

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

***In the Name of Allah,  
Most Gracious, Most Merciful***



# **Contemporary Inquiries**

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*Author:*

***Shaykh Abd al-Jalil al-Makarani***

***Dar al-Sayyidah al-Ruqayyah***

# ***Contemporary Inquires***



## Table of Contents

<b>Introduction</b>	<b>1</b>
<b>First Inquiry</b>	<b>2</b>
<i>Field and Topic Expertise</i>	<b>3</b>
<b>Second Inquiry</b>	<b>8</b>
<b>Western Secularism and Terrorism</b>	<b>13</b>
<b>Third Inquiry</b>	<b>16</b>
<b>Fourth Inquiry</b>	<b>18</b>
<b>The Reward of an Emigrant in the     Way of God</b>	<b>20</b>
<b>Fear of Integration and Assimilation</b>	<b>21</b>
<b>Fifth Inquiry</b>	<b>23</b>
<b>Religion: Outset of Justice and     Human Peace</b>	<b>25</b>
<b>Objectives of Divine Messengers</b>	<b>27</b>
<b>Sixth Inquiry</b>	<b>34</b>
<b>Seventh Inquiry</b>	<b>39</b>
<b>The Conditions and Circumstances     of the lives of Aimmah</b>	<b>41</b>



## **Introduction**

In the name of Allah, the Beneficent, the Merciful

Praise be to Allah, the Sustainer of the worlds. Peace and blessings upon Muhammad and his rightfully guided family.

Dear reader, this short work “Contemporary Inquiries” is a collection of answers to questions that are being faced by western youth from United States, Europe and other countries.

The questions that are posed are rooted in real complications and concerns that challenge western Muslims. Some of these questions indicate peculiar criticisms towards Islam and its law. These result in complications for a Muslim youth living in an environment who seeks to live faithfully by protecting the foundations and teachings of Islam.

We endeavored to answer these questions through analysis and providing satisfactory answers in simple language and by using the holy Qur’an, the *Sunnah* of the noble prophet and his family, their traditions and sayings.

### First Inquiry

- A. What is the proof of emulation (*taqlid*) using intellectual proofs?
- B. Duty-bound Muslims live in different parts of the world including western countries. Their lives differ drastically than the *Maraji'* (Islamic jurists) who tend to live in Najaf or Qum. They lack much information about the details of the people who live in different countries. Is it correct for those people to do *taqlid* of those who live far and are unaware of their lifestyles?

Answer: *Taqlid* is founded upon an intellectual basis and that is what any sensible individual with sound judgment will agree upon. Whenever a person may need something in his life and he is unaware of what to do, he will refer and consult to an informed person to deal with that situation or any other problem he may be facing.

A person lives a life of following another and emulating the one who is an expert and professional. This is what we observe and notice in every discipline of science and expertise that involves man. A patient refers to a doctor, a person who wants a

## Contemporary Inquiries

portrait refers to a photographer, a person who wants to build a home refers to a professional architect who is an expert. This is the meaning of *taqlid* and following an expert and professional. In these situations, there are two aspects:

1. An uninformed person must consult an informed individual of that specialty or field. If someone does not have information, he cannot give information and so an uninformed cannot solve his problem until consultation.
2. *Taqlid* and consulting in religious and judicial matters is the same principle. It is logical and based on common sense that all of mankind will agree and acknowledge. There is no difference when a duty-bound refers to a jurist and when patient refers to physician.

### **Field and Topic Expertise**

Every expert in any discipline of science or knowledge has to have studied and exhausted that field of study by investigating the different branches, issues, causes and effects of that topic. This is incumbent upon the person so that his opinions, beliefs and method of derivation on a certain topic are based upon logical proofs and valid arguments that are harmonious with proper criterion.

If there is a scholar in any field of the many fields of study, like medicine or physics, and he is a

## Contemporary Inquiries

professional and expert but he cannot disentangle a certain problem due to his disconnect from current discoveries and achievements of that field, people, especially other experts, will have doubt and uncertainty about his level of knowledge. Consequently, he will fall from that high level of expertise. However, if he is connected and up to date with newest developments and discoveries in that field of expertise, he will become an authority for others including researchers and those who give importance to that field. It does not make a difference if such a person is in London, America, or any Middle Eastern country; he has reached that high level of expertise.

A religious authority and jurist is an expert in the different disciplines of religion and law, so he must derive religious laws based upon the accepted criterion and standards for that field from the different sources of religion.

The most important responsibility for a *faqih* is to provide a general, intellectual view about Islam based on what he has concluded through referring to the Qur'an and Sunnah. His distant location from the duty-bound and faithful does not have any effect in explaining Islamic laws. To develop a ruling and its explanation does not require a person sees the actual situation. Rather, the emphasis is upon

## Contemporary Inquiries

perceiving the issue which requires a religious ruling which is derived from the sources of religion.

It is not the duty of the *Marja'* or *Faqih* to directly discern the topic facing the believer. It is the duty and obligation of the believer to apply the law. The jurist is responsible to deliver the religious ruling according to the religious texts. The jurist passes a ruling through his collection of *fatawa*, like the prohibition of a fast which is harmful to a patient suffering from a sickness or may result in further deterioration of his health. However, to discern and determine the harm is upon the duty-bound and he decides whether to complete the obligatory fast or to leave it.

In the current time period we are living, there is advanced communication technology in exchanging information anywhere in the world and the huge world has become a small village.

Man has become dominant all over the globe and in any place he lives; wherever he may be, he can access information of the world, different countries, cities, peoples, through the internet or mobile networks.

Being distant or close no longer plays an important role for a jurist when deriving a religious ruling who may live in Najaf or Qum or any other country in the world.

## Contemporary Inquiries

There is one important point: a duty-bound must follow a *marja'* and *faqih* who is sanctioned by the conditions and requisites of the school of Ahl al-Bayt. Fulfilling these conditions allow and prepare him to climb the position of passing Islamic edicts and deriving religious rulings. Due to the importance given to scholars by Islam, it has further emphasized and expects a particular lifestyle of piety, faith, and pure commitment to this knowledge. Imam al-Askari ('a) says:

فَأَمَّا مَنْ كَانَ مِنَ الْفُقَهَاءِ صَانِعًا لِنَفْسِهِ حَافِظًا لِدِينِهِ مُخَالِفًا عَلَى هَوَاهُ مُطِيعًا لِأَمْرِ  
مَوْلَاهُ فَلِلْعَوَامِّ أَنْ يُقَلِّدُوهُ

As for those who are among the *fuqaha*, safeguarding his soul, protecting his religion, opposing his desires, obedient to the command of his *mawla*, then it is upon the masses to follow him.<sup>1</sup>

Among those requisites which must be found in the *faqih* and *marja'* are his awareness and cognizance of the times that he is living in, the demands of that period of time, the present social and human circumstances, and collective knowledge of contemporary human culture and thought that man has arrived at. This allows him to formulate a

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<sup>1</sup> Wasail al-Shiah, 22:131, Hadith 20.

## Contemporary Inquiries

juridical and religious perspective that includes and is relevant to what is happening all around him.

So a *faqih* and *marja'* in this current period is for the entire world and not for a certain country which he lives in. This is *faqih* in the shadow of the school of Ahl al-Bayt. Imam al-Sadiq says: A scholar aware of his time, blunders will not ambush him.<sup>2</sup>

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<sup>2</sup> Al-Kafi, 1:27, Book of Intellect and Jihad.

### Second Inquiry

Religion and sectarianism is a cause of difference and conflict from old times till now. Crimes like killing, terrorism and destruction have their motives in religion and sects. With all this, what is the necessity for a human to abide by a religion throughout his life?

Answer: Terrorism, violence and killing is what stands out in this period of time as compared to all previous historical periods of man and society. There is no doubt the phenomena of terrorism and violence which we see all over in the present time, have different roots and causes. Terrorists don't have only one ideology but have unique and distinct principles.

To say religion at the present time is the cause of the terrorism, killing and violence, is actually avoiding and distracting from the actual problem that humans are being facing. Current terrorism is not one type; there are global and colonial terrorists that have taken hold of the interests and investments belonging to the citizens. They dominate nations and countries through politics and economics, completely hijacking a country's interests and investments.

The clearest example of terrorism is practiced by superpowers who are occupying countries and

## Contemporary Inquiries

directly intervening in the affairs of other countries while looting and plundering the riches of other countries.

We cannot deny one of the important causes of terrorism, killing and war throughout history is belief in religion and promoting sectarianism. Internal fighting for the sake of religion and belief is one of the biggest causes for conflicts and violence throughout human history. If we look at the Qur'an, terrorism began with the beginning of humanity and mankind. Qabil killed his brother Habil when they were both supposed to make an offering to God the Almighty. One of their offerings was accepted and the other was rejected because it was not at the level of worship and for the sake of proximity to God.

وَأْتَلُ عَلَيْهِمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا قُرْبَانًا فَتُقُبِّلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرَ  
قَالَ لَأَقْتُلَنَّكَ ۗ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ ﴿٢٧﴾ لَئِن بَسَطْتَ إِلَيَّ يَدَكَ لِتَقْتُلَنِي مَا أَنَا  
بِبَاسِطِ يَدَيْ إِلَيْكَ لِأَقْتُلَنَّكَ ۗ إِنِّي أَخَافُ اللَّهَ رَبَّ الْعَالَمِينَ ﴿٢٨﴾ إِنِّي أُرِيدُ أَنْ نَبُوءَ بِآثِمِي  
وَإِنَّمَا أَنتَ كُونٌ مِنَ أَصْحَابِ النَّارِ ۗ وَذَلِكَ جَزَاءُ الظَّالِمِينَ ﴿٢٩﴾ فَطَوَّعَتْ لَهُ نَفْسُهُ قَتْلَ  
أَخِيهِ فَفَتَنَهُ فَاصْبَحَ مِنَ الْخَاسِرِينَ ﴿٣٠﴾ فَبِعَثَ اللَّهُ غُرَابًا يَبْحَثُ فِي الْأَرْضِ لِيُرِيَهُ  
كَيْفَ يُؤَارِي سَوْءَةَ أَخِيهِ ۗ قَالَ يَا وَيْلَتَى أَعَجَزْتُ أَنْ أَكُونَ مِثْلَ هَذَا الْغُرَابِ فَأُوَارِي  
سَوْءَةَ أَخِي ۗ فَاصْبَحَ مِنَ النَّادِمِينَ ﴿٣١﴾

But recite unto them with truth the tale of the two sons of Adam, how they offered each a sacrifice, and it was accepted from the one of them and it was not accepted from the other. (The one) said: I will surely kill you. (The other) answered: Allah accepts only from those who ward off (evil). Even if you stretch

## Contemporary Inquiries

out you hand against me to kill me, I shall not stretch out my hand against you to kill you, lo! I fear Allah, the Lord of the Worlds. Lo! I would rather you should bear the punishment of the sin against me and thine own sin and become one of the owners of the fire. That is the reward of evil-doers. But (the other's) mind imposed on him the killing of his brother, so he slew him and became one of the losers. Then Allah sent a raven scratching up the ground, to show him how to hide his brother's naked corpse. He said: Woe unto me! Am I not able to be as this raven and so hide my brother's naked corpse? And he became repentant.<sup>3</sup>

After this incident, the Qur'an then talks about the religious edict regarding killing and terrorism and considers it a violation of humanity. The value of a human towards God is equivalent to the value an entire human society because a society is comprised of its individuals and persons. God says:

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ  
فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا ۗ وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا  
بِالْبَيِّنَاتِ ثُمَّ إِنَّا كَثِيرًا مِّنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ ﴿٣٢﴾

For that cause We decreed for the Children of Israel that whosoever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he had killed all mankind, and whoso save the

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<sup>3</sup> Al-Maidah, Verses 27-31.

## Contemporary Inquiries

life of one, it shall be as if he had saved the life of all mankind. Our messengers came unto them of old with clear proofs (of Allah's Sovereignty), but afterwards lo! Many of them became prodigals in the earth.<sup>4</sup>

When we analyze the previous verses, we find that the religion and faith prevented Abel from carrying out terror, killing and crime. Contrary to his brother, his desires and personal motives pulled him towards committing this crime which is opposed to the innate nature and divine teachings.

If religion was the source of killing and terrorism in any society or country, it would be wrong to accuse the religion itself for the source of it. Rather, there are those who are aware of religion who misconstrue the image of religion and themselves practice terrorism and killing in the name of religion to the point where there is a phenomena called Islamophobia in the west.

The ideology of practicing terrorism and violence by al-Qaeda and others in the name of Islam, has changed from outward actions (of a certain group) to a major theological tenet of Muslims and Islam in the western world.

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<sup>4</sup> Al-Maidah, Verses 32.

## Contemporary Inquiries

The majority of west sees the reason for an unhealthy relationship between west and Muslims is a lack of tolerance among Muslims. They believe intolerance, violence and harshness dominate Muslims and they cannot adapt to modern society.

This view is not due to the events of September 11 because it was present before those events took place. Based on the polls in the early 90's which took into account the events of Algeria, these altered the views of the French. This was a result of what westerners wrote about Islam and focused on the Islamic rulings on war and out-of-context verses of the Quran. This was accompanied by Muslims not refuting these claims or their answers not reaching the western world. The Ummayyad movements began and that was the Islam of *takfir*, terrorism and random killing which is not from the reality of the religion. This all played a role in altering the western view of Islam towards violence, intolerance and lack of coexistence.

This was a terrible step but was successful in creating hostile politics towards Islam within western societies. Politicians welcomed this because it would be a distraction for the population from internal issues and redirect the focus on foreign enemies while getting political points to attack Islam.

## Contemporary Inquiries

Some western Christian groups took a stand of defending Europe by challenging and attacking Islam. These negative movements all played a part in changing the overall views about Islam.

### **Western Secularism and Terrorism**

Despite the western claim that their ideology is characterized by analysis and historical review about the present world, it cannot free itself from the cultural past and social decadence.

West had separated from religion after the Christian church was responsible for creating divisions within the society. This same method is trying to be applied to Islam by promoting the viewpoint that the presence of Islam in the social and political lives of the Islamic governments is the cause for extremism and terrorism. They advocate to the Muslim world and populations to free themselves of religion and attach themselves to secularism as a way of life and human happiness.

It's not odd to find secularism present in their societies because the environment has caused it. It was a result of the domination of the Church and cooperation with oppressive forces against the people. Europe drowned in the blood due to the massacres of Church. Hundreds, no thousands, were tried and were punished in their courts and many disappeared. It is divine rule that an action

## Contemporary Inquiries

will result in a reaction. Science began a huge battle with the church and it resulted in separation of religion and state and the power of the Church dwindled away.

The historical circumstances of Europe paved the way for secularism and separation of religion and state. The distortions that entered Christianity, which entered by the Jews, allowed secularism to gain strength. It is not strange that the Jews were responsible for separation of church and state.

It is not astonishing to hear that the religion within the walls of church prayer was accompanied by music followed by dancing. This was seen by the clergy, rather they were responsible for it. With the poor religious state like this, Europe began advancing in technology resulting in a technological revolution which impressed the people.

We say that the west which abandoned religion and spiritual value, is not too far from practicing terrorism, violence, intimidation and oppression against others. The oppressed are the people of the world especially the Muslim populations which is under their subjugation. The killing of the Muslim began with Palestine and spreads to all of the massacres in Muslim countries. There is Myanmar where Muslims are being killed, displaced, and

## Contemporary Inquiries

starved in front of the world and human rights organizations.

If there are deviated movements which pass rulings about terrorism and shedding blood, Islam denounces those. Islam has exposed within its history the distortions and falsehoods of oppressive and subjugating governments.

### **Third Inquiry**

Homosexual behavior is found in some natural animal species. Some microbiological species also practice this behavior and it can also be found among humans. There are some humans who have no desire in the opposite gender; what is their responsibility?

Answer: Homosexual behavior is a deviation from normal human behavior which God had endowed in humans. This natural human behavior is based upon the balance and the divine innate nature which is the source of noble moral traits. This innate nature cannot accept this type of abnormal and repulsive behavior.

This pure, divinely-endowed, innate nature which is in mankind can be prone to become polluted, adulterated and destroyed. Humans are like a blank page which anything can be written upon it including factors which can deviate a human from human nature and the great divine disposition. Some of these factors include submitting to those desires which drag a person towards beasts and animals.

## Contemporary Inquiries

What we see in the west and the call for establishing marriage between identical genders and its legalization clearly demonstrate the rejection of a material civilization and its direction towards rejecting moral noble traits, divine traits, and everything which leads a person towards God in a person's life. The doors for pursuing and fulfilling desires have been open and man gradually is moving towards bestiality which does not intellectualize or think and practices whatever desire and craving he has.

Among animals and other creatures, nothing can be seen to show that the idea of pairs and relationship between male and female is being broken. The Qur'an mentions this divine system in all of creation:

وَمِنْ كُلِّ شَيْءٍ خَلَقْنَا زَوْجَيْنِ لَعَلَّكُمْ تَذَكَّرُونَ

And all things We have created by pairs, that haply you may reflect.

### Fourth Inquiry

Question: What are the conditions for migrating from a country? When is it obligatory upon a Muslim? How can a Muslim protect his religion and faith if he is living in a non-Muslim society?

Answer: Humans have a natural connection to their hometown which is the area he grew up in and was brought up. This is one of the clearest examples of relationship and true human emotion which links him to his home and country. This relation is mixed with a series of social and emotional bonds which ties him to the land and society where he grew up. Therefore, it is difficult to abandon the land and town which he grew up despite how difficult the times maybe. This love does not contradict the teachings of divine religion as long as it does not oppose religion and faith. It has come in a tradition of Ahl al-Bayt that: The love of a country is from faith.<sup>5</sup>

Despite this, we find that Islam has commanded migration and immigration from a place where he faces persecution, suppression, terrorism and

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<sup>5</sup> Mizan al-Hikmah, 4:3566.

## Contemporary Inquiries

discrimination; especially if that persecution is against the true religion which he believes in. A country where a Muslim cannot establish his faith and safeguard his belief is not suitable for him to live.

When we refer to the Qur'anic text which legislates the methods of migration for defending one's faith and protecting human life, we see it emphasizes this when the foundations are being deteriorated. The weakness comes from the societal, political or military weaknesses wherein a person practices the tenets of religion or protects his faith.

God says:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ ۖ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ ۗ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا ۗ قَالُوا لَوْلَا مَا أَوْهَمَهُمْ جَهَنَّمَ ۖ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾

Lo! As for those whom the angels take (in death) while they wrong themselves, (the angels) will ask: In what were you engaged? They will say: We were oppressed in the land. (The angels) will say: Was not Allah's earth spacious that you could have migrated therein? As for such, their habitation will be hell, an evil journey's end.<sup>6</sup>

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<sup>6</sup> Al-Nisa, verse 99.

### **The Reward of an Emigrant in the Way of God**

The conditions for migration are not easy or simple. An emigrant usually has to face oppression, difficulties and undue hardships which may be procuring sustenance and adapting to the new society. He may live in loneliness and long for his country and all of these require strength and fortitude. The Qur'an has not neglected to mention the reward of the emigrants for the sake of their faith and religion. God mentions that migration is a means for increasing sustenance. He says:

وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعًا كَثِيرًا وَسِعَةً

Whoso migrates for the cause of Allah will find much refuge and abundance in the earth.<sup>7</sup>

The verse then mentions another merit for the emigrants in the way of God, religion, and faith. If he was to die in the path of migration, his reward is with God.

وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ<sup>٧</sup> وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

And whoso forsakes his home, a fugitive unto Allah and His messenger, and death overtakes him, his

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<sup>7</sup> Al-Nisa, verse 100.

reward is then incumbent on Allah. Allah is ever Forgiving, Merciful.<sup>8</sup>

### **Fear of Integration and Assimilation**

Despite the Qur'an and Sunnah's calling for migration and leaving an oppressive country which there is terrorism and intimidation, the Qur'an warns about assimilation after migration.

*Ta'rrub*: This is a term to define a lack of religious importance and maintaining of one's faith and morals which religion commands a person to abide by due to the effects of new environment upon the person. The Muslim after his migration in the way of God becomes like a Bedouin who lives far from religious ideals and is void of any relationship to religion or rules of Islam. This danger is for every person who lives far from Islamic culture and religious environment. Imam says: Learn religion and do not become like a Bedouin.<sup>9</sup>

If migration is for religious motives while protecting one's own Islamic faith and belief and maintaining the noble morals of Islam, it is a permissible and recommended migration. Imam says: The one who runs from one land to another for the sake of his religion even if it may be a small span, will be

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<sup>8</sup> Al-Nisa, verse 100.

<sup>9</sup> Al-Kafi, 1:31.

## Contemporary Inquiries

rewarded the Garden and will be the friends of Nabi Ibrahim and Prophet Muhammad.<sup>10</sup>

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<sup>10</sup> Mizan al-Hikmah, 4: 3431.

### Fifth Inquiry

Religion can be a considered a cause for hatred, animosity, violence among members of Islamic communities. Whereas, we find among secular countries in the west that they have developed ethics including justice, equality and freedom. This is due to their abandoning of religion from the political, social, economical spheres of human life.

Answer: This inquiry directly deals with secularism which has carved a method of lifestyle in contemporary society and the leadership of countries.

The ethics which were pointed out in the inquiry are among the most honorable values of human beings. Religious texts have emphasized these and the Qur'an clearly indicates these foundations and values through which felicity and goodness can be facilitated for mankind.

God says in the divine book regarding justice and equality:

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ وَأَنْزَلْنَا  
الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنَافِعُ لِلنَّاسِ

We verily sent Our messengers with clear proofs, and revealed with them the Scripture and the Balance, that mankind may observe right measure;

## Contemporary Inquiries

and He revealed iron, wherein is mighty power and (many) uses for mankind.<sup>11</sup>

The verse clearly shows the objective of sending the messengers and sending the divine messages, laws and regulations is only for establishing justice and maintaining rights by removing injustice and oppression from mankind. This is the greatest blessing and divine endowments for mankind. A religion or divine message cannot validate oppression and practice injustice or inequality between different people and nations. Religion cannot call towards the oppression of society and plundering of wealth. If certain rules seem like they are unequal, unfair, and inadequate towards human rights, then they are false and deviated rulings. The primary principles are justice and righteousness which the laws of divine religions rely upon.

There are those who do not want to discern between the divine methods derived from the Qur'an and Prophet which advocate the riddance of oppression and subjugation of all man, and those thoughts linked to Islam which are not linked to the divine teachings of the Prophet. The divine religion does not promote those false and deviated thoughts.

Forces like these do not want religion to spread in different societies. They intend to create confusion

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<sup>11</sup> Al-Hadid, verse 25.

## Contemporary Inquiries

and misperception about religion, religious people, Islam and the ideas of Islam. It intends to create enmity and animosity through rejecting the teachings and instructions of pure religion and by shoving others into disbelief, doubt and immorality.

The divine and heavenly religions all seek to exercise justice and call for advancement. But movements of distortion, falsehood and misguidance are lead by enemies of religion within it to sow the seeds of discord, destruction and conflict.

### **Religion: Outset of Justice and Human Peace**

Allah began mankind with favors and these require a law in their use and application. This system must have conditions to result in positive results and thus, requires a leadership to directly guide and provide divine instructions pertaining to it. It's necessary that those leaders be divinely appointed as the verse in the Qur'an gives this meaning and explains the objective for sending messengers and apostles with precise methodologies. God says:

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ

We verily sent Our messengers with clear proofs, and revealed with them the Scripture and the Balance, that mankind may observe right measure.<sup>12</sup>

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<sup>12</sup> Al-Hadid, Verse 25.

## Contemporary Inquiries

These proofs are clear evidences which have a very comprehensive meaning that include miracles, intellectual proofs that the prophets and messengers were equipped with. What is meant by scripture are divine revealed books whose essence and root of all these are one thing, therefore coming in its singular form.

The balance is a source for measuring and comparison which refers to a weighing machine that calculates the mass of different things. It is quite clear that the verse refers to a spiritual balance or a device that we can use to determine the values of human actions which are the divine laws and ordinances as well as celestial thoughts and concepts.

Using this verse, it becomes clear that the messengers were equipped with three tools.

1: Clear proofs

2: Divine books

3: Balance to determine truth and falsehood or good from evil

There is no problem if the Qur'an is the clear proof, a miracle, a divine book which sets out laws and rules. These are three dimensions which are contained in one which is the holy Qur'an.

## Contemporary Inquiries

The objective to follow those great men, messengers who are equipped with these three means, is to establish justice and equality.

### Objectives of Divine Messengers

1: Instruction and training: God says:

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِّنْهُمْ يَتْلُو عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ  
وَالْحِكْمَةَ

He it is Who has sent among the unlettered ones a messenger of their own, to recite unto them His revelations and to make them grow, and to teach them the Scripture and wisdom.<sup>13</sup>

2: Shatter the chains and shackles which keep humans captive. In the following verse, God refers to the training of humans, spiritual and social purification:

وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالَ الَّتِي كَانَتْ عَلَيْهِمْ

And He will relieve them of their burden and the fetters that they used to wear.<sup>14</sup>

3: Perfecting the morals and ethics: It has come in a prominent tradition that the Prophet said: I have been appointed to perfect noble and moral traits.<sup>15</sup>

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<sup>13</sup> Al-Jumu'ah, Verse 2.

<sup>14</sup> Al-a'raaf, Verse 157.

<sup>15</sup> Bihar al-Anwar, 16:210.

## Contemporary Inquiries

4: Establish justice and equality: The previous verse refers to this.

We can sum up the goals of the messengers as the following: culture, ethics, politics and society.

What is meant by the messengers are the great apostles and those who follow them due to the context of mentioning the revelation of the books.

It is worthy to mention that what is meant by “that mankind may observe right measure,” is to motivate mankind themselves to establish justice. It does not mean that it is only incumbent upon the Prophets to establish justice. It can also be said that the verse intends that people develop the concept of justice and apply it. It is important that people themselves train themselves to be just and equal before they can call others towards it.

In every human society, regardless of its ethical, social, theoretical development, there will be individuals willing to oppress, subjugate and place barriers in the path of justice and equality.

We believe that the Jewish religion that descended upon Moses and the Christian religion that descended upon Jesus, cannot advocate oppression, corruption, and tyranny. God says:

## Contemporary Inquiries

شَرَعَ لَكُمْ مِنَ الدِّينِ مَا وَصَّىٰ بِهِ نُوحًا وَالَّذِي أَوْحَيْنَا إِلَيْكَ وَمَا وَصَّيْنَا بِهِ إِبْرَاهِيمَ وَمُوسَىٰ وَعِيسَىٰ أَنْ أَقِيمُوا الدِّينَ وَلَا تَتَفَرَّقُوا فِيهِ ۚ كَبُرَ عَلَى الْمُشْرِكِينَ مَا تَدْعُوهُمْ إِلَيْهِ ۗ اللَّهُ يَجْتَبِي إِلَيْهِ مَنْ يَشَاءُ وَيَهْدِي إِلَيْهِ مَنْ يُنِيبُ

He has ordained for you that religion which He commended unto Noah, and that which We inspire in you (Muhammad), and that which We commended unto Abraham and Moses and Jesus, saying: Establish the religion, and be not divided therein. Dreadful for the idolaters is that unto which thou callest them. Allah chooses for Himself whom He will, and guides unto Himself him who turns (toward Him).<sup>16</sup>

This is the message of religion and divine revelation in all heavenly religions.

Religion is now being distorted and misrepresented; we mentioned earlier the causes for this and the spread of lack of faith in the West due to the spread of religion and state. The Christian church and misguided segments of society would plunder the wealth through tyranny and distortion by using the name of religion. This resulted in removing the Christian thought from human and intellectual progress and development. Furthermore, it was incapable of fulfilling the needs of humanity in cultural, social, and political sectors of society.

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<sup>16</sup> Al-Shura, Verse 13.

## Contemporary Inquiries

Religion became a burden and barrier towards toward development and scientific discoveries.

The Church waged a relentless war against those who desired freedom, justice, equality and distribution of wealth among society.

The value of freedom and liberty are among the most important values which are advocated by heavenly religions. Religion does not contradict human freedom, not is it bulwark in front of freedom from oppression, tyranny, subjugation in whatever social and political form it may be in.

When we look at the texts of religion, we find Islam calls towards freedom for mankind in thought and intellect. It also includes freedom from social norms and customs which weaken the foundations of humans.

We can summarize all of the objections in two important issues.

1: We have to distinguish between religion and the causes of inequality, discrimination and oppression. The root cause of separation of religion and state were the deviation of the Church from the true religion. Christianity, as a divine religion, no longer presents a system of perfection which God wanted for all of mankind throughout all of time. It is a religion from among the divine religions sent for a

## Contemporary Inquiries

certain period of time and was completed by the best law, system and thought, which is Islam.

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتْمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ  
فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

This day have I perfected your religion for you and completed My favor unto you, and have chosen for you as religion al-Islam. Whoso is forced by hunger, not by will, to sin: (for him) Lo! Allah is Forgiving, Merciful.<sup>17</sup>

2: Secularism which promotes itself as a facilitator of these great human principles has become a source of distance and heavy human tragedies. Current mankind, due to their distance from religion and rejection of belief of the unseen, has been pulled towards materialism and physical pleasure. It has become hollow and void of anything inside and suffers from spiritual, emotional and human crisis.

Human society has been diagnosed with the dangerous of ailments and an ethical, social epidemic. The cause of this is technology which moves man farther away from his goals, religious personalities and morals. They have been lead towards distorting the foundations of a society. Cloning and artificial insemination have removed the role of a father. There now is a possibility for a

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<sup>17</sup> Al-Maidah, Verse 3.

## Contemporary Inquiries

family to have a father who is unknown. A father can have children without any marriage being consummated. Technology which is supposed to assist man and protect his needs is becoming a source for human disaster and crisis.

We are not against science or development; rather we want to point out that science cannot take the place of religion because it lacks the qualities and attributes of a true religion. It will become harmful for human society and it very clear.

With all of this, we can see, unfortunately, that there are those calling for separation of religion from our society and politics.

They consider Islam a source of disorder, disturbance, and chaos in the Arab and Islamic world. They call towards adopting western thought and culture. The west has arrived at that because of abandoning religion.

In our view, the spread and extent of this view and thought is so drastic because of two reasons.

1: The idea that religious thought and belief is misleading and deviating our nation and that it is the cause of dislike towards Islam. The culture of original religion has changed to ignorance and racism changing the colors of religion.

## Contemporary Inquiries

2: The nation suffers from the ignorance about its true civilization. The Arab nation lives in a dead culture which is a dead thought and culture. It is the death of the soul and spirit and results in a state of despair from improvement and development for mankind. Thus, we can see the voice of Westernization increasing and they are no longer hidden from society.

### Sixth Inquiry

What is the evidence of *hijab*? Is it possible to propose another understanding for *hijab* especially with great development and change in human life as well as major differences of time and location as compared to the period of Islamic legislation?

Answer: *Hijab* is an established and permanent ruling among the divine legislations. It cannot undergo any change or modification in Islamic Law. The obligation of *hijab* is like the obligation of all the mandatory acts like prayer, fasting, *hajj*, and others. These cannot be canceled or omitted despite whatever human development or surroundings. Fasting is abstaining (from certain things) from the beginning time of Fajr till sunset; it is permanent despite the changes that occur in time. It is set and eternal despite changes in time and location. Similarly, the ruling of *hijab* cannot change or be altered.

Movements are calling to the contrary of the concept of *hijab*; current trends advocate nudity and removal of clothes to achieve female freedom by embarking on the ship of progress and modernity. They portray

## Contemporary Inquiries

that as happiness and felicity; many promote and encourage these thoughts and ideas.

We can observe two important factors in regards to *hijab*:

1: The protection of a woman by preventing her from being exploited and abused by men.

2: To strengthen the inner conscience which is reinforcing the spirit from sins and misdeeds; and to maintain spiritual purity.

It is not only the women who are commanded to observe *hijab*; so as to be in opposition to her. Man has also been commanded to not ogle and stare at a women's body and attractive parts. This command to prevent one's eyes from glaring at a woman's body is also forbidden and is not counted among those things which attack or diminish the freedom of man. Rather, it is an ethical and religious restriction which protects both the rights of man and woman, as well as the freedom in their movements in society.

One should not think that *hijab* is a sign of possessing a woman because a male and female are equal in terms of humanity. They were not created so one could possess another. Rather, they were created to complete and perfect the other part. Each gender has a shared part with the other gender as well as a unique and distinct part from the other. A

## Contemporary Inquiries

man is a human with masculine tendencies; a female is a human with feminine tendencies. Both are attributed as humans and can serve and participate in society.

Islam's prevention of a woman from exposing her femininity, beauties and physical body does not mean she is to be concealed from the society. When she is in the society, she is an individual of the society just as a man is in his humanity. Just as a man has his existence a woman has her own human existence.

In areas where it is imperative for a woman to conceal herself, it is imperative for a man to lower his gaze. Just as a woman cannot expose her femininity through promiscuity and lewdness, a man cannot expose his masculinity. A man cannot live in a society except as a human being. And a woman cannot live in a society except as a human being.

A woman's attraction and desirability is much stronger than a man's. Therefore, her *hijab* is more comprehensive than a man's *hijab*. A woman who presents herself as a human without exposing her femininity is equal to a man. Contrary to this, a western woman who is free in her actions and in everything she wants to do, as the west claim, she is actually restricted in satisfying men and fulfilling their desires. If it is incumbent upon her to expose

## Contemporary Inquiries

herself in the name of freedom by spending much time in tiring and exhausting herself (for presenting herself), is it humane that she becomes like a product to be displayed in front of the eyes of men?

This is where the responsibility of divine legislation comes and plays a role by training a faithful society to protect and maintain divine morals which protect a women's honor and value. The noble Qur'an says:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ۗ ذَٰلِكَ أَزْكَىٰ لَهُمْ ۗ إِنَّ اللَّهَ خَبِيرٌ  
بِمَا يَصْنَعُونَ ﴿٣٠﴾ وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا  
يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا ۗ وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ ۗ وَلَا يُبْدِينَ زِينَتَهُنَّ  
إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَائِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ  
بَنِي إِخْوَانِهِنَّ أَوْ بَنِي أَخَوَاتِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَانُهُنَّ أَوْ التَّابِعِينَ غَيْرِ أُولِي  
الْإِرْبَةِ مِنَ الرِّجَالِ أَوِ الطِّفْلِ الَّذِينَ لَمْ يَظْهَرُوا عَلَىٰ عَوْرَاتِ النِّسَاءِ ۗ وَلَا يَضْرِبْنَ  
بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ ۗ مِنْ زِينَتِهِنَّ ۗ وَتَوْبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهُ الْمُؤْمِنُونَ لَعَلَّكُمْ  
تُفْلِحُونَ ﴿٣١﴾

Tell the believing men to lower their gaze and be modest. That is purer for them. Lo! Allah is aware of what they do. And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their own husbands or fathers or husbands' fathers, or their sons or their husbands' sons, or their brothers or their brothers' sons or sisters' sons, or their women, or their slaves, or male attendants who lack vigor, or children who know naught of women's nakedness. And let them not

## Contemporary Inquiries

stamp their feet so as to reveal what they hide of their adornment. And turn unto Allah together, O believers, in order that you may succeed.<sup>18</sup>

Sayyid al-Khui says about *hijab*: It is obligatory that a woman covers everything except her face and hands up to the wrists from a foreign man and those who are not *mahram*. Furthermore, it is obligatory to cover her face and hands from other than her husband including the *maharim* if there is exists desire. For precaution, it includes *mahram*. A man does not have to cover himself.<sup>19</sup>

This is Sayyid al-Khui's opinion regarding *hijab*; there is disagreement in covering the face and using a face cover. There is also difference about covering the outer part of the feet. There is no religious restriction in the type of clothes a woman wears like an Arabic *abaya*.

This is where there may be disagreement in *hijab*, but the obligatory nature of *hijab* is not changeable or alterable.

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<sup>18</sup> Al-Nur, Verses 30-31.

<sup>19</sup> Minhaj al-Salihin, 2:260.

### Seventh Inquiry

Why is there so much focus on two aspects of Imam Hasan's life?

- 1: His kindness and hospitality
- 2: His treaty with Mu'awiyah

Answer: Imam Hasan's life is not restricted to only these two dimensions. The station of Imamah, according to the Shi'as, is based on the Qur'an and the immaculate Sunnah of the Prophet. He is greater than to be reduced to these two points of his perfect life. There is no doubt that Imam Hasan witnessed the era of apostleship and caliphate; he saw discord and conflict within the Muslim nation, among its beliefs and religion. Imam's martyrdom is not like the martyrdom of other companions and Muslims and this is very clear. Imam is the grandson of the great Prophet and he is among the immaculate Ahl al-Bayt.

The focus on these two aspects of his life is due to the importance of the topic. Kindness is a prominent and noble characteristic among Muslims and a unique feature of Imam's personality. There is no doubt that all the *Aimmah* of the Ahl al-Bayt possess the characteristic of kindness, generosity and

## Contemporary Inquiries

altruism. Their kindness knows no limits because it is a divine endowment and gift from God for the Ahl al-Bayt. Imam Hasan's personality embodied these human traits in the most manifest and evident manner. The *Aimmah* of the Ahl al-Bayt were known in qualities and merits that exceeded men of all ages. Imam Ali ibn al-Husayn was known as al-Sajjad (the one who prostrate frequently); his son, Muhammad, was known as al-Baqir (splitter of knowledge), and his son, Ja'far, was known as al-Sadiq (the extremely truthful), and his son, Musa, was known as al-Kadhim (the exceedingly forbearing).

The second point of Imam's life which is the treaty with Mu'awiyah was the most conspicuous incident of the political and social life of Imam Hasan.

Although we see that some label that year as the 'Year of Congregation and Treaty' and consider a treaty for the entire Muslim nation, it was hijacked and altered by the Ummayyad dynasty. We see what Mu'awiyah did in stipulating that treaty was nothing except demolishing and ripping apart the Muslim nation. It further dug the Muslim nation into distortion, misguidance and alteration; it moved farther away from the Qur'an and the Sunnah of the Prophet and Ahl al-Bayt.

## Contemporary Inquiries

We see that Ummayyad scheme was the most dangerous of schemes. He was the son of the one who ate human liver and speaks to the Muslims in the following manner: I did not fight you so you can pray, fast, perform *Hajj*, or give alms and charity; you already do that! I fought you so I can command you and God gave me (this position) but you dislike it.<sup>20</sup>

His scheme was against prayer, fasting, *Hajj*, and all the obligatory pillars of Islam. He was against Islam's values and foundations. The treaty was nothing other than protecting the further spilling believer's blood and saving them from the Ummayyad massacre. The treaty was to complete the proof for the Muslim nation that they were willing to change the son of the holy Prophet for other loose individuals.

### **The Conditions and Circumstances of the lives of *Aimmah***

The *Aimmah* were not able to establish all of their responsibilities after the death of the holy Prophet. Among these responsibilities was the comprehensive vicegerency and the elevated leadership of the Message. They were responsible for protecting the religion from innovation, distortion, removing doubt and establishing centers for human development.

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<sup>20</sup> Bihar al-Anwar, 44:53.

## Contemporary Inquiries

There was a human need for this final message which God dispatched them with instituting and planning till the end of time.

The lack of fulfilling some responsibilities of the *Aimma*, like leadership, was due the misconduct on part of the Muslim nation. They rejected their leadership. The *Aimma* were the ones recognized for the leadership and supervision of Muslim affairs because the divine plan was installed in their spirits. They could not then force the Muslim nation into their leadership that was given by Allah. This required guidance, persuasion, and struggle on the part of believers to establish this message in their societies.

Imam Husayn was not demanding the rule when he rose up against Yazid. He wanted to save Islam and the Muslims after reaching the worst state possible. He recognized that only through sacrificing his life and not submitting to the current government would weaken the foundations of the oppressors. Therefore, he rose up for the sake of revival of religion. His time was completely different than the time of Imam Hasan because the issues were entirely different.

The war of Imam Ali was to break the continuous line of hypocrisy. This was not possible for him to do so after the demise of the Prophet. During that time,

## Contemporary Inquiries

he gave advice and guided the people so that in the future that it may become possible for him to establish his righty but instilling faith in them.

The circumstances of Imam Hasan were similar to the condition and times of Imam Ali; they instead supported Islam by preventing distortions and misguidances from entering Islam. These distortions included practices and action from the time of *Jahiliyyah* that entered the society after the Prophet's death. Imams Ali and Hasan had important contributions; they were fighting an ideological and theological war in order to disseminate the true Islam by disseminating the merits of the Ahl al-Bayt and their thoughts and beliefs.

The leadership of the community reached Imam after full consensus of the society; there began wars, hostilities and antagonisms. This period of time was not very lengthy especially after Muawiya, the son of Abu Sufyan, began destroying the interests of the Muslim nation. He used atrocious and vicious tactics of killing and looting. During that time, Imam only had a few loyal supporters, like Malik al-Ashtar and Ammar Yasir.

After Imam Ali's death, there remained for Imam Hasan only a few loyal Shi'as despite him having a

## Contemporary Inquiries

large following which dispersed and joined Mu'awiyah's army.

In these political and social circumstances which Imam Hasan resided in, he was not far from the society and did not abandon his responsibilities of guiding the nation. He was in contact with the Muslims and continued educating them with the instructions and teachings of pure Islam.