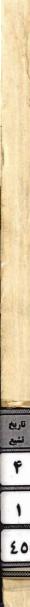
ORIGIN OF SHI'A and it's PRINCIPLES



کتاب معروف داصل الشیعه، ازطرف مرکز بررسیهای اسلامی بهچهارذبان منتشر میکردد

۱_ انگلیسی : (همین کتاب)

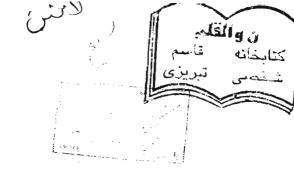
٧_ عربي : اصلالشيعه واصولها (آماده چاپ)

٣_ فارسى : اصل واصول شيعه

٤ ترکی: شیعه نین اصلی و اساسلاری (آماده چاپ)



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ORIGIN OF SHIA and it's PRINCIPLES





مرگزالبحوثالاسالمّیة مرگز بررسیهای اسلامی ایران ــ تم: صندوق پستی ۱۲

Centre of Islamic Studies, P. O. Box 12, QUM-IRAN "مرکز بررسیهای اسلامی ، قم " بدنبال چاپ و نشسر کتابها و جزومهائی در باره شناخت و شناسائی اسلام و تشیسع در سطح جهانی ، هم اکنون با مسرت تمام ، ترجمه کتاب" اصل الشیعة و اصولها" را بزبان انگلیسی منتشر میسازد ، این کتساب که تقریبا نیم قرن پیش ، توسط مرجع عالیقدر و آگاه شیعه ، مرحوم آیة الله شیخ محمد حسین کاشف الفطا در نجف اشرف نوشته شده است ، شامل خلاصه کاملی از عقاید شیعه در اصول و فسروع است و میتواند برای هر جوینده حقیقتی راه گشا باشد ،

علت نگارش این کتاب به همانطور که مسؤلف عالیقسدر در مقدمه خود بیان میدارند به رواج اکاذیب و اباطیلی است کسه توسط افراد غیر مسلمان ویا مسلمان ولی مغرض،در باره تاریسخ و اصول عقاید شیعه نشر یافته و چهره واقعی تشیع را در پس پرده ابهام قرار داده است ۰۰۰

متن عربی این کتاب بیش از بیست بار درکشورهسای: وعراق ، ایران ، لبنان ، مصر وغیره بچاپ رسیده و دو بار هم بسه زبان فارسی ترجمه شده و همچنین ترجمه اردو و ترکی آن نیسزدر پاکستان و ترکیه نشر یافته است ۰۰۰

بی تردید بسیار بجا بود که ترجمه انگلیسی آن نیـــــز منتشر میگردید و خدارا بی نهایت سپاس باد که سرانجام و پــس از مدتها کوشش کاوش ، این آرزو نیز جامه عمل بخود پوشید و هم اکنون ترجمه انگلیسی آن دراختیار علاقبندان قرار میگیسرد علاوه بر این ترجمه ، خوشبختانه هم اکنون متن عربی آن بسسا ملحقاتی آماده چاپ تازه ایست و بزودی بیاری حق ، بوسیلسه مرکز بررسیهای اسلامی "منتشر خواهد شد و سپسترجمه فارسی آن نیز سکه آماده میشود سدر اختیار جویندگان حقیقت قسرار خواهد گرفت ۰۰۰

یاد آوری این نکته ضروریست که ، حروفچینی و چاپ این کتاب ، آنطور که مورد نظر ما بودعملی نشد ، انشا اللیسه چاپهای بعدی با حروفچینی مجدد و در شکل بهتری(همسراه ترجمه مقدمههای متن عربی و ترجمه فارسی) انتشار خواهسسسد یافت ۰

ترجمه انگلیسی کتاب از روی ترجمه کتاب بزبان اردو ، بعمل آمده و در پاکستان بچاپ رسیده ولی در تطبیقی که با متن عربی آن بعمل آمد ، روشن گردید که موضوعات اصلی کتاب کامللا در این ترجمه آمده است ۰

بدون تردید نشر مجدد و بهتر آن ، همراه ترجمهه مقدمه ها ، آرزوی مااست و دراین راه یاد آوریهای بهسرادران ارجمند را با کمال میل پذیرا خواهیم بود و

PEREFACE

Centre Of Islamic Studies which publishes books and booklets for the introduction of Islam and Shi'aism; has the honour to present 'ORIGIN OF SHI'A & IT'S PRINCIPLES' to the Islamic academic world.

The book had been written half a century ago by the famous Islamic research scholar of Shi'ite world As-sheikh Muhammad Husain Kashiful Gheta. It covers almost all of the topics of Shi'ite principles Belief and Laws for those who would like to know the facts as they are.

This book was written with the aim to remove the misunderstandings entertained by the non-Shia Muslims particularly and the non-Muslims generally. It clarifies that Shi'as are as strick Muslims as one can be

It was these facts which caused it's numerial prints. The Arabic edition have been so far printed for more than twenty times in Iraq, Iran, Lebanon and Egypt. It has been translated twice in Persian. And has also been printed in Urdu and Turkey languages.

We thank al-mighty Allah, that at last it's English translation has been printed. Of course, the composing and setting of this print is not as we wished; but we hope that in future edition, it will get a far more better appearance. We also intend to print it's Arabic and Persian editions in near future We hope it will be useful for all truth-seekers.

It should also be noted that the present English edition has been translated from the Urdu edition of the book and was first printed by Peermohamed Ibrahim Trust in Pakistan. After comparing it with the original Arabic text; we found it to be an accurate and correct translation. We hope to add in the future edition the translation of the author's preface and preface of Persian edition.

Jamadi Al-awwal, 398 A.H. April, 398 A.D.

S. Hadi Khosroshahi, Centre of Islamic Studies, Q u m- Iran.



ORIGIN OF SHI'A AND IT'S PRINCIPLES

ASL-0-USOOL-E-SHIA

ALLAMA SHAIKH MOHAMMAD HUSAIN
AAL-E-KASHIFUL GHITA



ORIGIN AND BELIEFS OF THE SHI'AS

FOREWORD

REASON FOR THE COMPILATION

It was obout two years ago that I received a letter from an Iraqi student in Egypt. The letter was sufficiently long. Briefly speaking, the writer of the letter had an exchange of views with some eminent scholars of Jama e-Azhar. Incidentally they talked about Najaf-e-Ashraf, the scholars of that seat of learning and their ways of studies and also about those devoted to the spiritual atmosphere at the mousoleum of Hazrat Ali (A.S.).

SUNNIS DO NOT

REGARD SHIAS AS MUSLIMS

There is no doubt, of course. that the educated class of Cairo are all praise for the great seat of learning at Najaf and are also well impressed with the intellectual advancement of its scholars. In spite of all this they do not refrain from saying: "Oh! what a pity! they are Shias."

The writer of the letter says that he greatly wondered at that and often used to plead to them "Gentleman! The Shias are also muslim sect and a community of the musalmans". But their reply was "No, Sir! The shias are not muslims. What has Shiaism to do with Islam? Rather it is wrong to count it as a sect among the sects and a religion among the religions of the world it was a plan devised by the Iranians and a political stunt to overthrow the Omayyad rule and bring about the Abbasid Caliphate. What has it to do with the ways, prescribed by Allah"?

After this, this young man writes. "Respected Sir, at present I am of small age and have no knowledge of religions. Neither I know the philosophy of religious growth, nor do I know the history of their flourishing. Consequently I have entertained some doubts. And why should it not be, for the people, with whom I have had contacts are men of high learning".

REQUEST FOR REVEALING TRUTH

After writing these words this student of the great College at Cairo, desired that I should unveil the truth and get him rid of that mental worry. In this connection he also wrote that if his request proved futile and he was misled from the right path, I would stand responsible for that.

Accordingly I considered the reply necessary and wrote to him in a letter as much as could be

possible and that too, according to his intelligence. But the fact is that my own worries were more than the doubts of this youth.

GROSS IGNORANCE AMONG SUNNIS ABOUT SHIAS AND SHIA LITERATURE

I thought to myself how it could be believed. Look at the cultured country, like Egypt !- the cradle of Islamic learning-the centre of the Arabs, nay, of all the muslims-and such is the state of ignorance and hostility of its intelligentsia! I could in no way give credence to all that, but it was by chance that in those days a book entitled "Fajarul Islam" by the famous writer Ahmed Ameen reached my hands. I started reading it but when I reached the place, where he wrote about the Shias, I felt that the learned author was not writing a book, but building castles in the air. During the present age, even if a man from distant regions of China, wrote such irresponsible things, he could not be easily forgiven.

Anyhow, I now felt satisfied that all that the fraci student had written was quite correct and instantly it struck me that when people so fond of writing like Ahmad Ameen have such a mentality, what would be the condition of the illiterate or half literate masses, though, according to the spirit of the times, every muslim of today supports unity and brotherhood among the

muslims and also believes in the truth that in case the followers of the Holy Prophet Mohammad (S.A.) are disintegrated, our life as well as death will do us no good.

SHIA FAITH CAN OBVIATE MUTUAL ENMITY

To speak the truth, if our muslim brothers were aware of the reality of the Shia religion and also they proved to be just, such a literature 28 lays the foundation of mutual enmity and satisfies the cravings of the imperialist and irreligious forces could not retain its existence.

RIDICULOUS CONCEPTION OF SUNNI BOOK FAJARUL ISLAM ABOUT SHIA

Now please study this passage of "Fajarul Islam" and consider its reaction/repercussions:

Page 330—"The truth is that Shiaism was the refuge of the destroyers of Islam".

The writer is not innocent. He knows that the pen of the critics would pursue him and also knows that this aggressive tendency would injure the feelings of a nation, which comprises crores of people and is a very great power in the Islamic world.

THE AUTHOR OF FAJARUL ISLAM PLEADS LACK OF SHIA LITERATURE

Yes, it was also quite accidental that last year (1349 A.H.), a cultural delegation of Egypt, comprising thirty members, which came here included Ahmad Ameen also. All the members of the delegation came to my place also. It was the month of Ramazan, it was night time and the gathering was full. No sooner had I seen Ahmad Ameen than "Fajarul Islam" came to my mind. since that book had already been seen by a number of scholars. So we made a complaint, but, in view of gentlemanliness, in a very mild and soft tone, so that it might not hurt their feelings. At this occasion the strongest explanation that Ahmad Ameen offered was-lack of information and dearth of books. On this we said, "Sir, when some one starts writing on some topic, he first gathers matter for that and then he fully examines it, otherwise the writer has no right to touch upon the topic at all".

SHIA LIBRARIES AROUND INVALUABLE BOOKS

Just see the libraries of the Shias. How well stocked they are! Take our own library. It contains about five thousand volumes and most of the books are written by Sunnis. And this is the collection of books in a small city like Najaf and it is strange, Egypt with all its considerable vastness, is devoid of Shia literature!

Ofcourse, these people know nothing about the Shias, but never hesitate in writing all that they wish.

SHIAS AND CONSIDERED THEM AS SAVAGES

And still more wonderful is the fact that the Sunni fellow brothers of Iraq living in our neighbourhood are unaware of the Shias!

Only a few months ago a promising Shia boy of Baghdad wrote in a letter that recently he happened to go to Dalyam (It is just adjacent to the Baghdad district). Most of the people of this place are Sunnis. The correspondent developed intimacy with them and attended their assemblies. Since the people of Dalyam were unusually impressed by the excellent behaviour and high morals of the foreigner they warmly welcomed him. But when they came to know that the boy, in whom they were taking so much interest, was a Shia, their wonder had no bounds. "Oh! Shia, let knowledge and religious mindedness aside, we were under the impression that the people of this sect were deprived of even the small light of and culture-quite wild, totally civilisation savage!" These were their whims and speculations!

At the end of the letter this young boy appealed to my conscience that, through the endeavours of my pen, I should remove the

the majority community. But my chief aim is misunderstandings and introduce a true picture of Shiaism.

EGYPTIANS TOO HAVE ABNOXIOUS VIEWS ABOUT SHIAS

After some time the same youth reached Syria to spend summer there. From there he went to Egypt. From Cairo he wrote another letter, telling me, to be brief, that the condition of Egypt was not different from that of Dalyam. He wrote: "Here also the same views about the Shias are common. So, it is requested that you may perform your duty at your earliest convenience. Believe me that the views that the common people of Islam have formed about the Shias, are intelerably obnoxious".

FALSE IMPUTATIONS AGAINST SHIAS CONTINUOUSLY PUBLISHED IN SUNNI COUNTRIES

And that is not alone. The false imputations, which are being continuously published in the journals of Egypt, Syria, etc. are not less grievous, though the book of faith of the Shias is as spotless as the flap of Joseph's shirt, but ignorance and fanaticism have no remedy.

However, silence in the face of transgression was synonymous with open injustice, so I had to attend to my duty. But it should be made clear that neither I intend to defend the cause of the Shias, nor do I wish to reply to the slanders of

that the darkness of ignorance may be removed from the general Muslim society and the ways of truth may be clearly visible to them; also, it may serve as the last word to the hostile elements and a true picture of Shiaism may be apparent. Apart from that, it may also remove the mutual discord among the muslims, so that the writers like Ahmad Ameen may never get an opportunity to indulge in destructive activities.

THE AUTHOR OF "FAJAR-UL-ISLAM" WRITES

"The truth is that Shiaism was the refuge of those, who wished to destroy Islam through enmity and baseless talk, or it was the place of shelter for those who wanted to seek admission for their ancestral teachings of Israelite, Christian and Zoroastrian religions" Again he writes:

"Thus the faith in "Raj'at" (Resurrection) is what the Isra'elites believe in. Also the Shias believe that, taken as a whole, fire (of the hell) is 'Haraam' (unlawful) on them. The Israelites also say that fire will not touch them except for a few counted days.

"Christianity appeared in this way that some of the Shias have given the same relation of Imam with Allah as is given for Christ. They also say that Imam is the confluence of 'Lahoot' and 'Nasoot' (where Divinity and earthly beings meet together). Also, according to their faith the continuance of prophethood and Risalat

(messengership) is unbreakable. They hold the view that he, who is absorbed in 'Lahoot' (Divinity), is the Prophet. Besides this, transmigration of soul, physical body of Allah and 'Hulool' (Allah's entering another body), which are the old beliefs of Brahmin', philosophers and fireworshippers, appeared one by one, in the Shia religion......"

AUTHOR AVERSE TO CREATING BITTERNESS

It will vitiate the atmosphere and the world also will pronounce us to be a perverse preacher, so I do not want to create bitterness in this writing. Otherwise, it was quite easy to show who were those people, who introduced un-Islamic ways in Islam to bring about disaster to it and even at this time, who are those at whose hands the religious unity is being shattered to pieces. But no !

HOLY PROPHET (5.A.) INFORMS COMPANIONS OF HUSAIN BEING KILLED

Ofcourse I should like to ask the author of 'Fajar-ul-Islam'. Respected Sir! which was that group of Shias, which had decided to destroy Islam? Was it the first group, which includes the selected companions of the Holy Prophet (S.A.), for instance: Salman-e-Muhammadi, Abuzar-e-Ghefari, Miqdad, Ammar, Khuzaima Zush-Shahadatain, Abut Teehan, Huzaifa-e-Yamani, Zubair,

Fazi Ibne Abbas and his respectable brother Abdullah, Hashim Ibne Utbah, Marqaal, Abu Ayyub Ansari, Abaan and also his brother Khalid, the sons of Saeed Ibn-ul-Aas Amavi, Ibne Ka'b and Anas Ibnul Harth, who had heard the Holy Prophet (S.A.) saying: "My son Husain (A.S.) will be martyred at the place known as Karbala. So any one of you, present at the time of that tragedy must go to help him". Accordingly Anus drank the cup of martyrdom on the 10th of Muhrram. See "Al-Asabah" and "Al-Isteeaab". These two books on the lives of the Companions are the most authentic compilations of the majority community.

EMINENT COMPANIONS AMONG EARLY SHIAS

If we attempt to compile the list of Shia companions and begin to prove their Shiaism, it will require a complete and voluminous book. And the fact is that the noble efforts of the Shia Ulema in this behalf have made it unnecessary to do so. In this connection the brilliant masterpiece. "Ad-darajaat-ur-Rafi'ah fi Tabaqaat-ush-Shiah" written by Syed Ali Khan, the author of standard dictionaries "As-Salafah" and "Tarazul Lughah" is worth studying, though the deceased in his "Tabaqaat", after writing about the eminent personalities of the Bani Hashim family like Hamza and Aquel, has mentioned only the very famous companions, for instance, those

distinguished men, whose names we have already written above and some others like Osman Bin Hunaif, Sahl Ibn-e-Hunaif Abu Saeed Khudri, Qais Bin Sa'd Bin Ebadah. Ra'ees-e-Ansar, Buraida, Buraa Bin Maalik, Khabab Ibnul Irth, Refaa Ibne Maalik, Aamir Ibne Wathila, Hind Ibne Abi Hala, Jo da Ibne Hubaira, Makhzoomi and his mother Umme Haani Binte Abi Talib and Bilal Ibne Riyah, the moazzin (caller) etc.

But I think that, from the books on the lives of Sahaba like "Isaba", "Osdul Ghaba" and "Isteeaab" we have collected the names of about three hundred distinguished companions and it is possible some scholarly person may compile a longer list than this.

ALI (A.S.) AND HIS SWORD GAVE ISLAM VICTORIES AGAINST ALL AGGRESSIONS

But the question is whether these high-ranking Personalities were the persons, who were desirous of ruining Islam or (Allah forgive) it was the Imam of the Shias Ali Ibne Abi Talib (A.S.) of whom the "Thaqalain" (The Book of Allah and Ahle Bait) are the witnesses that if he had not used his sharpedged sword in the battles of "Badr", "Ohad", "Hunain" and "Ahzaab" Islam would not have flourished or attained an imposing height. Abdul Hameed Mo'tazali has crossed the limit of praise. He says:

"Ala innamal Islam lav la hisamahoo....." 1
If his sword had not been there.....

Yes, if the thunderous attacks of "Zulfiqar" (Hazrat Ali's sword) had not been there, if the lion of Allah had not taken the lead, as he did before and after 'Hijrat' also if there had been no sincere help of Hazrat Abu Talib the illustrious father of the solver of all difficulties (Ali A.S.) and besides all this, if Hazrat Ali Murtaza (A.S.) had not offered extre ordinary support in the holy lands of Mecca and Madina, the rebellious group of the Quraish and the blood-thirsty wolves of Arabia would have nipped Islam in the bud.

SUNNIS DENY ABU TALIB (A.S.)'S ISLAM

But the Muslims gave Abu Talib (A.S.) the reward for his services that they do not seem prepared to call him a Muslim even at the last moment. On the contrary when they talk of Abu Sufyan, the root cause of all the troubles of the Holy Prophet (S.A.) they are eagerly prompt in endowing him with Islam, though every one knows that he had very reluctantly and unwillingly aligned himself with the Muslims. When Hazrat Othman got the Caliphate, it was Abu Sufyan, who cried out, "Sons of Umayyah? Just catch hold of caliphate as a ball. I swear by him, by whom I can swear, that there is neither heaven nor hell"!

In short, according to the verdict of the majority he is a Muslim and as to Abu Talib the greatest supporter of Islam, a slight view of whose beliefs is apparent from these lines:

ABU TALIB (A.S.) A TRUE MUSLIM

"In my knowledge the religion of Muhammad (S.A.) is the best of all religions in the world".—Abu Talib—he is labelled as a non-Muslim! although Abu Talib (A.S.) was neither so helpless nor of such a weak intellect that, knowing clearly that Mohammad (S.A.)'s religion was the best of all religions, he did not follow it and that too, for fear of the people! It should be clearly understood that he was the centre of all Mecca's forces and strengths.

EARLY SUPPORTERS OF ISLAM WERE ALL SHIAS

Now let us again examine for some time the story of subversion of Islam. Now were these people about whom we had just been talking, the persons, who subverted Islam, or it was the later group, which is known as 'Tabee-een' (the followers), in which are included Ahnaf Bin Qais, Sowaid Bin Ghufla, Abtiyya Oufi, Hakam Bin Atbiyah, Saalim Bin Abul Jo'd, Ali Bin, Jo'd, Hasan Bin Salah, Saeed Bin Jubair, Saeed Bin Musayyab, Asbagh Ibne Nabata Suleman Ibne Mehran, A'mash and Yahya Ibne Ya'mar Adnani etc? After them come the personalities of "Tab-e-Tabe-een" (followers of the "followers") who laid the foundation of Islamic teachings such as Abu Aswad Du'oli, the originator of syntax, Khalil Ibne Ahmad, the founder of lexicography and prosody [Abu Muslim Ma-aaz Ibne Muslim Al-Hiraa, the founder of etymological grammar, whose Shiaism has been admitted even by Siyuti (Al-Muzhir Volume III) and Yaqoob Ibne Ishaq, the leader of Arabic literature. Also in the group of commentators is the distinguished name of Abdullah Ibne Abbas, who tops the list and whose Shiaism is as clear as the midday sun. Next come the names of Jabir Ibne Abdullah, Ansari, Obai Ibne Ka'b, Saeed Ibne Jubair, Saeed Ibnul Musayyab and Muhammad Ibne Omar Waqidi, who was the first to collect the sciences in teachings. Ibne Nadeem and others have acknowledged that they were shias. "Ar-Rasheeb" is the commentary of Waqidi.

SHIA TRADITIONISTS

Among those, who laid the foundations of the teaching of "Traditions" is the name of Abu Rafey, who was the freed slave of the Holy Prophet (S.A.) and the author of "Kitabul Ahkaam wal Sunan wal Qazaya". He had special relation with Ameerul Momineen (A.S.). Also during the caliphate of the Holy Imam (A.S.) he was the Treasury officer at Koofa, the capital. His sons also are two remarkable personalities in this field. All Ibne Rafey was the Secretary of Ameerul Momineen (A.S.). He was the first, one who began writing on 'fiqh' (jurisprudence) after his father and his brother Abdullah Ibne Rafey took the lead in the writing of history and public events.

SHIAS WERE LEADERS IN POLEMICS

Among those, who erected the building of polemics (scholastic philosophy) Abu Hashim the Muhammad the Hanafiya was the first to start it. On this topic we find many of his high ranking books. Then we come across the works of Essa the Rouza Tabe-ee. This gentleman remained up to the time of Abu Jafar. It should be noted that the above exalted persons fived before Wasil Ibne Ata and Abu Hanifa. In this connection Siyuti's opinion is incorrect that the latter ones were the earliest writers on polemics (scholastic philosophy).

come to the period of Next we famous Shias of high rank and eminence. among whom were Qais Ar-Nasir, Mohammad Ibne Ali Ahwal, Known as "Momin-e-Taag". Hisham Ibne Hakam and aal e-Noubakht. This exalted family continued serving the cause of religion and its people for more than hundred years. Among their works "Faslul Yagoot" occupies an extra-ordinary importance. Also among the pupils of Hisham, Ahwal, and An-Nasir, the names of Abu Jafar Sakaat Baghdadi, Abu Maalik Zohaak Khazrami, Hisham Ibne Saalim and Yunus Ibne Yaqoob, etc. deserve special mention. These were the persons, who gave the atheists great moral defeats in the field of polemics and provided irreputable arguments on topics like unity of Allah and Imamat.

If some one tries to collect all their scholastic subjects of discussion, which are a grace to our libraries, it would be a complete book for the benefit of every debater, particularly the polemic of Hisham Ibne Hakam! Similarly, if we want to count all the Shia philosphers and debtors, a number of voluminous compilations will be required.

SHIAS AS EARLY HISTORIANS

Now tell me, author of Fajarul Islam! whether these men wanted to ruin the religion of Allah, or they were so conscientious that they worked day and night for the preservation of historical facts and events and tried to collect matters relating to the life, miracles, "ghazvaat" (religious battles) and the purity of character, of the Holy Prophet (S.A.).

In this category the first personality of the Islamic world is Abaan Ibne Othman Al-Ahmar Tabi ee (died 140 A H.). He was a pupil of Imam Jafar-e-Sadiq (A S.). After him we find the master-pieces of Hisham Ibne Muhammad, Muhammad Ibne Saaeb Kalbi, Muhammad Ibne Ishaq Matalabi and Abu Makhnaf Azdi. All the writers of the later age depended upon them i.e. this art.

If you cast an eye on the list of historians, you will find that all the distinguished writers were Shias, for instance the compiler of "Kitabul Mahasin" Ahmad Ibne Muhammad Ibne Khalid

Barqi, Naseer Ibne Muzahim Manqari, Ibrahim Ibne Muhammad Ibne Sa'd Saqafi, Abdul Aziz Juloudi Basri Imami, Ahmad Ibne Yaqub (whose book "Tarikh-ul-Yaqoobi" has been published in Europe), Muhammad Ibne Zakariya, Abu Abdullah Hakim, the author of "Moruj-uz Zahab" Al-Masoodi, Muhammad Ibne Ali Ibne Taba, the author of "Adaabus-Sultaniyah" and hundreds of other scholars like them, who cannot be counted here.

SHIAS AS LEADERS IN LITERATURE

Then again take up [the famous literatic. Among them also the Shias are in majority. The literary men are of different groups. The first group is of the companions. All the famous men of letters belonging to this class are attached to Shiaism. For instance Nabegha-e-Jo'di took part in the battle of Siffeen on the side of the owner of Zulfigar and the 'Rajaz' (challenging verses) that he had composed for the occasion are sufficiently well known; Urwah Ibne Zaid Al-Khail was also the man, who was with the Holy Imam (A.S.) in the battle of Siffen (See Al-Aghani) Lubaid Ibne Rabee' Aamiri. A section of the people acknowledges that he was of the Shia faith; Abu Tufail Aamir Ibne Wathila; Abu Aswad Duoli; and Ka'b Ibne Zuhair, the author of "Reanta Saad" etc.

The second group is the contemporary of Tabe-een. In this class Farzdaq, Kumait, Katheer

Azzah, Syed Humairi and Qais Ibne Zareeh, have a very prominent place.

The third Group belongs to the second century Hijri. In this the popularity gained by Da'bil Khuza'ee, Abu Nawas, Abu Tamaam, Bahtari, Deekul Jin, Abdus Salaam, Abus-Shees, Husain Ibne Zohaak Ibne Roomi, Mansoor Namri Ashja' Salmi, Muhammad Ibne Wahab and Sarre' ul-Ghawani, does not require any mention. Also during the reign of the Abbasid rulers all the prominent liberary figures, excluding Marwan Ibne Abi Hafsa and his progeny were Shias.

Similarly the celebrated literatic of the fourth Hijri century among whom are included Mutanabbi Maghrib Ibne Haani Undulusi, Ibn ut-Ta'aweezi, the author of "Majnoon" Husain Hajjaj, Mahyar Dailami and the leader of poets Abu Faraas Hamdani, (about whom it has been so much said that poetry began with the king and ended with the king) and also the authors of Shajum, Nashiey Saghir, Nashiey Kabeer, Abu Bakr Khawarizmi, Badee Hamadani, Tughra'ee, Shamsul Khilafah Jafar, Ammara Yamani, Widaa'ee, Zahi, Ibne Basaam, Baghdadi, Sibtey Ibne Ta-aaweezi, Salaami, Naami and even yatimatuddahr-e-Sa'bbi—were Shias.

SHIAS ALONE WERE EXPERTYS IN (LITERATURE AND POETRY

The fact is that the Shias attained such an exalted rank in the field of literature that experts had to say 'ls there any literary man except the Shias? Also, while praising some piece of composition, there is a common saying that such and such man shows Shiaism in his verses. Some people have writen that Mutanabbi and Abul Ula were also Shias. They have also quoted some of their verses. (Please see Al-Muraje'aat ur-Raihaniyah: Volume II).

In these groups the Shia poets of the Quraish family such as Fazi Ibne Abbas (whose account is given in "Al-Aghani"), Abu Dehbal Hamji, Waheb Ibne Rabi, besides pure Alavil literary scholars e.g. Sharif Razi, Murtaza, Sharif Abul Hasan, Ali Jumani, son of Sharif Muhammad Ibne Ja'far Ibne Muhammad Ibne Zaid Ibne Ali Ibnul Husain (A.S.) are not included.

Sharif Jumani used to say "I am poet; my father was poet, my grand-father was poet". Muhammad Ibne Saleh Alvi was an eminent man of letters. Writing about him Abul Faraj Ispahani has introduced to us the valuable gifts of thought that he has left tahind. Similarly Sharif Ibne Shajari and many others were all prominent figures of the Alavi family. For further details it is worth while studying "Nasmat-us-Sahr min Tashayyo Wa She'r". In this esteemed master-piece of Sharif Yamani

there is not only a fair account of Alavi men of letters, but there is also an account of the Shia poets of the Amavi dynasty. For instance Zamakhshari writing in his book "Rabi-ul-Abrar" About Abdul Rahman Ibne Hakam, Khalid Ibne Saeed Ibne Aas. Marwan Ibne Mohammad Saroji Amvi, has probably put down these verses:

"O' descendants of Hashim Ibne Abd-e-Munaf! wherever I may be I am yours.

"You are Allah's special ones, and Jafar-e-Tayyar with two wings belong to your own family.

"Ali, the Lion of Allah (A.S.) Hamza the daughter of the Holy Prophet (S.A.) and Hasnain (A.S.) are the personalities of your own family.

"Yes, though I am of Amavi lineage, yet i have no concern with Bari Omayya".

Similarly, the name of Abivarda, the well-known author on Najci and Iraqi schools of thought, is also worthy of mention. Apart from these there are also many other notables of this lineage, but since this book is being written unpremeditated it is difficult to give details of all of them.

SHIAS ALSO PROMINENT IN POLITICS AND STATESMANSHIP

Also, when we come across the history of great kings, distinguished politicians, statesmen

and viziers, we find the Shia in prominence there also. Besides Fatimi and Bawaihi rulers, other kings like Aal-e-Hamdan, Bani Mazeed, Bani Wasees, Imran Ibne Shaheeu, Muqaliid Ibne Musayyab Oqaili and Qarwash Bin Musayyab were all Shias. Also the faith in Shiaism of Wajihuddoula Zulqarnain Taghlabi and Tameem Ibne Mo'iz the ruler of West and Africa, is not a secret thing. A great many names can be included in this list.

SHIAS AS VIZIERS

And in the row of viziers (ministers) we find that all of them are Shias. They are:

Ishaq Katib: Perhaps he was the first person for whom the appellation of Vizier was formally used.

Abu Salma Khilal Koofi: He was the vizier of the first Abbasi Caliph. In view of his administrative capability Saffah had entrusted him with all the affairs of the State. Abu Salma was known as the "Vizier-e-Aal-e-Muhammad' but finally it was for his love for Aal-e-Muhammad that he was martyred by the cruel hands of the same Saffah.

Abu Abdullah Yaqub Ibne Da'wood was the Vizier of Mahdi Abbasi. The Caliph had confided the entire administration of the State to him. This verse is for him:

O' Bani Omayya! Get up! and arise from the deep slumber! Just see that now Yaqub ibne

Da'wood is the Caliph.

At last he also had to suffer captivity.

Aal-e-Nav Bakht and Bani Sahl are commonly known as the families of the viziers. Fazl Bin Sahl and Hasan Ibne Sahl were the viziers of Mamun-ur-Rashid.

Similarly from Banu-Al-Furat, Hasan Ibne Ali was thrice made the vizier of the Caliph Muqtabar.

Abul Fazi Jafar, Abul Fath' Fazi Ibne Ja'far and sons Ameed Muhammad Ibne Husain and his eldest son Zulkifayatain Abul Fat'h Ali Ibne Muhammad, were the vizier of Ruknuddaula.

Banu Tahir Khuza'ee was entrusted with ministership by Mamun.

Other viziers were Mahlabi, Abu Dalf Ajalli, the author of Ibne Ebaad and a great politician Abul Qaasim Vizier-e-Maghribi and Abu Abdillah Husain Ibne Zakariya, who is known with the epithet of "Shi'ee".

There are others besides them, such as Ibrahim Sooli, Tala'ey Bin Zareek, Afzal, the commander-in-chief of Egypt and his son Jafar Ibne Muhammad Ibne Fateer, Abul M'aali, Heb'at-ullah, Vizier of Mustansir and Mui'uddin Muhammad Ibne Abdul Karim Qummi, whe first became the Vizier of Nasir and after him Mustansir offered him ministership. During the

time of Baramaka Hasan Ibne Suleman was the Chief Secretary. He was also commonly known as "Shi'ee".

SHIAS IN ALL BRANCHES OF ADMINISTRATION

Also according to the opinions of the author of "Al-Auraag", Sooli, Yahya Ibne Salama Hasfaki and Ibne Nadeem the author of "Fehrist" Abu Jafar Ibne Yusuf and his brother Abu Muhammad Ibne Qassim (whose panegyrics and elegies upon Ahle Bait (A.S.) have no parallel: vide "Al-Aurag") were "Mo'tamad-e-Ummoomi" (General secretaries) during the time of Mamun. Rather after his age, they held the same position. Similarly the names of Ibrahim Yusuf and his son and the architect of Arabic language and author of "Moajam" Abu Abdullah Muhammad ibne imran Ma zbani, are also worth remembering, Sam'aani has made mention of their Shiaism. Viewed in the same perspective there are hundreds of persons whose administrative abilities, political sagacity and national services need volumes and volumes to be recorded.

My late father had tried to collect the life accounts of different groups of Shias. So he dwelt upon thirty groups in alphabetical order in ten volumes, which include 'Ulema' (Scholars), philosophers, Kings, Viziers, astronomists and physicians etc. The name of this collection is Al-Husoon, Al-Manee'ah Fi Tabaqatish-Shia".

But the fact is that this voluminous book is not complete.

PITIABLE TO NEGLECT SHIA'S SERVICES TO ISLAM

At this stage also we would ask the author of "Fajarul Islam" whether, in his opinion, these persons, who had established the teachings of Islam and provided security to knowledge and learning, were after ruining our sacred religion!

And again the question arises whether he and his teacher Dr. Taha Hussain are the supporters of the Islamic religion. If that is the condition, it is a thousand pities on this life! and farewell to Islam. Rather in the words of a poet if Hatim is called a stingy person, "It is better to die for the good".

In fact this was not the aim of our writing, but the pen moved on and a number of other things cropped up but may be the present day or future writers might gather something out of it and they may at least know the manner of writing and may develop the tendency of expressing their thoughts.

Islam's greatest sage Hazrat Ali Ibne Abi Talib (A.S.) says:

"A wise man's tongue is subordinate to his heart and the heart of an ignorant person is obedient to tongue".

BASELESS CHARGES AGAINST SHIA BELIEFS

Ahmad Ameen's opinion that "the faith in "Ra'jat" (Resurrection) gave rise to Judaism among the Shias" is extremely deplorable. I wish they might tell whether "Rajat" is some basic problem among the shias or it is any of the fundamental beliefs of their religion, which may be made a topic of criticism. If the knowledge of some one about a sect, is of this nature, is it not proper for him to hold his tongue and keep up his dignity?

The fact is that the faith in Raj'at is not one of the fundamentals of Shiaism. Ofcourse its acknowledgment is considered necessary just as it is, in Islamic groups, for the events of the unknown and the signs of the Doomsday; for instance the coming of Christ and the revolt of Dajjal, are given credence to but neither these things are pure Islam nor their denial is the cause of expulsion from Islam, nor belief in them is the proof of one's being a Muslim. The same view holds good for the faith in "Raj'at".

INCIDENTAL HARMONY OF BELIEFS WITH THOSE OF JUDAISM IS NOT HARMFUL TO ISLAM

Also even if it is suffered that it relates to the roots of the faith of the Shias, we should ask whether concurrence with any Jewish problem is the result of Jewish influence. The Muslims believe in the oneness of Allah. The Jews also worship one God. Then from this harmony of views can anyone have the courage of attaching Islam to Judaism No, never.

In connection with this faith it is not known what unusual thing appears to those who indulge in taunts and why they become so much emotional.

"Allah Almighty will give life to a group for the second time". Is it an impossibility? Has this story never been read in the Book of Allah? "Were the affairs of those people, who had run away from their homes in thousands of numbers, not considered? But Allah said, "Die!" and death overcame them. Then he gave them life again". And was this holy verse also not seen by any body? "And the day on which We shall raise a group from every "Ummat", If it means the Day of Judgement, then on that Day not a group from every ummat but all the ummats (peoples) will be restored to life.

OBJECTION AGAINST RAJAT AN OLD WEAPON OF SUNNIS

This is not only today's affair. The ulema of the majority community have been making this matter a target of attack since the very beginning. Rather it has been seen in this connection that when they do not find any ground to injure the trust and confidence of an exalted Shia reporter or traditionis; they begin taunting us about Raj'at in such a way that they are accusing some one of idol-worshipping or polytheism.

About the problem in question the story of momin-e-Taq and Abu Hanifa is quite well-known. From my point of view, however, this matter is not so important that efforts be made to argue it. Hence it is considered sufficient to establish moral perversion of misguided persons.

THE CHARGE THAT HELL IS UNLAWFUL FOR SHIAS

The author of "Fajarul Islam" says: "On the whole fire is unlawful on the Shias". Allah knows from which Shia book this view has been taken out. I wish the learned writer had some fear of comment and study and he could consider some proof necessary for his stand!

The Shia books openly declare: "Paradise is the reward for the obedient servant of Allah even if he is an Abyssinian slave and hell is for the wicked even if he is one of the Syeds of Quraish".

Traditions on the above subject have been related by the Holy Imams (A.S.) and they are so many in number that they can hardly be counted.

Ofcourse the question of Intercession is another thing, which all the Muslims believe in. Still, however, we shall say that if this too is regarded as faith of the Shias, how can it be the manifestation of Judaism?

IN SOME PROBLEMS ABU HANIFA'S VERDICTS COINCIDE WITH JEWS

Janab Abu Hanifa agrees in some problems of Nikah with the fire worshippers, but will it be appropriate to say that the imam of the Hanafis had based his 'fiqh' (jurisprudence) on Zorastrianism? And for further proof, advantage can be taken of his being a man of Iranian descent. In short, these are all sentimental ways and means, through which desires for mutual confusion and discord are fulfilled.

SHIAS BASELESSLY ALLEGED TO BE LIKE CHRISTIANS

The signs of Christianity in the Shia religion is another taunt, which is not less painful. Honesty demanded that Ahmad Ameen penned down some reference, but probably he considered the sects like Khitabiyah, Gharabiyah, Alyaviyah, Mukmasah, Bazeeiyah and Ghullat, as Shias, though, like Qaramitah these apostate groups, have no concern with the Shias. The Imamia Shias and their religious heads are absolutely aloof from these schools of thought, because the aforesaid sects are not like christians, but they go on further to believe that the Imam is himself god, whether it is in the form of incarnation or passing into

another body etc. etc. Their faulty concepts have sufficient resemblance with the faith and beliefs of mystics. It appears from the statements of well-known mystics like Hallaj, Gilani, Rafa'ee and Badivi etc. that they thought that they had reached the stage which was higher than divinity and godhood.

Those, who believe in "Wahdat-ul-Wujood" (Pantheism) have also the same conceptions.

But the Imamia Shias who are crores and crores in Iraq, Iran and the subcontinent of India and Afghanistan, are, as Shia, free from such nonsense and regard the absurdities as infidelity and digression from the right path.

TRUE SHIA BELIEFS

Their religion is pure 'Tauheed' (Oneness of Allah). Neither they believe that Allah resembles any created being, nor do they tolerate that His perfect Attributes have any defect or undergo any change, rather they consider any concept which is the negation of His eternal Existence and pure Attributes, utterly wrong.

The metaphysical stock of the Shias is full of such high thoughts. In this behalf even the smallest look like "Tajreed" or some big books like "Asfaar" are worth studying.

Also there are thousands of other books, which have already been printed and most of their chapters negate the views of "metempsychosis"; "combination", "passing into another body" and "body", for Allah.

THOSE WHO WRITE ABOUT SHIAS DONOT PERUSE SHIA BOOKS

However the author of "Fajarul Islam" by levelling utterly false charges against the Shias has not done any useful service to the religion and the nation. Since we do not wish to pursue that book we should like to side-track other short-comings. And we have mentioned these few things only as a sort of example, so that the world may know what the condition of their ignorant masses would be when the ulema and authors of the majority community are fallen to such a state.

The difficulty is that the writers about the Shias, take the remotely placed authors like Ibne Khaldeon Barbari and Ahmad Bin Abderlyyah Undalusi as their source. Also the present day writers in their show of liberality regard "Wills" and Douzi etc. as an authority. But no one takes the trouble of attending to the stocks of learning of the Shias. The result is that when a shia goes through the books of these scholars he finds in them the same sort of absurdities about himself to which Raghib Ispahani has referred at some place in his book "Al-Mohaziraat".

The author writes:

EXAMPLE OF MISINFORMATION

"In the court of Jafar Ibne Suleman a Muslim

was giving evidence about some one's infidelity. When he was asked what he knew about the defendant. He said, "This man is Mo'tazali; he is Nasibi; he is Harvan, he is Jabri; he is Rafzi; he rails at Ali Ibne Khattab, Omar Ibne Abi Qahafa, Othman Ibne Abi Talib, and Bakr Ibne Affaan. Also he abuses Hajjaj, who pulled down Koofa on Abu Sufyan, and on the day of Qata'ef (Taf-Ashoora day) fought against Husain Bin Muaviyah". Hearing this Jafar said, "Damn you! I do not know in what thing of yours I should take pride—historical information, religious recognition, or geographical knowledge!"

THE FICTITIOUS FIGURE OF ABDULL BIN SABA

As regards Abdullah Ibne Saba, who is got attached to the Shias or attempt is made to attach the Shia sect to him, any Shia book can be studied and one will find, in all those books, declaration of contempt against him, rather the mildest words about him that will be found in the books written by Shia authors are: "Abdullah Bin Saba—curse be upon him". For details please refer to the Publication of the Peermahomed Ebrahim Trust, Karachi 05-11, namely "A FICTICIOUS FIGURE".

In this connnection some people hold the view that Abdullah Bin Saba was only a here of the stories like Majnoon, Aamiri, and Abu Hilal etc. During the middle period of the Amavi and

Abbasid rule, self-indulgence, and vain sports and play, had such a height that story telling had become the part of life of the residents of palace, and the indolent ones. Accordingly such stories were contrived.

SUCH MISGUIDED PERSONS UNFIT TO BE FOLLOWED

Our aim is not to analyse facts. But seeing the repeated attacks of the authors of the present age, we thought it necessary to introduce briefly the beliefs and faiths, important principles, the Articles of Practice, and common problems of the Shias. It should be noted that in the Shia religion the door of "lithad"

(Endeavour to arrive at Conclusion regarding any religious problem)

(personal verdict) is always open, and so long as there is no violation of "limaa" (consensus), the Book (the Holy Quran) Sunnah, and common sense, every "Mujtahid" (religious scholar of exceptional merit) is free in his opinion, but one, who violates these things and draws his own conclusion, will be considered misguided, and the opinion of such a man will be regarded as purely personal, individual and unfit for practice.

FUNDAMENTALS OF SHIAISM DESCRIBED PLAINLY

In these pages it is not possible to deal with all the problems in detail, so only those fundamen-

tals, which are the pivot of Shiaism, will be put forward, and in which there is no room for disagreements.

Not much attention will be paid to arguments and proofs, as it is proper only for big only aim is that all Also our the muslims individually and collectively, may know the real beliefs of the Shias, and, by attributing wrong faiths to their brothers, may not do injustice to themselves. Nor considering them evil spirits, demons, Jinn, beasts and monsshould they regard them as separate from their society, since by the grace of Allah the Shias of Haider-e-Karrar (Ali A.S.) are adorned with Islamic decencies, knowledge of the Holy Quran, blessings of faith, and kind manners, and have full belief in the Book (Quran), Sunnah, and the principles guided by wisdom,

Muhammad Al-Husain

Aal-e-Kashiful Ghita

Najaf-e-Ashraf

Jamadiul Awwal 1350 A.H.

(ORIGIN AND BELIEFS OF THE SHIAS+

BEGINNING AND DEVELOPMENT OF SHIAISM HISTORY OF BEGINNING

Shiaism is not a new religion. It begins with the begining of Islam. The decorator of the code of Religion, that is, the seal of the Prophets (S.A.) planted this tree along with Islam with his own hands, watered it and himself looked after it. The plant grew up to a green tree and began blooming in the life time of the Holy Prophet (S.A.). But it had not yet borne fruit, when the light of Prophethood was put out.

TRADITIONS OF OTHERS ABOUT SHIAS

It is not we alone to advance this claim. Even the eminent scholars of the world muslims are associated with us. For instance, Allama Siyuti in his famous commentary "Durre-Manthoor" says in connection with Allah's words "Hum Khairul bariyyah":

Ibne Asakir quotes Jabir Ibne Abdullah as saying:

We were present in the company of the Holy Prophet (S.A.) when Ali (A.S.) appeared from the front.

Seeing Ali (A.S.) the Prophet (S.A.) said: "I swear by Allah Almighty, Who is the Master of my life, that he (Ali A.S.) and his Shias, shall be successful on the Day of Judgement".

Ibne Adi reports from Ibne Abbas that when the verse "Innai Lazeena aamanu wa amelus salehaat" (Verily these are those who believed and did good deeds) was revealed the Holy Prophet (S.A.) said to Ali Bin Abi Talib (A.S.), "It means you and your shias, who will be happy and pleased on the Doomsday".

Ibne Mardawaih quotes Hazrat Ali (A.S.) himself as saying: "The Holy Prophet (S.A.) said to me, "O' Afi, Did you not hear what Aliah said: "Innal lazeena aamanu wa amelus salehaat ulaa'eka hum khairul bariyyah". Verily it means you and your shias. The promise between you people and me shall be fulfilled at the cistern of kauther; and at that time, when all the ummats shall be present to account for their actions, you people will be called being addressed as "shining-faced and bright-footed". These are Siyuti's altered versions of the reports.

Ibne Hajar Mecci also has reported some of these traditions in his 'Sawa'eq-e-Mohreqa' from Daarqutni. He quotes Umme Salma as saying: "O' Ali! You and your shias shall attain Paradise".

Ibne Atheer writes in connection with the word "Qumh" that the Holy Prophet (S.A.) said to Hazrat Ali (A.S.):

"When people will attend the Divine Court, your Shias will also come happy and glorious with you and the enemies shall be subjected to Alfah's wrath and their hands shall be tied with their

necks". After this the Holy Prophet (S.A.) by taking his hands behind his neck, said: "See they shall be tied up in this way".

Probably this tradition has been reported by Ibne Hajar also in his "Sawaeq" and other Ulema also have reported in different ways and that is the proof of its popularity.

In Zamakhshari's "Rabi-ul-Abrar" the following statement of the Holy Prophet (S.A.) has been recorded:

"O' Ali! On the Day of Judgement the Lap of Allah's mercy will be in my hand and my lap will be in your hand and your hand will be held by your descendants and the Shias of your descendants will be attached to their lap. Then you will see what orders we get", for further satisfaction it will be useful to study Ahmad Hanbal's "Musnad" and Nassee's "Khasaaes" etc. which contain a great number of such traditions.

The aforesaid traditions show that the Prophet of Islam (S.A.) spoke a number of times about the Shias of Ali (A.S.) and pointed out to their peculiarity that on the Day of Judgement they shall be safe and successful and shall appear well pleased.

Now it is worth considering that every one, who believes that the Holy Prophet (S.A.) was the embodiment of Truthfulness and that the verse "Ma Yantiqo-anil howa....." (He does not speak of himself unless 'Wahi' is revealed to

him), was revealed for him, he at least must have thought these statements to be the capital of faith and if for some reason the entire company wasn't prepared to side with Ali (A.S.) some of the companions, in order to attain those merits, must have been inspired with love for Ali (A.S.) If historical facts are fully probed, this hypothesis will gain sufficient strength.

VENERABLE COMPANIONS ATTACHED TO ALI (A.S.) CALLED SHIAS

We find that during the days of the Holy Prophet (S.A.) a group of the venerable companions was attached to Hazrat Ali (A.S.). Not only that every one of this group acknowledges the Holy Imam (A.S.) to be his spiritual leader, the real preacher of Holy Prophet (S.A.)'s teachings as also the true interpreter and commentator of the orders and secrets of the Prophet (S.A.) and is popularly known as a Shia.

Even the lexicographers support this truth. If you see the famous dictionary "Nahayah" and "Lisanul Arab", you will find the meaning of Shia as "one who loves and follows: Ali (A.S.) and his descendants".

REAL SHIA IS ONE WHO PERSISTANTLY FOLLOWS ALI (A.S.)

Now if attempt is made to let us understand that Shia means any person, who loves Ali (A.S.)

er is not his enemy, then the use of this word would be inappropriate, because only loving, or not being an enemy, does not mean that a person is a Shia of the other person, unless he has the charactertistic of persistent following and obedience and this is so crystal clear that those, who have some interest in Arabic literature, can easily understand it.

Probably in view of these realities every sensible man after attending to those traditions will draw the conclusion that the word Shia does not mean the general muslims, but it is a particular class which has special attachment to Haider-e-Karrar (A.S.).

SHIAS AS A GROUP SUPERIOR TO ALL OTHER MUSLIMS

After this explanation perhaps no fair-minded man will try to conclude that the above quoted traditions and other traditions connoting the same sense, do not prove the existence of a group, which, because of its special relation with the master of the Pious (Ali A.S.) was superior to all the Muslims of that time, who all expressed their love for him.

Personally, I am against the assumption that the Caliphs, who could not adopt this fact consciously violated the words of the Holy Prophet (S.A.). It is possible many of them did not hear these edicts, or those, who heard them, could not follow the aim of the Holy Prophet (S.A.).

MERITS OF SHIAS

Besides this, if the statements of the Prophet (S.A.) through which he has announced the rank and high position of Ameerul Momineen (A.S.) and the Holy Ahlul Bait, (A.S.) are studied with an open mind, it will be known that these reports do not only show merits of general nature, but there are clear hints towards the tognition, status and capability of the Chief of the Shiaism and the establishment and justness of that school of thought.

The following traditions may be cited as examples:

"Ali (A.S.) has the same relation to me as Aaron had to Moses".

"O' Ali ! Your friend is a believer and your enemy is a hypocrite".

"O' people of my ummat! I leave behind two heavy things——the Book of Allah and my progeny, my Ahl-e Bait".

"The Tradition of Ta'er (Bird): O' Allah! send your most loved one".

"Tomorrow I will give this standard to that man who himself loves Allah and His Prophet (S.A.)'s and Allah and his Prophet (S.A.) also love him".

"Ali is with Truth and Truth is with Ali".

These traditions are mostly taken from "Sahih Bukhari" and "Sahih Muslim" and there are thousands of such authentic reports. This small booklet cannot accommodate their details. Those, who are fond of research work, can study the famous book "Abqaat ul Anwaar" by Allama Syed Hamid Husain Sahib Lucknowi, which is ten times as voluminous as "Sahih Bukhari" and is just a master-piece of our research endeavours.

TRUE SHIAS REFUSE ALLEGIANCE TO CALIPH ABU BAKR

AFTER HOLY PROPHET (S.A.)

But when the Light of Prophethood was extinguished, a group of "Sahaba" started activities so that Caliphate might not go to Ali (A.S.) in any way.

The cause of this opposition might be the small age of the Holy Imam, or the feeling of rivalry among the Quraishis that Prophethood and Imamat might not be combined in the House of Banu Hashim, or there might be other causes, which are not worth being recounted here.

But both the sects agree that when allegiance was being taken from the Muslims Ali (A.S.) did not accept the authority of Abu Bakr and according to the learned Bukhari (Sahih'' chapter Ghazva-e-Khaiber) he did not pay allegiance till six months. Its immediate reaction was that some of the eminent companions like Zubair,

Ammar and Miqdad etc. also refused to pay homage to Abu Bakr.

The fact is that almost every one was aware of the truth that Ali (A.S.) had no craving for State nor desire to rule.

REASON FOR ALI (A.S.) NOT RISING IN ARMS AGAINST SUPPORTERS OF

The talk that he had with Ibne Abbas in "Zoogar" clearly proves to what way the son of Abu Talib (A.S.) was going. Ameerul Momineen (A.S.) had only one purpose in view and it was that "religion" might remain safe, "right" might prevail and "wrong" might be exterminated. The owner of Zulfigar (Ali A.S.) imbued with these high feeling resorted to protest only. He did not adopt any means to overthrow the Caliphate. Rather in view of leading and guiding the people to the Right Path he always helped the Government of the day with his illustrious suggestions, so that Islam might remain stable and religious commands might be known to all. And, if Ali (A.S.) had not adopted this course of action, not only the Islamic unity would have shattered, but the masses too would have been lost in to the labyrinth of ignorance.

The Shias too continued following their leader. And the spirit of the time demanded that differences should be ignored. For this very

reason, this sect did not try to go on as a sect during the regime of the first three caliphs. Ofcourse Ali (A.S.)'s friends silently observed the modus operandi of every ruler and the changing conditions, till at last the nation itself selected Ali (A.S.) as their leader.

ALI (A.S.) AS CALIPH

Ameerul Momineen (A.S.) took the seat of caliphate, but Ameer Muaviya revolted and sent out a large number of forces to Siffeen.

A group of Sahaba (companions) was, from the very beginning with the "Self of the Prophet" i.e. All (S.A.). Seeing this rising the rest of the companions also sided with the Holy Imam (A.S.). Eighty prominent companions like Ammar-e-Yasir, Khozaina Zush-Shahadatain and Abu Ayub Ansari, nearly all of whom were Badri and Aqbi, joined Abu Turab's (A.S.) party. Most of them sacrificed their lives for the Holy Imam (A.S.).

AFTER ALI (A.S.) MUAWIYA BECAME FREE TO PLAY WITH ISLAM AS HE LIKED

However, fightings continued and along with it Muaviya's intriguings also increased. Consequently Hazrat Ali (A.S.) was martyred. The ruler of Damascus took a sigh of relief. But now it was past remedy. Islam disappeared from

Muaviya's royal courts and the traditions of Gaisar and Kisra started reviving.

On one side there was Ali (A.S.)'s pieus way of life, devout manners and exalted character; and on the other side Muaviya's corrupt morals; Amr-e-Aas and Egypt's Governorship; Yazid and the tragedy of caliph-making; Ziyad and affiliation—these were such unconstitutional matters as had clearly shown Muaviya's mentality and then over-indulgence and extreme revelry, added further to show the deprayed condition prevailing there.

O' Allah' Q' Allah' We have before us the simple way of living taught by Islam and on the other side the pomps and vanity of the son of Abu Sufyan!

Amir Muaviya's kingly aspirations were fulfilled with the hard-earned money of the Muslims. The dining cloth of the Amavi palace with daintiest of foods, which is proverbially known even today, was the proof positive of their lickerish h bits as was known of the great king Jamshed.

A'I (A.S.)'S PIETY ACKNOWLEDGED BY MUAWIYA

Vizier Abu Sa'eed Mansur Bin Husain Aabi (died 422 A.H.) has recorded an event in his work "Nathrud-Dour". He writes:

Akhnaf Ibne Qais used to say that one day when he went to Ameer Muaviya, he put before him such a large number of varieties of food that

It was difficult to count them. He was bewildered to see all sthat, when Muaviya extended towards him one of the dishes, which he could not recognise. He asked what it was. The answer was....."the intestines of duck filled with brain, and fried in pistachio oil on which spices have been sprinkled". Akhnaf said that hearing this he began to weep. Muaviya said: "Why do you weep?" He replied: At this time Ali (A.S.) has come to my mind. One day I was sitting with the Holy Imam (A.S.). The time for breaking fast approached. The Imam (A.S.) ordered me to stay. Meanwhile a sealed bag was brought. I asked: "Sir, what does it contain?"

The Imam (A.S.) said: Powdered barley". Said I: "Was there any fear for theft?" O' Ameerul Momineen: Or is it because of financial stringency that it has been sealed?" There is none of these reasons": said he, "the reason of this care is only the thought that my sons Hasan (A.S.) and Husain (A.S.) might mix this powder of barley with Ghee or olive oil". I again asked: "Is Ghee or olive oil unlawful?" The Holy Imam said: "It is not unlawful, but for the true imams it is necessary that they remain attached to the ranks of the poor masses, so that indigence and want may not make this poverty-stricken class rebellions."

Muzviya said: "Akhnaf: You have at this time reminded me of a person, whose supreme merits are difficult to be denied".

In Zamakshari's "Rabiul Abrar" and other compilations many such events are present.

MUAWIYA GETS EXPOSED THROUGH HIS DEEDS

Yes, Ameer Muaviya's bad nature could not do without these unlawful actions. He had an inner desire to reach the height of wickedness. So he broke all the promises that he had made to Imam Hasan (A.S.) and at last got the Prophet's grandson Hasan (A.S.) poisoned. As a result of this state of affairs and these events, the Muslims began to look at Syria's politics with scorn and contempt and the honest men had to decide that Ameer Muaviya was only a man of the world.

Rather he himself acknowledged this truth. In Zamakhsharis "Rabiul Abrar" the following statement of the ruler of Syria is still present:

"Abu Bakr wanted to keep aloof from the world and the world kept aloof from him. Omar tested the world and the world tested him. As to Othman he took hold of the world and the world also madly pursued him; and I at every step tried heart and soul to make it a bed of roses. The result was that I became of the world and the world became mine?.

SINCERE PERSONS RECALL AND DESCRIBE ALI (A.S.)'S MERITS

in short, on one side, the people's bent of

mind was changing and on the other, the companions of the Prophet (S.A.), who were present at that time, were letting the general muslims know the superior merits, virtues and characteristic of Ali (A.S.) and his descendants, which they had seen with their own eyes.

Who will not recall the sight, when the Prophet of Allah (S.A.) was making his loving sons sit on his holy back and was saying: "What to say of your mount! it is the best mount! and what to say of you! you are the best riders!" And would not these words, as pure as "Wahi" (revelation)—"Hasan and Husain (A.S.) are the chiefs of the youth of Paradise"—be persistently demanding their publicity?

Truth has a right to spread and, those, who have a sense of Truth in them, are desirous of speading it.

WAY PAVED FOR SHIAISM

The result of this state of affairs was that the common muslims began inclining towards Shiaism and opportunities were created for the advancement of this sect.

But, in fact, the greatest cause of the advancement of Shiaism was that bloody event, which revolutionized the Islamic world. This woeful event of 61 A.H. which is known as the Tragedy of Kerbala was the most impressive of its kind. The effects of the martyrdom of Husain (A.S.) were generally felt. The companions like Zaid Ibne Arqam, Jabir Ibne Abdullah Ansari, Sahi Ibne Sa'd Saa'edi and Anas Ibne Maalik were also alive. The pain they felt had no bounds and in view of their duty and love they intensified their efforts to spread the superior merits of Ahla Bait (A.S.) The Omayyad tyrannies pursued them and these remaining Sahaba were also victims of sword and poison. But the sigh of the oppressed does not go in vain.

TO ALI (A.S.) AND AHLE-BAIT SPREADS

These events were not such that the nation might not pay heed to them. They keenly observed them with the result that groups and groups of people began to declare their love for Ali (A.S.) and his descendants and the numerical strength of the Shias increased by leaps and bounds. With the same rapidity with which the tyranny of Bani Omayyaa was increasing, the love for Ahle Bait was also being enshrined in the hearts of the general people. The descendants of Omayya tortured too much, tyrannized to the extreme, but every action has its reaction. The Omayyad actions also produced their reaction and it was a very intense reaction.

Sho'a'bi says to his son: "O' my son: The world could no harm to the values, which religion raised, but those things, which were made and adorned by the world, were all destroyed by

eligion. Just think over Ali (A.S.) and his affairs. What did the descendants of Omayya spare? They concealed the merits of Ahle Bait. They tried to hide the realities and left no stone unturned to sing praises of their ancestors. But all their plans were reversed. That is, the Aalee-Omayyah were humbled to the dust and the name of Aalee-Mohammad grew brighter and brighter".

Though Sho'a'bi was known as an enemy of Ali (A.S.), yet these words of truth came out of his tongue and were preserved in history.

PEOPLE IN DILEMMA WHETHER TO LOVE OR NOT TO LOVE ALI (A.S.)

Zamakhshari in his "Rabiul Abrar" reports the statement of Sho'a'bi :--

The condition was very perplexing—if we loved Ali (A.S.) there was fear of murder and if we were hostile to him, our ruination was certain.

However there were ceaseless troubles and worries till the Sufyani throne went to the control of Marwani ruler Abdul Malik. But who was this Abdul Malik? Oh! he was that monster, by whose order Hajjaj razed the Holy House of Ka'ba to the ground and set fire to it; mercilessly put the residents of that sacred place to the sword, having killed Abdullah Ibne Zubair in Masjidul Haraam, desecrated that holy place

and having entered into an agreement with his cousin Saced Ibne Ashdag, killed him.

Tell us frankly O' reciters of Kalema (Muslims). Can the perpetrator of such heinous crimes be called a Muslim, not to speak of his being called "Khalifatul Muslemeen" (the caliph of the Muslims?

ANTI-SHIA ACTIVITIES OF RULERS PERSIST ALL THROUGH

In short, the entire rule of Aal-e-Marwaan was running on the same lines and except Omar Ibne Abdul Aziz, every ruler showed the same outrageous spirit. Thereafter follows the rule of Bannu Abbas. During their period the height of tyranny far exceeded that of this age (of Aal-e-Marwan)

A poet of that time says :

"We wish we had been suffering the pangs of Aal-e-Marwan's oppression for ever. May the justice and equity of the Abbasids go to hell".

How mercilessly the blood of the sadaat (descendants of the Prophet S.A.) was spilled; What strange ways were adopted to annihilate them; The literature of that time presents before us a picture of things prevailing there. The poets, in different ways, have laid their tyrannical acts. What a true picture has been drawn by a poet of Mutawakkii's age: He says:

"Allah be my witness that if the descendants of Omayya so cruelly martyred the grandson of

the Prophet (S.A.) these Abbasids, who call themselves the descendants of the Prophet's (A.S.) uncle, in no way lag behind the Omayyad family in oppression and tyranny. Just see these tyrants have even demolished the grave".

Yes, ofcourse, the Bani Abbas are repentant, they feel regret now that along with Banu Omayya they did not take part in spilling the spotless blood of Iriam Husain (A.S.). And now they have tried to make amends by pulling down the grave of the oppressed Imam (A.S.).

These were a few examples of the character of the Bani Umayya, Aal-e-Marwan and Abbasid kings.

Now on the other side, if you cast an eye on the pure life of Ali (A.S.) and his descendants, you will come to know why Shiaism spread and how it spread. Also the truth will be revealed whether Shiaism was the innovation of the Iranians, or the ingenuity of the Saba'ees, or it was the simple and straight way shown by Islam and Mohammad (S.A.).

DESCENDANTS OF ALI (A.S.) STUCK TO THE RIGHT PATH UNSWERVINGLY

After the martyrdom of Syedush Shuhada (Chief of the martyres) Imam Husain (A.S.) Imam Zainul Abideen (A.S.) was the Head of the Alavi family. The world knows that after the Tragedy of Karbala the Holy Imam lived a

secluded life. His life was mostly spent either in worship to Allah or in giving moral lessons and spiritual guidance to the people.

Highly pious and devout persons like Hasan Basri, Ta'oos-e-Yamani, Ibne Seereen and Amr Ibne Obaid, were products of this very school.

In this connection it should also be noted that the Muslims got a timely and great help from the moral institution of Syed-e-Sajjad (A.S.), since the people of the age had been driven far off from the paths of reality.

Imam Zainul Abedeen (A.S.), was succeeded by Imam Muhammad Baqir (A.S.) who also presented examples of the same noble character. His legacy was handed down to Imam Jafares Sadiq (A.S.).

GOLDEN AGE OF IMAM JAFAR SADIQ (A.S.)

The age of Sadiq--Aale Muhammad (A.S.) was comparatively more favourable, because Omayyad and Abbasid powers had been exhausted. Feebleness had appeared. The occasions for open tyranny and oppression had become rare. Accordingly the suppressed truths and hidden realities, rose like sun and diffused like light.

Those, who had been living under "Taqiyya" on account of fear and danger of life, also disclosed their identity. The atmosphere was well-disposed end the ways were even. The Holy

Imam (A S.) spent day and night in preaching and giving sermons and this was the chain of preaching and sermonizing, which was connected with the teachings of Muhammad and Aale-Muhammad (S.A.). The teaching of the truth was within the reach of every common man groups and groups of people began to accept the Jafari religion. This age is called the Golden Age of the Propagation of Shiaism, because before this, the Muslims were not openly inclined towards Shiaism.

This academy of learning was like a flowing river, where people in quest of knowledge came to quench their thirst and also satisfied ethers.

According to Abul Hasan Washaa "I personally saw a crowd of four thousand ulema (scholars) in the Mosque of Koofa and heard all of them saying: "This tradition was related to us by Jafar-e-Sadiq (A.S.)".

THE CONTRAST BETWEEN OMAYYA'S WANTONNESS AND ADHERENCE TO RELIGION BY HOLY IMAMS

Bani Umayya's and Banu Abbass's wanton love for power, their stormy violence, extreme worldliness and unlimited indulgence in luxuries and on the contrary the love for knowledge of the descendants of Ali (A.S.), their devotion to Allah, their truthfulness and their abstaining from wrong politics—were so conspicuous and

potent causes that they led to the expansion of Shiaism faster and faster.

Now it goes without saying that the people of the world die for its attainment. Nevertheless they have sufficient feeling for different branches of learning, cognition and the dignity of religious matters and the period, of which we are talking was not only close to the period of the Holy Prophet (S.A.), but also the minds of the Muslims of that time, were Imbued with the impression that the Islamic way of life was endowed with countless blessings. The Quranic teachings gave them the advantages, which they could not even think of, before. It was Islam, which conquered Qaisar and Kisra. It was in the name of Islam alone that they were the rulers of the East and the West. Besides this they also knew that there was sufficient liberality of views in this religion. If the modus operandi is lawful, it does not restrain any body from gaining worldly wealth. This religion is, in fact, full Mercy.

These inner feelings were really the hidden stimulii, which made the masses inclined towards religious learnings.

CRAVING FOR RELIGIOUS LIFE

If they were not perfectly inclined, they must have developed some fondness for it. Some of them must be wanting that they should mould their social life according to the light of the religious commandments. Some must be enter-

taining the desire that their entire commandments. Some must be entertaining the desire that their entire culture should be completely Islamic and some of them must have been aspiring at least to adapt themselves, in their demostic life, to the true laws. But where did they gain this learning from? Could they get it from the counts of the Despots, who were wearing the badges of Khalifat-ul-Muslemeen (Caliphs of the Muslims) and that's all. But there these values were non-existent.

Then where could they get it? Ofcourse, the desire of those, who sought after it, was fulfilled The descendants of Mohammad (S.A.) were the treasure house of Quran and the repository of knowledge and learning. It is because of these merits that the impressions of their superiority were stamped on the minds of the common people; rather the muslims began to believe that these very persons were the true heirs of the Holy Prophet (S.A.) and the right of Imamat went to them alone.

GREAT SACRIFICES BY EARLY SHIAS

Now this faith grew so firm that those, who joined this class, defied all dangers of the world. Most of the Shias in their practical life appear to be immeasurably brave, valiant and inspired with the spirit of sacrifice. For instance Hajar Ibne Adi Kindi, Amr Ibne Himq Kruza'ee, Rushaid

Hajari and Abdullah Ibne Afeef Azdi, etc. were the stalwarts, who on various occasions, regularly confronted the antagonists. They fared admirably well. Though the opposite group was materially more powerful, yet the moral strength of these people showed what the strong armies could not do. That is to say, their sacrifices, on the one hand shook the stately mansions of the oppressors and on the other, changed the side of the intellect and way of thinking of the masses.

Now let somebody tell us why these chivalrous men played with death in this way. Did they
expect any worldly gain from the descendants of
Muhammad (S.A.)? Or, were they afraid of the
loss of life and property? History will answer
both these questions in the negative, because the
sons of Ali (A.S.) were themselves bereft of
material means. So what could they give or
take? Nothing. To speak the truth the luminious hearts of these fighters were filled with the
pure sentiments of strong faith and perfect
sincerity and it was these very sentiments which
at times erupted like any thing.

MEN OF LITERATURE PREACH SHIAISM

Again, if you cast a look at the literary men of the first and second century Hijri, you will find that, inspite of hope and despair, the poets of the time, appear expressing their aversion towards the kings of their aga and their misdaeds and are

all praise for the Ahle Bait of Mohammad Mustafa (S.A.).

Although a poet foreseass his good or ill in a better way, here his thoughts appear against the ruling Caliphs and in favour of the true Imams (A.S.). You may go on observing from Farzdaq, Kumait, Syed Humairi, De'bil, Deek-ul-Jin and Abu Tamaam Balarri, to Abu Faraas Hamdani and you will find all of them full of praise for the holy progeny.

The following couplet of Abu Faraas clearly shows how the poets of that age felt at that time.

"Religion has been shattered to pieces. Truth has become the victim of oppression and the share of the descendants of the Prophet of Allah divided (usurped)".

De'bil says: "I have been waiting for courting death for forty years, but no one has yet accepted to be the Killer". Debil has railed at Rashid, Ameen, Mamun and Mo'tasim, to his heart's content and on the contrary, has composed great many panegyrics in praise of Imam Jafar-e-Sadiq (A.S.). Imam Musa Kazim (A.S.) and Imam Reza (A.S.) and they are quite well-known.

EFFECT OE SINCERE SACRIFICES

But were they all endangering their lives in vain? Were they giving up all their case and

comfort without any rhyme or reason? There must be some cause to it.

When we examine the causes and motives, we find that it was only the truthfulness of the descendants of the Prephet (S.A.) which, made the sensible minds despise the sky-high golden palaces and attracted their attention towards the Holy "Verse of Love".

The discourse of this can go further, but this much is sufficient to clear the point. The aim of this introduction was that some realities about the origin and rise of Shiaism may be known. Probably nothing has been left ambiguous in this behalf. We have only given a brief and true account of facts. We repeat that Shiaism was started by the Holy Prophet (S.A.) himself and its spread and propagation is a chain of facts and events, each link which is connected with the other; and it is a series of causes and motives, connected with regular sequence.

THE FUNDAMENTALS OF RELIGION

Before we deal with the Roots and the Articles of the Faith in separate topics, we divide all the problems according to the common faith, in a generalized way, in five principles:

- I. Gnosis or knowledge of Allah.
- 2. Identification of His Preacher.
- 3. Problems of worship.

- 4. Doing good actions and refraining from bad ones.
- 5. Belief in M'aad, (Day of Judgement) and Punsihment and Reward.

Thus there are two branches of Religion— Theoritical and Practical.

Generally speaking "Islam", and "Iman" (i e. Faith), are synonymous.

"Tauheed" (Oneness of Allah), Prophethood and M'aad (Day of Judgement) are the three basic "Arcaan" (pillars) of Islam. If any one denies any of these "Arcaan", he is neither a Muslim nor a Believer and if he believes in them, he will be counted among the muslims according to the dictum of Allah Almighty :- "He who believes in Allah, His Prophet and the Day of Judgement" and shall be entitled to get all the rights of the mus-But according to another holy verse: "One who believes in Allah, His Prophet and also performs good actions" and as clarifled : "Imaan (Faith) is the name of "Belief in heart, verbal acknowledgment and performance of fundamental acts", the words "Islam" and "Imaan" create a particular sense; and so another "rukn" (pillar) is added-that is those obligatory acts, on which depends the entire Islamic way of life. These obligatory acts are of five kinds :

(1) Namaz (Prayers), (2) Fasting, (3) Zakaat (annual poor-rate), (4) Haj and (5) Jehaad (Religious war),

In connection with "Islam" and "Imaan", we have used the words general and particular. Its reason is that there are two kinds of Islam and Imaan.

GENERAL, ISLAM AND IMAAN: AND PARTICULAR ISLAM AND IMAAN

This division is based on this instruction of Allah Almighty. "The Arabs say that they have embraced "Imaan", O' my Prophet: Let them know that they call Imaan is not Imaan, but Islam. Imaan has not even entered their hearts". For further elucidation, he says in another verse: "Verily, the believers are those, who accepted faith in Allah and His Prophet and never after that entertained any doubt; also they performed "Jehad" with their life and wealth in the way of Allah—they alone are the true Believers".

Now we can say that "Imaan" really means the combination of "acknowledgment" (words), "Belief" and "action".

This was nut-shell of the basic theories of the Muslim masses. The Shias have added another "Rukn" (fundamental) and increased it to five principles. This basic problem is the faith in Imamat.

DIVINE VICEGERENCY

According to Shia point of view, Imamat like, Prophethood, is a divine vicegerancy. Just as

Allah Almighty choses any one He likes from amongst His servants for the great rank of Prophethood of Messengership in the same way no one has any authority for Imamate. Allah Almighty Himself connmands His Prophet to announce the Imamat (spiritual leadership) of the selected person.

The Prophet according to divine command, for the completion of religious duties, make his chosen person, through an express verdict, the leader of mankind. The only difference between Prophet and Imam is that the Prophet received "Wahi" (revelation) from Allah and the Imam through a special blessing, receives commands from the Prophet. So the Prophet is the Messenger of Allah and the Imam is the Messenger of the Prophet.

Imamat consists of Twelve Holy Personalities. Every Imam appointed his successor Imam through a 'Nus' (direction).

INFALLIBILITY

Like all Prophets the Imam are also infallible, so that there is no possibility of their committing any sin. The infallibility of the Imam is clearly proved from what Allah Almighty says in the holy Quran: "Verily, I make you an Imam for mankind. He (Abraham) said: "And of my off spring?" He said, "My convenant reaches not the unjust".

SUPERIÔRITY

Besides this, an Imam is superior to the entire world in all the matters of knowledge and qualities, since the very purpose of Imamat is that humanity may be exalted to the highest stage and the human selves (souls) may be adorned with knowledge and good actions. What has been said in the Holy Qur'an about Prophet bood that the Prophets have been sent to the people as His signs, to teach them the Book and the wisdom, is equally applicable to an Imam also, because an imperfect person cannot make any one perfect. What one would give to another, when one does not possess anything himself. A misguided one cannot guide any one.

So in view of merits, an Imam is a little below the Prophet and much higher than the human being.

MOMIN AND MUSLIM

So according to the above interpretation if some body believes in Imamat he will be called, according to the Shia point of view, a "memin" (faithful) in the special sense. And if some one acknowledges the four fundamentals, which are the centre of faith of the common muslims, he will be called in the general sense a "muslim" and memin" and, as has been said earlier, all Islamic laws shall apply to him. The protection of his life, property, respect and honour is obligatory.

By only refusing to acknowledge Imamat, a person cannot be excluded from the Islamic fold. Ofcourse it will be known on the Day of Judgement, and in the stages of "Qurb" (nearness to Allah) and "Karamat" (miracles) this faith will show its efficiency.

All the mustims are equal in the world and are mutual mates, Of course, in the next world there will certainly be defference of ranks. They will get places according to performance and intention. Well! the last decision is in Allah's hands. Why should we be involved in these discussions?

IMAMIYAH

It was just being explained that the mark of distinction that the Shias have among the general muslims is due to the fact that they believe in the Imamat of the Twelve Imams and, it is for this reason that this sect is called "Imamiyah".

It should be noted that all Shias are not Imamiyah, because the word Shia applies to Zaidiyyah, Isma'iliyah, Waqifiyah and Fat'hiyah etc. also. These are those sects, which are included among muslims. But a more carefu! study of facts will show that there are many other such sects as are totally excluded from Islam. Still, however, they are called the Shias, for instance, Khilabiyah etc. and in this way a list of hundred or more sects can be prepared.

But at the present time the word Shia specifically refers to the Imamiya sect; which is the biggest organisation in the world of Islam after the Sunnis.

THE TWELVE IMAMS (A.S.)

In Islamic studies the faith in the Twelve Imams is not anything new. Its record is present in all the reliable and authentic books of Muslim authors. Imams Muslim and Bukhari, have narrated the Tradition of Twelve Imams in their "Sahih" in different ways. A few of them are reproduced here.

- I. Jabir Ibne Samrah says, "One day when I went to the Holy Prophet (S.A), alongwith my father, the Holy Prophet (S.A.) said, "This Administration (of the universe) shall not come to an end until the Twelve Caliphs have passed". After this the Prophet (S.A.) said something silently, which I could not hear. I asked my father what the Prophet of Islam (S.A.) had said further. He said: "The Holy Prophet S.A.) says that all of them shall be from the Quraish".
- Another tradition says: "So long as there are Twelve Authorities this system will go on running".
- 3. So long as there are the Twelve Caliphs the grandeur and majesty of Islam shall exist.
- 4. Allah knows who these Twelve Caliphs are. In the whole Muslim world the Holy Prophet's (S.A.) statement is well known that "After me Caliphate shall remain for thirty years, Then it will become the object of deceit and fraud".

Here we do not want to enter into discussion and argument. We have to dwell on beliefs. If some one wants the complete proof of the Twelve Imams, he can study thousands of those volumes, which have no parallel in polemics.

THE BASIC PROBLEMS BELIEFS AND ACTIONS

From the Shia point of view religion is divided into two branches: Knowledge and Practice. That is, some problems, concern wisdom and some problems concern body. Those problems, which cencern knowledge, that is, wisdom, are called "Usool-e-Deen" (Fundamentals of Religion) and they are Five: (1) Tauheed (Oneness of Allah) (2) Nabuwat (Prephethood). (3) Imamat (Vicegerency) (4) Adl (Justice) and (5) M'aad (Day of Judgement). We throw light en each topic separately:

TAUHEED (Oneness of Allah)

According to Imamia faith every conscious person's moral duty is to know his Creater and have His cognition. He should believe in His Oneness and Divinity and should make no one as His partner in His Actions. He should also believe that creation, sustenance, death, life, origination and annihilation, are governed by Him alone. Rather in this universe He is All-Pervading. And if semebedy ascribes sustenance, creation or death and life to anyone else except Allah, he will be considered an infidel, polytheist, and excluded from the Islamic fold.

Similarly in obedience and worship to Allah sincerity is necessary. That is, if somebody worships anything else other than Allah Almighty, adores someone or something else, or considers it a means of nearness to Him, he also according to Imamiya faith shall be regarded as infidel.

Worship to anyone except Allah, the Onewithout any partner, is not lawful. Also obedience to anybody except Allah Almighty, the Holy Prophets, and the Holy Imams is not permissible.

Obedience to the Prophets and the Imams is indirectly Allah's obedience, because they are the preachers of divine commands. But to obey them with the idea that it is Allah's worship is unlawful and purely a satanic deceit.

Of course, to seek blessings from these revered personalities and make them a means between ourselves and Allah and also to offer Allah's prayers at their mazaars, is lawful, because this is Allah's worship and not their's. And this is quite an obvious difference. According to the holy words of Allah Almighty "The Houses which were permitted by Allah to get high and in them His prayer is offered" it is lawful to offer prayers to Allah in these sacred places. This is the faith of "Tauheed" of the Imamia sect, which is unanimously supported by all our Ulema.

In fact the problem of "Oneness of Allah" is much more important than what we have described. It has been divided into several classes e.g. "Tauheed-e-Zaat" (Oneness of Personality)", "Tauheed-e-Sifaat" (Oneness of Attributes) Tauheed e-Afaal" (Oneness of Actions) etc. Since we want to be brief, we should not like to dwell at length on this topic.

PROPHETHOOD

About Prophethood the Imamia Shias believe that all the Prophets are appointed by Allah and all of them were sent by Him and they are His exalted servants. They were sent to guide the world and Hazrat Muhammad Mustafa (S.A.) is the "Seal of the Prophets" (The last one) and the Chief of all the Prophets. He was perfectly infallible. He was free from sin and deviation. All his life the Holy Prophet acted according to the will of Allah Almighty and the All-Mighty Allah let him go on a trip from Masjid-e-Haraam to Masjid-e-Aqsa. From there he went bodily to 'Arsh' and 'Kursi' and reached even beyond the "Hujub" and "Suradiq" (Hightest point beyond the heaven of heavens) and thus was he the measure between two bows or nigher still.

MOHAMMAD (S.A.) IS THE LAST PROPHET

Also it is the firm faith of the Imamia Shias that after Hazrat Muhammad Mustafa (S.A.) whoever claims Prophethood or revelation of "Wahi" for himself is an infidel and liable to be put to death.

QURAN IS COMPLETE

The Book, which is at this time in the hands of the Muslims, is the same Guide, which Allah Almighty revealed as a Miracle and through it religious commands have been given. There has been no addition or deduction in it. The Muslims, who believe in "Tahrif" (changes) in it are wrong, because it violates the Quranic declaration. "We have revealed the Book and We are its Protector".

All the "Ulema" religious heads) are unanimous on this point and if there is any tradition against it, it is unauthentic, because the tradition, which came down to us through solitary sources cannot be useful to us in our knowledge and action. In other words they cannot be relied upon.

IMAMAT

Imamat! That is the distinguishing problem, on account of which the Shia sect seems to be aloof from all other sects and that is the basic and fundamental difference, which separates this school from other schools of thought. The other differences besides this are not fundamental, but they are "Furoo'ee" (branches about Articles of Practice). Such differences of secondary importance are present among the Imams (Religious Heads) of the majority community of the Muslims. For

instance, a large number of problems of the Hanafis do not correspond with those of the Shafe'eys and vice versa. According to the Imamiya sect Imamat is the divinely ordained rank, which is, like Prophethood, endowed by Almighty Allah for the guidance of the people and it is their belief that Allah Almighty ordered his Prophet S.A.) to appoint Ali Ibne Abi Talib (A.S.) as his successor, so that after the end of the Prophethood the mission of preaching might be continued.

The Holy Prophet (S.A.) knew that this rank would be looked at with displeasure by others. Many of them would think that it was due to brotherly love, or regard for the son-in-law

DECLARATION OF ALI (A.S.) AS IMAM

It is quite obvious that from that time till the present age the Muslims do not appear to be unitedly faithful in the matter of the Holy Prophet's true selflessness and genuine impeccability. But the All-Pewerful did not care about it and declared in very clear words "O' Prophet (S.A.)! Deliver immediately what you have been commanded from your Lord and if you do it not, then (it will be as if) you have not delivered His message (at all)". So there was no way out except obedience to the command. Accordingly the Holy Prophet (S.A.) after his "Last Haj" gathered the people at "Ghadeer-e-

Khum" and addressed them thus: "Am I not better than the self of every believer present here?" (That is: Is my self not superior to the selves of all others?).

Then all of them said with one voice: "Certainly the Prophet of Allah! You are superior to all of us".

After these evidences the Holy Prophet (S.A.) sald, who so ever has accepted me as his Master this Ali is his Master. ..."

Besides this the Holy Prophet (S.A.), on various other occasions also clearly explained this reality, some times by implication and sometimes quite openly. The prophet (S.A. performed his duty and Allah's command was carried out.

ALI (A.S.) OPPOSED SOON AFTER HOLY PROPHET (S.A.)

But as soon as the Holy Prophet breathed his last, some Muslims tried, with great boldness, to hide the reality. They misconstrued the open declaration and through their personal interpretation began to make changes in the religious commands. What was its result is quite well known.

However, Ali (A.S.) and his group, which comprised high-ranking "Sahabis' (Companion:) kept aloof from this self made attitude and refused to offer allegiance.

ALI (A.S.) OPPOSED MUAWIYA TO PROTECT RELIGION

So Ameerul Memineen (A.S.) remained silent for some time, only for religious considerations, but when Muaviyah tried to bring the Islamic rule and authority under his subjugation and started destructive activities, Ameerul Momineen set himself against him because to support a man like Muaviya and tolerate his wrong policies was a deadly poison for Islam and to protect the Divine Religion was the foremost duty of Hazrat Ali (A.S.).

SHIAS ARE LOVERS OF ALI (A.S.)

In short, the Imamias believe that they are with Ali (A.S.) and are his followers. Of whom Ali (A.S.) is a friend we are his friends. Of whomever Ali (A.S.) is an enemy, we also are his enemy.

This faith is based on the Holy Prophet's words: "O' Allah! Be a friend of one, who loves (Ali A.S.) and be an enemy of one, who is an enemy of Ali (A.S.).

The Imamia Shias believe that Almighty Allah never leaves the world without any Prophet or Wasi" (successor), whether this "Proof" is apparent or hidden.

IMAMS ONE AFTER THE OTHER

The Holy Prophet (S.A.) through an explicit ordinance, made Ali-e-Murtaza (A.S.) his successor. Ali (A.S.) made Hasan (A.S.) his successor,

and Imam Hasan (A.S.) made his brother Imam Husain (A.S.) his successor. In this way this chain continued till the eleventh Imam. The Eleventh spiritual guide Imam Hasan Askar (A.S.) was succeded by his somethe twelfth Imam, Imam of the age, the Awaited one (A.S.); Vicegerent of Allah.

This faith is not an innovation of the Shias, rather it is a divine practice, which started from Adam (A.S.) and continued till the Last Prophet (S.A.).

BOOKS OF REFERENCES ON IMAMAT

On this topic there are innumerable books written by eminent Ulema. We give below the names of some high-ranking ulema of early centuries, who have written under -the caption "Wasiyaat" (succession).

- I). "Al-Wasiyyah" Hisham Ibnul Hakam.
- 2). "Al-Wasiyyah" Hussain Ibne Saced.
- 3). "Al-Wasiyyah" Ali Ibne Miskeen
- 4). "Al-Wasiyyah" Ali Ibne Mugheera.
- 5), "Al-Wasiyyah" Ali ibne Hussain Ibnul Fazi.
- 6). "Kitabul Wasiyyah" ibrahim Ibne Muhammad Ibne Saeed."
- 7), "Al-Wasiyyah" Ahmad Ibne Muhammad Khalid Al-Barqi, the author of Al-Mahassin.
- 8). "Al-wisiyyah", the great historian Abdul Aziz Ibne Yahya Al-Jalmoodi.

Most of these writers belong to the first and second centuries. The number of compilations of the third century Hijri is also fairly well. For instance:

- I). "Al-Wasiyyah" Yahya Ibne Mustafaad.
- 2). "Al-Wasiyyah" Mohammad Ibne Ahmad Al Sabooni.
- 3). "Al-Wasiyyah" Ali Ibne Ra'aab.
- 4). "Al-Wasiyyah" Mohammad Ibnul Hasan Ibne Farookh.
- 5). "Kitab-ul-Wisiyyah wal Imamah" The well-known historian Ali Ibnul Husain Al-Mas'oodi, the author of "Morujuz-Zahab".
- 6). "Al-Wasiyyah" Shaikhut Ta'afah Mohammad Ibnul Hasan Al-Toosi.
- 7). "Al-Wassaya" Mohammad Ibne Ali Al-Thalghamani.
- 8). "Al-Wasiyyah" Musa Ibnul Hasan Ibne Tanir.

And the books, which have been compiled after the fourth century, can hardly be counted.

Masoodi in his famous book "Ithbaat ul-Wasiyyah" writes :-

"Every Prophet had Twelve Successors". The writer has also given the names of all of them and has written brief life-sketch of each and at the end he writes about the Twelve Imams. This book has been published in Iran.

EXISTENCE OF THE TWELFTH IMAM Ofcourse about the existence of the Twelfth

Imam the Shias have been the target of attack from both Muslim and non-Muslim groups. So we should like to explain this reality also in a few words.

The objectors think that the Shias believe in a baseless and ridiculous thing. But when we examine the view-point of these critics, we find that it is based on two silly questions:

The first question is this: "How can a person naturally live for more than a thousand years"?

The second question is; "What advantage is being gained from his disappearance?" and "What is the use of a hidden Imam for his existence and non-existence are both equal?"

As to the first query, we should like to draw the attention to Prophet Nooh's age:

PROPHETS WITH LONG LIFE

According to Quranic clear statements Prophet Nooh lived for 950 years among his ummat and according to the opinion formed by the Ulem his age was at least one thousand six hundred years and a number of far-sighted scholars have gone so far as to say that he was 3000 years old.

The traditionists of the majority community acknowlege the longevity of other persons also, besides Nooh (A.S.). The great Traditionist Hoedi in his book "Tahzibul Asmaa" writes,

"Though there is difference of crinion among the ulema about the age and Prophethood of Hazrat Khizr (A.S.), yet the majority of scholars admit that Khizr is present. And the Soofis unanimously declare that he is still alive and innumerable stories about his meeting the people their questions and answers etc. are quite well-known".

Shaikh Abu Omar Ibne Salaah writes in his "Fatawa" "The majority of the ulema decided that Hazrat Khizr is alive. But some of the traditionists do not accept it".

Perhaps at another place he writes and Zamakhshari, also has written in his "Rabiul Abrar", that the muslims are unanimous in the belief that four Prophets (A.S.) are still alive and are present. Two of them are on the sky, that is Eisa (A.S.) and Idrees (A.S.) and two are on the earth and these are Khizr and Ilyas.

Hazrat Khizr was born in the time of Ibrahim Khalil ullah (A.S.). There have been many of those persons who crossed the limits of their natural life and lived for hundreds of years.

Allama Syed Murtaza has written in his "Emaali" about some persons and Sadooq (A.S.) has given even a longer list in his "Ikmaluddin".

OTHER PERSONS WITH LONG LIFE

Even in the present age we find some people, who lived for hundred and thirty years and some lived even lenger.

And listen! if you take it logically you will find that the person who, has a tendency of saving his life for one day, can also prolong his life for several thousand years. At the most you can call it something super-normal. Let that be so! Then is super-normality in the case of Prophets and "Oulia" saints) a strange things?

Just turn over the pages of the old volumes of "Mujalla-tul-Muqtatif" and you will find that they are full of articles written by the western scholars, who have scientifically proved that man can attain eternal life in the world. And some of the western thinkers say:

"If Ibne Muljim's sword were not there, Ali Abi Talib (A.S) would have lived for ever". It is because the holy Imam was endowed with all the qualities of excellence and normality. Much could be added in this topic but there is no room for that.

BENEFITS OF TWELFTH IMAM (A.S.)

About the second objection we would ask: "Does this nation want to know all the advantages and benefits of the divine Will? Do they want to know all the secrets of the world and of the religious orders?" If that is their wish, then come on! But we must carefully think whether under the screen of expediency there is also hidden some other secret.

A piece of stone cannot give any benefit or cause

harm. Nevertheless we kiss the Hajar-e-Aswad (Black Stone). Now let us know: "What is the wisdom hidden behind it!".

"The "Maghrib" prayers are offered in three rakats (units). The "Ishaa" prayers are performed in four units. The morning prayers consist of only two units. Now let us know what expediency there is in all this.

Also you should believe that there are a large number of those matters of which neither any archangel or prominent Prophet has any knowledge, for instance, the knowledge of "the Hour", as said by Allah Almighty. "Verily Allah alone has knowledge of "the Hour" the Day of Judgement and when it would rain" Apart from this, there are meny other things, which have been kept secret and their justification is unknown! For instance: "Ism-e-Azam (the Greatest Name), "Shab-e-Qadr", the time for the acceptance of invocation" etc.

From this introduction we want to show that we need not be amazed at those divine Actions, whose wisdom is not apparent. Rather, we should see whether that order or action exists or not.

HOLY PROPHET (S.A.)'S WORD MUST BE ACCEPTED

Now if it is proved by the authentic statements of the Holy Prophet (S.A.) and his infallible successors, we must accept it. There is no

other option but that to enter into argument about wisdom and to try to know it is all in vain.

As far as possible, we have tried not to pile up arguments and proofs in this small booklet, as there are already big volumes, in which these points have been discussed in detail and about the "Qa'em-e-Aale-Mohammad" {the existing descendant of Muhammad (A.S.) there is a big stock of authentic traditions in the repositories of knowledge of both the sects.

THE WISDOM HIDDEN IN GHAIBAT (OCCULTATION)

Though we aknowledge the fact that Allah knows Himself better the wisdom about a thing, yet in reply to some Shia questioners a number of rational proofs have already been given which need not be recounted here.

Also the decisive fact in this behalf is that in every age the existence of an Imam is necessary.

The world cannot remain free from Allah's Proof (Vicegorent). His existence is also a pleasure and his authority over us is also a pleasure. So the question of wisdom hidden in this action of Allah is void and acknowledgment of "Ghaibat" (occultation) is necessary.

ADL (JUSTICE)

Allah Almighty is not unjust to anybody, nor

any such action, as is considered bad by common sense, is done by Him. This faith is called ADL (Justice).

Justice is one of the Attributes of Almighty, the existence of which is necessary. It is essential like all other attributes of oneness. But in this matter the Asha'erah offered opposed both Imemia and Mo'tazilah (Imamiah and Motazilah are called "Adliyahs"). The reason for opposition was that the Asha'era denying "goodness and badness" being rational, began to say "goodness" is that, which is called good by religion and badness is that which the code of religion calls" bad". So much so that for the knowledge of the Creator and recognition of the Prophets, they tested the miracles also according to the dictates of religion. Also they completely discarded the dictates of wisdom. Consequently they fell into perplexity.

But the "Adliyah" that is "Imamiya and "Motazila" stuck to their faith, that in these doctrines the decision is in the hands of wisdom. Religion has nothing to do with that. Ofcourse we get guidance from religious orders.

ACTIONS ARE JOBE JUDGED BY WISDOM

Wisdom considers some actions good and and some actions bad and it is that wisdom, which considers bad action for Allah Al-

mighty impossible because He is the All-Wise and a bad action is against wisdom.

To chastise an ebedient one is unjust, and injustice is a bad action, which cannot emanate, from the Creator of the World.

So the Imamiyah Sect paid special attention to the problem of 'Adl' (Justice) and also included this Attribte in the Fundamental's of Religion. Yes, it is worthy of note here that that Asha'era do not themselves deny justice. Ofcourse, their faith in this respect is that whatever Allah Almighty does cannot change justice and geodness. They are of the view that wisdom is so insignificant that it connot decide that such thing was appropriate for Allah and such thing was inappropriate for Him.

But the Imamiyahs have been proving the fact that the best criterion for testing goodness and badness is wisdom. It is through their means that we have come to the conclusion that the All-Perfect Being (Aliah) must have all good attributes and be free from all imperfections.

JABR AND IKHTIAR

On the basis of this view of goodness and badness, which is guided by wisdom, there have been formed other rules of polemics, for instance the rule of pleasure and compulsion of thanks to the benefactor, and in miracles the compulsion of sighting. Also the basis of "Jabr and Ikhtiyar" (Restraint and Freedom) is also the same.

"Restraint" and "freedom" are those extrordinary problems, which have been the subject of discussion for a long time.

The Asha'era believed in "Jabr" (Restraint), and the Motazila and the Imaniyah held the view that every man is free and independent; he can do everything voluntarily, and perform all his actions with his own will. Like the existence of self the tendency of volition is also a gift from Allah. The Creator of the universe created the people, and gave them freedom of action. Ofcourse the general authority of perfect authority is Allah's alone. BUT IN THE ARTICLES OF PRACTICE (DO'S AND DO'NTS) WE ARE QUITE INDEPENDENT. Allah Almighty neither forces anybody to do some action, nor restrains his from doing it, but the sons of Adam do as they please.

It is for this reason that wisdom and wise people have made it lawful to praise and condemn the people and have justified punishment and reward for them. If some body has done a good act he will certainly be praised, but how can the wicked ones can get rid of due punishment.

And if we do not follow this rule, the theory of reward and punishment will fail, the installation of the Prophets, and the revelation of the Books, and all the promises will be futile.

There is no further room in these pages. We have already thrown sufficient light in Part I of our book "Ad-Deen Wal Islam". In short in this problem the Imamia religion believes that Allah is "Aadil" (Just) and man is independent and free to act. The Peermahomed Ebrahim Trust Karachi-05-11, has alsa Published a book "Jabro Qadir" on this subject.

M'AAD (THE DAY OF JUDGEMENT)

Like all Muslims the Shias also believe that Almighty Allah will bring all the people to life for accountability, punishment and reward, on the Day of Judgement.

M'aad means tha every person with his body and soul shall actually appear before his Lord in such a way that every one, who recognises somebody, will say that he is that man-

In this connection it is not necessary to know in what way the return would be effected, whether return from annihilation or in their existing form, or there might be some other form. Whatever has been stated about final requital and accountability in the Book of Allah, and the authentic traditions, is a part of our faith e.g. faith in Hell and Paradise, comfort and pain in "Barzak" (i.e. Purgatory), "Mizaan" (The Balance) "Siraat" (The Path), "A'raaf" (a place situated between Paradise and Hell), and "Aamal Nama" (The Record of Deeds), which will show the deeds one has done in life.

Besides this the Shias also believe that every one according to his deeds shall be entitled to receive punishment or reward. Good actions shall be rewarded and bad actions shall entail punishment.

NIZAM - E AMAL ACTIONS AND DEEDS

The Imamia Shias believe that according to the Islamic code some ordinance or order of Allah Almighty is present for every matter of life. The Divine Law has not ignored the "Diyat" (blood-money or conciliation money) even for an ordinary scratch.

So there is no action of a "Mukallaf" (an adult person with reasoning), which does not come under the scope of the following orders.

"Wajib" (compulsory); Haraam" (unlawful); "Mustaheb" (Desirable); "Makrooh" (undesirable) and "Mubah" (Lawful).

Whether it is a matter of mutual transaction, or promise and pledge, the Religious Code will certainly guide us whether it is right or wrong.

FOUNTAIN - HEAD

The personality of the Holy Prophet (S.A.) was the fountain-head of all Divine Orders. Allah Almighty conveyed these orders to the last Prophet (S.A.) through 'Wahi' (Revealation through Hazrat Gabriel) or "Ilhaam" (self revelation). The Holy Prophet (S.A.) communicated them to the people according to the circumstances prevailing, particularly to those compan-

ions, who had been at all times in audience with him, so that they might carry on the mission of preaching in the whole world.

But there were many such ordinances also as could not be taught, whether it was because the time for it was not opportune, or because there was no need for that during the time of the Prophet (S.A.). Also it is possible that they could not be promulgated for some particular reason. Hence some orders were well-known and some remained secret. But the Holy Prophet (S.A.) entrusted these secret ordinances to his (devinely appointed) vicegerents. Later every "Wasi" (vicegerent) communicated them to his successor, so that according to the need of the hour, and spirit of the time, they might be publicly known.

WHY DIFFERENCE IN TRADITIONS

The Holy Prophet (S.A.) stated his points in whatever way, and as much as he thought proper, and the companions too understood him according to their intellect. The cloud of mercy profusely diffused, but the recipients of mercy were blessed according to their own disposition. It also happened that a companion received some positive order in some matter, and others heard a negative order in a matter resembling the former. The result was that act was one and orders were two. What a difference it is!

Now what is the cause of this difference?

The fact must be that in both these matters one

of them must have some particular aspect. The reporters either did not pay attention to that pecularity or they did pay attention, but did not mention that particular aspect. Hence the traditions may appear to be different but in reality there is not an iota of difference.

RESORT TO IJTIHAD

These were the different causes which created difficulties in the recognition of orders. Accordingly the companions themselves, who had the honour of sitting with the Prophet (S.A.), began to take the support of "ijtihad". So they thought of comparision and amalgamation of traditions. Different aspects were probed, since it is often observed that the apparent meaning of the tradition is different from the real aim of the codifier. It has been pointed out earlier, that the causes of this difference are largely one to faulty copying or shortcomings of the reporters.

MUJTAHID

Those companions of the Holy Prophet (S.A.) who were sensible people, and were also reporters of traditions, some times reproduced the statement of the Prophet (S.A.) exactly in the same words in which they had heard it, and sometimes in place of the text of the tradition, they stated the order, which was inferred from the tradition in question.

In the first condition their position is that of a reporter or traditionist, and in the second condition they have the position of 'Muftis' and men of opinion. Those, who, have this ability are called 'Mujtahid'.

MUQALLID

And all those Muslims, who do not have this ability and follow the epinion of the Mujtahid, are called "Muqallid") The act of acting on the verdicts of a Mujtahid is called Tagleed).

VERY LITTLE IJTEHAD DURING LIFE OF HOLY PROPHET (S.A.)

Now if we look minutely, we shall find that during the time of the Holy Prophet (S.A.), the door of litihad was open and the companions of the Prophet (S.A.), themselves acted upon it. Ofcourse at that time "litihad" was not so strong as it is today, because the people could ask the Prophet (S.A.) directly. There were ample opportunities for that and there were all the means to gain complete knowledge.

NEED FOR IJTHAD BECAME GREATER AS THE TIME PASSED

But as time passed on, remoteness from the age of Prophethood grew faster and farther. Relations between the Arabs and non-Arabs increased. There were difficulties in understanding the correct meanings of the Arabs' language. The number of traditions and reports became larger.

Among them were very many doubtful and fabricated traditions also. False statements began to be abundantly ascribed to the Prophet (S.A.). At this stage it was not easy to test the religious orders. Accordingly "fithad" grew stronger and the modes of inferring gained strength:

They began to distinguish between the correct and the faulty statements. The principle of preference was put into practice. Necessities, however, grew on and on. The Mujtahids made thorough researches and the field of inferences grew wider and wider. Among the Imamia sect this blessing is still present.

MUQALIDS STILL IN NEED OF MUJTAHIDS

Now, please note! Your and our experience shows that all the people are divided into two groups—literate and illiterate. The illiterate group, for the satisfaction of its desires has to take the help of the literate group.

Similarly in the religious world also there are two classes. The learned Mujtahid and the ignorant Muqallid. As a matter of principle the people of the second class should turn to the people of the first class for the purpose of learning problems.

THE BASES OF RELIGIOUS ORDERS

Like all other muslims the Shias too believe that all religious orders are based upon "Kitab"

(Qur'an) and "Sunnah" and after that on "wisdom" and "limaa" (consenses). Of course the imamia sect does not see eye to eye with others in the fellowing matters.

(I) "QAYAAS" (CONJECTURE)

The Shias never act upon "Qayaas" (conjecture) because their Imams have consecutively said that if guess-work is allowed in religious matters the entire structure of religion will be dashed to the ground. We would have stated in detail the evils of guess-work but it is not necessary to do it here.

(2) UNAUTHENTIC REPORTS

if a tradition of the Holy Prophet (S.A.) comes through the Holy Ahle Bait (A.S.) it is reliable, otherwise it is unacceptable. The unauthentic traditions, reported by persons like Abu Huraira, Samra Bin Jundub, Marwan Bin Hakam, Emran Bin Hattam Kharji and Amr Bin Aas etc., have no value in our eyes. Not to speak of the Shias even the Sunni Ulema have strongly condemned these reporters and unmasked their villany.

(3) EXEMPTION FROM "TAQLEED" I.E. FOLLOWING THE MUJTAHID

We have just told that the door of "ljtihad" is still open and shall remain open for ever. On the contrary among the majority community the coors of inference are locked. When and on what basis this practice

started, cannot perhaps be adequately answered by their Ulema themselves.

Besides these matters the other differences pertain to the Articles of Practice.

THE RANK OF "IJTIHAD"

One who, diving into reasoning and logic, gains the power of drawing conclusions and making inferences, can be said to have reached the rank of ljtihad. Beside ljtihad, the Mujtahid should possess certain other qualities to take him fit to be followed. The most important condition is 'Adalat' (justice). "Adalat" means that inner spirit with which man can abstain from carnal desires and develops command over the performance of compulsory acts. In other words it is the state of the fear of Allah, which always permeates the mind. It is of several classes. The highest class is "Ismat" (infallibility) which is a condition for Imamat.

MATTERS NOT COVERED BY IJTIHAD

Besides this there are "necessities" (those matters which pertain to sure knowledge in which there is neither "Taqleed" nor "lithad", nor instance—compulsion of "Soum" (fasting) and "Salaat" (prayers) etc. Similarly the fundamentals of Religion are also beyond the sphere of "Taqleed", because they are concerned with the personal knowledge and search for Truth of every adult person and the realities whose knowledge

depends on every one's own sagecity and personal understanding and cognition, cannot be left to the opinion of others.

SCORE OF IJTIHAD AND TAQLEED

Besides these all other problems of the Articles of Practice come under the scope of "litihad" and "Taqleed". Also the very actions of the adults are the subject-matter of the Code of Religion. Hence to know them is very necessary. And there are only two ways of how to know them. Taqleed or "litihad". It should be remembered that if, out of these ways, somebody did not gain cognition, he shall have to suffer punishment on the Day of Judgment. When the record of actions will be assessed it will be known that:

(a) Some actions are concerned with Allah and His servants. These are called "Prayers". Their correctness depends upon the intention of being near to Allah.

"Prayers" are either physical like 'namaz', "Roza" (Fasting) and Haj, or financial like "Khums" (1/5 levy)", Zakat" (Poor-rate), 'Kaffaraat' (Fines or Penalties).

- (b) Some actions pertain to individual and seciety. They are also of two kinds.....one between two persons like mutual transactions, wedding, marriage etc. and the other purely individual for instance 'Talaq' (divorce) "Itq (independence) etc.
- (c) and also some actions are purely individual and personal e.g., eating, drinking, wearing, covering etc.

FIQH (JURISPRUDENCE)

It deals with all the orders, concerning all these actions, in four parts: Prayers-Mutual dealings-Happenings-Ordinances. (Prayer as used here means any act performed for the PLEASURE OF ALLAH.

The most important prayers are six two are purely physical that is 'Namaz', 'Roza' (Fasting), two are purely 'financial e.g. "Khums", "Zakaat" and two are common to each category which we call "Haj" and "Jehad".

Allah Almighty says: "You should perform "Jehad" with your life and both" (that is you should sacrifice your life and wealth in the way of Allah).

And "Kaffarat" (Penalties) are special kinds of punishments for some particular crimes.

NAMAZ (PRAYERS)

Like all other Muslims the Shlas also regard "Namaz" as a "Rukn" (Pillar) of religion. This prayer is a means of making Allah's servant near Him. If this performance is left, the relation between Allah and His servant is broken.

That is why, the traditions of Ahle Bait (A.S.) say that giving up "ramaz" for a time or two is the distinguishing mark between infidelity and Islam.

According to religious code 'Namaz' has great importance. No other prayer can bear

comparison with it. And the Imamia sect unanimously believe, that one who gives up "Namaz" is a great sinners. Also he has no place in the Islamic society. Neither he is credible nor trustworthy. Even back-biting him is permissible.

There are very strict orders about 'Namaz'. Basically five kinds of 'namaz' are compulsory.

- I. The five-time prayers.
- 2. The "Juma Namaz" (Friday Prayers)
- 3. "Namaz-e-Aayat" for (solar or lunar aclipse, earthquake etc).
- 4. "Namaz-e-Eidain" (Namaz of Eidul Fitr and Eid-e-Azha).
- 5. 'Namaz-e-Tawaaf'' (Circumambulation prayers).

But sometimes the adult person makes 'namaz' compulsory for himself, for instance, by making a promise or taking an oath, or accepting wages for that etc. Besides these all other kinds of namaz "nawafil" (Supererogatory "namaz" which are desirable) prayers). The most important "nawafil" are those attached with the daily (5 time) prayers, which are in total double the units of the compulsory prayers. The total number of units of both "nawafil" and compulsory prayers is fifty one.

AN INCIDENT

Here we remember an interesting incident Raghib Ispahani writes in his distinguished book "Al-Muhaziraat" that it was during the days of Ahmad Bin Abdul Aziz that there was a man named Kanani in Ispaham. Ahmad used to learn from him the decencies of leading the prayers. Incidentally one day Ahmad's mother peeped at them and as soon as she saw them, she said to Kanani: "O' guide! you have made my son a Rafzi!".

Kanani immediately retorted: "Foolish woman! The Rafziz perform fifty one units daily and your son does not perform even one unit out of the fifty one. How can he be a Rafzi".

NAWAFIL OF RAMAZAN

Well! Besides these prayers, the "nawafil" of the month of Ramazan are of great dignity and significance. Their number is one chousand. Our Sunni brothers also perform these prayers, but in congregation (Jama'at) and they are known among them as "Tarawaeh".

And from the Shia point of view these prayers are not permissible in congregation (Jama'at), because fundamentally congregational prayers are only compulsory prayers.

For details you may go through thousands of those books which have no paralled in the Shia world. They contain in elaborate and explicit words all the orders, decencies, narrations, regular recitations and invocations atc. connected with the 'namaz'.

According to religious code the proof for the reality of correct 'namaz' among us depends upon three things:

(I) CONDITIONS OF NAMAZ

These are those extra-essential factors which have been laid down for some external reasons Although none of them is included in the esseen of 'namaz', these factors are so coherent and well-knit that in their absence 'namaz' becomes absolutely void. They are six in number.

- (I) 'Taharat' (Pureness)
- (2) Time
- (3) Ribla (i e. Facing the Ka'ba)
- (4) 'Covering (i.e. drass)
- (5) Intention
- (6) Place

Though the "Place of Namaz" is not "rukn" (essential), yet it must be lawfully occupied. Similarly the place for prostration must necessarily be pure.

(2) AJZA-E-WUJOODI

(The constituent factors) are those parts of its performance which constitute "Namaz". They are of two kinds:

- (a) "Rukni" (b) which are not "Rukn" "Rukni", without which 'namaz' is quite void. These 'Rukn' are four:
 - (!) Takbeeratul Ehram
 - (2) Qayaam
 - (3) Rukoo

(4) Sujood

Those things which are not "Rukn" are also four :

- (1) Qir'at
- (2) Zikr
- (3) Tashahhud
- (4) Salaam

Composure in all these matters is necessary. "Azaan" and Eqamat" are insistently desirable, although as for "Eqamat" its compulsion is not free from force.

(3) HINDRANCES

These are the things the existence of which makes 'namaz' void.

These too are of two kinds. "Rukni" which makes "namaz" quite void. These are three in numbers—'Hadath' (absence of ablution, major or minor)—'Istidbaar' (to look back), and "Aamal-e-Katheer" some other excessive action.

"Ghair Rukni", which, when deliberately done make 'namaz' invalid. Their list is as follows:

To talk, to laugh with voice, to weep in the same way, look right and left, to eat or drink something.

WUZOO, GHUSL AND TAYAMMUM

Purity means minor (wuzu) or major ablution (ghusl), they are necessary in some conditions. But in case of absence of water, or for some other reason like illness, unbearable cold, shortness of time etc., when it is not possible to do it, its substitute is "Tayammum" (So perform

Tayammum on pure earth)". Fa Tayammamu Saeedan Tayyeban"—(Quran).

The scholars of jurisprudence and lexicographers give a different meaning of the word "Sae'ed". Some of them say it only means dust, and some say that it unconditionally means the ground which includes sand, fragments of rocks, stones, and unburnt mineral substances.

This was only a brief account of 'Namaz'. In this behalf there are very great and lengthy problems for discussion for which several volumes would be required.

ROZA (FASTING)

According to Imamia faith 'Roza' (fasting) is a pitlar of the Islamic Code. (The Arabic for Roza is Saum with Siyaam as its plural). From the view point of commands "Siyaam" (Fastings) have four kinds:

- (1) Wajib (compulsory)
- (2) Mustahib (Desirable)
- (3) Haraam (Forbidden)
- (4) Makrooh (undesirable)

COMPUSORY FASTS

- 1. The Fasts made incumbent by Shariat (Code of Religion) are those of the holy month of Ramazan.
- 2. Those which have become incumbent for some reason, for instance "Saume Kaffara" (Penalty fast), Badal-e-Hudya" (in liew of sacrificing animal), "Nayabat (Replacement in lieu of some one olse), 'Nazr' (vow, oath) etc.

3. The fasts of Rajab and Sha'baan months are desirable. Also there are nany other fasts of this kind.

FORBIDDEN FASTS

4. The fasts of the two Eid days and "Ayyam-e-Tashriq" (three days after Haj are forbidden). Also the fasts of Ashoora day and Arfat day are undesirable. (According to many the Ashoora day "Roza" fast) is strictly forbidden).

REGULATIONS FOR FASTS

There are some conditions of Fasts: Wajibaat" (compulsions) and "Mubtilaat" (Prohibitions, which make the fast invalid), and other decencies and recitations etc. There is a stock of thousands of books on this topic.

The Shias are extremely particular about the Ramazan fasts. Many of them would not like to do without it, even when they are in death bed or in fatal thirst.

Namaz and Roza are purely physical prayers.

ZAKAT (POOR RATE)

According to the Shias, after Namaz comes the rank of "Zakaat" (Poor-rate). Rather from some of the traditions of the holy Imam (A.S.) it follows that if somebody does not give "Zakaat" (poor-rate) his "namaz" also is invalid.

Like all other muslims the Imamias consider "Zakaat" compulsory on nine things;

SUBJECTS OF ZAKAT

Animals---Camel cow, goat.

Grains----wheat, barley, date, currant.

Money---gold coins, silver metal money.

Besides these, Zakaat on other things like merchandise, horses and all other things coming out of the ground e.g. pulses vegetables, etc. is desirable.

REGULATIONS OF ZAKAT

There are some conditions and regulations of compulsoriness and desirability, which are set-forth on their places. In this behalf all the rules are in conformity with those of the "Figh" (Jurisprudence) of the Four schools of thought i.e. Hanafi, Shafe'ey, Maliki and Hanbali.

Those entitled to receive "Zakat" are according to Allah Almighty's command. "Innamassadaqaatolil Fuqaraee wal Masakeen...", the poor and the needy.

ZAKAT E-FITRAH (POOR-TAX ON EID DAY)

Fitra (Poor-tax on the Eid day) is compulsory for every adult and sane person, who can financially support himself and his wife and children and other members of the household dependent on him.

Its quantity on behalf of every individual is one "Saa" (about 3½ seers) of wheat, barley, or dates.

Here too the problems of the Shias are not dissimilar to those of the Sennis.

KHUMS (1/5 OF SAVED MONEY)

"Khums" (a kind of tax) is compulsory on five things: The booty taken from the enemy in war; the pearls, minerals gained from diving; vegetation; hidden treasures; mineral substances; MIXTURE OF LAWFUL AND unlawful money; the profits gained from business; the land transferred to a "Zimmi" (a non-Muslim Ahle Kitab) from a Muslim.

The root and foundation of "Khums" is the command of Almighty Allah, which is as follows: Know that the one fifth of what you get as booty is the share of Allah, the Prophet (S.A.), the relations, the orphans, the beggars and the way farers" (chapter Anfaal).

In this regard we believe that "Khums" is that "right", which Allah Almighty has particularly reserved for the descendants of Mohammad (S.A.). As charity is unlawful for the children of the Holy Prophet (S.A.), they cannot receive "Zakaat". This kindness of Allah Almighty is the compensation for that.

DISTRIBUTION OF KHUMS

"Khums" is divided into six parts: three are for Allah, the Prophet (S.A.) and the kith and kin, which must be paid to the holy Imam, when he is present; and when he is hidden they should be handed over to the substitute of the Imam, that is the "Just Mujtahid", so that out of these funds he may protect the Religion of Islam and may complete the development plans of the muslim nations. This is the real purpose for which it is used and not that which we should call the mental innovation of Syed Mohammad Aloosi.

Syed Sahib writes jokingly at a place in his commentary. In these days these "rights" should be placed in the "Sardaab". (cold storage)

This, in fact, refers to that concocted legend which has been handed down from their ancestors. You will hear every one of their old and young saying "The Shias say that their Imam disappeared in the "Sardaab", though "Sardaab" has no concern with the occultation (Ghaibat).

SIGNIFICANCE OF SARDAB

THE ITHNA ASHARIES GO TO VISIT THE CELLAR AT SAMARREH, BECAUSE IT WAS THE PLACE, WHERE THE HOLY IMAM USED TO OFFER "TAHAJJUD". ALSO THAT WAS THE PLACE WHERE THE FATHER AND THE GRAND FATHER OF THE HOLY IMAM USED TO OFFER PRAYERS TO ALLAH ALMIGHTY.

The remaining three parts of Khums are the right of the poor people of the Hashimi family. These were the commandments of Khums which have been current since the age of the Holy Prophet (S.A.) till now. But after the Holy Prophet (S.A.), the muslims having snatched away the right of Aalee-Hashim stored it into the

"Baitul Mai" (Treasury). This family could not take "Zakat" and now deprived of "Khums" also.

CHARITY FORBIDDEN TO

Probably Imam Shafe'ey on page 69 of his book "Aalaam" has pointed out to this fact that Aal-e-Mohammad (The descendants of the Prophet) (S.A.) for whom 'Khums' was set apart in place of charity, can neither be given anything out of the prescribed charities nor can they take it and if the giver of charity knowingly gives it to them he will have to forego his heavenly reward.

Further he says "If they have been deprived of the right of Khums it does not mean that charity and other such things which are unlawful for them, will become lawful".

Yes, since the people in power did away with the "right" altogether the books of 'Figh' (jurisprudence) of the majority community are quite silent upon this topic and how wonderful it is that even Imam Shafe'ey's book is free from this discourse.

Of course in every big and small book of the Shias, 'Khums' has been given a special place like 'Zakat' and other such things. We admit however that the learned scholar Hafiz Abu Obaid Al Qasim Bin Salam (died 224 A.H.) in his great work "Kitabul Aswaal" has dealt with

in a special chapter all the problems of "Khums" and the way in which it should be spent and most of the points of discussion are in consonance with the problems set forth by the Shias (Vide pages 303-349).

LAH

According to the Shia faith 'Haj' (pilgrimage) is a great pillar of Islam. One who abstains from performing this duty shall have to die the death of a jew as a punishment to his failing, or that he shall have to accept the death of a Christian.

Its violation leads to infidelity. The holy verse which says that "if somebody refuses to perform Hajinspite of means he should bear in mind that Allah is Independent of all the worlds (Chapter Aal-e-Imraan)" refers to the same thing.

Haj is a kind of financial and physical "Jehad". Rather "Haj" should be called the "real Jehad" and Jehad should be called the "real Haj". If we ponder over it a little carefully, the harmony between the two will be quite apparent.

CONDITIONS FOR HAJ

Its general conditions are puberty, sanity, independence, particularly financial means, soundness of health and safety in Journey on the fulfilment of which Haj becomes compulsory only once in life. The kinds of this obligation are as following:

- (1) "Hajj-e-Afraad": The basis of this is the holy verse: "For the sake of Allah, Haj is compulsory for those who can reach there (Aal-e-Imran).
- (2) "Hajj-e-Quran". It is explained in this Verse: "Complete Hajj-e-and Umrah for the sake of Allah" (Al-Bagrah).
- (3) "Hajj-e-Tamatto": It is set forth in the following verse: "So whoever performs Umra of "Hajj-e-Tamatto" should offer the sacrifice, which he can afford to" (Al-Baqra).

Each of the above has a wide range of topics and quite lengthy orders, which are recorded in all books of 'Figh' (jurisprudence).

RARE DIFFFEREECES AMONG SHIAS AND SUNNIS IN HAJ MATTERS

After going through a large number of books of the Sunni ulema we have come to the conclusion that in this matter most of their problems are similar to those of ours. O fcourse there are some differences here and there, but they are rare, (but some are vital publishers).

IMPORTANCE OF HAJ AMONG SHIAS

The Shias give sufficient importance to Hais and are too much particular about the performance of this philipstien. During the days, when they had to face the people, who had thirst for their blood and were enemies of their

honour and respect, these sincere people, being unmindful of all the dangers, circumambulated the House of Ka'ba in lakhs and lakhs!

The fears of life and property did not lower their spirits. The feeling of obligatory nature of this rukn continued moving their steps forward. They performed Hajand gave heavy prices for that.

But how regretful it is that inspite of all this it is said that the Shias want the destruction of Islam!

JEHAAD (THE HOLY WAR)

"Jehaad" (Moly war) is the foundation stone of the magnificent building of Islam. In its absence the Religion of Allah would neither have been the cause of mercy for the world, nor would it have proved a source of blessing to mankind.

To counteract oppression and the oppressors and to sacrifice life and wealth in the way of Allah for the preservation of peace and tranquillity means "Jehad".

JEHAD-E-AKBAR AND JEHAD-E-ASGHAR

In the Shia religion it has two kinds: "Jehad-e-Akbar" and "Jehad-c-Asghar".

To face that internal enemy called "Nafs" (self) and to fight against its harmful effects i.e. ignorance, cowardice, oppression and tyranny, envy and pride etc. is "Jehad-e-Akbar" (the

greatest Jehad). "The greatest—enemy is that "self" which is just beside you".

And "Jehad-e-Asghar" means subduing that apparent enemy, who is opposed to justice and equity, peace and humanity and religion and reality.

NAHI ANIL MUNKAR (ENJOINING OF GOOD AND PREVENTION OF EVIL)

It is the most important feature of the compulsory acts prescribed by religion, the greatest topic of the moral duties, the most effective means of invitation to Truth and Reality and the successful weapon for the annihilation of infidelity and paganism !

Any nation who ignores this holy law would be ruined by itself; rather, it will become the race-course of oppressors and cheats.

It is for this reason that the GIVER of the code of Religion (S.A.) and our infallible Imams (A.S.) have laid great stress on this matter. Everywhere they have told us the benefits accruing from its execution and have warned against the horrible consequences of neglecting it.

PRESENT DEPLORABLE CONDITION

Today we are seeing with our own eyes the truth of these statements. They are too clear to be recounted.

Well, we have totally abandoned the "enjoin-

ing of good and the prevention of evil". But we wish that this negligence stops here. May it not reach that stages where "Maroof" (Good) becomes "Munkar" (Evil) and evil becomes "Maroof" (good—the practice of guidance has been done away with). Now Allah bless us! "Verily we are Allah's and verily to Him shall we return"! Now we fear lest the guide himself goes astray. There shall be destruction on land and sea. The end will be ruination—complete ruination!

SHIA LITERATURE ON AMR BIL MAROOF AND NAHI ANIL MUNKAR

Allah Almighty curses the wicked "Aalim" (scholar) and the wicked preachers and guides!

In the Shia way of religion the abovementioned prayers are called the "mothers of prayers" (the best prayers) to which we have made only cursory references. For details you should go through the eminent books written by the ulema belonging to the period ranging from the first century A.H. till the present time. Our illustrious works even after being ruined are still present in lakhs of numbers and are benefiting the people at large.

MUTUAL DEALINGS

In mutual dealings there must be two individuals—one asks the other to accept something, and the other accept.) Proposal and acceptance

Is a necessary condition). The "dealings" are sometime purely financial for instance, buying and selling, "Ijarah and rehn" (contract and pledging), loan, gift etc.

All these things are comprehensively dealt with in all the 'Figh' books.

THE MARRIAGE CONTRACT

In the second form of dealing property and wealth are only of secondary importance, and their real aim is management of domestic life, increasing of generation and preservation of the race e.g. marriage ties i.e. marriage agreements. We have two such agreements (1) General and unrestricted wedlock (2) severable wedlock. General and unrestricted marriage means that there is no condition of time in it, and severable marriage means that it has a condition of time limit. That is, it is tempory and for a fixed period of time agreed upon.

VERSE ABOUT MUTA

So far as the first kind of wedlock is concerned all the muslims are unanimously of the same view. As regards the second kind according to the Holy Qur'an: Famastam tatum bihi min hunna faaa'tu hunna ujoorahunna" only the shias consider it lawful. Others do not follow it. Only the shias acknowledge its lawfulness. This problem has been the topic of discussion since the time of "Safraba" (companions) upto the present time. Hence in view of the importance of this

matter it seems appropriate to clarify some of its points.

LAWFULNESS OF MUTA

The fact is that everyone, who has had occasion to understand Islam, and who has spentsome moments of his life in the study of religious laws, cannot deny the reality that Mut'a is that wedlock, which is for a fixed period.

The Holy Prophet (S.A.) himself established this kind of wedlock. He made it lawful. In the life of the Prophet (S.A.) himself many distinguished Sahaba put it into practice. Also after the demise of the Holy Prophet (S.A.) the venerable Sahaba continued taking advantage of this proviso of the law.

Accordingly Abdullah Ibne Abbas, Jabir Ibne Abdullah Ansari Omar Ibnul Haseen, Ibne Ma'sood, and Obai Ibne Ka'b etc. who were men of exalted rank and eminence used to give the verdict of Mut'a's lawfulness and recited the verse of Mut'a in this way: "Famastamta' Tum bihi min hunna ila ajalin musamman" (And as such of them you had Mut'a with them for specified term".

But it is not proper to believe that these people considered that there was any defect or change in the Qur'an (God excuse!) No. Rather since they were probably well-versed in the interpretation of the Quran, they only wanted to dis-

close the aim of this part of the verse by way of commentary. Since these distinguished persons had remained devoted to the Holy Prophet (S.A.), for a long time and had the opportunity of understanding and having the interpretations of the Quran from the Holy tongue of the Prophet (S.A.), they did not feel any reluctance in giving out the meaning of this verse according to what they had known from the Prophet (S.A.)

But of course the traditions which Ibne Jareer has put in his 'Tafseer-e-Kabeer shows that the part "Ila ajatin musamman" (for specified term) is the portion of the verse.

"When I read this verse before Ibne Abbas he said: "Ila ajalin musamman (for specified term)." I said that I did not read like that. Upon this Ibne Abbas said three times "By Allah! this verse was revealed in this very way".

But here we would say that an exalted personality like Ibne Abbas must be free from such defects. If this tradition is correct, probably the aim of this eminent Companion must have been that Allah Almighty had revealed its interpretation in this way.

By and large according to "limaa" and sure exidence, the legitimacy and lawfulness of Muta is crystal clear.

As regards the claim of those, who have the opposite view, it has really no force, because they

say that this ordinance after being promulgated, was revoked, though the differences, that are apparent in their narrations are, far from being, relied upon or believed, not sufficient even for being considered probable or likely.

OPPOSITE VIEW HAS NO FORCE

Just see! Basically for the revocation of an express ordinance an express proof is necessary, and these people say that revocation took place through "Sunnah" (practice), and the Holy Prophet (S.A.) after declaring it lawful made it unlawful. Some of them say that it was through the Book of Allah that its unlawfulness was imposed upon the people. And on this stage also their unity of thought is totally absent, because one of their groups considers the "verse of divorce" and the other the "Verse of inheritances (mawareeth', revoking Now what the price of these confusing thoughts can be is obvious. So it is not necessary to dwell at length on this point. We will clear it later.

WOMAN TAKEN IN MUTA IS WIFE IN FULL SENSE

Further, most of these gentlemen think that this verse abrogates Muta—"Illa-a'la azwajuhum ou ma malakat aimanuhum". The verse gives two causes for lawfulness (1) being wife (2) ownership (being Kaneez).

In this connection Syed Aloosi writes:

"The Shia gentlemen cannot regard the "Mumtooah" (woman taken by Muta) as 'Kaneez'

(slave girl). It is quite obvious. And they cannot call her wife either, because she does not possess the conditions of wifehood, that is, Meerath (inheritance), 'Iddah' (waiting period) sustenance end divorce'.

INHERITANCE IS NOT A

Just ponder! how fallacious the argument is! Now let us examine it. The first thing is meerath (inheritance). If this condition for wifehood is presented in a general way that is, it often happens that the wife receives the inheritance. then it is right, but probably Syed Sahib does not mean that and if he means that inheritance is the necessary permanent condition that is inheritance must be given in all circumstances, then it is absolutely against the law, because according to the Islamic code there are many occassions where the law of inheritance becomes infuctuous. for example the wife who is infidel or murderess does not get inheritance. Also the woman, who is married to a sick man, who dies before he has sexual intercourse with her, is deprived of the inheritance. On the contrary if somebody during the time of his illness, divorces his wife and dies in the same illness, the divorce, inspite of her "Iddat" (waiting period) being over, shall be entitled to receive the inheritance. However both the sides are before us and it is quite apparent that inheritance cannot be considered necessary for wifehood.

IDDA COMPULSORY FOR WOMAN TAKEN IN MUTA

As regards the compulsion of "Iddah" (waiting period) it is unanimously believed in the Imamia religion. Rather, whoever believes in the lawfulness of "Muta" (timed marriage) regards "Iddah" as compulsory.

The third thing is subsistence. That too cannot be regarded as a condition of wifehood. For your satisfaction you can look on the orders regarding "Zan-e-Nashiza" (the disobedient woman) for whom, inspite of her being a wife, no one considers subsistence necessary.

Now the last thing is divorce. For it the remission of the remaining period is sufficient.

Secondly the abrogation of Muta through the "verse of wives" is impossible, because the verse of Muta is the chapter "Nissa" (Vvomen) which is Madinite and the "verse of wives" is in the chapters "Momineen" and "Ita arij" and both of these are Mecci. Accordingly abrogation cannot be proved because that which abrogates cannot precede the abrogated.

SUNNI ULEMA DONOT CLAIM ABROGATION OF VERSE OF MUTA

Thirdly the distinguished Sunni Ulema say that the "Verse of Muta" was not revoked (vide "Kashshaaf"). Zamakhshar reports on the authority of Ibne Abbas that the "verse of Muta"

is one of the irrevocable ones. Some others have reported that Hakam Ibne Ainiyyah was asked whether the verse of Muta had been revoked. He said, "No".

In short at first the majority community of the Muslims acknowledged it lawfulness, but later they began claiming its revocation and to prove it the way in which they have shown their guess work is worth noticing. Sometimes, they tried to prove revocation of the verse through a verse (the weak argument has already been referred to above) and sometimes they attempted to prove the abrogation of the verse through a tradition.

DID HOLY PROPHET (S.A.) MAKE MUTA UNLAWFUL BY HIS COMMAND

In this connection they rely upon the tradition in "Sahih" Bukhari and "Muslim" that the Holy Prophet (S.A.) made it unlawful during the Conquest of Mecca or Conquest of Khaibar, or Battle of Ootaas and that is the place, where the contention lies and so many expositions are put forward and side trackings resorted to.

It is reported on the authority of Qazi Ayaz that some Ulema say that Mista was twice made unlawful, lawful and declared abrogoted. But those, who are sensible enough know what novelties these people have shown in the realm of knowledge!

It is recorded in some books that Muta was revoked on the occassion of "Hujjat-ul-Wida" (Last Haj) in the 10th Hijri year. Their other books show that it was not so, but it was revoked during the battle of Tabook in the 9th Hijri. Some writers have referred to the battles of Ootas and Hunain in the month of Shawwal in 8th Hijri. And another group says that it happened in the month of Ramazan, 8th Hijri during the Conquest of Mecca.

Also it is said that the Holy Prophet (S.A.) had made it lawful on the occassion of the Conquest of Mecca and it was on the same place that, after days, he declared it to be unlawful.

WAS MUTA REVOKED SEVERAL TIMES

Ofcourse what is commonly known among them and what is their general opinion is that the abrogation of Muta took place in the battle of Khaiber or Umra-tul-Qazaa in the 8th Hijri.

By and large what transpires from all these conflicting views is that it was not twice or thrice (as written by Noudavi, commentator of "Muslim") that Muta was made lawful and unlawful, but it was done five or six times. But O' learned men of Islam! Why? You are joking and you are joking with the religion of Allah as well! What is this travesty? Be frank. Even in the face of this confussion of thoughts is there any merit in your claim for the abrogation of Muta?

COMMANDMENTS ABOUT MUTA EXAMINED ALL TOGETHER

These truths are undeniable that:

- (I) The Qur'anic ordinance cannot be abrogated by the reports of the individuals.
- (2) The arguments of abrogation come into collision with the traditions of the majority community themselves, which are in favour of non-abrogation.
- (3) It is reported in "Sahih" Bukhari that Abu Rajaa quotes Imraan Bin Haseen as saying that the "verse of Muta" is present in the Quran and we acted upon it in the life time of the Holy Prophet (S.A.). Then neither the Holy Quran made it unlawful nor the Prophet (S.A.) prohibited it till he breathed his last. Yes, it was an arbitrary act of man. He uttered what he liked. According to Muhammad this step has been attributed to Hazrat Omar."

Also it is reported in "Sahih Muslim" on the authority of Atta that "one day Jabir Ibne Abullah Ansari came to perform "Umrah" All of us reached his place. The people asked him various questions. So he was asked about "Muta" also. Jabir said, "yes, we joined in "Muta" in the days of the Prophet (S.A.) and also in the days of Abu Bakr and Omar".

Muslim gives another report and that too is from Jabir. He says, "During the days of the Prophet (S.A.) we used to join in Muta on giving a handful of dates or a hardful or baked flour".

OMAR PROHIBITED MUTA

Besides this the following is also present in the pages of "Sahih Muslim"—Abu Nuzra says that he was sitting with Jabir ibne Abdullah Ansari, when another man came in. As soon as he came he said that there had appeared difference about the "Mutas" between Ibne Abbas and Ibne Zubair. Jabir said. "While the Holy Prophet (S.A.) was present we used to act upon them but later Omar prohibited them so we could not do them again".

Yes, they could not do it again because Hazrat Omar got a man stoned to death if did "Muta".

The fact is that if this portion of "Sahih Muslim" is carefully studied, we find such queer pieces of contradictory statements that one is apt to wonder at it. On one side there are positive traditions, and on the other there are negative reports. Here there are claims of abrogation, and there they give proofs of non-abrogation. And hear one thing more. Jehni says: "On the occasion of conquest of Mecca the Prophet (S.A.) himself had ordered us for "Muta", but we had not left that place when the Prophet (S.A.) forbade us to do it".

Abrogation is sometimes attributed to the Holy Prophet (S.A.) and sometimes to Hazrat Omar.

In addition to that, they say that Muta was current during the time of the Prophet (S.A.) and during the period of the first Caliphate. They also

say that Hazrt Ali (A.S.) forbade Ibne Abbas (A.R.) on various occasions to talk about Muta. Accordingly he charged his opinion about it.

Along with this there is also a report that once Ibne Zubair stood up in Mecca and said, "There are some people here, who have been deprived of foresight as Allah has deprived them of their eye sight. They are giving verdict on Muta's lawfulness (Here the reference was to Ibne Abbas, who had become blind). On this Ibne Abbas uttered loudly; "Why? I swear to it that 'Muta' had been in vogue upto the time of Imamul Muttageen (A.S.).

This clearly shows that Ibne Abbas never changed his opinion, all his life he held the same view, till he reached the age of Ibne Zubair's caliphate.

PROHIBITORY ORDER ALSO ATTRIBUTED TO ALI (A.S.)

And the most amusing thing is that the prohibitory order has been attributed to Hazrat Ameerul Momineen (A.S.) also, though it was characteristic of Ahla Bait (A.S.) that they had declared the mut'a wedlock to be lawful. And particularly the statement of Ameerul Momineen (A.S.) has become proverbial that if Omar had not forbidden Muta there would have been only few unfortunate men who committed fornicanot. Tabari has reported this tradition in his "Tafseer" also. In this connection Imam Jafares Sadiq is reliably understood to have said: "I do not care for anybody in three problems

Muta-tul-Haj; Muta'tun-N'i a and Mas-h bar Kafeh (wiping the feet).

However according to the distinctive merits and principles of jurisprudence it is decidedly certain that when there appeared contradiction in the reports, they lost their reliability, because the doubtful ones are fit to be rejected, while the sure traditions are fit to be relied upon.

Also when according to the unanimous decision of the muslim ulema and technique of jurisprudence, the legetimacy and lawfulness of Muta has been proved, we must admit it is lawful even today.

ONLY SOLUTION OF PROBLEM

If we assess the matter in the light of realities and examine it quite thoroughly and with minute details, we shall have to admit that Hazrat Omar prohibited "Muta" during his reign, with his personal opinion, in view of some particular motive, but that prohibition was based on some social considerations" and that it was the need of the hour. It had nothing to do with religion. What he actually, said, as has been consecutively related, is this: "During the days of the Prophet (S.A.) two "Mutas" were permissible, but I make them unlawful and will punish those who disobey my order".

What is worth noting is this that the second Caliph did not attribute the order of unlawfulness or abrogation of Muta to the Holy Prophet (S.A.)

but made himself responsible for it. Also he concerned himself with the problem of punishment:

In respect of Muta the Quranic Ordinance—the Sunnah (practice) of the Prophet (S.A.), the performance of the Companions, its currency during the reign of Abu Bakr and its practice in the early period of Omar's own caliphate, are the realities, which are above all arguments and discussions.

The books of history and traditions bear witness to the fact that during the age of the Prophet (S.A.) the high-ranking companions and well-known people of the Quraish family fearlessly indulged themselves in Muta and with this kind of wedding their generation grew by leaps and bounds.

THE OPPOSITE VIEW EXAMINED

Now let us see what those, who deny, say?

Raghib Ispahani has written a report that a gentleman of Basra asked Yahya Ibne Aktham whom he followed about the justification of Muta. Yahya said, "Omar Ibne Khattaab". The questioner said, "How is it? He was strict in this matter".

Yahya said "Yes, it has been proved that once Hazrat Omar announced from the pulpit, "O' people! Allah and His Prophet had made two "Mutas" lawful, but I declare them unlawful. Also I will punish those, who disobey me". Hence we consider his evidence acceptable but,

according to us, his order is not worthy of compliance.

Abdullah Ibne Omar's statement also carries mearly the same sense. Of course in this behalf the second Caliph's words, which are commonly known are these: "During the age of the Prophet (S.A.), there were two "Mutas" and I make them unlawful".

Here we repeat that if Hazrat Omar's prohibition was of the kind on which we have thrown light, the matter is a little easy otherwise it is very difficult.

QUOTATION FROM ALLAMA HILLI

At this stage we remember a master-piece of a great research scholar of the 5th century A.H. Muhammad Bin Idrees Hilli, which is reproduced here for the purpose of reference and clarification.

The aforesaid Allama, who has an exalted position among the Ulema of old, writes in his eminent book "As-Saraa'er":—

The "Nikah-e-Muwaqqat" (Timed marriage) is lawful in Islamic code of Religion. According to the Book of Allah and also according to the Sunnat, as continuously accepted by the Muslims, its lawfulness is proved. Ofcourse some people have claimed that it had been revoked but its veracity requires proof.

Moreover it has been acknowledged through reasonable arguments that every useful act about which we have no fear that it would give us any

loss at present or in future, is, according to commonsense, permissible and in "Muta" (Timed marriage) this quality is present. So we must reasonably acknowledge its lawfulness. Now if somebody asks what is the proof that it would not lead to harm in future when there are also contradictory opinion about it. The answer to it is that the onus of proof lies on the person who pleads the possibility of its being harmful. Besides this the unanimous opinion of the muslims is also a clear proof for it. And this truth is also as clear as day light that 'Muta' was permissible during the days of the Holy Prophet (S.A) and that it was only later that they began talking of its unlawfulness and revocation, which cannot be proved and its permissiveness by commonly held opinion is undeniable. So a satisfactory reply is called for from the side of those, who plead its revocation and unlawfulness.

Now if they repeat those traditions, which attribute the profile itery order to the Holy Prophet (S.A.), they will have to bear that all these kinds of traditions (even if they are correct) are the reports of the individuals, which cannot be called the cause of knowledge and action in the world of religious code, nor is it proper to digress from the realities of proved merit on the basis of such reports.

After speaking about the forbidden women Allah Almighty says in His Holy Book:

LAWFULNESS OF MUTA

"And it is allowed for you, (all women) besides those that you may seek (them) by means of your wealth taking (them) into marriage and not committing fornication and as such of them you had 'Muta' with them, give them their dowries as a fixed reward and it shall not be a sin on you in whatever you mutually agree (to vary) after the fixed reward—"An-Nisaa" (The Women)".

In this holy verse the disputable word is "istam'tatum" which has only two meanings—"Intifaa" and "Iltizaz". The second meaning is literal and the first is technical, which means that timed and special kind of wedding, which is the objective of the code of religion.

Now here the literal meaning is not worth considering, because according to the principles of "figh" (jurisprudence) it is an accepted fact that if some word of the Quran, has two meanings—one literal and the other which the code of Religion specifies, then the latter meaning shall have to be accepted and the literal meaning shall not be relied upon. That is why for the words "Salaat" (Namaz) Zakaat (poor-rate) "Siyam" (Fastings) and "Haj" (pilgrimate), we do not rely on any lexicon, but we follow what the code of Religion has commonly explained.

COMPANIONS WHO HELD MUTA LAWFUL

We have already made it clear before that a well-known group of the companions believed in the lawfulness of "Muta", such as Ameerul Mcmineen Ali Ibne Abi Talib (A.S.) and Abdullah Ibne Abbas, who used to enter into polemical discussion with Ibne Zubair on this topic and these discussions became so widely known that they were not only talked of by the common people but the poets of that time also gave vent to their feelings in their verses.

Also Abdullah Ibne Mas'ood, Mujahid, Ataa, Jabir Ibne Abdullah Ansari, Salma Ibne Al-Akwa' Abu Saeed Khudri, Mughira Ibne Sha'bab, Saeed Ibne Jabeer; and Ibne Jaresh etc. all used to give verdict on Muta's lawfulness. Hence the contention of those, who go against the terminable (timed marriage), is not correct.

Those who are concientious people may well estimate how much sobriety, firmness and force, is found in this discussion.

ETHICAL AND SOCIAL ASPECTS OF MUTA

Well we have so far thrown light on this topic from religious and historical points of view.

Now let us assess it from the ethical and social point of view.

Islam proved to be a great blessing for the world. The pleasing songs of Touheed rained

like nectar from the heaven. It gave the woe-afflicted humanity immense relief. Just as the above thing is accepted on all hands, this reality should also be acknowledged that our undisguised religion suits every age, meets the needs of all the times and satisfies all the necessities of human life of this world and the hereafter and guarantees for them prosperity and well-being of all kinds. In the constitution of Mercy there is no question of trouble. It leads to all peace and comfort. Not to speak of this world, it is a blessing for all the worlds. That is why, it deserves to be the most perfect religion and the last Code of Religion. Who does not know that the divine law adorned the human culture and civilization to such an extent that it needed no other constitution.

MUTA A BOON IN JOURNEYS

After knowing so much the question now arises whether human individuals do not have to take journeys. The reply in the negative is not possible. Rather, if we think carefully we shall find that ever since the time man attained consiousness and began to make use of his common sense, among the means for his livelihood that he adopted travelling has played, quite an important role.

Different necessities compel man to undertake journeys, for instance; trade, service, education, or war or defence, etc. And obviously for the said objectives it is the joung or atleast the sturdy men alone, who can intend to travel to far off countries.

And who does not know that the All-Wise has endowed man with sexual desire also for the preservation and safety of human race. And it also goes without saying that a traveller is unable to fulfil the requirements of a permanent marriage. Also it is not easy to get Kaniz or slave-girls (Nowadays it is impossible).

Under these conditions what should this foreigner who has been away from his home for a long time, do? How should he behave, when he happens to be young and helpless too?

ADVANTAGES OF MUTA

There are only two alternatives possible—either controlling the passions or indulging in evil doing.

- (1) But in suppressing the desires there is a danger of different kinds of fatal diseases. Rather it is not beyond the possibility that the generation may also be broken; and it is the negation of wisdom. The Islamic Code is a very easy and comfortable code.
- (2) May Allah save us from sexual mal-practices. Most of the parts of the world are suffering its consequences today.

I swear to Allah that if the muslims act in compliance with the religious laws, this universe,

according to the divine promise, will become a complete mercy for them and the good old days will return again.

"Muta" also is a useful law of the Islamic Religion. If the muslims, observing its conditions that is, "Aqd" (prescribed way of union in marriage), "Iddah" (waiting period) and preservation of generation had acted upon it, the evil-doing would have to a great extent been eradicated; honours would have been sayed; legitimate generations would have increased; the world would have got rid of bastard children and moral values would have achieved development.

The magical pronouncement of the exalted man of the community, Abdullah Ibne Abbas, cannot be over-praised. He says, "Muta was a blessing with which Allah Almighty had endowed the ummat of Muhammad (S.A.) and had it not been prohibited no one, except the perverted ones, would have committed adultery, (Vide "Nahaya of Ibne Atheer" and "Alfa'eq of Zamakhshari".

In this well-expressed statement of Ibne Abbas the effects of teaching of his exalted teacher and guardian, the divine speaker, Ameerul Momineen (A.S.) are being reflected. And the fact is that the Islamic world, deviating from this goodness, had to face their ill luck.

TALAQ (DIVORCE)

From the past treatises it is clear that the essence of wedding is that particular union, which is established between man and woman and makes the two different indivuduals companions and partners of each other. In the democratic society, the co-operation and communion between wife and husband should be compared to both the eyes and hands—both associate with each other, both share together.

How notable that this act is that two personalities, who are quite unacquainted with each other, are so strongly joined and united through wedlock that any conception of a stronger union is impossible. Rather, to show this characteristic alliance and its deep effects, there can be no better words than this verse of the Holy Quran: "Hunna libaasul lakum wa antum libasul lahunna. (They are your garment and you are their garment).

The fac: is that in this holy verse are hidden such miraculous merits and wonderful hints that our pen fails to express them.

Now obviously the natural demand of this alliance must be such that it should not be broken till the last moment of their life; rather, it may last even after death except that there appear such conditions as many result in dissolution of their pledge of leading their lives together.

VARIOUS FORMS OF DISSOLUTION OF MARRIAGE

Often some such indespensable conditions, circumstances and necessities do take place, which make it necessary to until this knot. There are various forms of it:

- (1) There is desire for separation from both the sides.
- (2) Only one side insists upon breaking the pledge.

The code of Religion has formulated for each occasion such rules as make it possible to effect separation.

For instance, if the expression of hatred or dislike is from the side of the husband, he has a right to divorce. If the aversion is from the side of the wife she can obtain "Khula. And if the disagreement is from both the sides, they shall have recourse to Mubaraat".

CONDITIONS FOR EACH KIND OF DISSOLUTION

For each of these, there are some orders, some conditions and particular occasions, which must compulsorily be taken into account.

Since Islam is a social religion and it has been founded on unity and oneness, its greatest objective is love and concord. So to create any anxiety and disharmony within its bounds is highly condemned.

DIVORCE PERMISSIBLE BUT UNDESIREABLE

Accordingly a large number of traditions have expressed the undesirability of "Talaq" ('divorce') and some of them say that among the acts made lawful by Allah, there is no act more undesirable than divorce.

That is why the Holy Law-Giver (S.A.) has laid down some conditions and put forth certain restrictions, in respect of divorce, so that such kinds of incidents may occur in as small a number as possible.

RULES OF DIVORCE

Among the rules in respect of divorce, the presence of two 'just' witnesses is a necessary condition. If divorce is pronounced in the absence of two just witnesses, it will be considered null and void.

This condition is the best means of doing away with mutual hatred, because two "just" persons have a distinguished position in society and their personality wields great influence on the general public. Also if the witnesses possess good qualities, they will consider it their duty to bring about peace and friendship between the couple through admonition and preaching.

Of course, it is not necessary that, on every occasion, their efforts would bear fruit, but this much must be admitted that in this way the cases of divorce can sufficiently be minimized.

AMONG SUNNIS WITNESSES NOT NECESSARY FOR TALAG

But it is regretful to note that our brothers, the Sunnies, have paid no head to this philosophy and they did not consider the presents of two just witnesses necessary for divorce. Consequently the circle of divorce grew so wide among them that they are put to great inconvenience.

Almost all of them are oblivious of the venerable and exalted sims and cultural mysteries and secrets of the religious code. We wish the muslims may whole-heartedly comply with the divine laws so that the bitterness that has been created in their private lives and the confusion that has spread in their demestic affairs may at least be reduced.

The second important condition is that the one, who divorces must not be under compulsion, enraged, or unconscious. Also the divorces should be clean and in Tohr period (while she is not in menses), no sexual copulation has been done with her.

In the Jafari "Figh" (jurisprudence) proneuncement of the divorsing words three times means only one divorce.

IRREVOCABLE DIVORCE AMONG SHIAS

So, if somebody pronounces three times divorcing words in one sitting, his wife does not

become forbidden for him for ever: They can be reunited without any condition. Of course, if after reunion, again divorce takes place and they again reunite and then again divorce takes place, then the woman shall become forbidden after the third divorce. After that she cannot become lawful unless she marries another man. Also, if this thing happens nine times, she will become forbidden for ever. That is, she will be unlawful for her former husband for ever.

IRREVOCABLE DIVORCE AMONG SUNNIS

Most of the Ulema of the major community have differed in opinion about the three divorces. According to their point of view, if a husband says three times to his wife that he has divorced her, it will be "Talaq-e-Ba'en" (irrevocable divorce) in which case resumption of conjugal relations is not possible with out legitimatization, though it is clearly stated in their "Sehah" that the "three divorces" are like one divorce. It is narrated in Bukhari on the authority of Ibne Abbas that "during the age of the Prophet (S.A.) and during the caliphate of Abu Bakr and for two years during the caliphate of Omar, the "Three divorces" meant only divorce, but Hazrat Omar said: "In the matter where we should have waited, the people made haste. Now if we decree it!" So it gained currency"

THROUGH VERSES OF

And the Holy Quran is itself announcing in unambiguous words:

"Divorce (shall be lawful) only twice, then (you should) either keep her in fairness or send her away with kindness" (2:229)

After this Allah Almighty says:

"So if he divorces her (for a third time) then she shall not be lawful to him until she weds another husband" (Al-Baqarah).

It was a brief account of the causes of divorce.

The details are present in the books of "figh".

Apart from these, there are also other causes of separation e.g. the defects and diseases, which are the causes of dissolution such as insanity, leprosy, "Ritq" and "Qirn" (name of diseases) in women. Also "Zehaar" and "Ella" create separation".

PERIOD OF IDDAT

The kinds of "Iddat" (waiting period) and other allied matters are dealt with comprehensively in big volumes.

After the death of the husband it is compulsory for the wife to observe "Iddat" (waiting period) whether she is "Yaesa" (past the age of menstruation) or is minor, or has not had coition with her husband, but in divorce "Iddah" is compulsory in cases other than the three mentioned above.

Of course in unlawful coition (adultery) there is no "Iddat".

"Iddah" (waiting period) after the death of the husband is four months and ten days, but in case of pregnancy she must wait till delivery. That is in the period of delivery or "Iddah of death" whichever duration is longer must be observed.

The duration of "Iddah" after divorce is "three purities" that is three months; for the pregnant woman it is till delivery; and for 'Kaniz' (Slave girl) it is half the period of the free woman.

RESUMPTION OF CONJUGAL RELATIONS

If the divorce has not occurred three times and there is no "Khula" also, the husband can resume conjugal relations, but after the expiry of the "Iddah" the woman's right prevails and in this condition there is no option except the performance of "Nikah" again.

Among us, for the purpose of resumption of conjugal relations, it is not considered necessary that two witnesses be present, as it is in the case of divorce, but it is desirable. Also it is not necessary to recite particular words. Rather such words and signs as serve the purpose, are sufficient.

"KHULA" AND "MUBARAT" (RELEASE)

The relationship of wifehood cannot be

partners express dislike for the other. Generally that is the cause of separation

So if the dislike is from the side of the husband he has in his hand "Talaq" (divorce), through which he can, if he desires get rid of her wife and if the wife detests him, she can, on payment of some money demanded by the husband, whether it is equal to the dower or more than that and after reciting the prescribed words (called "Seegha"), be released of the bond of wedlock. This is called "Khula". In this also all the conditions of divorce must be fulfilled ever and above the fact that this expression of ill-feeling is from the side of the woman and that too with full force. It is in accordance with what the Holy Quran says:

"And if you fear that they shall not (be able) to keep (themselves within) the limits (fixed) by Allah there shall be no sin on either of them about what she gives up to get herself free (from the wedlock). These are the limits ordained by Allah. Beware exceed them not" Al-Baqarah

MUBARAAT

The commentary of the Holy Ahle Bait (S.A.) about this verse is that the wife begins saying to her husband. "I will not believe in your swearing; will not allow coition; and will place undesirable elements in your house". "Obviously it shows extreme hatred and there appears to be no possibility of barmonious relations between them.

But, if the feeling of dislike is equally strong on both the sides, it is called "Mubaraat". In this too all the conditions of "Talaq" (divorce) must necessarily be fulfilled. In this case the husband has no right to claim more than the dower money that he had agreed to pay to the wife.

irrevecable. After it the husband cannot resume conjugual alliance. Ofcourse after atonement the weman has this right. In this condition if the man desires, he can resume conjugal alliance according to rules during the period of iddah.

ZIHAAR EELAA LEAAN

These are also the causes, of prohibition (for instance, if the husband calls his wife "mother" or "sister" or likens her to either, the wife becomes prohibited to him till he performs act of atonement. This is called Zehaar. There are certain conditions to these, which are written in all books of "figh". Since such incidents seldom take place, they are not discussed here.

INHERITANCE

After the death of an ewner, the transfer of his preparty, or right, to another person by virtue of their blood-relationship or some extraneous causes, is called inheritance.

The fiving relative is called "Waarith" (heir), the deceased is called "Mourooth" (one who bequeaths) and the right is called inheritance. A person is born of another one or both are born of a third one it is called lineage (or Nasab).

If the right of an heir is fixed in the Book of Allah, he shall be counted in the category in which people receive inheritance as a matter of obligation, otherwise he shall be entitled to receive the inheritance by virtue of blood relationship.

In the Holy Quran the chief shares are six. The description of the shares and the inheritors is as follows:

"NISF" I.E. HALF (1/2)

- (a) Husband: provided that the wife has no son.
- (b) One daughter: Here too the absence of son is a condition.
- (c) Sister: here also the same formula applies.

"RUB'O" (1/4)

- (a) Husband: When the wife's son is present.
- (b) Wife: Provided that the husband does not leave behind a son.

"THAMAN" (1/8)

Wife: in the presence of the son.

"THULTH" (1/3)

Mother: when there is no son, also some individuals from the mother's side.

TWO THIRDS (2/3)

Two daughters when there is no son "Sodos" (1/6):

Each of father and mother in the presence of the son; also an individual from the mother's side whether man or woman.

And those, who are not included in this chart, shall be inheritors on account of blood relationship.

The share of the man is double that of the woman.

The heirs, who have blood relations, are divided into three groups:

- (i) Mother, father; descendants downwards.
- (ii) Ancestors upwards; brothers down-wards.
- (iii) Paternal uncles; aunt (father's sister); maternal uncle and aunt, who are all nearest of Kins. In the behalf the principal standard is that the closer in blood relationship prevents the remoter.

Between the Shia and Sunni sects there is not much difference about the laws of inheritance except "Oul" and "Ta'seeb".

According to the Imamia sect, it is proved consecutively from the ways of the Holy Ahla Bait (A.S.) that in matters of inheritance there is naither "Oui" nor "Ta'seeb".

And that was the way adopted by the great companions also. The well-known statement of Ibne Abbas (R.A.) can be cited as authoritative. He speaks against "Oui" and "Ta'seeb". There

are other grounds also, which negate Oul and Ta'seeb.

From the property left by the deceased the following articles will go to the eldest son (1) clothes (2) sword () Qur'an and (4) Ring.

ARTICLES TO BE INHERITED BY ELDEST SON

The woman has no right to have any share in the land, whether cultivated or uncultivated. Similarly from the immovable property left by her husband the wife shall have her prescribed share from the value of the buildings or trees. She cannot have possession of the land or building. In these two problems the Shias characteristically differ with others and their views are supported by the statements of the Infallible lmams (A,S).

"WAQF" (TRUST) HIBA

(GIFT) AND SADAQAAT (CHARITIES)

If some one owns a property and he wants to relinquish its possession, then this transfer will be for good. That is, this property will not only go out of his possession, but that he can have no claim to reoccupy it, for instance, to free a slave; or to leave possession of a house or land and make it a place of worship, mosque, or "Ziaratgah" (sacred place of visit) etc. By such an action, no property can ever, for any reason whatsoever, come under the possession of the former owner again.

There is another condition in which for abondoning the possession of a property only this position is considered that it goes out from the possession of one owner and reaches the possession of another. Now this transaction is based either on some monetary understanding like buying and selling, "Bai-e-Wafa", peace, etc. or that it would be without any monetary compensation.

CHARITY AND TRUST

In the latter case if it is done for the purpose of recompense and in the way of Allah, then it is popularly known as "Sadaqah" (Charity).

And if the property is such that it lasts for a considerable time and the donor's intention is also that it lasts and its profits may be utilized in good acts then it will be called "waqf" (Trust).

But if the property is not durable and the donor has also not laid down any condition of its durability, then it is called "Sadaqah" (charity) in a particular sense.

HIBA GIFT

Besides this, if by handing over possession of a property or assets, the aim is not to get any recompense it is called "Hiba" (gift). But in case some compensation is demanded for this "gift" it will be known as "Ewaz" (Compensation. For instance a man says to the other "I gift this shirt to you; you may gift that book to me". So if the other person accepts it, it will

become binding and none of the parties can have the right to take back his property, except that both of them agree to break their pledge and contract. In all the conditions of "Hiba" possession is necessary.

CONDITIONS OF TAKING BACK THINGS GIVEN AS GIFT OR CHARITY

In permitted "hiba" (gift), where no compensation has been taken, the thing, given can be taken back. Of course, no demand for return can be made, from the nearest kins or from husband and wife or of the thing lost.

After the possession has been effected even the "Sadaqaat" (charities) cannot be taken back. Rather, in case possession has not been taken, even then their reversion cannot be said to be lawful.

TRUST IMMUNE AGAINST SALE, MORTGAGE OR RETURN

After reciting the "Seegha-e-Waqf" (prescribed sentence for trust) when the property has been handed over to the trustee or to any one, whom it has been entrusted and also if the donor himself has taken possession of it, as a trustee, even then he is not authorized to take it back; sell it, mortgage it, or divide it, though the trust be in favour of the descendents, which is called "Waqf-e-Khass" (special Trust), or it may be "Waqf-e-Aam" (General Trust)

which is for instance, in the nanth of the poor, the needy, the mosques, or the Schools.

EXCEPTION TO IMMUNITY

Of course, there are some occasions, where exceptions can be made and the Trust property can be sold, for instance, the property has been damaged, but the damage should be such that the property does not yield any profit.

The property can also be sold out if there is serious fear of its destruction, in which case no profit seems to be accruing from it.

We can also sell the property if there are acute differences among those, who are in possession of it and there is danger of loss of life and property and injury to honour and respect.

DIVISION OF TRUST PROPERTY NOT ALLOWED

In spite of all these conditions no one has any right to sell the property or divide it. The decision rests entirely with the Haakim-e-Shar'a (The Mujtahid). Haakim-e-shar'a has a right to pass necessary decree after assessing all the conditions prevailing there.

But it is a pity that in respect of Trusts, people have become extremely apathetic. They have no care about the limitations of the Code of Religion. They have no regard for the prescribed rules.

By and large Allah is aware of all their intentions and actions. This was a brief account of Trust which is known to all.

IMPORTANCE OF QAZI (JUDGE)

The rank of Qazi and judicial administration have great importance and in fact these are highly respectable ranks.

Among the Imamia religion the responsibility of the judiciary is considered an adjunct of Prophethood, Imamate and the State in general.

Allah Almighty says:

"O' David! We have appointed you a vicegerent in the earth; so you should deal with the people justly".

Another ordinance says:

"By your Creator, O' Prophet! Unless these people make you arbiter, without any reluctance, in there mutual disputes and accept your decision whole-heartedly, they cannot be believers".

The Qazi and Judge are the "Nawamees-e-Thalatha" (custodians of three things)—life, property and honour. That is why there are serious dangers in this rank at every step. In this behalf if the texts of the traditions are carefully studied, we shall find that it is so exalted a rank that even the mountains seem to be insignificant before it.

Hazrat Ameerul Momineen (A.S.) says: "The Qazi should be considered to be on the brink of Heil. The Qazi's tongue is between two balls of fire. O' Shuraih: (Qazi) you are sitting at a place, where sits either a Prophet or his "Wasi" (successor) or else seme wicked person".

It is stated in a tradition of the Prophet (S.A.) that "If somebody is made a Qazi it means that he has been slaughtered without a knife". There are many traditions of this nature.

An order, which a "Faqueh' (expert in jurisprudence) infers from arguments, if it concerns some general principle, is called a "Fatwa" (decree), for instance: it is unlawful to use come one else's property without permission; the wife of a husband is lawful for him, and for a stranger she is unlawful.

But if the order pertains to some particular case it is called "Faisla" (judgement) or "Qaza", for instance: "She is the wife; she is the stranger; this is Zaid's property, that is the property of such and such person.

Whether it is "Fatwa" (decree) or "Faisla" (judgement) both, of them are the chief duties of the "Just Mujtahid" and Naa'ab" (Deputy) of of Imam (A.S).

RELATIVE IMPORTANCE OF FATWA AND FAISLA

Judgement (Qaza) is really on identification of some topic whether it pertains to some case on law-suit, or otherwise for instance the order about the sighting moon, Trust, geneology etc.

However, it requires extraordinary wisdom, sagacity and intelligence. Rather, Judgement is more difficult than "Fatwa" (verdict).

Now if somebedy, who is devoid of these

qualities, undertakes to perform this act, it will certainly do more harm than good. Accordingly in the Imamia religion it is unlawfal for any one except a "just Mujtahid" to undertake to perform this work. Rather, it is regarded as one of the major sins, whose bounding lines reach infidelity.

Our respected teachers used to be very cautious about passing orders. We also follow the same line.

Judgement depends upon three basic things:

- (1) Confession.
- (2) "Bayyenah"
- (3) Oath.

"Tayyenah" means two "Aadil" (Just) witnesses.

How to make use of preference and priority in cases of difference and contradictions refers to to the clauses of the Law of Evidence, which require elaboration, and it is not worthwhile giving their details here. Our jurists have written copiously on this topic. We have also dwelt at length on this point in our book "Tahrirul-Mujallah".

One who rejects the order of the authorized Judge (i.e. who fulfils all the conditions of a Judge), will be considered to have violated the divine commands. Also no one has a right to revise the decision of that Judge. Of course he himself can re-examine his judgement.

SLAUGHTER AND HUNTING

In "Figh-e-Jafari" (Shia jurisprudences) the general principle is that the eating of animals is basically unlawful (that is under certain conditions it is lawful) and all animals who have Khoone-Jehinda" (whose blood comes out with a jerk) become polluted after death.

ANIMALS ARE OF TWO KINDS NAJAS AND TAHIR ANIMALS

- (I) "Najasul Ain" (Intrinsically polluted).
- (2) "Tahir-ul-Ain" (Intrinsically pure).

"Najasul Ain" are those animals, whose purification is impossible) and eating them is unlawful e.g. dog and pig.

UNLAWFUL ANIMALS

The animals of the second kind, who die without any ritual cleaning enjoined by Islamic law, also become "Najasul Ain" and their use too would be quite unlawful, whether they are birds or quadrupeds, whether they are wild or domestic, or whether their blood comes out with jerk or not. But if they have died with lawful purification they are essentially "Tahirul Ain" quite pure.

Carnivorous animals and beasts are unlawful even if they are pure.

LAWFUL ANIMALS CONDITIONS OF HUNTING

There are two ways of purification of the animals whose blood comes out with force:

- (I) Hunting: In this too, there are two conditions of making it lawful.
- (a) Hunting should be done through a trained hound, which obeys orders and is not accustomed to eating its prey. There is another condition for this—that the person, who leaves the hound, is a Muslim and takes the name of Allah at the time of leaving it. Also the hound should not get out of sight of the hunter.
- (b) Hunting may be done by means of archery. This includes sword, spear, rather all the lethal intruments and all sharp-pointed iron weapons. Also the builet of a gun (whether it is of iron or any other metal) is included in it.

Even here the condition is that the person, who uses the weapons, must be a Muslim and at the time of shooting the fire-arm, he must take the name of Allah. If the trained dog, or bow and arrow, kills the hunted animal, it is lawful to eat it, but if the huntsman gets his animal alive, it must be purified (slaughtered under prescribed rules). If, however, the animal is hunted through other means like leopard, net, or snare, it is forbidden. Of course if it is caught alive, it will be lawful after "Tazkiyah" (purification under prescribed rules).

CONDITIONS OF SLAUHGTER

(2) Religiously lawful slaughter (i.e. Zabeeha).

For this the first condition among us is that the slaughterer must be a Muslim, or under the

command of a Muslim e.g. the son of a Muslim, or a child got by a Muslim.

The second condition is that the animal must be slaughtered with iron instruments if possible. But in case of necessity, all those things, which cut the specified arteries can be used. To take the name of Allah is also a condition and it is also necessary to let the animal lie with its face towards the Qibla (Ka'ba). Also it is necessary that the four main arteries, including the guilet, are cut off. But, for a camel (unlike slaughtering other animals by the neck) there is a special process of killing it which is called "Nahr" And for the rest of the animals if slaughtering (Zabh) is not possible "Nahr" would be lawful.

SEA ANIMALS FISH ETC.

The other animals, whose blood does not come out with force, are all unlawful e.g. the sea animals, among whom none is lawful except the fish, which has scales (which can be peeled off). If the fish dies outside the water, is purified.

At this point we remember an interesting story. Mohammad Ibne No'man Ahwal, who is popularly known as "Momin-e-Taq" says:

"Once I went to Abu Hanifa. I saw that there was a heap of books before him. When Abu Hanifa saw me he asked me if I was seeing those books: I said, "Yes, they are before me". He said: "all these books are on "Talaaq" (divorce). "I said" In this connection, only one

verse of the Holy Qur'an has made us independent of all your books.

It says :

O' (Our Prophet)! (Say you to the believers that) "When divorce you (yours) women, divorce you at their prescribed period and reckon you the "Iddat" (prescribed periods) (exactly)".

Hearing this he said, "Well! have you ever asked your friend (Imam Jafar-e-Sadiq (A.S.) what opinion he has about the sea-cow. Is it lawful to eat it, or is it unlawful" I said, "Yes, the Holy Imam says that every sea animal, which has scales (which can he peeled out) whether it is a camel or a cow, can be eaten; and that which has no scales (fit to be removed) is unlawful to eat.

OTHER LAWFUL ANIMALS

There are three kinds of animals—of land, of sea and of air.

It has just been known that among the sea-animals none is lawful except that which has (removable) scales. The eggs of the fish are also under the same command.

Among the animals of the land the domestic cattle, the wild cows, the mountain ram and also the deer and the stags, are lawful.

The horses, the mules and the donkeys are undesirable. The animals, which eat the polluted things are unlawful, but they can be eaten after" "Istibra" (a special process of purification).

All the kinds of carnivorous animals are unlawful. The rabbits, foxes, the badgers and the mengooses, are all unlawful.

The insects and reptiles like cockreaches, earth worms, snakes, scorpions etc. are all forbiddens.

Among the birds those, which have the quality of feeding on flesh, like hawks, eagles etc. are completely forbidden.

SIGNS OF LAWFUL BIRDS

Apart from this the Holy Law-Giver (S.A.) has prescribed three signs in three conditions for the identification of lawful birds.

If the birds are in the air the pause of their wings should be more than their movement,

If they are on the ground the thorn in their feet is necessary.

In the slaughtered condition if they have the stomach they are lawful otherwise forbidden.

The bats, the peacocks, the wasps and the bees are all forbidden.

The crow, which eats grass is lawful and the one, which eats the carcass is forbidden.

OTHER THINGS LAWFUL OR UNLAWFUL TO EAT OR DRINK

Besides the animals there are other things also, which are forbidden to eat or drink. They can be classed in four categories.

- I. The use of every usurped article is forbidden.
 - Every polluted thing is forbidden.
 - 3. Every injurious thing is forbidden.
 - 4. Every detestable thing imorbidden.

UNLAWFULNEES OF URINE AND WINE

Among the liquids the unlawfulness of urine is most acute and more than that is the severity of "Khamr", "Nabeez" and "Fuqqaa" (all kinds of wine).

In the Imamiyah religion, the orders regarding the unlawfulness and pollution of wine are more strict than they are in any other sect of Islam.

The traditions that we see from our Holy Imams (A.S.) in this behalf, make us nervous.

The distillers of wine, its stockists, sellers and drinkers, have all been cursed. In our code of Religion it is called "Ummui Khaba'es (the mother of all evils).

Some of the traditions of Ahle Bait (A.S.) show that it is unlawful to sit at the table, on which lies an intoxicating drink. Probably the secret in this is that the people may abstain from forbidden drinks and their bad effects may not spread to other things.

The experts of modern scientists have acknowledged after chemical examinations that

wine is a vicious thing—very harmful, extremely destructive to life.

Islam warned against it thirteen hundred years ago. Today even those people, whose code of Religion does not consider it unlawful, are abstaining from it.

The "Shar-e-Muhammadi" (Code of Religion of Prophet Mohammad (S.A.) cannot be overpraised. Those, who do not follow it, are plunging themselves into ruination.

PENAL CODE HUDOOD (PUNISHMENTS)

For the security of social administration and for the protection of human constitution, the following are the immediate punishments in some special crimes:

PUNISHMENT FOR ADULTERY

If an adult an 1 sane person knowingly and deliberately commits sexual intercourse with a forbidden woman, then it is compulsory on an authorized Judge to beat him with one hundred whips and also having his head shaved off, get him banished from the city for one year. And, if he has committed "Zina e-Mohsina" (adultery with another's wife), he shall be stoned to death; and if the woman also has consented, then being the wife of a husband she too shall be awarded the same punishment, otherwise she would be inflicted with whips.

If somebody commits unlawful act with the forbidden women of his family or with his Riza'ee

sister both of whom have sucked the breast of the same woman) or with his sup-mother, or if some "Zimma" (a non-muslim, who pays a certain amount to Islamic State for the safety of his life) commits adultery with a Mulsim woman, he will be beheaded. The same punishment is for "Zina bil Jabr" (rape).

For the proof of adultery, it is necessary that the culprit confesses his guilt four times, or four "Aadil" (just-men) give evidence (that they have seen him in the act of committing the offence). Three men and two women are also sufficient. And it two men and four women give evidence, then only whipping shall be done and the culprit shall not be stoned. In less than this the proof of adultery is not considered complete. Also, if two or three men have given evidence, they shall be punished for "Qazaf" (Slander). In the matter of evidence of the witnesses complete unanimity and seeing with their own eyes is essential.

In case of stoning, if the culprit, after confession, disavows the charge, it (the stoning) will become invalid and if, after confesson, he repents of his action, the judge can exercise his own discretion. And if one repents after the evidences, the "had" (prescribed punishment) would not be invalid.

If the culprit, who has been punished twice, commits the crime for the third time he shall be sentenced to be beheaded. The pregnant woman

until child-birth and the sick person until he or she recovers from illness, cannot be inflicted with "had" (prescribed punishment).

PUNISHMENTS FOR "LEWAT" (SODOMY) AND "SAHAQ" (RUBBING)

In any crime or sin there is not so severe a punishment as it is in sodomy. Except for this sin nowhere it is permitted to burn the culprit to death.

For an unnatural offence, the 'Qazi' (or Judge) of the time can impose one of the following sentences for the culprit.

Beheading; stoning, throwing from the height so that his bones are broken to pieces; set fire on him;

The passive one, if he is adult and independent, shall be sentenced to be beheaded. 'Taazeer' (mild punishment) shall be given to the minor.

There are the same conditions for the proof of sodomy as they are for adultery.

In the same way in "Sahaq", the active woman and passive woman shall both be awarded one hundred whips. And in case of their having a husband the punishment of stoning is not far from being possible.

Seventy five whips are fixed for the agents. Besides this, their heads shall be shaved off and they shall be banished from the city.

For the proof of this the evidence of two "Aadil" (just) witnesses or confession twice is sufficient.

THE PUNISHMENT FOR SLANDERING

If some one accuses a sane, adult and free Muslim, of a crime, for which, some sentence can be inflicted, for instance, adultery, sodomy and drinking wine, then for the slanderous charge the accuser shall be punished with eighty whips.

In case of admissible proof or on confirmation by the accused person, the sentence (against the accuser) shall become void.

If two "Aadil" (Just) witnesses give evidence, the crime shall be considered proved.

An Undesirable appellation, for instance, calling some one as Transgressor, sinner, leper, or infected with leucoderma (white spots) is also a punishable offence.

Also if somebody claims to be a Prophet (5.A.) or curses and imprecates any of the Fourteen Infallibles (A.S.) he shall be sentenced to be beheaded.

PUNISHMENT FOR THE DRUNKARD

The punishment for a drunkard, or for any one, who uses, any intoxicating liquor of old or modern type, is eighty whips, which shall be inflicted upon his bare back and arms.

If some one has been punished for three times and he commits the crime for, the fourth time he shall be beheaded.

One who considers wine lawful is liable to the same punishment.

If the dealer in wine repents of his profession, it is well and good, otherwise he too shall be liable to be beheaded.

PUNISHMENT FOR THEFT

If an adult and sane person steals something which is closed and its cost is worth "mithqanal" pure gold then his case will be dealt with by the judge and after his confession twice, or after "Bayyenah" (evidence of two just "Aadil" witnesses) four fingers of his right hand shall be cut off. And if he commits this crime for the second time, his left foot from the middle of the leg shall be cut off. For the third time he shall be sentenced to life imprisonment. And, if he commits theft in the prison he shall be beheaded. If he has committed theft a number of times, before he has been subjected to "Had" (prescribed punishment) only one "Had" shall be inflicted upon him. For children and insane people there is no "Had" but "Tazeer" (a lenient punishment). The thief must invariably have to pay compensation.

In regard to compensation, one confession and the evidence and oath of one "Aadil" (Just) witness is sufficient.

For stealing the property of the son, the hands of the father shall not be cut off, but conversely if the son steals, his hands shall be cut off.

PUNISHMENT FOR "MUHARIB" (WAR-MONGER)

If some one frightens the people in the city, desert, or sea, or threatens them with fire-arms for the purpose of plundering and looting, the judge has authority to slay him, crucify him, cutt off his hands and feet, or banish him from the land.

Allah Almighty says:

"The recompense of those, who war against Allah and His Prophet, (S.A.) and strive in the land, spreading mischief (therein), is only that they be slain, or cruicified, or their hands and their feet should be cut off from the opposite sides, or be banished from the land"—"Al-Maidad".

In case of banishment, the people of the place to which the culprit has been deported, should be informed in writing, so that they may stage a social boycot against him till he is repentant.

PUNISHMENT FOR A DECOIT

The thief who attacks the house (i.e. the dacoit) is also a "Muharib". If he is killed, his blood will be considered wasted.

PUNISHMENT FOR ATTACK ON MODESTY OF A WOMAN, FOR THUGS, RUFFIANS ETC.

if someone attacks the honour of a woman or her child, they have a right to strive for selfdefence. In the struggle, if the assailant, is killed, his blood also will go to veste. The thugs the ruffians and the false witnesses are liable to "Ta'zeer" (mild punishments). The judge can award proper punishment to them.

DIFFERENT PENALTIES

If somebody commits unlawful action with a quadruped, he must be awarded "Ta'zeer" (mild punishment). If he persists in his action he shall be liable to be slain. The meat of the quadruped, which is eaten, will also be forbidden. For it, it is ordained that it should be slaughtered them burnt up and the owner should be given its cost.

In case of doubtful identity of the animal, it should be decided by drawing lots.

But the animals, whose meat is not eaten, should be sold out in another city and their cost should be given in charity. If the property does not belong to the culprit, amends must be made for the loss of the person, who is its owner.

The evidence of two "Aadil" (Just) witnesses or confession twice will be sufficient to prove the guilt.

He who commits sexual intercourse with the dead body, shall be dealt with like one, who has done so with a living one. Rather, the chastisement for this offence is more severe. In case of wife and slave girls appropriate punishment shall be given. For its proof also the same

conditions hold good as they do in cases of adultery and fornication.

One, who practises self-abuse (masturbation), also deserves "Ta'zeer" (mild punishment).

Every one has a right, as far as possible, to exercise defensive measures for his own safety as also for the safety of his wealth, property and his family members. But first he should adopt easier, then gradually harder, methods for defence.

If some one peeps into another's house and its inmates pelt him with stones and if he dies of the wounds inflicted upon him, his blood will be considered wasted.

"QISAAS" AND "DIYAT" (RETALIATION AND REPRISALS)

Unlawful murder is the greatest sin and the greatest mischief.

"And whosoever kills a believer intentionally, his recompense shall be Hell, he shall abide therein and Allah's wrath shall be on him and His curse....." Al-Qur'an.

Crime whether it leads to some loss of life, or that it causes the loss of some part of human body, is after all a crime.

It is of three kinds :

- I. Wilful murder.
- 2. Resemblance to murder.
- 3. A simple mistake.

Wilful murder does not need any clarification. "Resemblance to murder" means that the culprit took the initiative, but had no intention of murder, for instance, somebody is beaten by way of warning and the suffering causes his death, or a patient is given some medicine to take and it ends his life.

"A simple mistake" means that there is neither any intention nor any initiative and some one gets killed, for instance somebody is aiming at a bird and by mistake, a human being becomes a victim, or a man is lifting his gun and it goes off and kills some-body.

Its more clear examples are the actions of a man, who is sleeping, an unconscious person, a mad man or an innocent child.

In all these kinds the actual commission of the crime, taking the initiative and individual or collective action, have the same orders. Retaliation relates to wilful murder only.

In resemblance to murder and murder by mistake they have to make reprisals only. For "Qisaas" (retaliation) the culprit must be adult and sane. The child and the lunatic are not worthy of being retaliated. For the slain person also sanity and puberty are necessary. Hence if an adult-person kills some minor person, then for him it is reprisal instead of retaliation. Some, however, believe in retaliation also. The same is the case with the lunatic.

In partial loss, wilfulness is relied upon, but in case of loss of life compulsion or constraint has no merit, because in the matter of murder Taqiyyah is forbidden. It is also necessary that the murdered person is of pure soul, that is, he should not be one, who has been permitted by the "Shariat" (Religious law) to be killed.

Also the culprit should not be the father, grand father, or the great grand father of the murdered person, because in case of murder of son or grand-son retaliation upon the ancestors is not permissible; they shall have to make reprisals only. A Muslim shall be liable to retaliation only in case of the murder of a Muslim. Similarly retaliation of the freeman shall be retorted on the freeman only.

BLOOD MONEY OF A

The blood-money of the free Muslim is this:

One hundred camels, or two hundred cows, or one thousand sheeps, or one hundred 'hullas' (dressed, composed of two garments in each dress or also one thousand Dinars which are equal to five thousand Turkish pounds.

If the heirs of the murdered person agree to take the "Diyat" (compensation) retaliation will become void and the murderer shall have to pay off the compensation within one year.

In case of resemblance to murder the period prescribed for paying up the blood-money is two years.

In murder by mistake the duration is of three years and every year 1/3 shall be compulsorily payable.

In partial losses as cutting the hands and feet and making somebody blind etc. there is "Qisaas" (retaliation), if the action is deliberate, in this manner—eye for eye, ear for ear and tooth for tooth.

If it is by mistake, or it resembles wilfulness, then less than half, shall have to be paid up.

The compensation for single parts like nose etc. is full and for double parts like eyes, hands and feet it is half for each part and full for both the parts. In case of resemblance to wilfulness the culprit himself shall bear the responsibility.

For details big volumes are available. Since we are dealing with these matters very briefly, we have left a number of topics. And our aim was that we might show some samples, so that our purpose may be served through mere references.

NOTHING OF JUDAISM OR CHRISTIANITY AGAINST TAUHEED IN SHIA BELIEFS

Whatever has been stated in this book shows the beliefs and convictions of the Imamia religion. It would require volumes and volumes if we deal with them in details.

Now the religious heads and Muslims in general may tell us whether there was any thing out of the realities, that we have just stated, which may be called the cause of destruction of Islam, or that there is any problem, which is derived from Judaism, Christianity, or Zoroastrianism

Or, during the whole course of this discussion, is there anything which appears to be against the basic principles of "Tauheed" (Unity of Allah) or against "Kitaab" (Qur'an) and Sunnah" (Practice of the Holy Prophet S.A.).

For Allah's sake! be just and refrain from uttering calumnious remarks.

Lastly our prayer is that our brothers-in-Islam may come out of the world of doubts and uncertainties and appear to be one under the banner of the Quran and may become successful in attaining their past glory.

It is quite obvious that so long as the sectarian conflicts continue, we cannot regain our honour.

May Allah bless us with mutual tolerance and may the bonds of love become stronger.

THE PROBLEM OF BADAA

In this matter also the Shias are much taunted. The misconstruers, distorting the view of "Badaa", try to convince the people that according to the Shia faith Allah Almighty performs such ations of which He has no Knowledge. Allah forbid! Can there be greater ignorance than this? This is plain infidelity

because on one side it shows denial of the Attribute of Knowledge of Allah Almighty and on the other He is considered to be liable to accidents and changes. This thing negates the very essence of infiniteness and Absoluteness of Allah. The Imamia Sect vehemently opposes these foolish and absurd ideas. Rather, no Islamic Sect supports this misleading view. Ofcourse these nonsensical things are attributed to some of those elements, who believe in the physical Being of Allah. As such it is one of them who says about Allah: "Only excuse me for beard and secret parts, otherwise you may ask me anything you like!"

CORRECT MEANING OF BADAA

The correct view of "Badaa", which the Shias believe in, is included in the secrets and mysteries of Aal-e-Muhammad (A.S.). The traditions of Ahle Bait (A.S.) say:—

"There is no other way in which the duty of Worship to Allah is better performed than it is done with the acknowledgment of "Badaa". One who did not make "Badaa" as the proof of "Irfaan" (cognition) did not possess complete understanding of Allah".

There are many other reports also, carrying the same sense. In fact knowledge is of two kinds:—One is that with which Allah has endowed His angels and Prophets (A.S.). According to this knowledge, whatever has been told them

must surely happen. But the second kind is that which is neither known to an angel close to the Court of Allah, nor to any exalted Prophet (S.A.).

It is only He Who knows it. So, according to it. He causes something to happen earlier or delays the happening, or effeces or writes down something as He pleases. That is the stage of knowledge, which Allah Almighty calls "Ummul-Kitaab". This shows the Perfect Might, Absolute. Wisdom and All-Divine Sovereignty of the Lord of the universe.

This problem can also be understood in this way, that "Badaa" in "Takween" (to be) has the same position as "naskh" (revocation) has in the Laws of Relgion. So, as in the matter of religious laws, amendments, additions, changes and alterations, there are unknown advantages at work, there are also, in the matter of happenings, those secrets and mysteries which concern "Ikhfa" and "Badaa", which are beyond the power of human understanding.

"Badaa" can also be explained in this way that the chief servants of Allah have knowledge of something but they do not know its conditions and obstructions. For instance Carist knew that the bride-groom would die on the first night of marriage, but he did not know that for the happening of the incident failing to give the charity was a condition. So it chanced that the

bride-goorm's mother gave out charity and he was saved.

When this reality was put up before Christ he said, "you must have given something in charity on his behalf. Charity wards off all calamities".

There are other instances also of this sort. The advantage of these positions is that firstly the human selves are put to test and secondly the habit of submission is inculcated upon the person.

The manner in which Abraham was put to trial is its clear proof.

Also, if there is no "Badaa", then invocation, charity, intercession, attachment, the weepings and wailings of the Prophets (S.A.) and saints and their fear of Allah, inspite of their excessive obedience to Him, will all become meangingless.

Evidently the cause of their fearing and trembling is that hidden and treasured knowledge, which no body is aware of and that is the fountain-head of "Badaa".

If some one wants to know the details of the kinds of "Badaa", "Qaza" and "Qadar" and "Louh-e-Mahv and Ithbaat" he should read the first volume of our book "Ad-Deen wal Islam". We have elaborately thrown light on these topics.

TAQIYYAH

In the matter of "Taqiyyah" also the Shias are very much defamed and the reason for that

is that the masses are quite ignorant of its reality. A careful consideration will show that the Taqiyyah in which the Shias believe, is not peculiar to them alone. Rather, it is a logical necessity and natural demand.

There is no commandment of the Islamic Code of Religion, which is inconsistent with wisdom and learning. In every problem knowledge and wisdom will appear going together.

If you assess the innate human tendency, you will have to admit that every person perforce defends his life. Life is very dear. Of course, if honour is at stake or there is the problem of protection of Truth, then although life is so dear, it is not paid any heed to. But if circumstances are not of this nature, who will be that sane man, who, endangering his own life, will be prepared to make the world laugh at him". And then to fall in danger unnecessarily is against both wisdom and religion.

It is for this reason that the Holy Law-Giver (S.A.) has permitted the Muslim, who is surrounded by dangers and there is risk of injury to his life or honour, to hide his belief apparently, while inwardly performing actions according to his faith.

The verses in the Holy Quran suggest the same thing, there are facts recorded in the history of Islam about Hazrat Ammar, his parents and some other companions that being

expressed infidelity.

CONDITIONS IN WHICH TAQIYYA IS OR IS NOT PERMISSIBLE

There are three commands for acting on agiyya:

- If life is being lost without any purpose hen it is compulsory.
- (2) If expressing the truth serves a useful urpose—then it is optional to do or not to do Taqiyya).
- (3) But if the "untruth" (infidelity) is gaining trength, the Ummat is being led astray and here is danger of cruelty and tyranny being evere—then Taqiyya is "haraam" (unlawful).

CONDITIONS JUSTIFIED TAQIYYA BY SHIAS

Now let us throw light on this very back-round so that a conscientious person may find it asy to decide whether the poor Shias are really condemnable for their acting on Taqiyya provided that the condemnation is justified), or hat, it is those elements, who snatched away heir freedom and compelied them to resort to Taqiyya.

As soon as Amir-e-Muawiya assumed power, are made a toy of shariat (Religious Code) and a ounced upon the Shias of Ali (A.S.) with naked tyranny. The blood of the Shias was cheaper than erater.

The Marwan rulers also followed the same wrong policy. Then came the Abbaside period. They practised atrocity with greater intensity. Consequently those, who loved Ahle Bait (A.S.) had to adopt various measures. Sometimes they were in hiding, sometimes they rose; sometimes circumstances compelled them to remain concealed; and sometimes in their enthusiasm for the support of Truth, they rose up to brave the onslaught, so that the flow of their blood might serve as a beacon light for others.

INSTANCES OF FACING MARTYDOM INSTEAD OF TAQIYYA

Accordingly many high-ranking Shias did not feel the necessity of Taqiyya, courted all sorts of tyrannies and were martyred. The story of the martyrs of "Maraj-e-Azra" (name of a small town in Syria) is especially well-known. These were fourteen brave warriors, who sacrificed their lives, under the command of God-worshipping Companion Hajar Ibne Adi Kandi, in the way of Allah.

Hajar Ibna Adi was also a military leader responsible for the conquest of Syria. Amir Muaviya said:

"About every one of those people, whom I have put to the sword in the Maraj-e-Azra, I can tell what was in him, but I am at a non-plus in the case of Hajar and do not know the crime for which he was martyred".

Yes, we may tell what Hajar's fault was. This poor fellow did not feel the necessity of Taqiyya and it was only because he wanted to make the tyranny of Aai-e-Omayya known to the world and also that the world might know how much concern that family had with religion.

Also, who does not remember the events about the great Companions Amr Ibne Himq Khuza'ee and Abdul Rahman Ibne Hassan Ghazi. Ibne Ziyad had got them burried alive.

Meetham-e-Tammar, Rushaid Hajari and Abdullah Ibne Yaqtar were crucified. Besides these there are examples of hundreds of other "Mujahid" (warriors) who confronted the infidels in the way of Allah and crushed them to pieces.

ADVATAGES OF NOT OBSERVING TAQIYYA BY THOSE WHO WERE MARTYRED

These lovers of TRUTH did not observe Taqiyya because that was the need of the hour. Their non-observance of Taqiyya protected the remaining Truth and distinguished Islam from the religion and modus operandi of Muaviya, Yazid, Ziyad and Ibne Ziyad.

Who can forget the events relating to the martyrdom of Husain (A.S.) and his venerable companions? They were the leaders of the martyrs and chiefs of the freedom loving people. Of course in view of the conditions which they had to face they considered Taqiyya to be unlawful, but there were some occasions on

which the observance of Taqiyya was regarded compulsory and sometimes it was considered an optional act.

Perhaps some reports say that once MUSAILE-MA the imposter, captured two Muslims and forced them to acknowledge his Prophethood and deny the Prophethood of the Holy Prophet (S.A.). Then one of them refused to comply with his wish and was consequently killed. But the other accepted his demand and was released.

When this news reached the Holy Prophet (S.A.) he said, "The first one made haste to go to Heaven and the second one marked time. Both of them will get its recompense".

O' Muslims! Do not taunt your brothers about Taqiyya. May Allah bless you and us in the hereafter and may all of us be united on the point of guidance. Salam to you all and we wish you Allah's Mercy and His Blessings.

THE END



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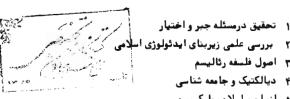
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