minimum takes away all practical value from the rule.
- 55 Y. Linant de Bellefonds, art. *cit.*, p. 547.
- 56 Note, however, that this Article 60 would seem to be better placed if it came after Article 52, at the chapter on "Repudiation". Placed as it is here at the end of the paragraphs on "Legal Divorce", it would seem to attribute to the "gift" in question the character of legal damages.
- 57 Y. Linant de Bellefonds, art. *cit.*, p. 548. It is interesting to note that, in addition to all these reforms, the Moroccan Code recalls the possibilities of the right of option left to the wife (cf. Article 31, mentioned above, on the obstacle of polygamy): repudiation, then demanded of the husband, is irrevocable (Article 67).

Continued on page 13

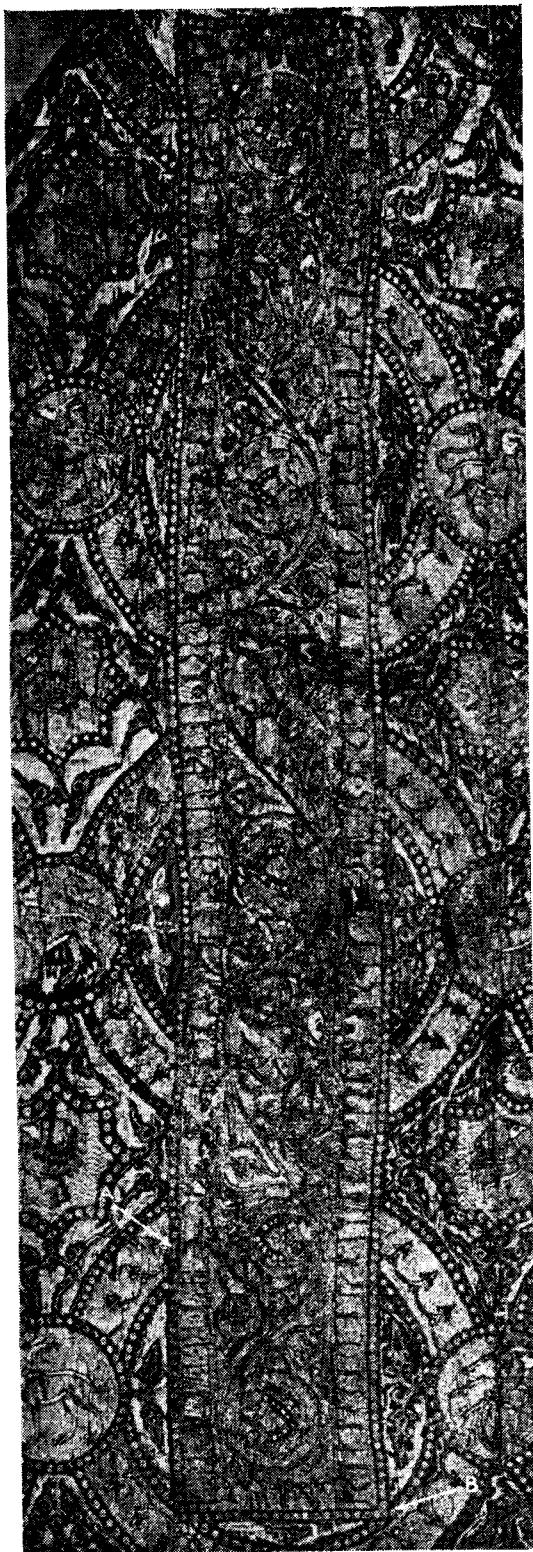


Fig. 1. The luxuriantly-scrolled panel from the back of the Chasuble, to show the Kufic inscription

The lettered arrows indicate (A) the point in the inscription which gives the date (1116 C.E.) and the place (Almeria) of the manufacture ; (B) the beginning of the Kufic inscription

The Fermo Chasuble of the Archbishop of Canterbury, St. Thomas Becket (d. 1170 C.E.) —Revealed as the Earliest Fully Dated and Localised Major Islamic Embroidery Known¹

By the late Professor D. Storm Rice

Fermo, in the Italian province of Marche, is easily reached by rail and road via the pleasant seaside resort of Porto S. Giorgio, south of Ancona. The walled city, enclosing many fine medieval and Renaissance buildings and some Roman remains, clings to a conical hill between the valleys of the Tenna and Ete. Towering above it, on a plateau which offers a splendid panorama of the surrounding mountains and the Adriatic, stands the Cathedral. It occupies the site of a palaeochristian basilica of which a 5th-century mosaic (unearthed in 1937) showing two peacocks with an amphora between them, can be admired in the crypt together with a sarcophagus of the 4th century.

The edifice which replaced the early basilica was itself destroyed by the troops of Barbarossa in 1176 C.E., when the library also perished. The new façade was erected in 1227 in a transitional style between Romanesque and Gothic and the rose-window dates from 1348 C.E. The interior has undergone many transformations and one can see in the chapels paintings in the manner of Tiepolo, sculpture in the manner of Canova, an outstanding Byzantine icon of the 13th century set in a *repousse*, storeyed silver frame, and a bronze tabernacle made by A. G. and L. Lombardo (1571), etc. In the sacristy, the treasure of the Cathedral may be visited. It includes among its oldest relics some fine ivory crozier-heads, a Fatimid rock crystal vessel of the early 11th century and the chasuble of Saint Thomas of Canterbury, which is displayed in a case by itself. The chasuble is said to be the gift of a bishop of Fermo — Presbitero (1184-1204 C.E.), who is reported to have known St. Thomas when both were students at Bologna, and who had a special devotion for him.

Like other early chasubles it is semi-circular in shape with a slit for the head and none for the arms (Figs. 4 and 5). It is 5 ft. 4 in. high and has a circumference of 17 ft. 11 in. The chasuble is made of light blue silk and nearly the whole surface is covered with embroidery, mostly executed in gold thread. Dr. Sigrid Müller-Christensen, of Munich, who very kindly examined the chasuble from the technical point of view, states that the blue silk is a plain weft twill in which the points of binding form a diagonal line. The warp, light blue, is Z-spun (24 ends per cm.) and there is a filling warp, white, Z-spun. The weft is not spun. There are 36 to 24 shoots per cm., the upper one blue and the back shoot white. Matters are complicated by the fact that the embroidery was not originally intended for a chasuble. If we spread it out in a semi-circle, we can establish that it is made up of 38 pieces of differing shapes and sizes. These were stitched together with red silk thread in running stitches and the circumference was surrounded with a braid originally intended for an oblong, not a circular, silk.

One can distinguish three varieties of seams : (a) seams joining two pieces of blue silk *before* the embroidery was begun, and covered by the threads of the embroidery ; (b) seams joining two halves of the pattern after embroidery ; here an unembroidered margin is tucked under and stitched together (see Fig. 10), clearly a seam which, like the preceding one,

¹ Courtesy, the Editor, *The Illustrated London News*, London, for 3 October 1959.

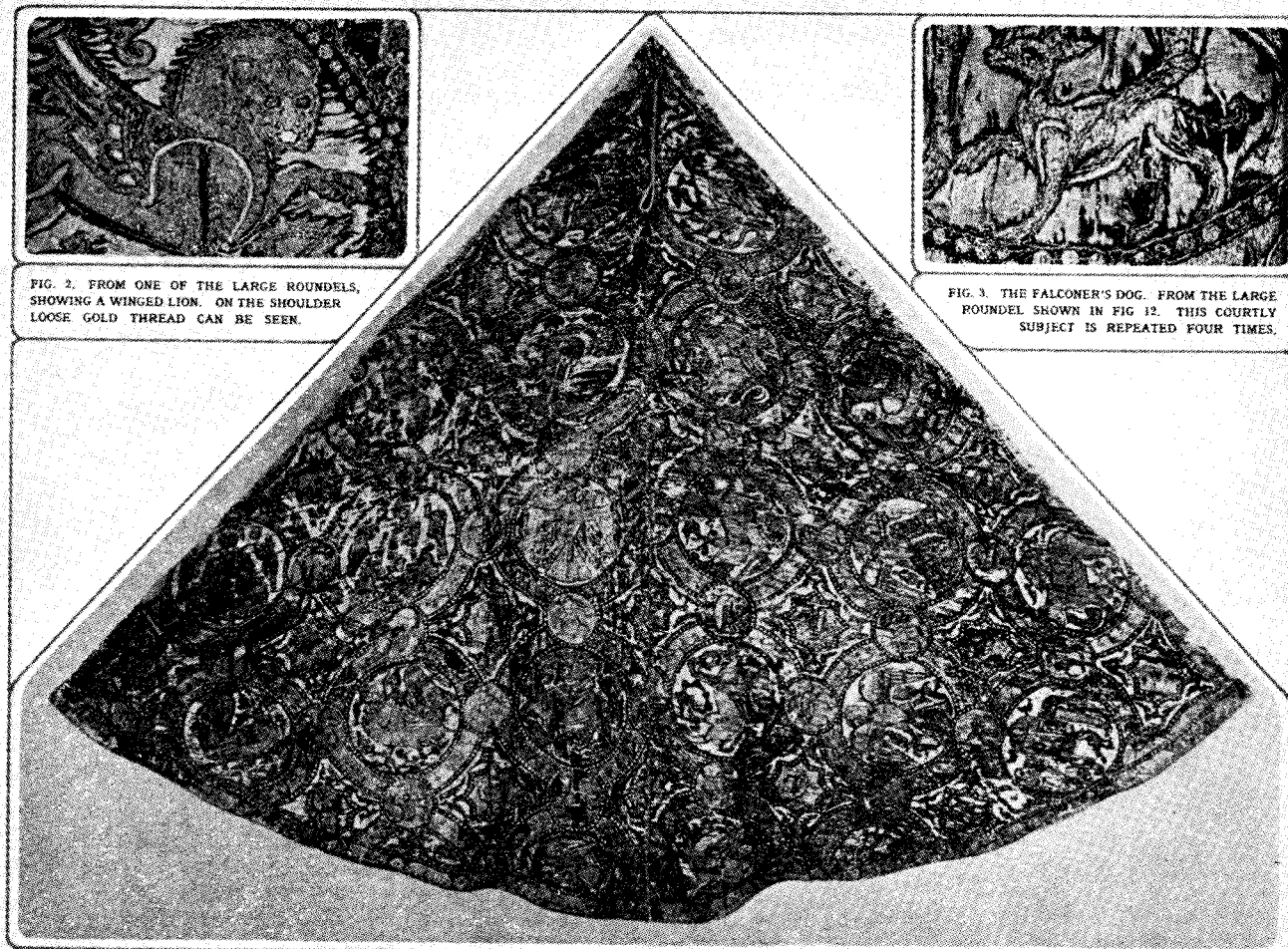
ST. THOMAS'S CHASUBLE: A WONDERFUL RELIC OF ISLAMIC NEEDLEWORK.



FIG. 2. FROM ONE OF THE LARGE ROUNDELS, SHOWING A WINGED LION. ON THE SHOULDER LOOSE GOLD THREAD CAN BE SEEN.



FIG. 3. THE FALCONER'S DOG. FROM THE LARGE ROUNDEL SHOWN IN FIG. 12. THIS COURTLY SUBJECT IS REPEATED FOUR TIMES.



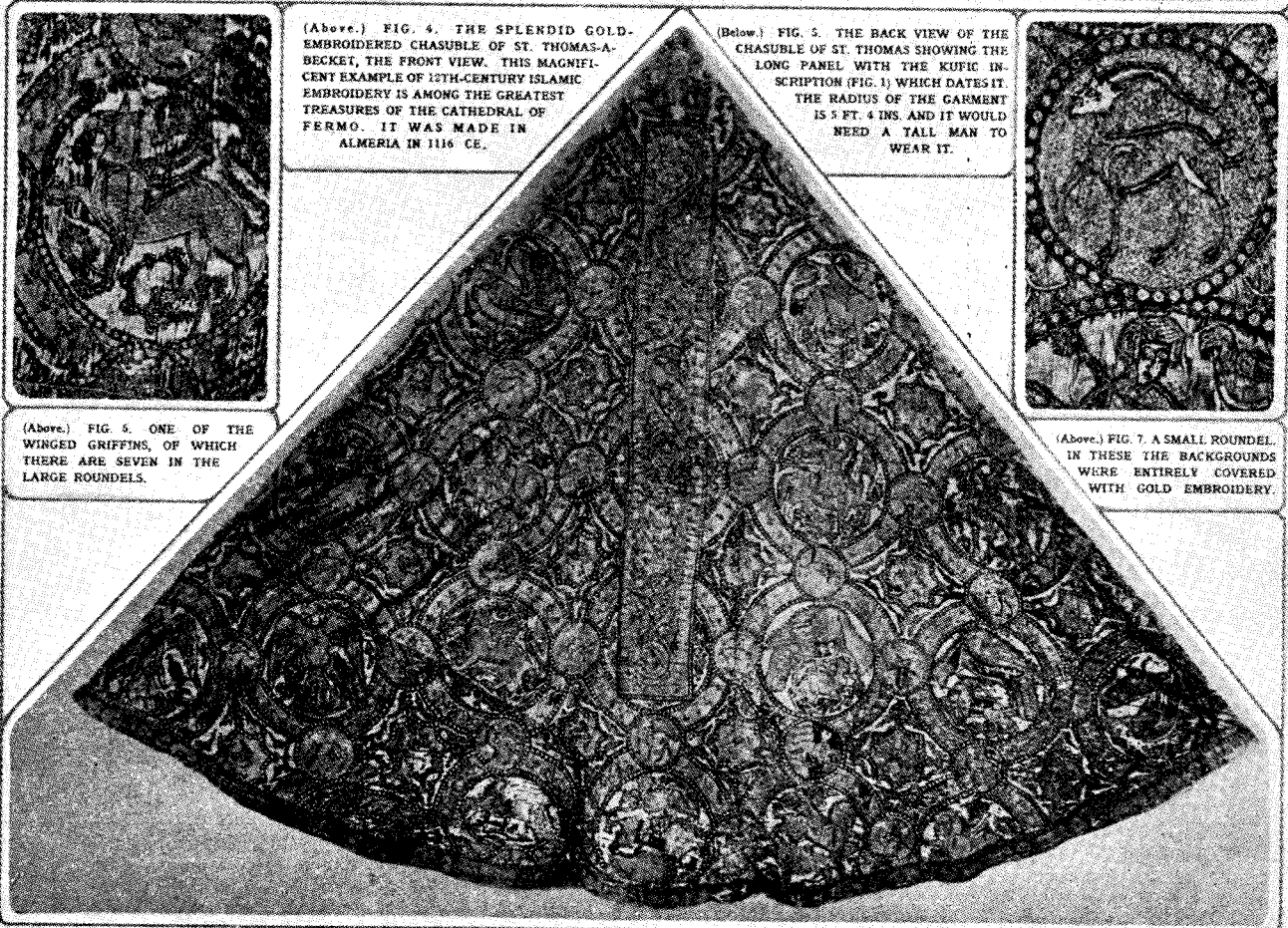
(Above.) FIG. 5. ONE OF THE WINGED GRIFFINS, OF WHICH THERE ARE SEVEN IN THE LARGE ROUNDELS.

(Above.) FIG. 4. THE SPLENDID GOLD-EMBROIDERED CHASUBLE OF ST. THOMAS-A-BECKET, THE FRONT VIEW. THIS MAGNIFICENT EXAMPLE OF 12TH-CENTURY ISLAMIC EMBROIDERY IS AMONG THE GREATEST TREASURES OF THE CATHEDRAL OF FERMO. IT WAS MADE IN ALMERIA IN 1116 CE.

(Below.) FIG. 5. THE BACK VIEW OF THE CHASUBLE OF ST. THOMAS SHOWING THE LONG PANEL WITH THE KUFIC INSCRIPTION (FIG. 1) WHICH DATES IT. THE RADIUS OF THE GARMENT IS 5 FT. 4 INS. AND IT WOULD NEED A TALL MAN TO WEAR IT.



(Above.) FIG. 7. A SMALL ROUNDEL. IN THESE THE BACKGROUNDS WERE ENTIRELY COVERED WITH GOLD EMBROIDERY.



AN ISLAMIC BESTIARY
IN A CHRISTIAN RELIC.



FIG. 8. A SPLENDID SPREADEAGLE, ONE OF SIX SIMILAR LARGE ROUNDELS. ACROSS THE UPPER RIGHT IS AN ARBITRARY JOIN OF UNMATCHING PATTERNS.



FIG. 9. A LARGE ROUNDEL SHOWING A FULLY-CAPARISONED ELEPHANT ON WHOSE BACK IS A HOWDAH, FROM WHICH A LADY LOOKS OUT.

ANIMALS FROM THE
CHASUBLE OF ST. THOMAS.



FIG. 10. ONE TYPE OF JOIN. AN UNEMBROIDERED EDGE HAS BEEN LEFT FOR STITCHING, SO THAT PLANNED MATCHING DESIGNS COULD BE BROUGHT TOGETHER.



FIG. 11. AN EAGLE ALIGHTING ON A GAZELLE, SURROUNDED BY SMALL ROUNDELS, WITH 8-POINTED STARS CARRYING BIRDS IN THE INTERVENING SPANDRELS.



FIG. 12. ONE OF THE FINEST LARGE ROUNDELS: A MOUNTED HUNTSMAN WITH HIS FALCON ON HIS WRIST AND HIS DOG BETWEEN THE HORSE'S FEET.



FIG. 13. A LARGE ROUNDEL WITH A GRIFFIN, WHOSE WING "BLOSSOMS" INTO A FLOWER. THIS ALSO SHOWS ANOTHER EXAMPLE OF AN ARBITRARY JOIN.

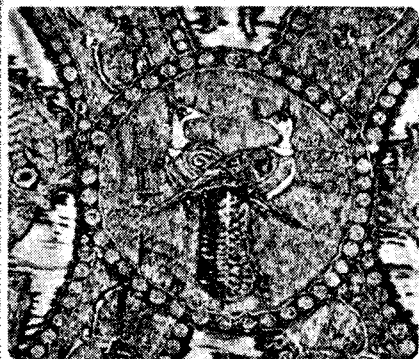


FIG. 14. FROM THE SMALL ROUNDEL WHICH ADJOINS THE EAGLE AND GAZELLE OF FIG. 11: A PAIR OF PEACOCKS, MAKING A DELIGHTFUL FORMAL PATTERN.



FIG. 15. A LARGE ROUNDEL SHOWING A WINGED SPHINX WHOSE WING ALSO "BLOSSOMS." HERE THE BLUE SILK IS BADLY WORN.

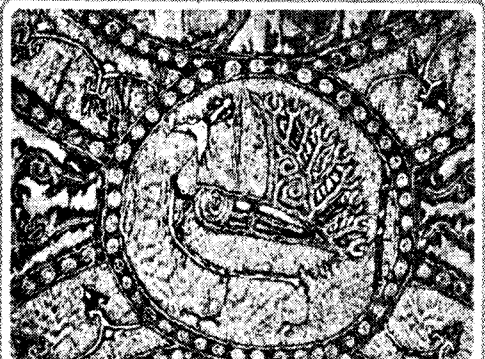


FIG. 16. A SINGLE PEACOCK WITH ITS TAIL SPREAD—A CLOSE-UP OF A SMALL ROUNDEL, WHICH CAN ALSO BE SEEN IN THE HORSEMAN ROUNDEL OF FIG. 12.

was part of the original scheme ; finally (c) seams which join completed pieces of embroidery without regard to the design (Figs. 8 and 13).

The *décor* of the chasuble consists of 40 large roundels measuring 8 in. in diameter on the inside which are joined by small roundels of half this diameter. In the spandrels between them are eight-cornered stars (Fig. 11). On the front of the chasuble (Fig. 4) we have 23 large roundels and the remaining 17 are on the back of the vestment (Fig. 5). The subjects chosen by the embroiderers belong without exception to the secular, courtly repertoire. Apart from three roundels, whose embroidery is too badly worn to permit the identification of their iconographic themes, one can recognize seven peacocks, seven griffins (Figs. 6 and 13), six eagles with spread wings (Fig. 8), two eagles alighting on gazelles (Fig. 11), one winged sphinx (Fig. 15), two winged lions (Fig. 2). A second group of large roundels contains compositions with human figures, two ladies looking out of howdahs placed on elephants (Fig. 9), two throne-scenes (unfortunately too badly damaged to be reproduced) show a personage seated cross-legged on a low throne, with his slippers placed before him. On either side of the central large figure (which is shown frontally) are female attendants (shown in profile) ; one holds a bottle and proffers a beaker, the other agitates a fan. Furthermore, there are four roundels with horsemen with their falcons and dogs (Figs. 3 and 12) and the four remaining large roundels are made up of halves of animals. One can recognize half a lion superimposed on the lower half of a sphinx moving in the opposite direction without regard to the original compositions, etc.

The small roundels 4 in. in diameter which join the large ones are decorated with birds (Figs. 14 and 16) and quadrupeds (Fig. 7). Their backgrounds — unlike those of the large roundels where the blue silk was allowed to show — are completely covered with gold embroidery, some of it in relatively good state of conservation (Fig. 7).

The Fermo chasuble has only twice left the Cathedral, once for a textile exhibition in Rome (1937) and again for the exhibition of medieval treasures in Italy held at Paris (1951). It was classified by some as Sicilian work and taken by others to be an *opus anglicanum*. That it is neither of these may be learned from close examination of the oblong panel (Fig. 1) which decorates the back and which is undoubtedly part of the original design. Surrounding a luxuriant inhabited scroll is an Arabic inscription in Kufic characters which begins with the traditional Muslim formula "In the name of Allah the Merciful the Compassionate, the Kingdom is Allah's . . ." What follows is badly damaged in places, but some words can be made out clearly : "greatest blessing, perfect health and happiness to its owner . . ." After a gap of two or three words one reads : "in the year 510 in Mariyya".

There can be no further doubt about the date of the embroidery which was later cut up to fashion a chasuble. It was executed at Almeria, in Spain, in 510 A.H., which corresponds to 1116 C.E. — two years before the birth, in London, of Thomas Becket. Almeria, a busy and flourishing Mediterranean port, was then under the rule of the Almoravids (1084-1147 C.E.). It was also the textile centre *par excellence* of Andalusia. The geographer Idrisi, writing in Sicily in 1154 C.E., only seven years after the capture of the city by Alfonso VII, mentions that before its downfall "it had 800 textile workshops in which silks, brocades and precious mantles were produced".

There are a good many parallels for the use of Islamic textiles in early medieval church vestments, and it is not surprising that an embroidery executed at Almeria in 1116 C.E. probably for a regal mantle (of square cut) or for an oblong hanging should have been transformed into the chasuble now kept at Fermo as a relic of St. Thomas of Canterbury. There is nothing inconsistent with such an attribution, although the claim that it is a gift of Bishop Presbitero (1184-1204 C.E.) cannot be supported by ancient documents, owing to the loss of all early archives. It is fitting to recall the admittedly apocryphal story that St. Thomas's mother was a daughter of a Saracen emir and had met his father during his Crusade to the Holy Land. One might mention that Thomas Becket was renowned for his splendid wardrobe and point out that a chasuble of 5 ft. 4 in. must have been worn by a tall man — which he reportedly was. Whether it be an authentic relic of St. Thomas or not, the chasuble of Fermo deserves attention, not only for its intrinsic beauty but as being the earliest fully dated and localized major Islamic embroidery known to us. The next in date is the regal mantle of Roger II (quite different in style and technique) which was made in Palermo in 1132 C.E., as the Arabic inscription on its hem indicates.

Over a century older than the Fermo piece, but not explicitly dated, is the embroidery known as the *Suaire de St. Lazare* from the cathedral of this name in Autun. The largest piece of it is still in the Archbishop's Palace in Autun, but fragments have found their way into the Textile Museum at Lyons and the Musée de Cluny in Paris. It was probably also executed in Spain and consists of series of six-lobed medallions enclosing horsemen and sphinxes in alternating rows.

The embroidery of the Fermo chasuble, like that of the *Suaire de St. Lazare*, consists for the most part of gold thread which has a silk core with gilt membrane twisted around it. This gold thread was chevron-couched on the blue silk. The couching was done by pairs of threads (28 to 30, i.e., 14 to 15 pairs per cm.). The outlines of the figures and frames were executed in stem-stitches in red silk thread. Light blue, white, red, green, yellow and dark brown (or black) threads were also used, but the last-named have been almost completely destroyed by their pigment. The blue silk which forms the base of the embroidery has also suffered considerable damage. In many places the upper, blue threads have disappeared, leaving only the white threads of the undershoots visible. In many other instances, both blue and white threads have vanished, exposing the red lining which was fixed inside the chasuble at an unknown date (Fig. 15). This completely destroys the original colour scheme which was predominantly gold and blue. Furthermore, much damage has also been done in the past by hasty and unskilled restorations. Through wear and tear over nearly 8½ centuries, the tiny silk threads which were used to couch the gold threads have perished, leaving the latter to dangle precariously (Fig. 2).

It is gratifying to learn that a careful and sound restoration of this valuable embroidery is now being undertaken. This will entail the removal of the late, red lining and its replacement by a blue one tinted to match the original silk. After cleaning and the removal of all traces of the old crude restorations, the gold threads, and all other loose stitches, will have to be fixed by invisible threads, a labour which it is estimated will occupy 3,000 hours of skilled work, and will require expert supervision. (Other illustrations of the chasuble appear on pages 20 and 21).

The National Anthem of Libya

O' my country ! with struggle and patience
Resist enemy deceit and disasters and be saved
Be saved for ever.
We are ready to sacrifice. O Libya !

.

O my country, dear inheritance of our ancestors
May God not assist any inimical land that intends to cause
you any harm
Be saved, we are your soldiers for ever
We shall, never care, who will perish, when you are safe,
Pledge with all solid covenants.
We shall not — Libya — deceive you
No return to chains
We are free, and have freed our country
Libya.

.

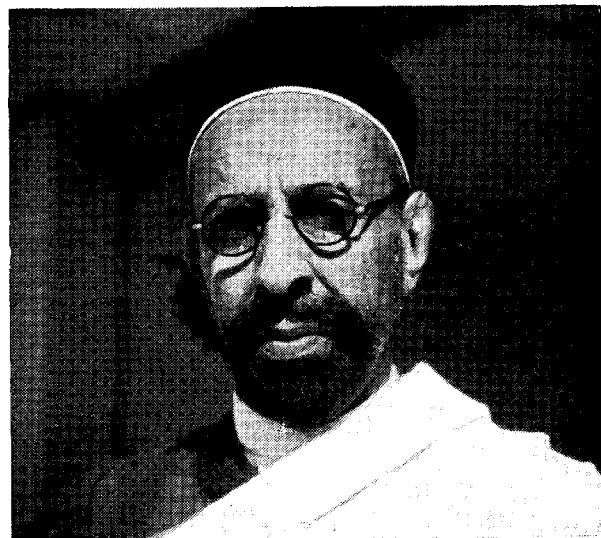
Our ancestors were rising boldly
When they were called to fight
They marched with the Qur'an in one hand, and held arms
in the other,
Hence religion and serenity prevail over the universe,
Welfare and suitability predominant in the world
Immortality, for our ancestors
They have honoured this country
Libya.

.

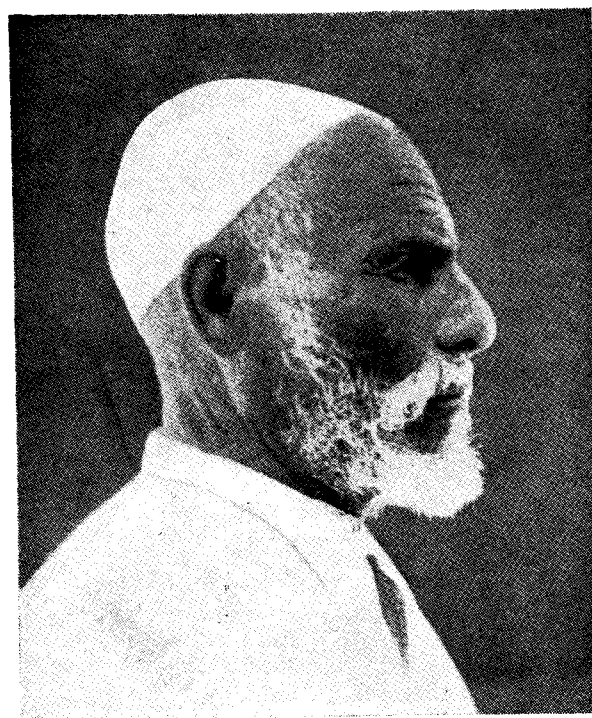
Hail **Idris**, descendant of conquerors
He is in Libya the symbol of patriotic fight
He, who held the flag with his right grip and followed him to
liberate the country until victory was achieved and over
the hills, the free flag was raised
And has shaded, with glory, the whole country
Libya.

.

O sons of Libya ! you who are the descendants of heroes
We are for the glory and worth to be glorified
People have praised our march
And may God bless our independence
You seek nothing but always lofty ideals in life
Be prepared. O our youngsters, be ready for war and to attain
victory
Life is a fight for the sake of the fatherland
Libya.

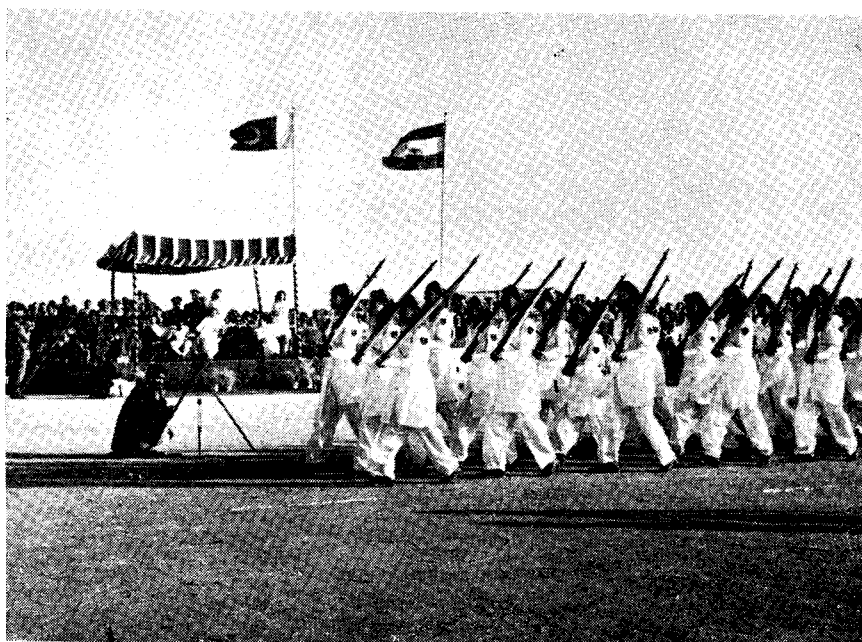


King Idris I



A hero of Libya, 'Umar Mukhtar (1860-1931)

These words of the National Anthem echo the thoughts, and befit the lips, of one of the great national heroes of Libya, 'Umar Mukhtar, who laid down his life fighting the Italian aggressors. He was hanged by the Italians publicly on 16 September 1931



Women at a parade in Pakistan

WOMAN AND JIHAD IN ISLAM¹

By NADIRAH SHANNAN

Can a Woman Lead an Army?

It is permissible to engage in active *Jihad*

Views of Ibn Qudamah

I shall attempt to answer the following questions: Is a woman under an obligation in Islam to engage in *jihad* (fighting in the cause of God), and when? and Can a woman command an army? I shall seek the answers from recognized works on the *fiqh* and jurisprudence of Islam.

Ibn Qudamah (1146-1223 C.E.) says in *al-Mughni* (Vol. 10, pp. 39-2): "Only the aged women go with the Muslims into the land of the enemy, to distribute water and to tend the wounded, as was allowed by the Prophet Muhammad (may the peace and blessings of God be upon him!). The Prophet did not like the idea of young women going to the land of the enemy; for women are not fighters and are of no use in the fighting because they are timorous and pusillanimous. Hashraj Ibn Ziyad reports from his paternal grandmother that she accompanied the Messenger of God to the battle of Khaybar, along with five other women. She said: 'The Messenger of God got to know of this, so he sent for us, and we came, and saw that he was angry. He said, "With whom did you come out?" and we answered, "O Messenger of God, we came to spin yarn and help with it in the cause of God, and we have medicine for the wounded, and we hand over weapons and fetch water." The Prophet said, "Get up," and when God opened up Khaybar the Prophet gave us the same share as that of the men. . . .' Al-Awza'i (707-774 C.E.) was asked whether the Muslims used to go to battle accompanied by women, and he replied, 'No — with women servants. But in the case of old women, if they could be useful in fetching water or treating the wounded they would be allowed, according to the reports we have.'"

Umm Sálím and the daughter of Ka'b took part in a battle which the Prophet was leading. The daughter of Ka'b was actually fighting and she lost one hand in the battle of al-Yamámah. Al-Rabí' says, "We accompanied the Prophet in his battles, to fetch water or treat the wounded." Anas says: "The Messenger of God used to take Umm Sálím and other with him to battle, to fetch water and treat the wounded." Al-Tirmidhi confirms this fact and says: "If it be said that the Prophet used to take along with him the women who

were chosen by lot, and that he took 'Ayisha with him several times, then the answer is that she was one of the women and he took her because he needed her. This is permissible to a Prince, in case of need, but is not permitted to the rest of the flock, for fear that it might lead to what we have already pointed out."

I do not understand this reasoning against the example of the Prophet Muhammad taking women with him to battle. In my opinion women were not taken to battle simply because it was feared that they would be vulnerable in the event of victory by the enemy. If this fear of women being attacked were to prohibit their going out to battle at all, it would have applied to the women of the Prophet in equal measure. Some have argued that only one woman was in fact taken along by the Prophet to battle, and that it would have been comparatively easy to defend one woman and prevent her falling captive to the enemy. But the question is asked whether there is in fact any justification for the commander of the army being accompanied by a woman when the other members of his army are not allowed this. Such exceptional treatment, or privilege, for an individual is not known to the *Shari'ah* of Islam. Furthermore, the reports we have about the conduct of the Prophet Muhammad do not indicate that he allowed himself in any respect to be distinguished from the ordinary members of his army as regards privileges and duties, except, of course, in such matters as concern the actual fulfilment of his duties as leader of the army.

Hajj is women's jihad

Ibn Qudamah further says (*al-Mughni*, Vol. 10, p. 451): "Women are given a proper share of the booty, for according to Jarir Ibn Ziyád his grandmother attended the conquest of Khaybar, and said, 'The Messenger of God gave us as much a share as he did the men.'" Also in *al-Mughni* (Vol. 10, p. 452), Ibn Qudamah says, "'Ayishah said, 'O Messenger of God, are women under obligation to engage in *jihad*?' and to this the Prophet answered, 'Yes, a *jihad* in which there is no fighting — the *hajj* (pilgrimage to Mecca) and the *'umrah*

¹ Courtesy the Editor, *Al-Muslimun*, Geneva, Switzerland, Vol. 39, No. 1.

(the so-called 'minor pilgrimage')'." This reported Hadith denies the view that women are under as much obligation to engage in *jihad* as men. Al-Shirazi quotes this Hadith, and says (the *Sharh al-Muhazzab*, Vol. 2, p. 227): "*Jihad* is not obligatory as regards women, on the authority of 'Ayishah, who said, 'I asked the Messenger of God about *jihad*, and he said that the *hajj* is their *jihad*, and that the *hajj* is enough *jihad* for women because *jihad* is fighting, and women do not fight'."

This latter authority appears in conflict with previous authorities on the subject. Particularly significant is the reported Hadith that the "*hajj* is enough *jihad*" for women. It is also noteworthy that al-Shirazi did not in fact explain this Hadith when he said that women were not required to engage in *jihad* because they did not fight. The better explanation is that given by al-Kásání, who says (*Badā'i al-Saná'i*, Vol. 7, p. 98): "*Jihad* is not required of a boy nor of a woman, because their physique does not usually tolerate heat." Al-Ramli quotes a similar authority (*Nihayah al-Muhtáj*, p. 52): "*Jihad* is not required of a boy or an insane person — for they had not to be ordered to do so — nor of a woman, of whom al-Bukhari quotes the Prophet Muhammad as saying, 'Your *jihad* is the *hajj* and the 'umrah, and because women are weak.'" Another authority, Ibn Rushd (Averroes), discusses the obligation of *jihad* and says (*Bidāyah al-Mujtahid*, Vol. 1, p. 307): "It is obligatory on free and healthy men." He does not mention women.

Many Islamic jurists have held that the non-participation of women in the booty in conquests supports the view that they were not required to engage in *jihad*. Consequently there has been lengthy discussion of the non-participation of women in sharing the booty of war, with only occasional reference to the question of *jihad* by women as an incidental matter. On this subject Ibn Rushd says (*Bidāyah al-Mujtahid*, Vol. 1, p. 317): "There has been disagreement on this matter. Some have said that neither slaves nor women have any share in the booty, but may be given very little. Malik is of this view. Others, however, maintain that they are not to be given anything, and that they do not have the same share as that of the victors. Yet others have said that they would have for distribution among them the share of only one of the victors. This view is held by al-Awza'i. The preponderance of opinion, however, is that women do not have an equal share, but only a very small share. This is supported by a Hadith reported by Umm 'Atiyah, who said, 'We went out to the battle with the Messenger of God (may the peace and blessings of God be upon him!) treating the wounded and nursing the sick, and we were given a small share of the booty.' The reason why there is disagreement on this subject is that women are allowed to engage in battle, and that if they are likened unto men they are entitled to a share like men. Those who do not accept this view, and consider women not to be the equals of men in this respect, either do not allow them an equal share or simply allow them a smaller share. . . . Al-Awza'i claims that the Messenger of God gave the women an equal share after the battle of Khaybar."

The war booty and women's share in it

In the above quotation from Ibn Rushd there is no specific mention of his own views on the subject — he merely notes the various views and their authorities. In his *al-Mudawwanah al-Kubra* (Vol. 1, p. 6), he quotes authorities which would appear to conflict with what has been attributed to Malik: "Najdah wrote to Ibn 'Abbas asking him, among other things, whether the Messenger of God (may the peace and blessings of God be upon him!) used to allow women to

take part in invasions, and whether he gave them a share of the booty, and the reply was that the Messenger of God used to take women with him, to nurse the sick, and that they were given a share of the booty, but not an equal share." In the same treatise (Vol. 1, p. 33) it is stated: "We asked Malik about women, and whether they would be given a small share of the booty, and Malik said, 'I had never heard anyone say that women were given any share of the booty'."

In his *Badā'i al-Saná'i* (Vol. 7, p. 126) al-Kásání discusses the question of equal shares of the booty for women, and says: "Women, sane boys, *dhimmis* (Jews and Christians) and slaves are not entitled to an equal share, because they are not eligible to fight, for fighting is not required of boys and *dhimmis*, nor of women and slaves." In his *al-Muhalla* (Vol. 7, pp. 333-334), Ibn Hazm says: "An equal share is not given to women nor to those who have not reached the age of majority, whether they fought or not. The Imam Muslim reports of Ibn 'Abbas saying, 'The Messenger of God used to allow women to take part in invasions, and they treated the wounded, and had a share of the booty, but were not given an equal share.' Sa'id Ibn al-Musayyab, Abu Hanifah, al-Shafi'i, Sufyan al-Thawri, al-Layth and Abu Sulayman also support the view that women were not given an equal share. Malik also says that they are also not given a small share. This in fact is wrong, and contrary to previous authorities." This appears to confirm what was stated in *al-Mudawwanah al-Kubra* to the effect that Malik did not consider that women had any share of the booty; and one may ask here on what authority Ibn Rushd attributes this view to Malik.

Ibn Hazm continues: "Abu Muhammad reports the following on the authority of Abu Dawud: 'Ibn Ziyad reported to me of his paternal grandmother that she had taken part in battle with the Messenger of God as one of six women, and that the Messenger of God gave them a share equal to that of the men.' Another report, on the authority of Waki', is that the Prophet gave an equal share to women, boys and horses; and on the authority of Ibn Abi Shaybah, that the Caliph 'Umar Ibn al-Khattab divided booty among the people, giving every person one dinar, and giving women the same as men. A further report, on the authority of Waki', is that four women participated in battle with Abu Musa al-Ash'ari, and that Abu Musa gave them the same share as the men. This is also endorsed by al-Awza'i. And if it be true that horses were given equal shares, it would only be reasonable to infer that women would be given an equal share too, for horses are animals, and women are human beings."

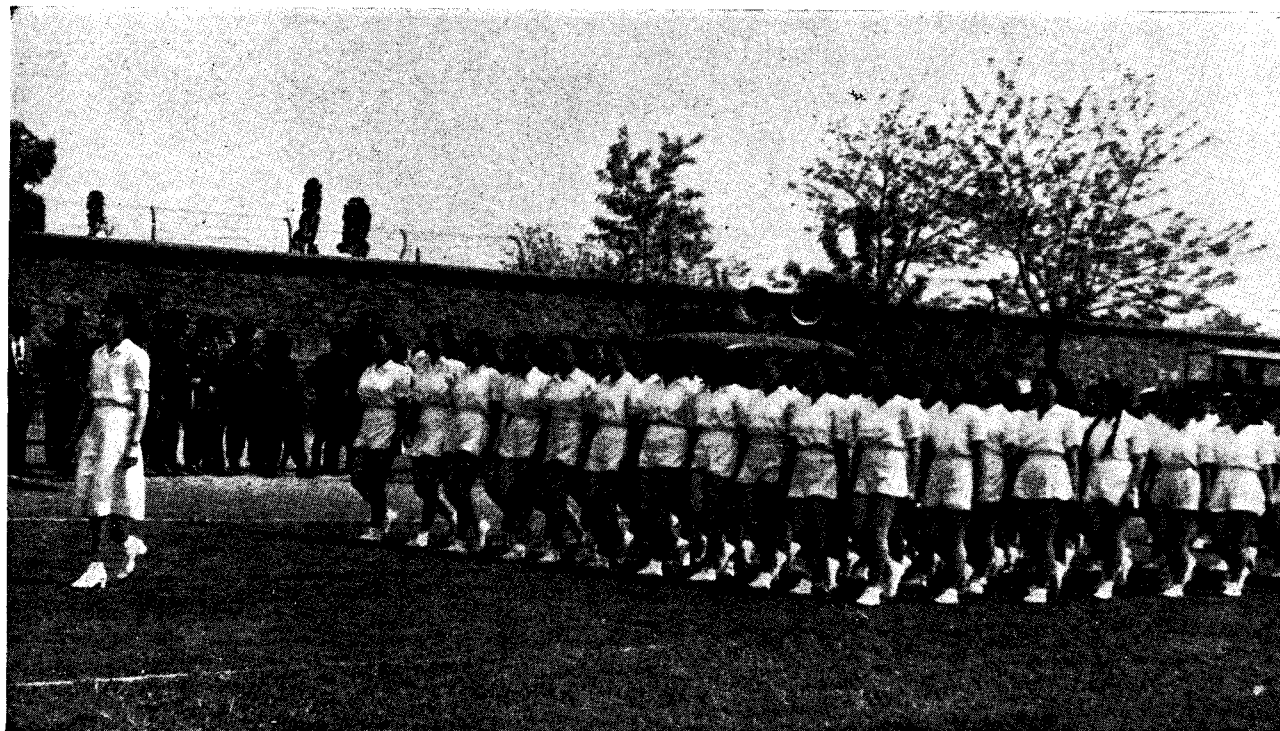
The most interesting part of the above authorities appears to me to be the one drawing an analogy between horses and women, claiming that if horses were given equal shares so should women, and arguing that women, as human beings, are superior to horses. Did this theme really need argument? What comparison can there be between women and horses? And is the equal share of the booty given to horses as horses, or is it in fact to the horseman? The better view is that the share is given not to the horse but to the horseman, and reports about battles and invasions, and the distribution of booty, all say that the ordinary soldier was given one share while the horseman was given double. It would not be difficult to understand why the horseman was given a double share, for his role in the battle was normally more effective than that of the ordinary soldier, and he had, in addition, to look after himself and the horse which took part in the battle with him. Viewed in this light it is simply wrong to argue that because the horse was given a share — or a share was given in respect of it — a woman, as superior to a horse, should also be given a share.

The foregoing are some of the leading authorities on the subject of the participation of women in sharing the booty of war. The question now is this : does the view against her participation in sharing the booty mean that she is not under obligation to take part in the war, and is she allowed to take part in war if she wishes? Ibn Qudamah says in *al-Mughni* that it is undesirable that young women should take part in battle and enter the land of the enemy. Other authorities can be quoted to the effect that the participation of women in battle is undesirable. But there is no specific authority saying that participation in battle is actually prohibited. In fact, there is a great deal of disagreement as regards the share of women in the booty of war ; and if she definitely were not allowed

It is permissible for women to engage in active jihad

A review of the sources of Hadith reveals the following as authorizing the participation of women in battle :

In *Nayl al-Awtar* by al-Awza'i, in the section on the nursing of the sick and wounded (Vol. 8, p. 63) is the following report by a woman by the name of al-Rabi' : " We used to go to participate in battles with the Messenger of God (may the peace and blessings of God be upon him !) and take water round to people and look after the soldiers, and take the dead and the wounded back to Medina." This was reported by Ahmad and al-Bukhari. Umm 'Atiyyah al-Ansáriyyah is reported as having said : " I took part in a



Women at a parade in Indonesia

to take part in battle in any form such argument would have been unnecessary.

The preponderance of view among the Islamic jurists is that women may go out to battle with men, and that some jurists, out of an excess of care for women, preferred that women should not go into enemy territory. Al-Shirazi says (the *Sharh al-Muhazzab*, Vol. 2, p. 23) : " It is permissible for women to participate in battle. Al-Rabi' says that she used to take part in invasions with the Messenger of God, waiting upon the men, taking water round, and transporting the wounded and the dead to Medina. Ibn Hazm says that women may be asked to undertake *jihad*. In *al-Mudawwanah al-Kubra* Malik is reported as saying that women should not go out to battle. This report is eventually contradicted, and Malik is reported as saying that it would be permissible for a man to take his woman out with him to battle provided he is not afraid that harm would befall her, because the soldiers are only a few."

battle with the Messenger of God on seven occasions ; and I would accompany the men on their journey, prepare food for them, treat the wounded, and tend the aged." This was confirmed by Ahmad, Muslim and Ibn Majan. Anas is quoted as saying : " The Messenger of God used to take Umm Sálim and other women of the *Ansár* (the Supporters of the Prophet) with him to battle, to take water round and to care for the wounded." This report was supported by Muslim and al-Tirmidhi."

In *Irshád al-Bari Fi Sharh Sahih al-Bukhari*, by Qastalání (Vol. 5, pp. 98-100) : " 'Abd al-Wáarith reports of Anas (God bless him !) that he said : On the day of Uhud the people deserted the Prophet (may the peace and blessings of God be upon him !) and only his twelve Companions remained with him. The reason why the people left was their preoccupation with the booty left by the infidels when they were routed by the Muslims. Anas says that he saw 'Ayishah, daughter of Abu Bakr, and Umm Sálim busy carrying water to give to the

people. . . . Ibn al-Mughír says that their assistance to those who engaged in the battle was equivalent to actual participation in the battle. . . . Ibn 'Abbas says that women used to go to battle to treat the wounded. . . . Anas reports that Umm Sálím carried a dagger on the day of the battle of Siffín, saying, 'I carry this dagger so that if an infidel comes near me I would slit his abdomen'. It is reported that Umm Sálím was amongst the most courageous in *jihad*, and that she was steadfast on the day of the battle of Siffín when fighting was at its bitterest and many had fallen. It is said that while brandishing a dagger she turned to the Messenger of God, saying, 'O Messenger of God, shall I kill those who are abandoning you as much as I kill those who are fighting against you, and who are not worse than those who are running away?' The Prophet replied, 'O Umm Sálím, God is generous.' The women of the Quraysh fought in the battle of Yarmuk, and the forces of the enemy attacked the Muslims killing both men and women."

The Hadiths quoted so far are sufficient to establish the proposition that it is permissible for women to engage in active *jihad*, and that it is in no way undesirable for them to do so. *Jihad* is not normally obligatory on women; but are there conditions which make it obligatory? Al-Ghazzali says in *al-Wajiz Fi al-Fiqh al-Shafi'i*: "If the infidels invade the land of the Muslims then all Muslims, including slaves and women, are under obligation to fight." In other words, if *jihad* be obligatory, and not merely desirable or praiseworthy, then it would also be obligatory as far as women are concerned. The *Faqih* Khalil (d. 1374 C.E.) says: "If aggression suddenly occurs then women are under obligation to undertake *jihad*." The *Faqih* al-Dasuqi is of opinion that whatever the Imam (i.e., the leader of the community) decides in regard to *jihad* is binding, and women would be under obligation in this respect and would have to engage in *jihad* even though their husbands or immediate guardians were to object.

Women as commanders of the fighting forces

So much for the role of women in the matter of *jihad* in the ranks of the ordinary army. Another point is: are women eligible to undertake senior posts, or the position of leadership, in the fighting forces? Al-Mawardi (d. 1058 C.E.) says that the leader of the army must possess the qualities of leadership in other senior civilian posts, and must also be a Muslim and a free person. But he does not mention sex. Perhaps the reason for this is probably that he accepted the view of the majority of jurists at the time that women were not under obligation to undertake *jihad*, and the fact that many jurists were opposed to the idea of women engaging in *jihad* at any time, and hence he may have thought that the question of women assuming the role of leadership in *jihad* would not arise. But although little has been said in the leading works on *fiqh* on the subject of the role of women in *jihad*, some incidents in Arab history are pertinent in this regard. 'Ali Ibrahim Hasan, in his book *Nisá' Lahunna Fi al-Tárikh al-Islami Nasib* (Women Who Played a Role in Islamic History) says: "There are Muslim women who have undertaken the role of leadership of armies in battle. 'Ayishah, the Mother of the Believers, led the fighting on the day of the battle of al-Jamal. In her armoured camel litter she rode round the battlefield urging the soldiers to fight and inspiring them with courage and fortitude. Another woman, Ghazalah, also excelled herself in battle, and fought against the strongest and most brave men in the Umayyad State, namely al-Hajjaj Ibn Yusuf al-Thaqafi. She had forty soldiers fighting on her side, and although al-Hajjaj's numbered about four thousand she caused him to flee."

Finally, as regards one of the most important characteristics of leadership, namely loyalty, there can be no bar against women. The *Faqih* al-Ramli says: "Loyalty may be expected of every Muslim under obligation," and this means both men and women."

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Hayy—An Arab Robinson Crusoe

Ibn Tufayl's *Hayy Ibn Yaqdhan* is the Prototype of Daniel Defoe's *Robinson Crusoe*

By MUHAMMAD ZERROUKI

The liking of young people for films of doubtful educational value such as Tarzan, the hero of an extraordinary series of exploits, and countless others, is well known. But it is interesting to discover the idea behind the Hollywood productions which are mass-produced and cater for the youth of today. Tarzan inevitably evokes the celebrated hero of Daniel Defoe, Robinson Crusoe, but where did this English author get the idea of his hero?

All the writings of Europeans maintain that Defoe chose as the prototype of his hero a Scotch sailor named Alexander Selkirk, who lived a hermit's life on the island of Juan Fernandez and told the story of his adventures to Daniel Defoe on his return to England. A literary critic, R. L. Megroz, has shown that before Selkirk's time an Indian called William lived on this now famous island; he lived there from 1681-1684, and the story of his adventures was also known to the English writer.

Nobody in Europe, however, seemed to realize that an Arab philosopher, Ibn Tufayl,¹ wrote in the 12th century a novel on similar lines to that of Defoe, and there is every reason to believe that Defoe also took his inspiration from the book of the Muslim writer. This is borne out by the fact that Defoe's English contemporary, Pocock, translated Ibn Tufayl's book into Latin in 1671, so that Defoe (1660-1731 C.E.) may well have been conversant with Ibn Tufayl's work. But these assumptions are proved to be true beyond all doubt if the basis of the discussions in the medieval philosopher's book is fully examined: his hero is a hermit living on a distant and deserted island; his ingenious and indefatigable efforts to assure his material existence; his final recourse to God. In short, not a feature of comparison is lacking, not even the arrival on the scene of a man "Friday" who comes to share the lot of the hero at the end of the story.

Moreover, a comparative study of the two works will lead to the conclusion that *Robinson Crusoe* miscarried in one point for, unlike Hayy, who was born on his island, Defoe's hero is only wrecked on his island when he had already attained a state of maturity, and this factor, as J. J. Rousseau stresses, harms the philosophic development of this work.

A master of learning, Ibn Tufayl does not at once plunge into his subject but, in the manner so characteristic of *Scheherazade*, he diverts us with the miraculous story of an infant child of a princess who was married at the wish of her brother, a king. Fearing for the life of her baby, she

entrusts it to "the crest of the waves". The cradle with the baby is drawn by the tide to the beach of a deserted island. An exceptionally powerful wave throws up the cradle into the crevice of a rock. This wooden cradle was smashed by the force of the shock and the child was awakened and began to cry. A gazelle which had lost its young took care of it. Interrupting for a minute his narrative, Ibn Tufayl tells that there is a second version of this story in which Hayy is not a descendant of Adam but was born on a tropical island which contained all the favourable conditions for creating human beings. According to this he was hatched spontaneously from "fermented clay".

As Hayy grew up he became more and more ingenious. He quickly learnt how to clothe himself and to make shoes. He made thread from the skins of animals and used strong thorns and cut up reeds as bodkins. The swallows gave him the idea of building and he constructed a dwelling-place and a store-house. He used the carnivorous animals to hunt game and take charge of their eggs and their young ones.

He made lances from the horns of wild bulls and buckles from skin superimposed one upon the other. He invented all these things because he noticed that he lacked any natural weapons but that all his deficiencies could be remedied by the toil of his hands. None of the animals stood up to him. The animals avoided him or took flight at his approach. Reflecting on the means of obtaining his objective, he could think of nothing better than the idea of taming the fastest-moving animals by giving them the kind of food they desired and then climbing on their backs and giving chase to the other animals.

Hayy did not neglect his personal hygiene. He washed frequently his body and cleaned his teeth and nails, and his clothes, and even used sweet-smelling herbs as perfume. But the Arab philosopher is not primarily concerned with the material affairs of Hayy. He gives an analysis of the spiritual evolution of his hero in all its minutest detail. In his heart he was greatly attached to the gazelle which reared him, and when its death through old age led to an inevitable separa-

¹ Abu Bakr Ibn Tufayl was born at Cadiz, Spain, at the beginning of the 12th century C.E. and died at Marrakesh in Morocco in 1187 C.E. He was the physician and vizir to the Almohade ruler Abu Ya'qub Yusuf (d. 1106 C.E.), who ruled over two continents, North Africa and Spain. A friend of Averroes, he wrote a philosophical novel, *Hayy Ibn Yaqdhan* (The Living, Son of the Vigilant). This work was translated into French by L. Gauthier in 1900 and published at Algiers.

tion, his sorrow was very great and the problem of death confronted him. The body of the gazelle remained the same in appearance: but why was it so obstinately still, and why did it remain absolutely silent and refuse to utter a single cry? Was the inside of the animal changed? Hayy, with the aid of a flint, attempted to cut through to its heart. After due reflection he came to the conclusion that nothing material was missing, and after meditating on all the things which surrounded him he gradually discovered the reason for things and their first creation.

Thus the medieval philosopher found an opportunity to expound his theories on hygiene, pedagogy, natural science, vivisection, astronomy and also the soul and the force which attracts it towards God.

Ibn Tufayl proceeds to point out that the inert body of the gazelle represents for Hayy an instrument such as a baton which he had fashioned in order to fight wild animals. From then onwards his affections are turned from bodily matters towards the Master and motive force within the body and he loses all feeling of self-love. His hero then proceeds to reflect on this Being who is not susceptible to corruption, deterioration or dissolution, since these are the attributes of the body. Thus he arrives at accepting the presence of the Noble and Necessary Being and his thoughts stop at this conception with the recognition that the Noble and Necessary Being is all-powerful and His force is infinite. He realizes that all physical bodies come to an end and that they have their limitations, as do all things which are dependent and that the whole world and everything in it is God's creation and comes after Him "logically", even if it does not "chronologically" come after Him; just as one can take an object in one's closed hand and move it, the object moves to a place whence it is carried by the hand. Thus the action of the object comes "logically" after the action of the hand but not "chronologically".

Hayy then found many living examples of the wisdom of the Creator of his marvellous industry and great knowledge. This act of wisdom and the prodigious knowledge of

God filled him with admiration. He came to the inevitable conclusion that the universe was undoubtedly the creation of a pure and Almighty Sovereign Creator.

Ibn Tufayl describes the ascension of his character, an ascension along a path strewn with objects. In fact, Hayy often continued, but the paradise seemed farther off. "Both could not be re-united in the same state; they were like two fellow wives: one cannot satisfy the one without irritating the other."

At the end of the story, Ajal comes to share the life of the recluse, and these two human beings indulge in numerous discussions. Then Hayy is conducted into the midst of the inhabited world, but his asceticism and his pure faith fail to convert mankind. He cannot find the key to their hearts in order to reveal to them the secrets of wisdom. Their prejudices and weaknesses are too deep-rooted and they unflinchingly resist his exhortations. His warnings have no effect on them and argument hardens them in their obstinacy. "What," said Hayy, "is more miserable than the state of a man who when his actions are reviewed from the time he awakes till the time he goes to sleep finds they are all working for vile and reprehensible motives: the accumulation of riches, the search of pleasure, the expressing of anger, the striving after attaining a rank in life which will give them security and treat religion as an act of vanity. 'There was only darkness on darkness in a deep sea.'"

One is bound to feel admiration and veneration for the author of this philosophical essay, Ibn Tufayl, who, as the French Arabist, L. Gauthier, points out, had received the highest honours and undertaken the most responsible tasks, nobly given up his hours of leisure for the life of an ascetic whose task was to reconcile authority and right, traditional Muslim theology and the spirit of free examination, the simple faith of the common people with the transcendent mysticism of the Sufis. He also set out to trace life in a powerful synthesis with the progress of humanity from the lost paradise through suffering to the search for perpetual truth.

2 The Qur'an, 24: 40.

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The Struggle for Leadership in the Early Caliphate

The Peurile Story of the Assassination of 'Umar the Great (d. 644 C.E.)

By H. ROFE

Since the Prophet Muhammad considered himself divinely appointed to fulfil a particular mission, he could hardly have presumed to appoint a successor to continue his work, unless in response to a Divine Command. We find, therefore, that he died in 632 C.E. without nominating a subsequent chief of the Muslim community. This was also in accordance with the ancient Arabian usage, which required an elected authority. It was decided by many of his earliest followers from Mecca to proclaim as Caliph the Prophet's closest companion, Abu Bakr, on the grounds that he had been delegated to perform the office of Imam during Muhammad's last illness. The choice was opposed by the Medinese tribesmen, who were, however, prevailed upon to accept it, although several of the Prophet's closest associates in Medina were displeased by this "unconstitutional" choice.

When Abu Bakr died, he specifically recommended the nomination of 'Umar (d. 644 C.E.) as his successor, and the community was again obliged to accept a *fait accompli*. During 'Umar's reign of ten and a half years, many of the Prophet's companions were confined in Medina by the Caliph, who had little confidence in their reliability, and had scant respect for them, as he considered many of them still too preoccupied with their own immediate material advantage, rather than with a desire to sacrifice personal motives in the service of the community.

'Umar had a particularly difficult task to perform, since, during his rule, the Muslim State expanded beyond the Arabian borders into an empire that eventually included Egypt, Syria and Persia. The previous experience of the Arabs scarcely prepared them to administer such vast territories, and the fiscal and administrative organization of the State suffered from many imperfections, which were to become increasingly apparent in their adverse effects for the community during the reign of the third Caliph, 'Uthman (d. 656 C.E.).

The peurile story of the cause of the dastardly attempt on the life of 'Umar

'Umar was fatally wounded by a Persian Christian while officiating as Imam. The assassin, at least so goes the infantile story, had a strong personal grudge against the Caliph, whom he had threatened on the day preceding the assault. It is seldom pointed out that to kill such a powerful and awe-

inspiring man as 'Umar undoubtedly is just not possible for an ordinary man without some hidden hand behind him. The truth of the matter is that the Qurayshite aristocracy had begun to see the way 'Umar's reforms were going to destroy their plutocratic ambitions. They hatched a conspiracy, using the wretched Persian as their tool and then saw to it that he too was killed on the spot. Thus the true facts never came to light. The hegemony of the Quraysh (Umayyads) was re-established, which had been given a rude shaking by 'Umar's *egalitarian* rule. With the death of 'Umar the era of hereditary rule and kingship was inaugurated and given the blessings of sanction based on spurious traditions attributed to the Prophet Muhammad. All this into an Islam which categorically rejects all claims to superiority and privileges based on birth.

The Caliph was assured on his deathbed that no Muslims had been connected with any plan to murder him. Possibly this was out of concern for his last moments, since shortly after his death his son, 'Ubaydullah, was to rush impetuously at suspected persons and execute them on the spot, without giving them any chance to attest their innocence.

Before 'Umar died of his wounds he had enough time to discuss the future of the empire, and requested 'Abd al-Rahman Ibn 'Awf to succeed him. This elderly Qurayshi had also been a devout supporter of the Prophet before the Hijrah and a friend of the first Caliph, but he declined to shoulder the responsibility offered to him. Finally, 'Umar nominated a council of six members, including 'Abd al-Rahman, to elect a new Caliph rapidly. Many were anxious of the honour and loth to yield their own claims. After two days of argument the electors decided to leave the entire choice to 'Abd al-Rahman and to abide by his decision. He wavered between 'Ali, the Prophet's son-in-law, and 'Uthman Ibn 'Affan, a 70-year-old Qurayshi of the Banu 'Umayyah branch, who was also married to a daughter of the Prophet, and had also joined the group of Muslims prior to the Hijrah. The eventual choice of the latter would appear to have been primarily based on the following two considerations: he sympathized with the policy followed by the previous two Caliphs, and he belonged to a clan which wielded considerable political influence. To 'Ali Ibn Abi Talib had fallen the honour of being one of the first (perhaps the first male) to accept the Prophet's message. He remained principally preoccupied with the observance and application of the Qur'anic precepts, and

refused to compromise with those who subordinated them to political expediency. On account of that tendency, he often became identified with the opposition to the previous three Caliphs, who are to this day branded by the Shi'ah Muslims as "usurpers".

The Caliph 'Uthman

On his accession, the Caliph 'Uthman was confronted with many problems. Fiscal and administrative arrangements were inadequate; revenue was decreasing since many formerly subject to taxation now professed Islam; also on account of the increasing number of Muslims, there were fewer lawful sources of plunder available to the community. The budget was therefore in a state of highly precarious disequilibrium, while discontent was rife in the provinces against a government which showed little solicitude for the welfare of those subjects whom it was keen to tax. Payment of pensions was frequently in arrears as a result of financial difficulties. Especially serious at such a time was the general opinion that the Caliph was somewhat prone to distribute largesses to his own kinsmen from the public treasury.

During 'Umar's reign, discontent had been confined within the borders of Arabia; under 'Uthman it spread to the far-flung provinces on which it was difficult for the government to maintain a watchful eye. The Muslim colony of Kufah in Iraq was to develop into one of the principal provincial centres of unrest. While the prestige of the Quraysh was an undoubted asset to the Muslim cause, many remembered that this same tribe had earlier endeavoured continuously to destroy Islam; these especially looked askance at the appointment of 'Uthman's relatives of doubtful piety to some of the principal offices of state. Many of the Ansar (or Prophet's Companions) fanned the flames of dissatisfaction, hoping to profit from the changed circumstances which a new revolution would bring in its wake. In Persia and Egypt, the populace rejected the Caliph's governors, and even contested his own authority. Provincial agitators obtained the tacit support of those who sympathised with 'Ali rather than 'Uthman, and parties of malcontents converged on the capital to extort from a Caliph already fearing for his life an assurance of improved conditions. 'Uthman felt safe enough to repudiate his promises when the rabble had retired to a fair distance from Medina; thoroughly disgusted with their ruler, a party, including a son of Abu Bakr, returned to the capital and assassinated him in 656 C.E.

'Uthman had few material ambitions, and took little interest in worldly affairs. He used to tell people, "Leave the world alone and the world will leave you alone". The first Caliph to have been constitutionally elected, he accepted responsibility for directing affairs of State; he did not see fit to impose his own ideas in order to mould the trend of events, though he did introduce innovations in the law. Many were incensed by his partiality to al-Hakam Ibn 'Ali Ibn al-'As, a kinsman of his whom the Prophet had banished for treachery and irreverence. 'Uthman also pardoned 'Umar's son 'Ubaydullah, who theoretically merited execution.

'Uthman and the consequences of the alienation of the Umayyads from the Hashimites

One of the most serious political consequences of the nepotism practised by the third Caliph was the alienation of the Banu Hashim clan of the Quraysh from the Banu Umayyah. This rift occurred at a time when a strong command was necessary to weld the various Arab tribes together

in order to preserve discipline under a central government. This was a role which the Quraysh were pre-eminently qualified to play, in view of their pre-Islamic prestige in the peninsula. Disunity in their ranks paved the way for anarchic risings and local revolts, especially in Kufah, where the people had been displeased by a succession of Umayyad governors. The weakness of the formerly powerful tribe now seeking to control the Prophet's empire caused the other tribes to unite in a coalition for self-protection against the apparent menace of the Quraysh overlordship throughout Arabia. The rivalries now growing from this issue were to have even more serious consequences in the future, leading to the establishment of the Umayyad dynasty in Damascus, and its subsequent overthrow by the 'Abbasids; while the struggle for power between rival families has remained a feature of the Arab world even to the present day.

'Ali and Mu'awiyah

We may note various stages in the evolution of the Qurayshi influence. Under Abu Bakr, they represented a small minority in Medina. Their opportunity came when 'Umar promoted them for political purposes, and this became the general policy of 'Uthman, during whose reign they came to dominate the capital. This was the real cause of popular hatred, and the resistance movement was directed against the tribe rather than the aged Caliph, who died, like Louis XVI, because he was a symbol of an order which the masses desired to eliminate. Even the Caliph 'Umar had foreseen the danger of the extension of his own policy, and had told the Quraysh that their infiltration in the provinces represented the chief threat which the Muslim community would have cause to fear in home politics.

Tribal solidarity remained strong in Arabia despite the spread of Islam, and the Banu Umayyah considered 'Ali partly responsible for 'Uthman's murder, since he had not displayed sufficient loyalty and used his political influence to avert the *dénouement*. 'Ali faced opposition from many quarters when he became the fourth Caliph: he had no real authority in Mecca, and was unpopular in many other parts of Arabia, as well as in Basrah and especially in Syria, where the Umayyad general Mu'awiyah reigned with some measure of local autonomy as a capable and popular governor. Egypt provisionally maintained an attitude of neutrality towards the Caliph. His chief support was from Kufah, and he made the mistake of repairing there to direct the affairs of the Caliphate, leaving the holy cities of Arabia as a field for the unchecked machinations of his foes. Yet in Kufah he ruled securely for a time, after having defeated an army of malcontents led by the Prophet's widow, 'A'ishah, who took to the field of battle on a camel's litter, the better to encourage her supporters.

The Caliph's authority could only be maintained by reaching a solution with Mu'awiyah, whose open defiance of the central authority could not be tolerated indefinitely. In 657 C.E. the Caliph's army was advancing against Mu'awiyah at Siffin, on the Syrian border, and might easily have defeated him. 'Ali was, however, prevailed upon to accept a decision by conference rather than the sword, and the Qur'an was to be the criterion for judging the issue. His action was, however, construed as implying that his own claims to authority might not be entirely valid, and Mu'awiyah then used his influence on the arbiters to undermine the legitimacy of 'Ali's claim to be Caliph. The outcome of these negotiations was that Mu'awiyah was accorded a rank equal to that of 'Ali in 658 C.E., and he had himself publicly proclaimed Caliph at

Jerusalem two years later. Within six months the Imam 'Ali fell, like his two predecessors, at the hands of an assassin, leaving two sons, Hasan and Husayn.

The former was persuaded to withdraw any claims he might have put forward, on receipt of a handsome stipend. Although hereditary succession was not yet to become an accepted idea in the Islamic State, Husayn and his followers continued to resist the government of Mu'awiyah from Medina, especially after the death of Hasan (c. 669 C.E.). Mu'awiyah was now reigning in Damascus, and had obtained popular sanction for the appointment of his son Yazid as heir-apparent. When the latter became Caliph, Husayn left the theocratic party of Medina, journeying to Iraq in order to place himself at the head of his father's partisans, the Shi'ahs of 'Ali, but he was intercepted on the way by Yazid's troops and murdered at Karbala' on the 10th of Muharram 61 A.H. (October 680 C.E.). The Kufans, deprived of their prestige as rulers under the Caliphate of 'Ali, had sought to regain the ascendancy over the Syrians with the help of his son. Temporarily defeated, they did not abandon the struggle, in which they were later supported by non-Arab converts. The ultimate outcome, ninety years later, was the supplanting of the Arab domination of the Banu Umayyah by the non-nationalist 'Abbasid dynasty, carried to power by the combined support of 'Alid partisans, Persians chafing under the Arab yoke, and motley disaffected elements.

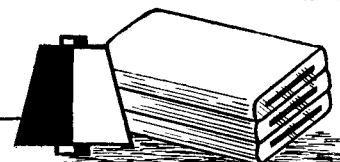
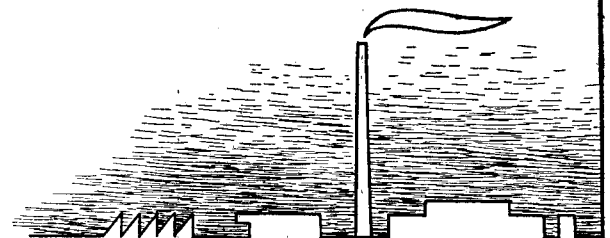
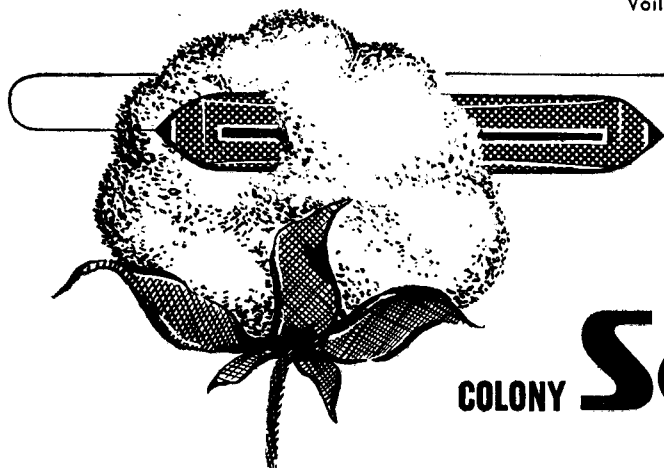
Reasons why Mu'awiyah discarded the principle of elected authority

The transfer of the seat of government to Syria by Mu'awiyah was of great importance for the future expansion of the Islamic State, for it was in Damascus that the desert Arabs came into contact with Hellenistic culture and obtained experience which was to fit them to administer adequately an empire which now stretched from the Atlantic to the Indus. It was, in fact, the study of the basis on which the Greek and Roman Empires had maintained their power, which must have led Mu'awiyah to the conclusion that the future success and stability of the Muslim Empire would necessitate the principle of hereditary rulership. The events during the reigns of the first four Caliphs had demonstrated the weaknesses in the traditional Arab principle of elected authority; adapted to small tribal groups, it was ill-suited to a powerful State embracing many nations and varied interests. There had been too many candidates for the rulership, resulting in the division of popular loyalties and a constant threat of civil war. The State now required an established and durable authority, which would carry out long-term programmes, without the constant danger of being swept aside by groups with other policies. The principle of a hereditary Caliphate was maintained through varying vicissitudes from the time of Mu'awiyah until the present century, when the last claimant to the office was compelled by the Young Turks to abdicate in 1924.

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What Our Readers Say...

CONTEMPORARY BANK TRANSACTIONS AND ISLAM'S VIEWS THEREON

Institute for Political and Economic Studies
49 Fulham Broadway,

London, S.W.6.

3 September 1966.

Dear Sir,

It was with much interest that we recently read the excellent article in your May issue by Dr. Muhammad Abdullah al-Arabi. It showed great courage and knowledge, and does great credit to yourself as Editor. Many of the abuses of a modern credit system are aired with great ability and the advantages of banking system shown.

There are, perhaps, two points which might receive greater emphasis: the manner in which banking institutions acquire additional cash, and the need of a nation for expanding credit.

When a bank is in need of cash it can usually acquire Government Bills or Bonds, and can deposit these with the Central Bank in exchange for cash. As such Bills or Bonds are paid for with a credit upon the bank, and as a bank is now only required to operate on an 8 per cent cash basis, loans can then be extended to $11\frac{1}{2}$ times the amount of the cash so received, the credit to the government by which the Government Stock was "purchased" making the total extension of credit $12\frac{1}{2}$ times the cash received.

The other point is that because the productive capacity of a nation is increasing year by year with the increase in population and in ideas, knowledge, techniques, etc., it is necessary to expand credit or currency so that the purchasing power may keep pace with this increase. Failure to do this tends to result in economic stagnation; a result similar to that of a contraction of credit or currency, though not so drastic in effect.

Yours faithfully,

A. J. W. CHAVASSE (Chairman).

HUMANE KILLER

Dear Sir,

I have been interested for some time past in the idea of co-operation between Muslims and Christians, but I do feel that with respect to religious co-operation, it is no use condemning any other religion because it does not exactly agree with one's own. If I was asked to check on a religion, I would say, "Take it item by item, and ask yourself, 'Do any of these beliefs tend to bring pain or sorrow to men, women, children or animals?'". If they do not, that religion passes my test.

Therefore I was delighted to read in *The Islamic Review* for May 1966 observations on the use of the humane killer for ritual slaughter. As you probably know, a Bill was brought in the British Parliament, some four years ago, to make this compulsory. Though the Bill failed then, the matter is almost certain to be brought up again.

I have discussed the matter with some of my Muslim friends. Their feelings in this respect can be summed up in these words: "We do not need this Bill, for we are largely in agreement with it. It in no way offends our religious beliefs. Our Prophet, who, as is well known from stories about him, and verses from the Qur'an, was a very humane man where animals were concerned. He would no doubt have ordered the use of the humane killer, had it been available in his day. Give us a little time and we will deal with this matter ourselves. This is, no doubt, a far better thing than being forced to do it by law, and all the animal-loving people of England would applaud your action."

Now what I would like most sincerely to put before you is the suggestion that you should start your own Muslim Animal Protection Society. I am sure that our own societies would give you all the help in their power, including perhaps visits to clinics, homes of rest and veterinary establishments to help you in this great work, which, I am sure, would help to draw Muslims and Christians together. Not only would such a society benefit the animals, but in countries where the owners of such animals as are used in the cultivation, etc., of land are very poor, the illness or death of an animal may bring a whole family to the verge of starvation.

So any help given to animals, in good time, to keep them well would benefit both humans and animals.

You may know of the Brooke Hospital for Animals in Cairo, which has done and is still doing wonderful work there. Think of how much more help might be given if such a society was known to be run by Muslims for all animals in need of help.

Any Muslim who feels interested in the formation of a "Muslim Animal Protection Society", please write to me care of The Imam, The Shah Jehan Mosque, Woking, Surrey, England. I myself for many years have been working "to help the animals" and have raised some £12,000 in aid of the International League for Protection of Horses by running a little railway of my own.

Yours sincerely,

DUDLEY ALEXANDER.

THE POPULATION OF MUSLIMS IN CHINA

Schuyler Heights,

Lake George, N.Y.

11 August, 1966.

Dear Sir,

The very interesting item on page 27 of the May, 1966, issue of *The Islamic Review*, in regard to Muslims in China, states that over 10 million Muslims are to be found in China.

According to the 1948 China Year Book the Muslims in China number 48,104,000.

Yours sincerely,

NORMAN LEWIS.

BOOK REVIEW

THE KURDS. An Historical and Political Study, by Hassan Arfa. Published by Oxford University Press, London, W.1, 1966. Price 35/-.

For anyone, anywhere, with a really keen interest for the Middle East and its peoples, that interest is bound to encompass the Kurds. For these people offer a rich, interesting study: they are a free, somewhat warlike race born and bred in the mountains. They seem to have acquired a high reputation for lawlessness, for their intense love for Islam, and who, because of ignorance, lack in administrative know-how and political responsibility.

General Hassan Arfa, who as a soldier fought against the Kurds for many years in the frontier districts of Iran, managed somehow to maintain friendly relations with most of the Kurdish chiefs, and in that way really came into contact with them, their way of life, their fears, hopes and problems, and as a result has written this book about them.

First he gives a factual history of the Kurds, then he deals with the Kurds in Turkey, and finally the Kurds in Iran. The style is simple and straightforward and the maps and pictures provide a really superb illustration.

The remarkable feature of the book is the occurrence of such important historical figures as Salah-ed-Din, Sultan Jalal-ed-Din, Chengiz Khan and many others who are thrown in

with their respective background study and the part they each have played.

However, on page 5 of the book (first paragraph) and elsewhere, the author, in an attempt to categorize the religious zeal of the Kurds in Turkey, Iran and Iraq, resorts to the overworked, and often misused word, "sect". With this word, which is completely inapplicable and out of place to the religion of Islam, he speaks of the Kurds of Turkey as belonging to the Sunni "sect", and those of Iran as belonging to the Shi'ah "sect". He could have rendered a clearer meaning if he had said Sunni or Shi'ah "school of thought".

Honestly, it is high time that all authors, in fact anybody writing on anything touching on Islam, should avoid the use of this over-tired and unfitting word. There are just no "sects" in Islam — but there are "schools of thought".

Otherwise General Arfa, both as a soldier and a diplomat, has written an historical and political study of the Kurds in Turkey, Iran and Iraq up to the present time, and has covered the many revolts which these interesting people carried out against the governments of the forementioned countries for patriotic, religious or other reasons.

With detachment and factual authority he brings to light the Kurds, their ups and downs, and thus makes the book an authentic historical document worthy of scholarly regard.

K. A. B.

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CRESCENT

LOOK AT THE PIG

By KHAMIS A. BUSAIDY

*"O men, eat the lawful and good things from what is in the earth, and follow not the footsteps of the Evil. Surely Evil is an open enemy to you"*¹

is the poem of the Holy Qur'án on the subject of forbidden foods.

The flesh of the pig is one of the specifically mentioned forbidden foods in the Qur'án — be it under the brand of bacon, pork or ham. It is declared by the Qur'án as "unclean" for human consumption.

*"Say, I find not in that which is revealed to me aught forbidden for an eater to eat thereof, except that it be what dies of itself, or blood poured forth, or flesh of swine — for that surely is unclean."*²

According to the Qur'án there are animals suitable for eating. Likewise there are others which are neither suitable nor beneficial for man's eating.

The pig has been emphatically stated as unfit. This uncleanliness spoken of is, not surprisingly, consistent with a modern scientific study of the pig. We are astounded even further when we note that the Qur'án proclaimed this truth, not today or yesterday, but fourteen centuries ago.

The pig as the transmitter of diseases

Black's Veterinary Dictionary has this to say about pigs: "Half the bacon pigs examined at an abattoir were found to have external parasites — mange mites, lice, or forage mites; and a recent survey made at the Department of Veterinary Medicine, University of Edinburgh, suggests that 20 per cent of pedigree pigs and piggeries in Britain are infested with Sarcoptic mange mites."³

To trace the life of a pig is like treading on a path of diseases. For right from the day pigs are born, the poor animals are attacked by such ugly diseases as Septic Arthritis, Necrotic Enteritis, Canker (the blockage of ears with bacteria), Haematoma, which is the interior bleeding of the ears. There is Agelactia, Anaemia, Anthrax, Anjesky's, Brine Poisoning, Clostridial Enteritis, Encephalomyelitis of pigs, Eperythrozoon, Gastric Ulcers, Haemolytic Disease (breaking up of red blood corpuscles), Leptospirosis, Listeriosis, Mange, Mastitis (inflammation of the mammary gland), Meningoencephalitis (protrusion of the meninges through the skull), Paeroetypoid, Pericarditis (inflammation of the sac round the heart), Pylonephritis, Rhinitis, Erysipelas (an inflammatory disease, generally in the face), Swine Fever, Swine Influenza, Virus Pneumonia, and a horde of others.⁴

A description of a few of the diseases which this filthy and unfortunate animal suffers from will give us a glimpse into their true nature.

Septic Arthritis "is not a new condition. It is only recently that it has been associated with *Streptococcus*. The source of infection of this disease is not known for certain."⁵

Head Shaking is a "condition which occurs when the mange or lice parasites have got deep into the pig's ears, thus causing irritation."⁶

Gastric Enteritis occurs when "the surface of the pig's stomach and bowels becomes congested with blood. Germs are then able to penetrate into the blood system and cause what is known as a Septicaemia. Some germs of this disease will respond to treatment and the animal will recover. At other times no cure is possible."⁷

Jaundice of the pig is "due to a number of causes — mechanical obstruction in the bile-ducts, and various infections which prevent the gall bladder or liver from working properly. Obstruction in the bile-ducts is often due to worms."⁸

When pigs are "between 6 and 16 weeks old, they are most commonly affected with paratyphoid. They fail to grow, become scruffy, with wrinkled skins and large heads. There is generally diarrhoea, and when opened at post-mortem the bowel is lined with a thick layer of caseous (cheese-like) material."⁹

Prolapse of Rectum, another ugly disease of the pig, "puts out the back passage of the animal. It happens in coccidiosis, swine dysentery, and worm infection."¹⁰

"Rhinitis disease is characterized by a severe inflammation of the turbinate bones. These are the paper-thin rolls of bone which support the membranes inside the nose. There is a marked thickish discharge (sometimes with blood) from the nostrils and signs of distressed breathing. Severe symptoms of the disease are generally confined to piglets under eight weeks of age. There is no cure for this disease."¹¹

Mange is a rash which is due to "the pig mange parasite, which burrows under the skin and tends to form a lump. At first the irritation is severe but later becomes more chronic and less disturbing. The skin then appears 'scabby'. "¹²

"Erysipelas disease produces deep red colour on skin. The erysipelas germ becomes localized inside the heart and valves of the pig."¹³

1 The Holy Qur'án, 2 : 168.

2 *Ibid.*, 6 : 146.

3 *Black's Veterinary Dictionary*, published by A. & C. Black, 1964, p. 713.

4 *Ibid.*, p. 720.

5 *All About Pigs*, Pig Publications Ltd., Ipswich, England, 1955, p. 268.

6 *Ibid.*, p. 248.

7 *Ibid.*, pp. 269-270.

8 *Ibid.*, p. 271.

9 *Ibid.*, p. 271.

10 *Ibid.*, p. 271.

11 *Ibid.*, p. 308.

12 *Ibid.*, p. 318.

13 *Ibid.*, p. 318.

"Oedema of the bowel, or Gut Oedema as it is known, has of recent years assumed considerable importance. It is a digestive condition. But whether or not it is due to germs is not yet known. It is seen mainly in pigs recently weaned. Oedema, which means accumulation of fluid, appears in various parts of the body, particularly in the stomach wall, in the folds of the large intestine and in the eyelids."¹⁴

Piles, known as haemorrhoids, is perhaps the ugliest of the pig's diseases. "It consists of an inflamed and varicose condition of the veins of the anus and rectum. It is not common in animals. It only usually occurs in old fat dogs."¹⁵

How pig diseases differ from those of other animals

By enumerating the diseases of the unfortunate pig, it does not mean to say that other animals like goats, sheep, or cattle which the Qur'an sanctions for eating, are immune from ills akin to those of swine. Indeed, they are prone to similar bacterial and parasital attacks. Some diseases are common to all of them. Other diseases, such as Oedema, Prolapse of Rectum, Paratyphoid, Piles or Haemorrhoids, etc., belong exclusively to pigs.

It is admitted, nevertheless, that the pig is a constant victim to various ills and diseases more than any other animal. To quote the words of *Black's Veterinary Dictionary*: "The pig, as seen by research workers, is the fastest-growing of the domestic animals, prone to heart troubles, parasital ills and diseases of the arteries, greatly affected in body by mental stress."¹⁶

The universal aversion of the Muslim world against the eating of pork is well-known. Right from the cradle a Muslim child is conditioned by his society to dislike it. In the Islamic countries there is no need to convince them of the de-merits of the flesh of swine for human consumption. They are already convinced of it.

The real problem arises with young Muslims who are constantly coming in touch with Western civilization. In the West it poses an acute problem for the Muslim. In the European countries, where it is unavoidable for an average person to eat meals in hotels and restaurants, it becomes almost impossible to differentiate between pork, beef and mutton. So many of their dishes are undefinable. Even if careful questioning does succeed in ascertaining the contents of a dish, it is next to impossible to find out which fat has been used in cooking or frying.

This situation in Europe causes either frustration to the orthodox or a sense of guilt in the minds of those who feel that it is against their religion to eat pork but do not care enough.

It is becoming more and more important that Muslims should try to understand the real spirit of the do's and don'ts in Islam. The Qur'an has laid down certain basic principles

of faith, namely, Belief in One God, Angels, Revealed Books, the Prophets, the Day of Judgment and in *Qadr*. The whole structure of Islam rests on five pillars, namely Prayer, Fasting, Poor-Rate, Pilgrimage and *Jihad*. To be a true Muslim it is required of us to believe in and act upon the above-mentioned principles.

The real purpose of the principles of Islam is the spiritual development of man. In order to achieve that end, certain negative and positive laws have been laid down for them.

It is very significant to note that all religions before Islam had stretched the list of the do's and don'ts to such lengths that life had become miserable for the adherents of those religions. Islam has redeemed humanity by assuring that :

*"God desires ease for you, and He desires not hardship for you."*¹⁷

And by declaring :

*"This day (all) good things are made lawful for you. And the food of those who have been given the Book is lawful for you and your food is lawful for them."*¹⁸

Islam cut the list of the don'ts so short that practically it boils down to only two things : flesh of swine and alcohol.

Physical and spiritual health is the underlying reason for prohibition of eating the pig's flesh

What Muslims have been told in Islam is that the eating of pork is not good for their health and, therefore, not conducive to their spiritual well-being. Incidentally, there is nothing to show that Muslims should hate the animal in the same way as, for example, the Jews do.

Apart from the above-mentioned medical reasons, there is one very great reason why Muslims do not eat pork. By declaring themselves as Muslims they accept a certain discipline. No doubt it is a self-imposed discipline. According to the Qur'an "there is no compulsion in religion". But it does not mean that they are entitled to accept that part of the discipline which suits them and reject that part which does not.

It is very much like a sick person who is prescribed a medicine by a doctor with certain dietary instructions. Islam has prescribed a certain course for spiritual development. Prohibition of pork comes under dietary instructions. The more they follow those instructions the greater will be their spiritual progress.

14 *Pigs, their Breeding, Feeding and Management*, by V. C. Fishwick, p. 154.

15 *Black's Veterinary Dictionary*, p. 720.

16 *Ibid.*, p. 712.

17 The Holy Qur'an, 2 : 185.

18 *Ibid.*, 5 : 5.

Questions and Answers on Islam

The purpose of this feature is to promote better knowledge of Islam by Muslims and non-Muslims alike. Questions received will be answered by recognized scholars. Their views, however, would not necessarily represent those of The Islamic Review.

The Editor welcomes questions and comments on answers given.

Questions by I. A. Umarji, Esq., P.O. Box 13, Teachers' Training Institute, Harar, Ethiopia. Answers by 'Ali Muhammad Khan, Esq., B.A.(Hons.), London.

QUESTION : What do the crescent and the star on the flags of Muslim States represent? Are they religious symbols?

ANSWER : It was an historical sequence of events that resulted in the star and crescent becoming part of the Muslim flags. This was the flag of the Turks, prior to their embracing Islam and remained the emblem of the Ottoman frontier Emirate established about 1300 C.E. in Anatolia. Subsequently the Emirate developed into a vast empire. By the middle of the 16th century the Ottoman sway extended from Budapest on the Danube to Baghdad on the Tigris ; from the Crimea to the Cataract of the Nile ; and in the south to the whole of the Hijaz and the Yemen, and a good part of the eastern Arabian peninsula.

The Umayyads and the Abbasids introduced the concept of "King-Caliph" in Islam. The Ottoman dynasty, who enjoyed the great title of Sultan-Caliph until it was abolished in 1922 by Atatürk, naturally followed the same concept and the flag of the Sultan-Caliph continued to be the same as it was before embracing Islam. The Muslim world was so much attached to the Turkish Caliphate that they unknowingly started accepting the "Crescent and Star" as part of the Islamic flag.

There is no religious significance in this emblem. During the pre-Islamic period, the Arabs worshipped the sun, the moon and the stars, and had carved idols to represent these. The Qur'an says of these deities :

"Adore not the sun, nor the moon, but adore God Who created them" (41 : 37).

"The hour drew nigh and the moon was rent asunder" (54 : 1).

"And the moon borrows light from the sun" (9 : 12).

"And the sun and the moon and the stars made subservient by God's command" (7 : 54).

"And God made the sun and the moon subservient ; each one runs to an appointed term" (13 : 2).

"And He has made subservient to you the sun and the moon, pursuing their courses" (14 : 33).

"And He it is who created the night and the day and the sun and the moon ; all float in their orbits" (21 : 33).

The flag of the Prophet Muhammad was : "There is no God but God ; Muhammad is His Messenger. (In Arabic, the *Kalimah*, depicting in brief the creed of the Muslim.)

The flag of the Mehdi of the Sudan was similar to that of the Prophet Muhammad. The colour of the Prophet's flag was black.

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QUESTION : Why do Muslims observe Friday as a week holiday instead of Sunday?

ANSWER : The very word "SUNday" denotes the day of the sun-god (see its detailed story in *The Sources of Christianity*, by K. Kamal-ud-Din).

Islam, the religion of submission to the will of God, could not have adopted a day which was closely related to the religion of sacrament and worship of the sun. The religion of Jesus Christ was, as of all the prophets before him, the religion of Islam. But Jesus' religion took a different colour when a compromise was made with Constantine.

Moreover, Friday, unlike Sunday, is not to be observed as a day for rest. The believers are directed by the Qur'an to go about their business after the Jumu' prayer is over. Read in the Qur'an, 62 : 9-10 :

"O believers, when proclamation is made for prayer on the Day of Congregation (Friday), hasten to God's remembrance and leave trafficking aside ; that is better for you, did you but know. Then, when the prayer is finished, scatter in the land and seek God's bounty and remember God frequently ; haply you will prosper."

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QUESTION : In the Polar regions, the day and night may extend up to six months each. How about observing Ramadan fasts in such areas ?

ANSWER : The following verse of the Qur'an (2 : 185), being a conditional sentence, makes its meaning clearer and more forceful and leaves no doubt in the mind of any unbiased reader that it could not have come from any source other than God Himself :

"So whoever of you is present in the month he shall fast therein . . ."

Who only but God Himself could have known, at the time of its revelation, that there were such regions where there was no month of Ramadan? If one reads Paul Monroe's *The History of Education*, 1933, p. 157, chapter on "Influence of Saracen Learning on Europe," one should admire the scientific value of the above verse more when one sees that three centuries after the above revelation, Christian Europe was still in the primitive stage of learning : "While Christian

Europe was enforcing as a religious belief the idea that the world was flat, the Moors were teaching geography from globes."

But some of the translators of the Qur'an have translated this part of the verse without paying attention to the grammatical rules, and hence they did not take it as a conditional sentence, for instance, "And whosoever of you is present, let him fast the month . . ." (Marmaduke Pickthall in his English translation of the Qur'an, *The Glorious Koran*). He has even altered the construction of the Arabic text.

The fact is that according to the Arabic grammar, a sentence introduced by *man* meaning "whoever" is treated as a protasis, and one of the rules of conditional sentence is that the apodosis must be introduced by the particle *fa* if it expresses a wish, command or prohibition. Testing this verse under these rules, it is nothing but a conditional sentence. Thus it is clear that "To be present in the month" is a necessary condition for the application of this commandment. Wherever this condition is not fulfilled, the commandment is not applicable. There are no months at all in the Polar regions, much less the month of Ramadan. Hence people living in those regions are not to keep any fast.

One might ask as to why those people are let off so easily. But we must not lose sight of the fact that all laws and commandments of the Qur'an are for the benefit of mankind. It is a general rule of the Qur'an that wherever there is any hardship involved in the course of observing any of its commandments, that particular commandment is suspended or relaxed. For instance, the sick and those on a journey are commanded to "fast a like number of other days" when they are in good health or the journey is over; also the *Salah* (prayer) is cut in half when one is on a journey.

We read in the Qur'an 2 : 186 :

"God imposes not on any soul a duty beyond its scope."

"God desires ease for you, and desires not hardship for you" (2 : 184).

Fasting is prescribed for developing the volitional control and health improvement. In the Polar regions the health question is predominant. One example might suffice to elucidate this point. To keep the brain active man needs one teaspoonful of glucose every hour. During the fasting period this supply of glucose is cut off but the brain cannot do without it. During such periods the body mechanism turns the fats of the body into glucose and thus the brain is kept active. This process goes on all the time for thirty continuous days, consuming the fats of the body all the time. At the end of the month, the old fats are used up and new fats are formed during the ensuing period. This transformation ensures good health and long life. This has been proved by medical research scholars — starved mice live twice as long as fully-fed ones.

By the end of the month the faster is bound to lose a good deal of vitality, which is, no doubt, readily made up soon after the month is over. But a man in the Polar regions cannot afford to go through this process, though beneficial to the people of other regions, as it would put his very life in danger. Besides being extremely cold, where more food is required at frequent intervals to maintain the heat and energy of the body, he is essentially a food-gatherer and herdsman. He is always on the move and leads a life full of hazards.

The All-knowing Merciful God does not impose such a duty on him as is beyond his capacity.

QUESTION : Does Islam permit a man to marry four wives?

ANSWER : There are only two verses in the Qur'an relevant to this subject :

"And if you fear that you will not act equitably towards the widows with children, marry such women as seem good to you, two and three and four ; but if you fear that you will not do justice, then marry only one or marry that which your right hands possess (captives). This is more proper, that you may not do injustice" (4 : 3).

"They consult you in regard to women. Say : God has instructed you about them, and His will is recited to you in the Book, concerning female orphans to whom you give not their legal due, and whom you refuse to marry ; also with regard to weak children ; and that you deal with fairness towards orphans. And whatever good you do God is surely ever Knower of it" (4 : 127).

This special form of polygamy was originally permitted as a remedial measure, after the early defensive wars of Islam had decimated the male population and a large number of widows with children were left without support. An alternative to this might have been widespread promiscuity and neglected droves of children, which could have created dire social problems.

It is thus only with regard to widows with children that permission for polygamy was granted. No other category of women was mentioned in this context.

There are some authorities, however, who have translated verse 3 of chapter 4 of the Qur'an as follows :

"Marry such women as seem good to you besides these — two and three and four . . ." (The Maulana Rafi'ud-Din Muhaddath of Delhi).

"If you fear that you will not be able to act equitably towards the orphan girls, then marry such other women as seem good to you — two and three and four . . ." (The Maulana Ashaf 'Ali Thaanaawi).

Hadith 1192 in the *Sahih* of Bukhari, related on the authority of 'Ay'ishah, includes the word *siwahunna*, meaning "Besides these" ; but this word is not found in either of the two verses of the Qur'an. And the Qur'an 4 : 127 clarifies further that it is the *Yatama annisa* (widows with children) who are meant in 4 : 3. The addition of these two words, and the interpretation of *Yatama annisa* as "orphan girls" has changed the purpose and meaning of the text of these two verses of the Qur'an.

According to some 'ulemas (*vide* The *Sirah al-Nabiyy* by the Indian scholar Shibli (d. 1914 C.E.)), any Hadith contradictory to any verse of the Qur'an cannot be regarded as genuine.

But the Prophet Muhammad might have had some other future circumstance or emergency in mind when he used the word *siwahunna* in this Hadith. He might have been thinking of certain developing social groups in the world where polygamy would not only be peaceful but also necessary to ameliorate the harsh lot of women. Or he could have been visualizing the state of affairs in the world after the holocaust of a nuclear war, forecast in full detail in the Qur'an, 18 : 99-101.

When discussing this question, one must bear in mind that even this kind of restricted polygamy is not enjoined upon man. It is merely a conditional permission for an exigency.

Bahasa Indonesia

or

How Indonesian Displaced Dutch

An object lesson for some newly-independent countries who are still conducting their official business in a foreign language

Malay understood and spoken in many parts of Indonesia as early as 7th century C.E.

Unlike many newly-independent nations which have difficulties in adopting one national language because of their numerous regional dialects and languages, Indonesia was lucky that, hundreds of years before her independence in August 1945, Malay, the precursor of "Bahasa Indonesia" — the Indonesian language — was already spoken as a *lingua franca* throughout the archipelago.

Even though now there are some 200 local dialects and languages, which, although they came from the same mother tongue, differ up to such a point where one could justly consider them as entirely distinct languages as Padangese, Javanese, Balinese, Ambonese, and many others, there is one common tongue: the "Bahasa Indonesia". Its growth and development from the Malay of the Riau islands into the present language is a result of the political and cultural changes in the history of Indonesia throughout the centuries.

Inscriptions found at Kota Kapur at Bangka, at Djambi, Palembang and a few other places, confirmed that as early as the seventh century Malay was already understood and spoken in many parts of the archipelago. It was used as a medium of trade, especially in the coastal areas. The elevation of Malay to the rank of *lingua franca* was undoubtedly due to the prestige of Sriwidjaja, the great power which once dominated the politics and trade of a considerable part of South-East Asia and of which the centre was just that part of Indonesia where Malay was spoken.

When Islam came to Indonesia in the fifteenth century, its adherents used this Malay language as a vehicle for the propagation of their faith. With the coming of the Portuguese and the subsequent development of the spice trade, Malay became of even greater importance as the main means of contact throughout the islands, even as far as the Moluccas. A universal language had developed, not in its original purity, but one whose terms and idioms had been freely borrowed from the regional and foreign languages.

Muslims and the Dutch colonial rulers make use of Indonesian

When in the sixteenth century the Dutch came to Indonesia, they found a coherent idea of cultural and linguistic unity of regions already in existence. They continued to make use of Malay, as did the Christian missionaries later. Nevertheless, it was part of the Dutch colonial policy to impose and transmit their own aims and culture by means of the Dutch language, which was used as the official tongue in the

Government, the schools and universities. Though colonised, Indonesia was not isolated from the development of nationalism in Asia. In the early twenties, the younger intellectuals and students took an active part in the nationalist movements for the independence of Indonesia. They encouraged the use of Malay in conferences and other political and intellectual activities. The impetus of patriotic sentiment in Indonesia, and the unifying current which resulted, made the use of Malay a manifestation of the national conscience. At the Youth Congress in Djakarta on 28 October 1928, young Indonesians solemnly took the oath to have "one country — Indonesia, one nation — Indonesia, and one language — Indonesian". For the first time the Malay language was called the "Bahasa Indonesia" and its use became more conscious. Many poets and writers used it in their works. The creation of a new monthly review *Pudjangga Baru* in 1933, a publication designed for the spread of the Indonesian language and literature, and among whose contributors were several eminent personalities from the cultural and political life of the whole archipelago, added considerably to the development of the language.

The Japanese occupation during the second world war led to the abolition of Dutch in favour of Indonesian as the chief language in the community. All the official administration, the press and radio were carried on in Indonesian. Soon the use of Indonesian was obligatory in schools and universities. It became more and more used by the people in daily life, and the language developed a considerable power. The more the people acquired freedom of expression in Indonesian, the more they became conscious of the bond which united them. The Indonesian language became the symbol of national unity.

After Indonesia declared her independence on 17th August, 1945, the Indonesian language took a tremendous leap forward in its development as a new national language. It became the official language of the young republic. The proclamation of independence was made in "Bahasa Indonesia". The first constitution was written in "Bahasa Indonesia". It is used in law courts, in all official organs and services.

How Indonesia has overcome the problem of displacing Dutch by Indonesian

As with many other subjects which had practically never been dealt with before, and which had suddenly developed, the language underwent considerable enrichment. "Bahasa Indonesia" is quite distinct from the Malay tongue. Malay

is written in Arabic script, whereas Indonesian is romanised. A new vocabulary sprang up derived from the regional languages, foreign languages, or just ingenuity. Being a product of a nationalist movement, however, "Bahasa Indonesia" was still not yet sufficiently adequate to cover the needs of modern society. As it was to be used as a medium of instruction from the primary school to the university, it was necessary to have an established grammar. In the field of science, technical terms had to be translated. The difficulties encountered were tremendous, and in 1954 a congress of philologists was convened to discuss them. Held in Medan, the congress "Bahasa Indonesia" came to important decisions. A system of spelling was to be inculcated which would be simple and practical; a new vocabulary was to be built up to include all the new terms needed for all the modern sciences and arts; an official grammar was to be written and established by a committee drawn from the scholars of the community; an institute of languages was set up both for "Bahasa Indonesia" and the regional languages. Almost everywhere local languages are still spoken

side by side with "Bahasa Indonesia". The two languages are not to be considered as mutually exclusive, for the regional languages have the strength of tradition and the heritage of a rich and vital literature. They can stimulate "Bahasa Indonesia" and be a source of inspiration to writers of literature in the new language. Closely associated with the regional languages, "Bahasa Indonesia" can draw with profit upon the treasures of the regions. Bali, Java, Sumatra, Kalimantan, Sulawesi, Maluku, for instance, all have a fruitful store of legends and written traditional works, which, if forgotten, would be an impoverishment to the country as a whole. "Bahasa Indonesia" is also building its own literature.

Being a living language of a young country, "Bahasa Indonesia" proceeds to progress and develop, and there will come a time when the world will recognise the existence of standards of research and literature of the highest order in Indonesia.

The Editors of *The Islamic Review* invite writers in all Muslim countries to send them articles on religious, political, social and other subjects in relation to their countries.

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Note: Other translations of the Qur'an by non-Muslim scholars, although not recommended for general study for the beginners, could also be supplied on request. Information could also be obtained about translation in other languages.			

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