

A Guide to Religious Practices and Devotional Life in Islam

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The following is a slightly edited excerpt from "Introduction to Islam", by Dr. Muhammad Hamidullah, Ch. 5 - Devotional Life and Religious Practices of Islam.

It is the aim of Islam to offer a complete code of life without neglecting any one of the various domains of human activity. Its objective is to coordinate all these aspects. The concern for "centralization" is displayed in the fact that all Islamic practices touch simultaneously both the body and the soul. Not only do temporal practices acquire a sacred moral character when they conform to Divine prescriptions, but the spiritual practices also possess a material utility. The rules of conduct, whether spiritual or temporal, emanate from the one and the same source, the Qur'an, which is the Word of God. The ineluctable result is that, according to Islamic terminology, the *Imam* (supreme director or leader of the Muslim world) signifies not only the leader of the service of prayer in the mosque, but also the head of the Muslim state.

161. In a well-known saying, the Prophet Muhammad has defined faith (*Iman*), submission (*Islam*) and the best method (*Ihsan*) leading thereto. In order to elucidate the subject under discussion, it would most profitably suit our purpose to quote and comment on what he has said on the second point. He declared, "Submission to God (*Islam*) is that one should celebrate the services of worship, observe annual fasting, perform the *Hajj* (pilgrimage) and pay the *zakat*-taxes."

Service of Worship

162. "**Worship is the pillar of religion**" is a saying of the Prophet Muhammad. The Qur'an speaks of it more than a hundred times, and calls it variously *salat* (inclination), *du'a* (prayer, appeal), *dhikr* (remembrance), *tasbih* (glorification), *inabah* (returning, attachment), etc.

163. In its concern for creating an atmosphere of the sovereignty of God on earth, Islam has prescribed five services of worship daily (1) one should pray when one rises (and one should rise early) (2) early in the afternoon, (3) late in the afternoon (4) at sunset, and (5) at night before one goes to bed. This requires

abandoning all material interests, during those few minutes spent in each service of worship, in order to provide proof of one's submission and gratitude to God our Creator. This applies to every adult, man or woman.

164. The early afternoon service is transformed every Friday into a weekly congregational service, with greater solemnity, in which the *Imam* of the locality delivers also a sermon before prayer. Islam has instituted two annual feasts: one at the end of the fasting month, and the other on the occasion of the pilgrimage to Mecca. These two feasts are celebrated by two special services of worship, in addition to the daily five. Thus, early in the morning people assemble for a collective service of prayer, after which the *Imam* delivers a sermon. Another service of prayer, of restricted obligation, is held for the deceased before burial.

165. To speak of the hidden meaning and mysterious effects of the service of worship, the great mystic Waliullah ad-Dihlawi said:

"Know that one is sometimes transported, quick as lightning, to the Holy Precincts (of the Divine Presence), and finds one's self attached, with the greatest possible adherence, to the threshold of God. There descend on this person the Divine transfigurations (*tajalli*) which dominate his soul. He sees and feels things which human tongue is incapable of describing. Once this state of light passes away, he returns to his previous condition, and finds himself tormented by the loss of such an ecstasy. Thereupon he tries to rejoin that which has escaped him, and adopts the condition of this lowly world which would be nearest to a state of absorption in the knowledge of the Creator. This is a posture of respect, of devotion, and of an almost direct conversation with God, which posture is accompanied by appropriate acts and words ... Worship consists

essentially of three elements: (1) humility of heart (spirit) consequent on a feeling of the presence of the majesty and grandeur of God, (2) recognition of this superiority (of God) and humbleness (of man) by means of appropriate words, and (3) adoption by the organs of the body of postures of necessary reverence. . . Still greater respect is displayed by laying down the face--which reflects in the highest degree one's ego and self-consciousness--so low that it touches the ground in front of the object of reverence. . . As a man can reach the top of his spiritual evolution only gradually, it is evident that such an ascension must pass through all the three stages; and a perfect service of worship would have three postures. Standing up, bowing down, and prostrating by laying the head on the ground in the presence of the Almighty; and all this is performed for the necessary evolution of the spirit so that one might feel truly the sublimity of God and the humbleness of man" (*Hujjatullah al Balighah*, vol. 1, Secrets of Worship).

166. In a passage (22/18), the Qur'an says: "*Hast thou not seen that before God are prostrate whosoever in the heavens and whosoever is on the earth, and the sun, and the moon, and the stars, and the hills, and the trees, and the beasts, and many of mankind...?*" Again (17/44): "*The seven heavens and the earth and all that is therein praise Him, and there is not a thing but hymneth His praise; but ye understand not their praise...*" The Islamic service of worship combines in fact the forms of worship of all creatures. The heavenly bodies (i.e., sun, moon and stars) repeat their act of rising and setting (like *rak'at* after *rak'at* of the service); the mountains remain standing (like the first act in the service); the beast remain bowed and bent (like the *ruku'* in the service); as for trees, we see that they get their food through their roots, which are their mouths, and this signifies that the trees are perpetually prostrate (like the *sajdah* or prostration in the Islamic service of worship). Further, according to the Qur'an (8/11), one of the principle functions of water is to purify (and compare the need of ablutions for the service). Another passage (13/13) says: "The thunder hymneth His praise," and this makes us think of the loud pronunciation of *Allaahu akbar*, so often repeated during the service, even if we disregard the loud recitation of the Qur'an during the service, which is done during certain services and not in others. The birds flying in flocks worship God (Qur'an 24/41), as also Muslims do when celebrating

their congregational service. Just as the shadow stretches and shortens in the course of its daily life (which is its particular way of submission to and worship of God, cf. Qur'an 13/15, 16/18), so does the human worshipper stretch or shorten himself while standing, bowing, prostrating or sitting in the course of the service. The above-mentioned acts of different creatures have been adapted and assimilated therein, adding thereto what is particular to man but not found in other creatures.

166/a. It may be recalled that the Islamic word for the service of worship is *'ibaadah*, which is from the same root as *'abd* (i.e., slave). In other words, worship is what the slave does, the service is what the master desires of him. God demands that the mountains stand, and that beasts remain bent. That is their service . . . their worship. To everyone that which suits him and that which his lord desires of him. Of course to man is also that which becomes him as a rational being, as the foremost of creatures . . . as the vice-regent of God.

166/b. Ablution or ritual washing and physically being clean is a pre-requisite for the validity of a Service of Worship. A Muslim philosopher has nicely brought its significance into relief. For this ritual purification one has to wash the hands, the mouth, the nose, the face, the arms, the head, the ears and the feet. Washing them is not merely for outward cleanliness, because it is also a repentance for the past and a resolution for the future. Repentance washes away past sins, and resolution through invoking the help of God concerning what is yet to come in life (and this relates to our principal organs of mischief). The hand attacks, the mouth talks, the nose smells, the face or presence [self] abuses the prestige and exerts influence and pressure, the arms hold, the head thinks and plots, the ears hear, the feet march in the way of evil, forbidden by God. Not to speak of sexual sins, from which one gets rid even before beginning the ablutions, and one has to clean in W.C. [water closet/bathroom]. This mystical and symbolic aspect of purification is evident in the formulas of invocations which accompany the washing of each organ. In the W.C. we say: "O God, purify my heart from hypocrisy, and my sex from shameful acts and fornication." One begins the formulation of the intention of the ablutions by saying: "Praise be to God Who has made water pure and purifying." When washing the face, one prays to God: "Brighten my face on Doomsday, and do not darken it;" for washing the arms: "Employ me in good deeds and not in evil ones, give me my book in my right hand and not in my left on Doomsday, and make my reckoning easy and

do not make it difficult." For the head: "Teach me useful knowledge." For the ears: "Let me listen to Thy word and the word of Thy messenger." And for the feet: "Make my feet firm on the path when crossing over Hell, and do not let them stumble on the day when the feet of Thy friends will remain firm and the feet of Thy enemies will stumble."

167. The five daily services were made obligatory for Muslims on the occasion of the ascension of the Prophet (*mi'raj*). The Prophet Muhammad has moreover declared that the service of worship of a believer is his own ascension, in which he is raised into the presence of God. These are no empty words; let us look at what a Muslim does in his worship. First of all, he stands up, holds up his hands, and proclaims: "God alone is great;" thus he renounces all except God, and submits himself to the will of his Lord alone. After having hymned and recalled the merits of God, he feels so humble before the Divine majesty that he bows low and puts down his head as a sign of reverence, proclaiming, "Glory to my Lord Who alone is Majestic." Then he stands erect to thank God for having guided him, and in his mind of minds he is struck so much by the greatness of God that he feels impressed to prostrate himself and to place his forehead on the ground in all humility and declare, "Glory to my Lord Who alone is High." He repeats these acts so that the body gets accustomed to the spiritual exercise and gradually becomes worthier and worthier so as to be lifted from the world of matter and pass through the heavenly atmosphere and enter the presence of God. There he salutes God and receives the answer to his greetings. In fact, he employs for the purpose the very formulae that were used during the Ascension of the Prophet Muhammad when he exchanged greetings with God: "The blessed and purest of greetings to God--Peace with thee, O Prophet, and the mercy and blessings of God--Peace with us and with all the pious servants of God." Without material, idol-like symbols, the believer travels, so to say, towards the transcendent God, on a spiritual journey which, in certain communities, is termed "communion".

168. Such is the spiritual significance of the service of worship. As for its material utilities, these again are numerous. Five times a day it assembles the inhabitants of a locality, providing the opportunity for relaxation for a little while during the course of the monotonous duties in individual avocations, and gathers the highest as well as the lowest personalities of the place in perfect equality (for it is the chief of the locality who will conduct the prayer; and in the metropolis, at the central

mosque, it is the head of the state himself who performs this duty). Thus one meets not only other members of the community, but also responsible functionaries, and approaches them directly without formality or hindrance. The social aspect of the service of prayer is that the believer feels around him the sovereignty of God, and lives in a state of military discipline. At the call of the *muezzin*, all rush to the place of assembly, stand in serried [pressed together without gaps] ranks behind the leader, doing acts and carrying on movements in common with others, in perfect uniformity and co-ordination. Further, the faithful in all parts of the globe turn their faces, during the service of worship, towards the same focal point, the Ka'bah or the House of God in Mecca. This reminds them of the unity of the world community of Muslims, without distinction of class, race, or region.

169. A formal and more preferable way of worship is the congregational service. In the absence of such a possibility, or lacking adequate facilities, one prays alone and individually, man or woman. The five prayers of the day require a minimum duty which take about 24 minutes, during the course of 24 hours, in the presence and remembrance of God but the believer must actually remember God every moment - at work, in bed or while engaged in any occupation. The Qur'an (3/190-1) says: "*...men of understanding, who remember God standing, sitting, and reclining, and consider the creation of the heavens and the earth, (and say) Our Lord! Thou didst not create this in vain...*" God has made the universe subservient to use and for benefit of man, but the enjoyment must be accompanied by recognition (gratitude) and obedience, and not by rebellion against God and injustice against our fellow-beings.

170. It may be mentioned here that at the very moment when the service of prayer was instituted, the Qur'anic verse (2/286) was revealed: "*God tasketh not a soul beyond its scope.*" **It is the intention and will that counts in the eyes of God, and not the quantity or the exterior method of accomplishing a thing.** If a devout man honestly believes that he is unable to perform the service of prayer five times daily, let him observe it four times, thrice, twice or even a single time every day, according to his opportunities and circumstances, and the duration of the hindrance. The essential point is that one should not forget one's spiritual duty in the midst of material and mundane preoccupations. Such a reduction is permitted in abnormal conditions, such as when one is ill or has fits of unconsciousness, or unavoidable duties

in the service of God as we infer from the practice of the Prophet himself. In fact, it is reported that in the course of the battle of Khandaq, it happened that the Prophet himself performed all these four services - *zuhr*, *asr*, *maghrib* and *'ishaa* - late in the night, because the enemy had not allowed a single moment's respite during the day to attend to prayer. This means twice the prayer during the day. Again, on the authority of Ibn 'Abbas, it is reported (see Bukhari, Muslim, Tirmidhi, Ibn Hanbal, Malik, and particularly *Sahih* of Muslim, kitab as-salaat, bab al-jam' bain as-salatain fi'l-hadr, No. 49, 50, 54) that "sometimes the Prophet combined *zuhr-asr* and *maghrib-ishaa* having neither fear (of enemy) nor (inconvenience of) travel; adding: and the Prophet wanted thereby that there should be no inconvenience for his community." This narration implies thrice the prayer during the day. Evidently all depends on the conscience of the individual faithful who is personally responsible to God Whom one cannot dupe and from Whom one cannot conceal anything. There is again the question of the timings. We know that there is a great difference in the rising and setting of the sun between normal (equatorial-tropical) countries and the regions situated beyond and extending to the two poles. Al-Biruni (cf. *al-Jamahir*) has observed that, at the poles, the sun remains set for six months continually, and then rises to shine continuously for six months (excepting the two days of the equinox). The jurist-theologians of Islam affirm in general that the hours at 45 parallel remain valid up to 90 parallel, i.e., up to the poles; and in the regions comprised between 45 and 90, one is to follow the movement of the clock and not that of the sun. This applies to worship as well as fasts and other similar duties.

171. Women are exempted from prayer-services during their monthly courses.

The Fast

172. The second religious duty of a believer is the fasting for one month every year. One must abstain from eating, drinking and smoking (including inoculations and injections) during each day of the month of Ramadan. This requirement is from dawn to sunset in both the equatorial and tropical countries (and for an equivalent period in regions situated far away from the centre of the globe, calculated on the basis of the hours at 45 parallel, as we have just mentioned). Of the sick we shall speak later [*please see* 174]. It goes without saying that one must likewise abstain from thinking of carnal and other pleasures incompatible with the spiritual regimen.

It is quite a rigorous discipline which may appear very difficult to the adherents of other religions; yet even the new converts get accustomed to it very soon if they show good will and inclination, as is evidenced by the experience of centuries.

173. The fast extends over a whole month; and as is well known, it is the purely lunar month which counts in Islam. The result is that the month of fasting, Ramadan, rotates turn by turn through all the seasons of the year, autumn, winter, spring and summer; and one gets accustomed to these privations in the burning heat of summer as well as the chilling cold of winter, and one undergoes all this as a spiritual discipline, in obedience to God. At the same time one derives temporal advantages from fasting that are connected with hygienic, military training, development of will power, among others, even as those resulting from the service of worship. More than anybody else, it is the soldiers, during sieges and other occasions of a war, who have to support the privations of food and drink and still continue their duty to defend. So the most stupid ruler or commander-in-chief would someone who hindered his militia from fasting in the month of Ramadan. But it must be repeated that, essentially and chiefly, the aim is a religious practice and a spiritual exercise enabling proximity to God. If one fasts for temporal motives only - under the prescription of a doctor, for instance - he will be far from accomplishing his religious duty and will not benefit spiritually at all.

174. As in the case of prayer, women are not required to fast during their feminine indispositions, yet with this difference that the defaulting days are to be made up later by an equal number of days of fasting. The same applies to the sick. As to the very old, he need not fast, yet if he has means he must feed a poor for each day of the fasts of Ramadan.

175. It may be recalled that the Prophet forbade fasts extending over several days continuously (for 48 hours or 72 hours, for instance), over the whole year, or during the whole life, even to those who longed to do so in their zeal for spiritual practices to obtain increased benefit. He remarked: "**Thou hast obligations even with regard to thine own self.**" In addition to the obligatory fast of Ramadan, one may fast if one likes, as a work of supererogation, from time to time. For this voluntary fast, the Prophet has recommended fasting for two days at a time. From the medical point of view, one notes that fasting eternally becomes a habitual, which does not produce the same effect as fasting at intervals. To fast

for less than a month does not produce great effect, yet a fast for more than 40 days becomes a habit.

175/a. It is a myth to say that fasting in cold climates is contrary to the requirements of human health. Biological observations have shown that wild beasts get practically nothing to eat especially when it snows. They sleep or otherwise pass their time "fasting," and get rejuvenated at the approach of spring. The same is true with trees as well. In winter they lose all their leaves and become dormant, and do not receive sustenance. Then after a few months of "fasting," they become rejuvenated in the spring and become more vigorous than ever, as is evidenced by their new luxurious bloom and foliage. And so, like all animal organs, the digestive apparatus also requires a rest. Fasting is the only conceivable method for it. Now-a-days, a new school of medicine has come into existence in all the western countries which treats particularly chronic diseases by short or long periods of fasting.

175/b. It is an antique notion in human society to offer the tithe of one's gains to God - the tithe of the harvest is an example. Fasting is offers the tithe of our meals to God. A parallel notion (endorsed by the Qur'an 6/160: "*Whoso bringeth a good deed will receive tenfold the like thereof*") is that a good deed is rewarded ten times as much by God. That explains the saying of the Prophet: **"Whoever fasts the month of Ramadan and six more days in the following month, Shawwal, it will be as if he had fasted the whole year."** In fact, the lunar year employed in Islam has 355 days, and the lunar month is sometimes 29 and sometimes 30 days. So a Muslim fasts every year for 35 or 36 days, which is worth tenfold, i.e., 350 or 360 days, the average being 355, which is the number of days in the lunar year.

176. Mystics have observed that a high-spirited animal nature hinders the perfection of the human spirit. In order to subjugate the body to the spirit, it is necessary to break the force of the body and increase that of the spirit. It has been found that nothing is as effective for this purpose as hunger, thirst, renunciation of carnal desires and the control of the tongue, the heart (mind) with its thought and other organs. One of the aspects of individual perfection is the subordination of animal nature to reason and the spirit. Nature sometimes rebels, whereas its behaviour at other times is one of submissiveness. One therefore needs these hard practices, such as fasting, in order to keep animality in check. Penitence and mortification through fasting may bring solace and purify the soul if one commits sins,

They also fortify the will so that one will not indulge in vice again. It has already been stated that neither drinking nor eating is a trait of the angels. So by imposing this regimen, man will make himself resemble the angels more and more. Also, since his actions are intended to conform with the God's commands, he approaches nearer to Him and obtains His pleasure thereby - and that is the ultimate aim of man.

The Hajj

177. *Hajj* literally means a travel (i.e., towards God) as also an effort to dominate something (the self, in this connection). Most often this term is translated as 'pilgrimage,' although it is far from giving the exact significance of the word *hajj*. This is the third of the religious duties of a Muslim. It is obligatory on every adult, man or woman, to go once in his or her lifetime to Mecca in order to perform there the great *Effort* for annihilating the ego (*fana'*), i.e., assimilating one's self with the will of God. Those who do not possess the material means of travel are exempted from it. But which Muslim would not collect, little by little, the necessary amount for being one day able to visit the centre of his religion, the Ka'bah or the House of God? The Qur'an (3:96) does not exaggerate when it says that this is the oldest House in the world dedicated by mankind to God and to the cult of monotheism. If one were to think only of Abraham - who, according to Islamic tradition, simply restored of the building erected originally by Adam - it would still be older than the temple of Jerusalem which was constructed by Solomon. No other place of worship older than the Ka'bah in Mecca is known to be still functioning.

178. The rites of the *Hajj* may briefly be noted. At the borders of the sacred territory around Mecca, one puts off the ordinary dress and puts on, by way of a religious uniform, two sheets of cloth - a loin cloth and a shoulder cover. This dress is required only of men and not of women. He is bareheaded, and one tries to forget one's self during the several days of the *Hajj*. He goes to 'Arafat, in the suburbs of Mecca, to pass there the day in meditation. Towards evening, he returns, passes the night at Muzdalifah, and early next morning arrives at Mina which is on the outskirts of Mecca. There he passes three days, during which he lapidates [throws stones] Satan every morning, sacrifices a goat, pays a short visit to Ka'bah for performing the ritual sevenfold circumambulation and running through the hills of Safa and Marwah in front of the Ka'bah. The symbolic background may also be described as follows:

179. After their fall from Paradise, Adam and Eve were separated and lost. They searched for each other, and by the grace of God met together at 'Arafat. In gratitude to God, the descendants of Adam and Eve turn to Him, make an effort to forget themselves and be assimilated with the Divine Presence, with a view to entreat His pardon for their shortcomings in the past and His help for the future.

180. As to the lapidation of Satan, it may be recalled that when Abraham claimed to love God above everything else, God demanded of him as a proof the immolation of his beloved son. To add to this trial, Satan went first to Abraham to dissuade him from his resolution - and they say that this happened at Mina - but Abraham chased Satan away every time by pelting stones at him. Then he went to Hagar, and lastly to Ishmael himself. Each one of them did the same. So one repeats these acts symbolically, and resolves to fight diabolic temptations.

181. The visit to the "House of God" is self-explanatory. To give evidence of obedience, one goes there with respect and in humility. It is a very old custom to circumambulate a thing for showing one's readiness to sacrifice one's self for the object of devotion and care and love.

181/a. The Black Stone requires a particular mention on account of the many misunderstandings on its score. It is not a meteorite, but simply a black stone. Its practical importance is to show the starting point of the circumambulation, and by its colour it is conspicuous in the building. Secondly, this stone is not worshipped, nor do Muslims prostrate in the direction of this stone, prostration being done towards any and every part of the building of the Ka'bah, and more often than not, one turns to directions besides the Black Stone (al-Hajar al-Aswad). It may be recalled that once when the Qaramitah ravaged Mecca and they carried the Black Stone to their country as booty and it remained there for many years. During the course of its absence, Muslims did not turn to the place where it was kept (in 'Uman), but continued to turn towards the Ka'bah in Mecca. Even the building of the Ka'bah is not essential. For instance, if it is demolished for repairs or new construction, Muslims will turn to the same spot, whether the Ka'bah and its Black Stone is there or not. As has been said, the practical importance of the Black Stone is that it indicates the point from which the circumambulation begins and at which it ends although it has a symbolical significance too. In one Hadith, the Prophet had named it the "right hand of God" (*yamin-Allah*), and for a

reason. In fact, one advances there one's hand to conclude the pact, and God obtains in return our pact of allegiance and submission. In the Quranic terminology, God is the king, and He has not only His treasures and His armies, but also His realm. In the realm there is a metropolis (*Ummal qurra*) and in the metropolis naturally is a palace (Bait-Allah, home of God). If a subject wants to testify to his loyalty, he has to go to the royal palace and conclude personally the pact of allegiance. The right hand of the invisible God must be visible symbolically. And that is the *al-Hajar al-Aswad*, the Black Stone of the Ka'bah.

182. With regards to covering the ground between Safa and Marwah seven times, it is related that when Abraham left his wife Hagar and the suckling Ishmael in the desolate and uninhabited site of Mecca, where the provision of water was soon exhausted. So Hagar ran hither and thither, driven by maternal affection, to search for some water for her thirst-stricken baby. Then the spring of Zamam gushed forth. So one repeats this act in the same place where Hagar did it, to pay homage to maternal love and in thanksgiving for the God's mercy.

183. The social aspect is not less striking. The world brotherhood of Muslims manifests itself there in the most vivid manner. The believers, without distinction of race, language, birthplace or even class, feel the obligation to go there and to mix with one another in a spirit of fraternal equality. They camp together in the desert, and perform their religious duties in common. For several days, at fixed hours, they march, make a halt, pass the night under tents or in bivouac - all this, to an even greater extent than the five daily prayer-services, trains the soldier of God for a life of discipline.

183/a. When the Prophet Muhammad performed his own *Hajj* a few months before his demise, he uttered a sermon from above the *Hill of Mercy* (Jabal ar-Rahman) which constitutes the charter of Humanity in Islam. Some 140,000 Muslims came that year from all parts of Arabia to listen to this testament of their Prophet, which may be analysed as follows: (1) he reminded them of the basic elements of Islam, *viz.*, belief in the One God with no icons or other material representation (2) all Muslims were equal without discrimination on account of race or class, with there being no superiority to one over any other except by the individual excellence of piety and fear of God (3) three fundamental rights were sacrosanct for each and every human being concerning (i) his person, (ii) his property and (iii) his honour (4) prohibition of interest transactions, whether the interest is large or small (e) prohibition of vendettas and private

justice (5) obligation to treat women well (6) constant redistribution and circulation of the private wealth so as to avoid its accumulation in the hands of a few (through the law of obligatory inheritance, restrictions on wills and prohibition of interest, etc.) and (7) emphatic restatement that the Divine Revelation alone should be the source of law for our conduct in all walks of life. The pilgrims are made to hear this same sermon every year, recited from the same sacred Hill of Mercy at 'Arafat.

184. There is reason to believe that a pre-Islamic practice was continued during the *Hajj* festivities, at least for the early generations of Muslims. It profited by a vast assembly where an annual literary congress was organized. Here poets "published" their new compositions; orators made harangues before the spellbound masses gathered there to display their talents; professional wrestlers fascinated the spectators; and traders brought merchandise of all sorts. Caliph 'Umar gave it a most salutary administrative character, for this was an occasion for him to hold sessions of an appeals court against his governors and commanders along with public consultation on important projects in view. Let us recall once again that in Islam, the sacred and the profane, the spiritual and the temporal, both live in co-existence and even in harmonious collaboration.

The Zakat-Tax

185. In modern times, the man in the street understands by *zakat* a certain percentage of his hoarded cash which is to be given to the poor every year. But in the Qur'an, in the Hadith and in the practice of the early centuries of Islam, the *zakat* (also called *sadaqat* and *haqq*)⁴ meant all sorts of tax perceived by the Muslim State on its Muslim subjects i.e., tax on agricultural product, on sub-soil exploitation, on commercial capital, on herds of domesticated animals living on public pastures, on hoarded cash, etc. In the beginning, all these taxes were paid directly to the government, but later, during his caliphate, 'Uthman decided that Muslims could spend directly the tax on the hoarded cash to its beneficiaries prescribed by the Qur'an (9/60) without the intermediary of the government.

185/a. The Qur'an (4/5) recognizes that wealth is the basis and the essential means of the subsistence of humanity. Therefore it should not be surprising that payment of tax to the government has been raised by the Prophet to the dignity of an article of faith and one of the four fundamental rites of religion, along with prayer,

fasting and pilgrimage. In Islam one does not pay a "tribute" to the chief of the city for his personal luxury and vanity, but one pays his dues, as a right connected with the collectivity, and more particularly in favour of the needy. This is for the purpose of "growing" and "purifying" one's self, as is the etymological sense of the term *zakat*. The Prophet Muhammad said, "**The chief of a people is in fact their servant.**" In order to demonstrate the truth of this saying, and the absolute disinterestedness with which he had assumed the direction of his people, both as a spiritual guide and the head of the State, the Prophet formally declared that the revenues of the Muslim State, coming from Muslim taxpayers, were religiously forbidden to him and to all members of his tribe. If the head of the State does not abuse public confidence, it follows that his subordinates must be scrupulous in the performance of their duties.

186. In the time of the Prophet and the Orthodox Caliphs, there was in the Muslim State no tax on Muslims other than the *zakat*. Far from being an almsgiving, it constituted a State-tax, an obligatory contribution fixed in quantity and in epoch, levied by sanctions and coercion from the recalcitrants. In order to best inculcate the importance of these payments in the spirit of the faithful, the Prophet declared that the *zakat* was a religious duty and a Divine prescription, on par with the belief in One God, the service of prayer, the fasting and the *Hajj*. If belief is a spiritual duty, and prayer, fasting and *Hajj* are bodily duties, the payment of the *zakat* is a fiscal duty. The jurists call it *'ibadat maliyah* (worship of God by means of property). This is another proof - if there is need of one - of the fact that Islam co-ordinates the entire human life into a single whole for the purpose of creating a harmonious equilibrium between body and soul, without either favouring or treating with disdain any of these two elements of the human constitution.

187. The Qur'an employs various terms to designate the tax (i) *zakat* - used in numerous verses, which means both growth and purification. It connotes that one must pay part of one's growing wealth in order to purify it. (ii) *sadaqat* (Qur'an 9/60) - signifies both truth and charity, implying that to be true to humanity, one must be charitable towards the less fortunate. (iii) *haqq* or right. It is the right of others, it also entails duty on the one who possesses (rights and duties being correlative terms, and collaboration being the basis of all functioning of society.)

188. There are taxes on savings, on harvests, on

merchandise, on herds of cattle pasturing in public meadows, on mines, on maritime products, etc. The tariffs may differ, yet all are called *zakat*, *sadaqat* and other synonymous names variously.

189. The tariffs of the time of the Prophet seem not to have been considered rigid nor incapable of modification. We have already mentioned that the Prophet himself exempted the inhabitants of Ta'if from the *zakat* (with some other examples for other regions also). As Abu 'Ubaid records, the great caliph 'Umar reduced the duties on important victuals in Madinah. In the lifetime of the Prophet, there were occasions when he was obliged to appeal for extraordinary contributions - for instance, the defence of the country against a foreign menace. This has enabled the jurists to conclude that the government may impose new provisional taxes, called *nawa'ib*, or augment the rates for the duration of the crisis. The silence of the Qur'an on the items and rates of taxation confirms this deduction of the jurists.

190. But the Qur'an speaks in detail about the expenditure of the State and the principal heads of the government budget:

"The sadaqat (tax levied on Muslims) are only for the needy and the poor, and those who work (for these State revenues), and those whose hearts are to be won, and for (freeing) the necks, and the heavily indebted, and in the path of God, and for the wayfarers: - a duty imposed by God, and God is the Knower, the Wise" (Q. 9/60). As stated above, sadaqat and zakat are synonymous and this means that what is perceived on a Muslim subject and what is perceived on a non-Muslim, such as Kharaj, jizyah, ghanimah, etc., is not included in zakat. The beneficiaries of the two also differ considerably.

191. While other legislators would rather prescribe rules for income, the Qur'an, on the contrary, formulates the principles of State expenditure only. In the eight categories of beneficiaries of *the zakat*, of whom the verse speaks, it will be noted that there is no mention of the Prophet. Some remarks may be useful for the better understanding of the range and extent of this verse, which speaks of certain exclusive recipients.

192. According to such a great authority as the Caliph 'Umar, the needy (*fuqara*) are those of the Muslim

community and the poor (*masakin*) - almost an equivalent - are the poor among the non-Muslim inhabitants (the protected persons). It is to be noted that the *sadaqat* do not include revenues coming from non-Muslims, yet Islam includes them among the beneficiaries of the taxes paid by the Muslims.

193. Those who work for the revenues are the collectors, accountants, those in charge of the expenditure, controllers and auditors - this list practically embraces the entire administration - both civil and military, of the State, in view of the fact that the beneficiaries of these revenues include practically all departments of administration.

194. Those whose hearts are to be won are of many kinds. The great jurist Abu Ya'la al-Farra' (al-Ahkam as-Sultaniyah, p. 116) points out: "As for those whose hearts are to be won, they are of four kinds: (1) those whose hearts are to be reconciled for coming to the aid of the Muslims; (2) those whose hearts are to be won in order that they might abstain from doing harm to Muslims; (3) those who are attracted towards Islam; and (4) those by whose means conversion to Islam becomes possible for the members of their tribes. It is lawful to benefit each and every one of these categories of 'those whose hearts are to be won,' be they Muslims or polytheists."

195. By the term "freeing the necks," one has always understood the emancipation of the slaves and the ransoming of the prisoners of war made by an enemy. A word about the slaves may not be out of place. No religion before Islam seems to have paid attention to the amelioration of the condition of the slaves. The Prophet of Islam forbade altogether the enslavement of the Arabs as Sarakhsi records. As to other peoples, the Qur'an (24/33) orders that if a well-behaving slave is prepared to pay off his value to his master, the latter cannot refuse the offer. In fact, he will be constrained by the court to grant his slave opportunities to earn and save the necessary amount for obtaining manumission [freeing a slave] and would be exempted from serving his master in the meantime. Further, as we have just seen, the Muslim government allots a sum in the annual budget for the aid of the slaves desiring emancipation. The object of permitting slavery in Islam is not the exploitation of an unfortunate fellow-being. Far from that, its aim is first to provide shelter to those prisoners of war who have lost everything, and for some reason or other are not repatriated. Secondly to educate them and give them the opportunity to acquire culture in an Islamic surrounding,

under the government of God. Slaves are obtained **only through legitimate war**, waged by a government. Private razzias, kidnapping or even sale of infants by their parents have no legal sanction whatsoever.

196. Aid to those who are heavily indebted or have too great a charge may take different shapes. We see Caliph 'Umar organized a service of interest-free loans also.

197. "In the path of God" includes every charitable cause. The jurists have not hesitated to start with military equipment for the defence of Islam, since **Islam struggles only and solely for the establishment of the Kingdom of God on earth.**

198. As for the "wayfarers," one can help them not only by giving them hospitality, but also by ensuring their health and comfort and their security of routes as well as the adoption of measures for the well-being of those who have to pass through a place other than their own, whether they be native or alien, Muslim or non-Muslim.

Conclusion

198/a. After having detailed the facts concerning religious practices, it may not be out of place to repeat that the development of the whole and the co-ordination of all parts is the basic principle governing the Islamic way of life. The Qur'an repeats often: "*Establish worship and pay zakat-tax.*" What could be a better manifestation of this unity of body and soul than the fact that the worship of the One God and payment of the duty towards society are commanded in one and the same breath! Spiritual duties are not devoid of material advantages, and temporal duties have also their spiritual values. Again, all are dependent on the intentions and motives that govern one's performance of those duties.

1. Chronologically speaking, the Qur'an has used the terms *nasib* (6:136, 16:56) and *haqq* (6:141, 70:24) in the Meccan surahs, and *zakat* (2:43 passim), *Infaq* (2:267), *sadaqat* (9:60) and *sadaqah* (9:103) in the Madinan period. Later the word *zakat*, to the exclusion of all else became the technical term used by the jurists.