CHAPTER - III
Values in Islam:

Every society is governed by certain values. The apparent or tangible features of any society have a deep relation with the values that govern it. Further these values themselves have an underlying philosophy. Most often while examining a religion the external features are evaluated, overlooking the underlying ideals.

For a better understanding of other religion it is imperative to examine the value system along with its philosophy. The scope of values is vast; there are numerous values in the realm of social, ethical and moral spheres. To discuss each one of them is not intended here. The concept of human equality, tolerance and peace; slavery and the position of women in Islam have been given more attention. The reason for this emphasis is the socio-religious structure temperament of the writer himself and the interaction between the two communities in the past.

The record of Hindu views on these topics would give their perception of Islamic Values.

Moral and Ethical Values:

The Hindu scholars have dealt with some basic questions relating to what is the goal or ideal of Islamic ethical system, whether Islam as a faith accord importance to morals? Also how are Islamic ethical values similar to or different from those valued in Hinduism? The idea that emerges
from this discussion is that the Hindu view of Islamic ethical system is varied. It includes different opinions about ethical or moral values attached to Islam. It is so polarized in nature that the authors arrive at contradicting conclusions. The first one is that the moral teachings are the essence of Islam, and the other is, that there are no ethical or moral values attached to Islam. The highest goal according to few is the attainment of peace, while at the same time others regard it to be a ethical system applicable to believers only which is not universal.

Vyas finds the ethics and morality as an embodiment of Islam itself. He finds morality in the very essence of the word 'Islam' for he notes that:

"the word 'Islam' means to resign oneself to peace. It is a perfect tranquility in the primary sense-----------Positively this means that the man has not only to desist from harming others, but he has also to do good to them." (Vyas 1982:76)

He records a deep relation between the ethics and spirituality in Islam, and declares it unconceivable separating the two:

"It is ethical life which leads to spiritual development." (Vyas 1982:81)

Further he explains the effect, which the belief must produce in an individual, he notes:

"man must entertain good desires and do good deeds. Obedience and surrender are not an outward show but the result of a sincere belief in Him, His angels, divine words in scriptures, prophets, pre-destination and the 'day of
judgment. One's conduct must evince equality and brotherhood of man and must strive for the justice and welfare of the individual and society." (Vyas 1982:82)

He emphasizes the implication of fulfilling God's will in Islam and its relation with the ethics. He notes:

"man has been given free will, an independent invitation to fulfill God's will.............It is mainly through the service of man, one carries out God's will. Unity of God implies that one should take care of all the spheres of human activity." (Vyas 1982:81)

He suggests that in Islam actions affects an individual's bonding with God.

He states:

"the trust in God is to be freely chosen and accepted, for it is God who has given man all his actions and thoughts. But the pride in man prevents him from realising this dependence on God. Every evil action is rejection of God's justice and balance. The unrighteous and evil minded gets no guidance from God." (Vyas 1982:118)

He finds that in Islam happiness of an individual is linked with his good behaviour and actions. He observes:

"to befit the dignity of man, he is endowed with certain eligibilities and free will. But when one misappropriates or misuses this power, evil and suffering results." (Vyas 1982:119)
Also that,

"God has endowed man with discriminative power to opt for good or evil, right or wrong. When man misuses this power, he is unhappy. Those who misuse this power are evil doers and wrong their own soul." (Vyas 1982:144)

He describes sin in Islam to be the negation of an individual's own superior position as outlined in the Islamic sources. He elaborates that sin in Islam is

"indifference to the arbitrary decree of God..............man is unaware of his God-like status and hence he is not at his best in his life and work. This forgetfulness of his state is the defiance of God's wish. Thus there is no fixed and immutable law whose violation is regarded as 'sin' in Islam." (Vyas 1982:144)

However he notes that

"distrust and infidelity to God are great sins so also the conscious misdeeds."

For author the purpose of life in Islam is that,

"with proper purification and moral development, man has to carry out God's will in the comprehensive fulfillment of his life." (Vyas 1982:182)

The purpose of moral teachings in Islam according to author is

"to root out the basic self-injury and self-destruction." (Vyas 1982:185)

Singh asserts peace as the primary embodiment of the Islamic ethics. He substantiates his stand by giving quotations from the Quran and hadith
literature. He also compares the Ethical Values of Islam with other systems of faith and beliefs.

He opines that the ethical content as explained in the Quran is that

"the path to the attainment of peace with God is through the attainment of peace with mankind." (Singh 2002:20)

He proves that this aim is achieved by declaring sobriety, modesty, mercy, helpfulness, moderation and religious toleration etc. as the virtues of demeanor prescribed by the Quran.

He extensively quotes verses from the Quran:

"The (faithful) slaves of the Beneficent are they who walk upon the earth modestly, and when the foolish ones address them then their answer is peace."(25:19)

"Be modest in thy bearing and subdue thy voice. Lo! the harshest of all voices is the voice of ass."(31:19)

"O ye man! We created you from a single pair of a male and a female and made you into nations and tribes that ye may know each other, not that ye may despise each other. Verily, the most honoured of you in the sight of Allah is, he who is the most righteous of you. And Allah is well acquainted with all things."(49:13)

"Call to the way of thy Lord with wisdom and exhortation and argue with them in the best manner."(16:125)

"Say ye, we believe in Allah and His revelations to the prophets, in what
was revealed to all the nations and that given to Moses and Jesus, and that given to other apostle from their Lord. We do not make any distinction between one and another of the prophets. For, we submit entirely to Allah."(2:136)

"And abuse not those whom they (i.e. non-believers) call upon besides Allah, lest exceeding the limits, they abuse Allah through ignorance."(6:109)

"To every people have we made their deeds fair seeming, that to their Lord is their return, so He will inform them of what they did."

"Lo! those who believe (in that which is revealed unto thee Muhammed),and those who are Jews, Christians and Sabeans whoever believeth in Allah and the last Day and doeth right surely their reward is with their Lord, and there shall no fear come upon them neither shall they grieve."(2:62)

Similarly, he shows that the ethical injunctions contained in the Hadith proves that Islam aims at promoting peace.

He notes: narrated by ibn-i-Omar that Prophet Muhammad (pbuh) said that "one who helps violence and promotes or seek help to promote tyranny (violence) is forever under the wrath of God.(ibn-i-Maja,Hadith:1,p:421,no.63)

According to the author it is the

"specific historico-cultural factors, which circumscribe and
narrow down the Islamic ethics of peace." (Singh 2002:28)

He notes that a few traditions promote

"an ethic of in-group peace and out group legitimation of violence."

Nevertheless, he clarifies that Quran gives

"unequivocal support to universalistic peace." (Singh 2002:29)

He gives the evidences from the Hadith:

*It is narrated by Abdullah.b.Omar that "the Prophet (pbuh) once remarked a true muslim is one whose tongue and hands bear no violence and a perfect Mujahid is he who has given up those vices which are prohibited by God."

[Imam Bukari, Tarjid-e-Bukhari, Lahore]*

He notes that,

"in contrast to the Hindu tradition, the meaning of peace contained in the Arabic literary tradition, is oriented towards humanistic and life-affirming principles. This ethic is not posited on the foundation of asceticism and life denial." (Singh 2002:101)

He asserts that,

"the concept of peace has a more dominant activistic and positive ethical connotation. Peace means kindness, compassion for other's suffering, acts of social charity and justice. It is not linked with the non-killing of animals or vegetarianism as in the Hindu tradition. It is also not judged on a purely rationalistic or utilitarian criterion as in the Maoist School of the Chinese philosophy but retains an
ethical character. The concept of peace is thus, primarily humanistic." (Singh 2002:110)

Bhargava emphasizes the importance of ethics and morals in Islam and its contribution to the world. In his view Islam's ethics places before man the highest ideal, which is to be worthy of God and to develop the divine element.

He discusses the contribution of Islamic ethics and asserts that,

"Ethics in Islam had its strong roots and sent out-shoots into the life of Asia and Africa and even Europe, which kept it healthy and vigorous."

He opines that,

"Islam never lost its sense of values and never erected a pedestal which man could not reach. What imparts grandeur to this creed is its conception of morality, which serves as an infallible guide to the individual, demanding unlimited self-sacrifice and repaying the devotion of its followers strength in the union.....Its triumphant success was due to the fact that it regarded morality as the safeguard of the discipline which constitutes a nation's vigour. Religion and morality are a means to the great end of existence, which is strenuous action in a united faith." (Bhargava 1961:3)

Vaswani: He is of the opinion that morality in Islam is superior to the western idea of morality.

He gives the examples of democracy and states:

"democracy is the very essence of Islam." (Vaswani 1921:36)
For him democracy is love of man as man. He notes

"Europe has yet to know what it is to place love of man above love of the world." (Vaswani 1921:36)

He draws a sharp contrast between the Europe and the Islamic civilisation. He asserts that Islamic civilisation has subordinated money to the immaterial values of life,

"unlike Europe" he says "it has not worshipped mammon as its God." (Vaswani 1921:35)

He opines that the European theories of capitalism, imperialism, commercialism, land grabbing and exploitation have the roots in love of the world.

Chandra discusses the place of morals in Islam and the basis of ethical values in Islam. He deduces his information from the verses of the Quran.

He gives the verse: "there is no kind of beast on earth nor fowl which flieteth with its wings, but the same is a people like unto you; we have not omitted anything in the book of our decrees."

Based on this verse he declares:

"all living things on this earth are communities and have their communal existence which necessarily implies communal law. This is the beginning of Moral law. Everything that is injurious to communal life is a sin against community." (Chandra 1979:72)

From the verse: "Everytime they light the fires of war, God puts them out, and they strive to create disorder on this earth, But God loves not the
"creator of the disorder."

He deduces that,

"the Quran does not deny the existence of evil. It however, asserts the triumph of good over evil in the end." (Chandra 1979:78)

The principle of Islamic ethics in his opinion is that

"everything that is injurious to human welfare is immoral." (Chandra 1979:80)

He opines that the

"man's life, it is stated over and over again in the Quran, is a striving for. It is not an end in itself. It is an activity and its tendency is towards the attainment of goodness, beauty and truth in thought, word and deed." (Chandra 1979:84)

Srivastava gives contradictory statements about the ethics in Islam. At one place he asserts:

"there is no effort in it to bring moral and spiritual change in the individual. The realisation of heaven does not provide moral change in a person." (Srivastava 1974:132)

At another place he writes:

"Islam lays down positive moral virtues for mankind to follow. They are acquisition of knowledge, justice, uprightness, fulfilling obligations, truth, good manners, thankfulness, charity, devotion to parents, tenderness, kindness to animals, good-will towards others, self-denial, self-restraint and forgiveness, repentance for the sins committed, purity, modesty and regard for neighbours."
For the former view he quotes Edward Sell:

"The Islamic conception of salvation..............is entirely legalistic; it is not a moral change in the heart now, leading a man to have power over sin to repress it, but a release in the next world from the punishment of hell, in virtue of certain good acts done in this life. It is not a becoming, but a receiving."

However, the author also notes that,

"moral preparation for man is necessary for the realisation of communion with God." (Srivastava 1974:154)

He notes the importance of ethical values in Islam and writes:

"by especially providing the ethical code in the Quran as the truths revealed by God, there is much sanctity attached to them. That is why there is sincerity and zeal in the followers of Islam in their daily moral works." (Srivastava 1974:155)

Swarup finds moral laws of Islam to be short of universality and inwardness.

He opines:

"Muhammad's religion is predominantly theological but moral values are not altogether neglected." (Swarup 1984:4)

He finds that in an Islamic system of ethical values

"a Muslim owes everything to the ummah, very little to others. He has no obligations, moral or spiritual toward non-Muslim as part of the human race except to convert them by sword, spoils and jizya." (Swarup 1984:4)
This remark is based on a tradition where Prophet Muhammad (saw) defines al-din ("the religion" i.e. Islam) as "sincerity and well-wishing for Allah, His Books, His Messengers and for the leaders and general Muslims.

The author quotes an incident where a martyr in a holy war instead of entering paradise was seen by Prophet in the Fire for the garment or cloak that he had stolen from the booty. From this tradition, he deduces that,

"to rob a whole people is piety, but to remove a paltry something from a looted treasure is moral depravity of a magnitude that deserves eternal fire." (Swarup 1984:5)

He concludes that

"such a sectarian and preponderantly theological approach..............teaches topsy-turvy morals." (Swarup 1984:4)

He asserts,

"Another feature of Prophet's teaching on moral values, inevitably flowing from its predominantly theological nature is its lack of universality." (Swarup 1984:191)

He gives evidence form the Quran and Sunnah. He quotes the verse:

"Muhammad is Allah's apostle. Those who follow him are ruthless to the unbelievers but merciful to one another."

He also cites a few traditions such as the one where the Prophet advises his followers not to greet Jews and Christians first, contrary to what they should do amongst one-another. Also that if you meet a Muslim on the
road, you are to be courteous and step aside to give him the way, but if you meet a Jew or a Christian, you are to push him aside. He notes that in Quran (9:84), Allah forbids a Muslim to offer a prayer of mercy toward non-Muslims.

He opines that,

"Muhammad's moral teaching lacks inwardness" and that "he founded a very outward religion." (Swarup 1984:192)

However, the author does not give his reasons for this assumption.

For the author, the entire premise of Islam itself, goes against regarding moral actions the supremacy. He writes,

"in religions where theology is supreme, moral action occupies a secondary place. It is not God's grace that wins salvation but either atoning death of His only son or the intercessory power of His last Prophet." (Swarup 1984:202)

He gives the evidence of a hadith which says, Prophet said: observe moderation in your doings, but if you fail, try to do as much as you can do and be happy for none would be able to get into paradise because of his deeds alone.

Lal accuses Islam of double standards. He notes:

"Islam has two sets of principles of morality, ethics and justice: one for Muslims and the other for non-Muslims. Sincerity, well wishing and brotherhood are for the believers and faithful. For non-Muslims the principles and standards of behaviour are different." (Lal 1999:15)
Reflections:

Two contradicting views of moral values in Islam emerge from the discussion. One that regards Islam as an upholder of Universalistic moral and ethical values in opposition to those who blame Islam for a narrow sectarian morality. The authors have compared Islamic ideals with Hindu, western and even ascetic thoughts. Vyas, Bhargava, Singh, Vaswani and Chandra are promoters of the former view. Swarup and Lal support the latter.

Singh, Chandra, Swarup quotes the verses from the Quran and Hadith with references to prove their contentions. Vyas, Bhargava, Vaswani and Srivastava develop a philosophical discussion of moral values and do not necessarily give Quranic verses or Hadith. The evidences from the basic sources make the claim more credible. Whereas the philosophical arguments do not always necessarily depict the Islamic viewpoint, it serves as the reading of the author’s interpretation of Islam.

Lal claims that many Quranic verses and Hadith give rulings of sectarian morality, however, he does not quote a single one. Swarup has half-quoted the hadith and made blatantly wrong inferences of the text. He gives the hadith from Muslim, (No.6770) and infers that it is only the "intercessory powers of Prophet that qualifies a believer for Paradise and not the moral values. However, those inference is disproved by the last part of the same hadith: 6770 which he did not quote. It says, "they (the
companions of the Holy Prophet) said: Allah’s Messenger not even thou?
Thereupon he said: Not even I, but that Allah wraps me in His mercy, and
bear this in mind that deed loved most by Allah is one which is done
continuously even though is insignificant." (tr. Siddiqui 1978: IV, 1474)

His arguments based on the hadith, which defines religion or din as well
wishing, and sincerity for Muslims (alone) is answered by the several
Quranic verses and Hadith quoted by Singh. These numerous instances
from the basic sources of Islam give authenticity to the claim of majority
of authors in discussion.

Vyas’s findings on ethical values are remarkable. He sketches his ideas in
an engaging style. His conclusions like:

“the unrighteous and evil minded gets no guidance from
God.”
Reveal his understanding of the subject. He discusses the ethics and
moral’s connection in Islam with spirituality, belief, God’s unity and even
happiness. He defines sin in Islam and finally gives the purpose of ethical
values in Islam. His discussion is praise-worthy in more than one ways.

Singh extensively quotes appropriate verses to exhibit the importance of
ethics in Quran. He shows the relation of ethics and it’s role in the
attainment of peace. He holds that Quran supports Universal peace but
contradict at one place when he says that in certain conditions the Islamic
ethics of peace is narrowed down. However with his own evidences from
the Quran and the Sunnah, he proves that instead of narrowing down, Islam has stretched and expanded the notion of peace.

Bhargave makes note of the realistic approach of Islam even in defining the ideals of ethics, which is generally not found in other faiths. Vaswani’s comparision of Islam and western ethical values is laudable.

Chandra’s comment on the basis of Quranic verses that everything that is injurious to community life of any species is a sin against community is creditable. He correctly comments that the canvas of immorality in Islam includes everything that is injurious to human welfare and that life is a place of action.

Srivastava claims that Islam does not aim at moral change in a person on the basis that it is legalistic and look for reward or punishment and not insist on a moral change in heart is nothing but ignorance of Islamic values. By making it legalistic, Islam promotes the moral and uprightness in the society. Further he himself refutes his theory and rightly explains the moral virtues that Islam aims at promoting.

Swarup is not only incorrect that a Muslim owes everything to Ummah, but is also criticized by Vyas, Srivastava, Singh and Chandra. He erroneously concludes that for a small crime, there will be a big punishment. Quran makes it clear that abiding punishment is only for willful rebellion, but not after repentance, nor for minor sins. Rewards for good deeds are multiplied but punishment for evil actions is equal to it.
His assumption that moral can be topsy-turvy is contradictory. Islam never commands to differentiate between Muslims and non-Muslims in the matter of human brotherhood, love, goodwill and regard, these virtues are universal. The commands related to rights of relatives, neighbours and strangers are concerned, they are universal. The similar charge is made by Lal of double standards, he is unable to understand that religious affirmity is different from behaviour with other communities.
Social Values of Islam:

There are several social principles on which a community can be examined. It is imperative to assess certain values, which are more pertinent in a specific socio-religious milieu since the analysis of those values alone will help in forming the true understanding of that society. Moreover, values do not exist by themselves; they are established by the religious precepts and philosophy. Hence, values must be looked into with the underlying essence of its beliefs. Omission of this sensibility would result in flawed conclusions otherwise. For example: if the values in certain spheres differentiate people on the basis of belief and disbelief, it must be checked what this belief system assumes from them? Does it ask to acquire such qualifications, which are within the bounds of human endeavor or question unattainable goals? Equality and affinity is one point of consideration. Here it must be checked if this belief expects that whether humans would be equal on the basis of their birth or actions.

Several authors discuss concept of human equality and brotherhood in Islam. It is important to find how Hindu authors with respect to Islam understand this important denominator of any society. In contrast with the Hindu notion of Varn-Asharam, hierarchy on the basis of birth and a history of Brahanamic caste system, it must be examined, how these authors have analyzed and commented about ideal of human equality in Islam. The other important parameter to be assessed in Indian context is
the tolerance for others prescribed in Islam. In a pluralistic society, it is crucial to check the forbearance standards of a religion. India has always been a multireligious and multi-ethnic society, people of various faiths have existed here since a long period. It must be checked what are the understanding of authors about this feature of Islam. Does Islam tolerate those who are not in its fold; does it preach mutual co-existence as the basis of community life? True judgement of any value system must be assessed from the precepts it prescribes for the neglected sections of the society. Consequently the position of women in Islam is checked. The attempt would be to find what enquiries authors have made about women’s position, the sources that they employed for the same and finally the conclusion that they made. Many Hindu authors have discussed the issue of slavery specially those who produced their works in the early part of 20th century. The reason was the on-going debate of slavery in the west during that period.

Concept of human-equality and Brotherhood:

All the Hindu scholars whose opinions are discussed here unanimously acknowledge the presence of concept of Human Equality in Islam and its contributing effects on the world. They highlight its importance in Islam. Radhakrishnan emphatically asserts that the concept of equality in Islam, which is in sharp contrast with caste bigotry in India

"drove many of those subjected to them into the fold of
Islam." (Radhakrishnan 1947:132)

Gandhi declares,

"the great virtue which I find in Islam is that it teaches equality and brotherhood of man, be the king or slave."

(Gandhi 1973: V56,243)

Roy asserts

"the principle of equality proclaimed by Islam proved to be a factor in its spectacular triumph." (Roy 1958:43)

He traces the origin of the principle of equality in Islam and regards it to

"the traditional freedom of the nomadic life of the Arabic tribes." (Roy 1958:42)

He opines that Islam stood for freedom and equality whereas the oppressive laws in a class and cast-ridden society governed the societies of the Roman, Byzantine, Persian and Indian Empires.

Taracand opines that on the social side:

"the most impressive feature of Islam was the assertion of the equality and brotherhood of Muslims and hence the absence of a priestly class." (Tarachand 1976:40)

Bhargava highlights that,

"on the social side, democracy is the key-note of Islam. The concept of fraternity in Islam produced a profound effect on the social and political structure of the age. It abolished all doctrines of caste and colour, and gave to the lowest and the most degraded being in every country the status of equality with the highest." (Bhargava 1961:4)

Vaswani opines that the faith 'Allah ho Akbar! God alone is Great' makes
"Islam a Brotherhood, an International Brotherhood, a Fellowship of many races and tribes." (Vaswani 1921:36)

Samanta is of the opinion that,

"Islam as a religion is liberal compared to other religions." (Samanta 1988:166)

He declares that,

"Islam was the first religious faith that proclaimed the theory of equality of all believers." (Samanta 1988:169)

He further notes:

"the idea of equality of all under the laws of Islam attracted the attention of the oppressed class of the world in an age when such a liberal thought was a dream." (Samanta 1988:170)

Vivekananda declares emphatically that,

"if ever any religion approached to ----------equality in an appreciable manner, it is Islam and Islam alone." (Vivekananda 1994:VI,415)

He finds that,

"Islam makes it followers all equal-the essential part of Mohammedan religion." (Vivekananda 1994:II,371)

However, he complains this brotherhood to be exclusively of Muslims alone, he asserts:

"Mohammedan talk of universal brotherhood-why anybody who is not a Mohammedan will not be admitted 'into the brotherhood." (Vivekananda 1994:II,380)

Similarly, Divekar claims that,
"the brotherhood of Islam is not the Universal brotherhood of man. It is a brotherhood of Muslims for Muslims only."
(Divekar 1943:10)

Singh asserts that Islam preaches Universal Brotherhood, which implies not just the brotherhood amongst believers but encompassing non-believers in its fold too.

He extensively quotes Quran, the traditions of the Prophet Muhammad (saw) as well as several famous works of Scholars. He posits that Islam, "sought to fight the idols of greed, desire and interests, to establish a society based on unity and equality of all human-beings." (Singh 2002:20)

He opines,

"the emphasis on unity and brotherhood was counter-positive for the warring tribes of Arabia, engaged for generations in internecine wars. The Prophet's objective was to knit them into a fraternity." (Singh 2002:44), is clearly in contrast with Roy's opinion.

The author gives the verse: "And hold fast all together by the Rope which Allah (stretches out for you) among yourselves and be not divided and remember with gratitude Allah's favour on you for ye were enemies and He joined your hearts in love, so that by His grace ye become brethren."(3:103)

The author agrees with Maulana Abul Kalam Azad's interpretation of unity, which embraces not just Muslims but the entire humanity. He notes
as Allah has declared in Surah Fatiha that He is *Rabb-ul-Alameen* (Lord of Creation) and *Rabb-ul-Muslimin* (Lord of Muslims). Moreover, he notes that in the Quran its mentioned that the Prophet came as a mercy for all mankind. He quotes the hadith "*No Muslim can become a Momin, unless he likes for all others what he likes for himself, and he makes friends with them for the sake of God.*"

He finds that the lesson of peace preached by the Prophet was

"underpinned by the concept of Universal Brotherhood."

(Singh 2002:45)

He quotes verse for the support:

"*All mankind is a single community*" (2:213) and

"*O Mankind, We created you from a single (pair) of a male and female, and made you into nations and tribes that ye may know each other.*"(49:13)

He notes:

"One of the striking features of the Muslim World, which has been emphasised by many observers, historians, travelers and missionaries, is the feeling of unity in Islam, which perhaps overlap all the barriers set up by nationality and geographical position. Islam has succeeded in obliterating race prejudice to an extent no other religious system in the world offer any parallel." (Singh 2002:51)

He cites that in the Quran God is addressed as *Rabbin-Nass* (Lord and Cherisher of Mankind), *Malikin Nass* (Ruler of Mankind), *Ilahin Nass*
(Judge of Mankind). The God of Islam is the Universal God of love, *Al-Rahman* (the most merciful), *AL-Raheem* (the most compassionate), *Rabbil-Alameen* (the Lord of the Universe).

He is of the opinion that unity in diversity should be the aim as there will ever be differences in religious thinking.

He cites the verse: "if Allah had willed, He could have made man as to have only one single religion, but this world is to put mankind to test as to how man will use his own intelligence and discretion (free-will)"

"Mankind is but one single community, and Allah sent Messengers with glad tidings and warnings; and with them He sent the Book, after the clear signs came to them, they did not differ among themselves except through selfish contumacy. God by His grace guided the Believers to the truth, concerning that wherein they differed. For Allah guides whoso He will to the path that is straight-of Truth." (2:213)

He asserts that,

"Islam has not merely preached but actually realised full equality and fraternity between all races and peoples. Islam is true socialism, which knows no pride of wealth or colour. The Universal doctrine of the equality of all religions is firmly established in the Quran. In it are laid down the codes for a common understanding with the followers of other faiths and other scriptures. The Quran took another step and required every follower of Islam to believe in all Prophets of God, followed by action. In the history of spiritual education
of man, Islam stands out like a beacon of light." (Singh 2002:58)

He opines that in Islam,

"the brotherhood between the Muslim and equal treatment of non-Muslim are its two basic principles." (Singh 2002:58)

He quotes the message delivered by Prophet Muhammad(saw) in his last pilgrimage: "O mankind! Your Lord is One. So is your father. Know this well that no Arab shall be have superiority over a non-Arab, or a non-Arab over an Arab. A white man has no superiority over a Negro and a Negro has none over a white man in their merits, excepting of their fear of God. It is certain that in the eyes of God, the most superior of you is the one who follows the principles of Islam most faithfully."

He notes:

"it is impossible in Islamic society to reduce man in the name of Islam to the kind of degradation to which we find whole races, or castes condemned in many non-Islamic societies. Islam can claim both in the light of the Quran and Sunnah as well as the practice of Muslim Governments to have been alone to solve the problem of race prejudice far more effectively than any other system or philosophy, ancient, medieval or modern known to man." (Singh 2002:60)

He opines that,

"Universal Brotherhood of Man is the code of a Muslim's conduct and behaviour towards non-Muslims".
He quotes a Hadith, where Prophet described the qualities of a true Muslim, 'Muslim is one from whose hands, tongue and limbs every one is safe. He is not a Muslim who fills up his stomach while his neighbours are starving, the smallest service, for even a minute is far more valuable than spending the whole of a year in prayer'.

Reflections:

The authors unanimously declare that Islam has the concept of human equality. However few of them find Islam short of Universal brotherhood. Each author has given his own reasons for proving the claim.

Radhakrishnan and Roy cite the spread of Islam in Indian society ridden by Caste-system as the evidence of human equality in Islam.

According to Tarachand it is absence of priestly class, which proves the human equality in Islam.

Bhargava finds the concept of fraternity leading to it and Vaswani claims that the creed: 'Allah is the greatest' is its precursor.

Samanta reasons out that it was the equality before eternal law in Islam that led to its spread in India.

Singh gives Quranic verses and Hadith to prove his claim.

For Gandhi it was his life experiences of living with Muslims that he believed that Islam teaches human equality and brotherhood.

Vivekananda though agrees with others on the issue of human equality, argues that brotherhood in Islam is among believers only.
Divekar holds a similar view. Both Divekar and Vivekananda fail to differentiate between various types of brotherhood. One is the brotherhood of man based on the human dignity, the other is a special brotherhood based on the affinity of religious faith. Islam never challenges the human dignity.

Another useful discussion is whether Islam was the harbinger of the concept of human equality and brotherhood or was it borrowed from the Arab nomadic life.

Roy holds the latter view on the basis that nomadic life is generally a 'free' life. However his argument is weak in comparison with Singh who gives verses and Hadith, which disapproved this claim; the internecine wars of the Arab tribes recorded as *Ayyam-ul-Arab* can be sighted to prove the sanguinary nature of nomadic tribes. Besides all the Arabs were not nomads.

In presence of such verses as 2:213 and 49:13 as given by Singh and hadiths, which declare good and equal treatment to non-Muslims, Vivekananda and Divekar's claims become superfluous.

**Tolerance:**

Several scholars have discussed religious tolerance. Whether Islam permits religious tolerance or pronounces an ideology of sheer fanaticism has been discussed. The opinions are as varied as claiming Islam to be a bearer of religious tolerance till a religion that promotes theory of
subjugation and expansion. The scholars have generally drawn their
evidences from the Quran, Hadith and the Muslim history. The issue of
tolerance attracted the attention of these scholars due to the presence of
multireligious societies in India. Also during the partition days in India, a
great debate was made on the position of Islam as tolerant towards
Hindus. Drawing on this inference the claim for or against the partition of
India on the basis of two religious communities were made.

Roy emphatically asserts that tolerance has been an indispensable part of
the Islamic creed and Muslims as a nation has been more tolerant towards
other religious communities as compared to the western Christian nations.
He extensively quotes from the historical records as collected by western
historians. He presents the history of Muslims as a proof that Muslims
have been a tolerant race.

He notes:

"historical background and the social conditions in which it
was born put on Islam the stamp of toleration, which to the
discerning eye, may appear to be incongruous with the spirit
of fanaticism traditionally associated with it." (Roy 1958:34)

He argues that there is no contradiction between Islam and tolerance as

"the basic doctrine of Islam-'There is but one God'--itself
makes for toleration."

He elucidates that for the Muslim,

"those who worship differently, are for him mistaken and
misled brethren, but nonetheless children of the self-same father, to be brought to the right road, or indulgently tolerated until they are ready for redemption." (Roy 1958:34)

He argues that the tolerance was essential as,

"the economic interests of the Arab trader, which produced the monotheistic creed of Islam, was antagonistic to indiscriminate bloodshed." (Roy 1958:35)

He cites an instance of toleration:

"When Jerusalem capitulated to Khalif Omar, the inhabitants of the vanquished city were left with possession of their worldly goods, and allowed the freedom of worship. A special quarter of the city was allotted for the residence of the Christian population with their Patriarch and clergy-------- the Pilgrimage to the Holy city was stimulated rather than suppressed by the Muslim conquerors,--------Four hundred and sixty years later, when the Holy Land reverted to the Christian rule of the crusading knights of Europe, the oriental Christians regretted the tolerating Government of the Arabian Khalifs." (Roy 1958:35)

He contrasts this account of Muslim tolerance with the occupation of Jerusalem by the Crusaders. He quotes:

"In the pillage of the private and public wealth, the adventurers had agreed to respect the exclusive property of the first occupant. A bloody sacrifice was offered by mistaken votaries to the God of Christian; resistance might provoke ,but neither age nor sex could modify, their implacable rage; they indulged themselves three days in a
promiscuous massacre. After seventy thousand Muslims had been put to the sword, and the harmless Jews had been burned in their synagogue, they could still reserve a multitude of captives whom interest or lassitude persuaded them to spare." (Roy 1958:36)

He quotes Gibbon:

"to his Christian subjects, Mohammad readily granted security of their persons, the freedom of their trade, the property of their goods and the toleration of their worship."

He opines

"principles of toleration was observed with more or less strictness not only by all the immediate successors of the Prophet, but over the whole of Arabic ascendancy." (Roy 1958:37)

He notes

"for centuries the Saracen Empire offered hospitable asylum to the persecuted Jews as well as to the unorthodox Christian sects of the Nestorians, Jacobites, Eutychians and Paulicians—

--------even to the Catholic Church." (Roy 1958:37)

The author on the authority of the Ecclesiastical historian Renaudot notes:

"the rank, the immunities, and the domestic jurisdiction of the Patriarchs, Bishops and the clergy were protected by the (Muslim) civil magistrates (of Egypt); the learning of Christian individuals recommended them to the employment of secretaries and physicians; they were enriched by the lucrative collections of revenue; and their merit was sometimes raised to the command of cities and
He cites that the Magian creed did not forfeit the toleration of the conquering Arabs. The ancient temples of Fire "crumbled not under the ruthless blow of the fanatical sword of Islam; they were doomed to destruction, and fall to inevitable ruins in consequence of the general desertion of their votaries." (Roy 1958:39)

The author observes that the administration of most Christian governments was "more oppressive than that of the Arab conquerors." (Roy 1958:45)

He quotes:

"the inhabitants of Syria welcomed the followers of Mahomet, the copts of Egypt contributed to place their country under the domination of the Arabs, and the Christian Berbers aided the conquest of Africa. All these nations were induced, by the hatred for the government of Constantinople, to place themselves under the sway of Mohammedens. The treachery of the nobles and indifference of the people made Spain and south of France easy prey to saracens." (Roy 1958:46).

He notes:

"there is no end of testimonies to prove that even in the predominantly material period of their history, the Saracens were far from being barbaric bands of fanatical marauders, spreading pillage and repine, death and destruction in the name of religion." (Roy 1958:14)."
He states that

"the current notion of bigotry and fanaticism of Islam loses all historical authenticity when it is known that the men of learning so highly appreciated by the successors of the Prophet, were mostly devoid of any religious fervour, not a few of them holding views frankly heretical, and the general burden of their teachings was the assertion of the reason of man as the only standard of truth." (Roy 1958:62).

He comments on the tale of the destruction of the famous library of Alexandria. He asserts that,

"one must have a pious mind or credulous disposition to believe that those who took delight in founding and supporting such noble seats of learning would have callously set fire to the library of Alexandria; that those who command the gratitude of mankind for having saved its most precious patrimony, could have possibly begun by contributing to the destruction of that treasure." (Roy 1958:63).

Gandhi supports the claim that Islam preaches toleranpe and regards Quran as the basis of his contention. He asserts:

"I do not know a single writer on Islam who defends the use of force in proselytizing process." (Gandhi 1965:10).

Instead he opines,

"Islam preaches humility." (Gandhi 1969:V31,5)

Also that,

"Islam enjoins upon us tolerance towards other's religions. It doesn't say that other religions are false. He alone who do
good to others is a true man. This is the principle of Koran as also the teachings of other religions." (Gandhi 1973:V56,315).

He notes:

"Islam has sufficient in itself to become purged of liberalism and intolerance." (Gandhi 1967:V25,179).

Vaswani opines that Islam preaches tolerance. He presents evidences from the Quran, the Sunnah and the historical narrations of Muslim rule.

He notes that,

"Europe does not appreciate, does not understand the faith and culture of Islam. Not many of the non-Muslims in India do so either" (Vaswani 1921:30),

and this is the reason why they find Islam and tolerance inconsistent with each other. He asserts the idea that the

"notion that Islam is intolerant has grown partly out of interested motives, partly out of ignorance." (Vaswani 1921:31)

He supports his argument by giving the meaning of the word Islam and the Koranic verses preaching tolerance.

i) The people of the Books, such as Christians, Jews, Muslims and those who believe in the unity and singleness of God, and the immortality of the soul, and practice charity and are benevolent and kind to the poor and take care of the orphans-they are the people of salvation.

ii) Let there be no compulsion in religion.
Also quotes hadiths: Prophet said:

i) "A perfect Muslim is he from whose tongue and hands mankind is safe".

ii) "Do unto others what you would have them do to you; and reject for others what you would reject for yourself."

He notes that,

"Jews have been better treated by Muslims than by Christians and have preferred to stay in Muslim rather than in Christian lands," (Vaswani 1921:32),

derived from the hadith: One day a bier passed by the Prophet; being told it was the bier of a Jew, he said: "was it not the holder of a soul from which we should take example and fear".

Further he says that,

"Islam was tolerant not simply to the Jews but also to the Christians." (Vaswani 1921:32),

He supports his claim by explaining the teachings of the Quran and the Hadith.

He narrates that; a perfect man according to the Prophet is "he from whose tongue and hands mankind is safe."

Singh discusses the question of tolerance in Islam extensively giving evidences from the Quran and the Sunnah.

He asserts that Islam preaches religious tolerance and is against the use of force or compulsion in winning the converts. He gives thirty two verses
of Quran which speaks about tolerance and in his opinion there are around thirteen verses, which gives injunctions against tolerance, however, he clarifies and proves that this inference could be drawn by just a partial reading of the text nevertheless these verses too are not against humanism.

He notes:

"the Quran, abounds in verses which suggest, rather prescribe tolerance of a high order." (Singh 2002:65)

However, he, clarifies there are several verses in Quran,

"which prima-facie, negate the spirit of humanistic love and toleration. But contextual enquiry and textual scrutiny of the relevant verses, scattered in different parts of the Quran, show beyond any doubt, that these injunctions were temporary regulations during the state of war or belligerency rather than basic maxims of conduct. A comparative study of the Quranic texts, in the light of the situational context of the revelation, confirms the view that the humanistic love and tolerance are the fundamental directive principles of the Quran, while mistrust of non-Muslim, social exclusiveness and harshness towards non-believers were merely temporary rules or security measures during the state of belligerency." (Singh 2002:66)

The author then gives a list of no less than thirty two verses of the Quran, which according to him,

"suggest and prescribe tolerance, inter-religious harmony, the essential oneness of all religions and the continuity of the
Divine message to the human family as a whole, the equal importance of good deeds (together with faith) as the basis of salvation, a permissive approach to the diversity of religious faiths and lastly but not less importantly, verses which affirm that moral goodness cuts across groupings made on the basis of religion." (Singh 2002:66)

The verses according to him, which speaks of tolerance, are as follows:

1) "There is no compulsion in religion. The right direction is henceforth distinct from error." (2:256)

2) "Say (O Mohammad)! We believe in Allah and that which is revealed unto us and that which was revealed unto Abraham and Ishmael and Isac and Jacob and the tribes and that which was vouchsafed, unto Moses and Jesus and the Prophets from their Lord. We make no distinction between any of them, and unto Him we have surrendered." (3:84)

3) "Unto you your religion, and unto me my religion." (109:6)

4) Lo: Those who disbelieved in Allah and His messenger, and say We believe in some and disbelieve in others, and seek to choose a way in between." (4:150)

5) "Such are disbelievers in truth; and for disbelievers We prepare a shameful doom." (4:151)

6) "But those who believe in Allah and His messenger and seek to make no distinction between any of them. Allah will give their wages; And Allah was ever Forgiving, Merciful." (4:152)
7) "The Messenger believeth in that which has been revealed unto Him from his Lord and (so do) the believers. Each one believeth in Allah and his angels and His scriptures and His messengers— and they say: We hear, and we obey (grant us) thy forgiveness, Our Lord, Unto thee is the journeying." (2:285)

8) "Verily We sent messengers before thee, among them those of whom We have told thee, and some of them We have not told thee; and it was not given to any messenger that he should bring a potent save by Allah's leave, but when Allah's commandment cometh, (the cause) is judged aright, and the followers of vanity will be lost." (40:78)

9) "Lo! Those who believeth (in that which is revealed unto thee, Muhammad), and those who are Jews and Christians and Sabeans—whosoever believeth in Allah and the Last Day and doeth right—surely their reward, is with their Lord, and their shall no fear come upon them neither shall they grieve." (2:62)

10) "And unto thee have We revealed the scripture with the truth, confirming whatever scripture was before it and a watcher over it so judge between them by that which Allah hath revealed and follow not their desires away from the truth which hath come into thee. For each we have appointed a divine law and a traced-out way. Had Allah willed, He could have made you one community? But that He may try you by that which He hath given you (He hath made you as ye are). So vie with one
another in good works. Unto Allah ye will all return and He will then inform you of that wherein ye differ."(5:48)

11) "Had Allah willed, they had not been idolatrous. We have not set thee as a keeper over them, nor art thou responsible for them."(6:107)

12) "Revile, not those unto whom they pray beside Allah lest they wrongfully revile Allah through ignorance. Thus unto every nation have We made their deed seem fair. Then unto their Lord is their return, and He will tell them what they used to do."(6:108)

13) "And if thy Lord willed, all those who are in earth would have believed together wouldst thou (Muhammad) compel men until they are believers?"(10:99)

14) "It is not for any soul to believe save by the permission of Allah. He hath set uncleanness upon those who have no sense."(10:100)

15) "Say: O Mankind, now hath the Truth from your Lord come unto you. So whoever is guided is guided only for (the good of) his soul and whosoever erreth erreth only against it. And I am not a warder over you."(10:108)

16) "Lo: this your religion is one religion, and I am your Lord, so worship me. And they have broken their religion (into fragments) among them, (yet) all are returning unto us. Then whoso doth good works and is a believer, there will be no rejection of his effort. Lo! We record (it) for him."(21:92-94)
17) "Say: obey Allah and obey the messenger. But if ye turn away, then (it is) for him (to do) only that wherewith ye have been charged. If ye obey him, ye will go aright. But the messenger hath no other charge than to convey (the message) plainly."(24:54)

18) "Remind them, for thou art but a remembrance, thou art not at all warder over them."(88:21-22)

19) "And they say: None entereth Paradise unless he be a Jew or Christian. These are their own desires. Say: Bring your proof (of what ye state) if ye are truthful. Nay, but serrendereth his purpose to Allah while doing good, his reward is with his Lord: and there shall no fear come upon them neither shall they grieve."(2:111-112)

20) "And the Jews say the Christians follow nothing (true); yet both are readers of scripture. even thus spake those who know not Allah will judge between them on the Day of Resurrection concerning but wherein they differ."(2:113)

21) "The Jews and Christians say. We are sons of Allah and loved ones. Say: why then doth He chastise you for your sins? Nay, ye are but mortals of his creating. He forgiveth whom He will, and chastiseth whom He will. Allah's is the sovereignty of the heavens and the earth and all that is between them, and unto Him is the journeying."(5:18)

22) "And for every nation have We appointed a ritual, that they may mention the name of Allah over the beast or cattle that He hath given
them for food; and your God is one God, therefore surrender unto Him.
And give good tidings to the humble."(22:34)

23) "Unto each nation have We given sacred rites which they are to perform, so let them not dispute with thee of the matter, but summon thou unto thy Lord. Lo! thou indeed followest right guidance."(22:67)

24) "Say: O People of the Scripture! Ye have naught (of guidance) till ye observe the Torah and the Gospel and that which was revealed unto thee (Muhammad) from thy Lord is certain to increase the contumacy and disbelief of many of them. But grieve not for the disbelieving folk."(5:68)

25) "Let the people of the Gospel judge by that which Allah hath revealed therein. Whoso judgeth not by that which Allah hath revealed, such are evil-liers."(5:47)

26) "Naught is said unto thee (Muhammad) save what was said unto the messenger before thee: Lo: thy Lord is owner of forgiveness and owns (also) of dire punishment."(41:43)

27) "Whoso bringeth a good deed will receive tenfold the life thereof, while whoso bringeth an ill deed will be awarded but the like thereof, and will not be wronged."(6:161)

28) "And lo! of the People of Scripture there are some who believe in Allah and that which is revealed unto you and that which was revealed unto them, humbling themselves before Allah. They purchase a trifling gain at the price of revelations of Allah. Verily their reward is with their
Lord, And lo Allah is swift to take account." (3:199)

29) "When they listen to that which hath been revealed unto the messenger, thou seest their eyes overflow with tears, because of their recognition of the Truth. They say: Our Lord, we believe. Inscribe us as among the witness." (5:83)

30) "Those unto whom We gave the scripture before it, they believe in it. And when it is recited unto them, they say, we believe it Lo! it is the Truth from our Lord. Lo! Even before it were of those who surrender (unto Him)" (28:52-53)

Moreover he gives a list of those verses which according to him

"prima facia, contradict the spirit of humanism, but which do not really negate tolerance when their historical context is understood." (Singh 2002:70)

1) "Let not the believers take disbelievers for their friends in preference to believers, whoso doeth that hath no connection with Allah, unless (it be) that ye but guard yourselves against them, taking (as it were) security, Allah biddeth you beware (only) of Himself, unto Allah is the journeying." (3:28)

2) "O ye who believe! Take not for intimates other than your own folk, who would spare no pains to ruin you, they love to hamper you. Hatred is revealed by (the utterance of) their mouths, but that which their breasts hide is greater. We have made plain for you the revelations if ye will
understand."(3:118)

3) "Those who choose disbelievers for their friends instead of believers, do they look for power at their hands? Lo! all power appertaineth to Allah."(4:139)

4) They long that ye should disbelieve even as they disbelieve, that ye may be upon a level with them. So choose not friends from them till they forsake their homes in the way of Allah; if they turn back (to enmity) then take them and kill them wherever ye find them, and choose no friend nor helper among them."(4:89)

5) "O ye who believe! Choose not disbelievers for (your) friends in place of believers. Would ye give Allah a clear warrant against you."(4:144)

6) "O ye who believe! Take not the Jews and Christians for friends. They are friends one to another. He among you who taketh them for friends is (one) of them. Lo! Allah guideth not the wrong-doing folk."(5:51)

7) "O ye who believe! Choose not for friends such of those who received the scripture before you, and of the disbelievers, as make a jest and sport of your religion. But keep your duty to Allah if ye are true believers."(5:57)

8) "O ye who believe! Choose not your fathers nor your brothers for friends if they take pleasure in disbelief rather than faith. Whoso of you taketh them for friends, such are wrong doers."(9:23)

9) "Then when the sacred months have passed, slay the idolaters wherever
ye find them, and take them (captive), and besiege them and prepare for them each ambush. But if they repent and establish worship and pay the poor-dues, then leave their way free Lo! Allah is Forgiving, Merciful." (9:5)

10) "It may be that Allah will ordain love between you and those of them whom ye are at enmity. Allah is Mighty; and Allah is Forgiving, Merciful. Allah forbiddeth you not those who warred not against you on account of religion and drove you not out from your homes that ye should show them kindness and deal justly with them. Lo! Allah loveth the just dealers. Allah forbideth you only those who warred against you on account of religion and have driven you out from your homes and helped to derive you out, that ye make friends with them. (all) such are wrong-doers." (60:7-9)

11) "O ye who believe! The idolaters only are unclean. So let them not come near the Inviolable place of worship after this year. If ye fear poverty (from the loss of their merchandise), Allah shall preserve you of His bounty if He will. Lo! Allah is Knower, Wise." (9:28)

12) "He it is who hath sent His messenger with the guidance, and the Religion of Truth, that He may cause it to prevail over all religion, however much the idolaters may be averse." (9:33).

13) "And whoso seeketh as religion other than the surrender (to Allah), it will not be accepted from him, and he will be a loser in the
Hereafter." (3:85).

The author is of the opinion that death penalty to the apostate cannot be proved from the Quran. He presents those verses, which deal with apostasy.

"Lo! Those who believe, then disbelieve and then (again) believe, then disbelieve and then increase in disbelief, Allah will never pardon them, nor will He guide them into a way." (4:137).

"O ye who believe! Whoso of you becometh a renegade from his religion (know that in his stead) Allah will bring a people whom He loveth and who love Him, humble toward believers, stern toward disbelievers, striving in the way of Allah, and fearing not the blame of any blamer. Such is the grace of Allah, which He giveth unto whom He will. Allah is all embracing, all Knowing." (5:54).

He argues that,

"two logically distinct issues, namely repudiation of the Islamic creed proclaimed by the Prophet; and repudiation of the political authority or supremacy of the successor, to the Prophet were intertwined in the historical developments after the passing away of the Prophet." (Singh 2002:73).

He notes,

"the law provided a common penalty for two human responses which in the ultimate analysis, are qualitatively quite different from each other." (Singh 2002:74).

The law of 'jizya' has been critically assessed as a means of exploiting the
non-Muslim subjects; the author gives it rationale and right meaning. He asserts that the Islamic doctrine of tolerance,

"held that once a territory became part of 'the land of Islam' (dar-ul-Islam) those inhabitants who were not willing to embrace Islam, though willingly to give up fighting (open as well as concealed) were entitled to full protection of life and property and to freedom of belief and of practice of their religion and the carrying on of their normal means of livelihood, provided they paid 'jizya' a special discriminatory tax on an annual per capita basis. Women, Children, the aged and the infirm were exempted. The concept of 'jizya' was patterned after the ancient practice in Iran and fully harmonised with the spirit of the times. The logic of 'jizya' was that it was a substitute tax in lieu of 'zakat' which was obligatory upon Muslim alone." (Singh 2002:74).

He explains that,

"the 'jizya' was not a panel tax but a more or less functional substitute tax for a class of people, the non-Muslim citizens, who by definition, could not attract all the rights and obligations associated with Islam, but wished to live in the land of Islam. The 'dhimmis' were not subject to any humiliating disabilities, either in theory, or in practice." (Singh 2002:75)

On the issue of destruction of the place of worship in Islam, he emphatically prohibits

"desecrating any place of worship, or forcibly using it for Islamic worship, however the Prophet did remove the idols
from the Ka'ba at the Mecca on the ground that the Ka'ba was, originally a mosque built by Abraham. The combined period of the pious Caliphate amounts to approximately 30 years and during this entire period no place of worship was desecrated, nor any icon destroyed or any encouragement given to iconoclasm." (Singh 2002:76).

The permission of marriage with non-Muslim women of the People of the Book is considered as a sign of religious tolerance by the author.

He comments:

"A unique feature of the Islamic doctrine of tolerance is that Islam permits inter-religious marriage, when no other religion does so, the Islamic tradition permits marriage between Muslim men and Non-Muslim women belonging to the 'people of the book' (ahle-kitab)" (Singh 2002:76).

In his opinion,

"both in theory and practice, the Arab conquerors committed to Islam were ahead of times in regard to humane rules of war, treatment of prisoners and of subjugated people who were unwilling to embrace Islam. Historians of repute, including eminent non-Muslim scholars, testify to the above." (Singh 2002:78).

He finds that,

"the Prophet himself had set the tradition of tolerance and of inter-religious dialogue from the very beginning." (Singh 2002:79).

He cites the example of the friendly relationship between the Prophet and the Emperor of Ethiopia. Also, his
"famous 'charter to Jews' remains a standing testimony of his statesmanship and unique spirit of tolerance." (Singh 2002:111).

Another example of tolerance from Muslim history is that of Caliph Umar, who

"refused to pray inside the Christian Church at Jerusalem (despite request by the Christians) last this provide an excuse. Later on for its conversion into a mosque. Umar also had the sagacity and the moral courage to prohibit the Arab conquerors of Egypt from displacing the local farmers from their fertile lands in the Nile valley." (Singh 2002:80).

He concludes that,

"the Muslim in history have shown far greater tolerance than the Christian or Jews in the same period.............the defenders of the Cross unleashed a reign of terror and incredible brutality, not only against the non-Christians of Palestine, but against the local fellow Christians themselves who were far happier under Islamic rule than under the Cross." (Singh 2002:82).

Divekar finds intolerance as a feature of Islam, which according to him can be traced back to the Quran. He emphatically asserts

"the presence of a 'gross flow in Islam', which he describes as, 'the principle of intoleration' (Divekar 1943:3).

Many learned authors in his opinion,

"have stressed that Islam bears a bitter intoleration towards others." (Divekar 1943:4)

He opines that in Islam:
"the toleration of any sect outside the fold of orthodox Islam is no better than compounding with sin." (Divekar 1943:5)

He claims that

"it is described in Koran at twelve places that a 'Muslim' will get 'paradise' by showing intolerance towards unbelievers." (Divekar 1943:30)

A similar view is given by Grewal, he notes in his book, Medieval Islam: History and Historians, notes:

"A major shortcoming in Islam was the inability of its followers to develop a sense of toleration."

Shourie’s source of arguments is the 'fatawas' or jurisprudence rulings in matters of inter-community dealings between Muslims and Hindus in India. On the basis of these rulings he asserts that Islamic ideology is an ideology of intolerance and is uncompromising in its nature.

He opines that,

"from its earliest beginnings and certainly from the Prophet's years at Medina, the core of Islam has not been some inner-directed search—but the founding, consolidation, expansion of a state.....an ideology to define and weld a group, an ideology to rationalize the conquest, conversion and subjugation of others." (Shourie 1998: 107)

He tries to prove that the Muslims as a community is programmed to be aggressive .he support this claim by citing the example of

"insistence of the Ulema on slaughtering cows." (Shourie 1998: 110)
He criticizes

"the differential attitude about conversion and apostasy by the jurists and claim it to be "double -standards" (Shourie 1998: 211)

The other instance of intolerance in his opinion is that,

"in an Islamic state adherents of other faiths should not be allowed to carry on their practices." (Shourie 1998: 213)

He quotes Fatawa-e-Rizwia,

"shall he permit them to practice their kufr and thereby himself become a kafir? Shall the ruler not even raise an objection to their doing things which are forbidden by Islam."

He deduces that in connection with their law in practice,

"in no Islamic state can teachers in a School impart religious education of their faith to non-Muslim children.' (Shourie 1998: 214)

Swarup defines Islam to be a religion of intolerance. He objects to the Islamic creed, which says Muhammad (saw) is the last and final messenger as one of the most rigid one, which negates a share in this divine scheme of any new messenger. He draws his evidences from the historical accounts given by Margoliouth.

He asserts that,

"Islam is by nature fundamentalist and this fundamentalism in turn is aggressive in character. Islam claims to have defined human thought and behaviour from all times to
come; it resists any change, and it feels justified in imposing its beliefs and behaviors pattern on others." (Swarup 1984:XIV)

He proves the intolerance of Islam by giving the argument that,

"Muhammad admitted some prophets in the past in order to give his own prophethood an ancestry, but he abolished further prophethood. He was the latest and also, the last prophet, the seal of prophecy." (Swarup 1992:41).

He asserts that,

"religious intolerance was there before, but it was spasmodic and it was not supported by a theology. It was with the coming of Christianity and Islam that religions bigotry and arrogance descended on the earth on a large scale and with a new power." (Swarup 1992:41).

He notes:

"Muhammad has been more central to their religion than their One God. You could jest about this God but woe unto him who jests about the Prophet. His punishment is death." (Swarup 1992:42).

He argues that it is absurd to say that Islam was better in the beginning and that intolerance is a latter-day growth.

He asserts that,

"intolerance is a part of its very creed. It is a declaration of war, a battle cry against non-Muslims and their Gods, and historically it began so and continues to be so." (Swarup 1992:42).

He quotes Margoliouth:
"Islam was intolerant in the beginning as it is to-day."

He argues that five times a day, a pious Muslim is expected to declare the Gods of others are false and that only his God is true.

**Reflections:**

Two distinct and opposite views about tolerance in Islam is held by the Hindu writers. One view claims that Islam envisages tolerance as proved from the Quran, Sunnah and Muslim history. The other view is that Islam is most intolerant religion with its history of conquests and conversions.

Roy's view of Islam as a tolerant religion is derived from his understanding of the Islamic doctrine of *Tawheed* or Oneness of God as well as historical records. In his view oneness of God make a believer's canvass large to incorporate the entire humanity. This not only implies mere tolerance but also recognize those who are different yet are a party to the same humanity. Moreover his historical arguments credit the claim that Islam preaches tolerance towards other religions.

Vaswani shares Roy's view, nonetheless he gives Quranic verses and Hadith to support his claim.

Gandhi's view is that Islam though not a religion of intolerance has however acquired this trend. Hence Islam needs to be purged of this intolerance. His argument is his personal experiences with a Muslim friend during his stay in South Africa. However Singh gives the strongest arguments. He gives an extensive list of Quranic verses, hadith and
instances from history, which preaches tolerance. Moreover his discussion of the 'alleged' verses, which preach intolerance towards non-Muslim, makes his discussion unique. Further his arguments on the punishment of apostasy, jizya, and destruction of places of worship make his claim stronger. Interestingly these issues are mainly projected as evidences by the other group, which regards Islam as preaching intolerance towards other religions. Singh's argument overrules their view. For instance, Divekar insists that 'twelve verses in the Koran promise Paradise in exchange of intolerance towards other religions. Whereas this claim is made without giving references, Singh quotes thirteen verses and insists on a hermeneutic and contextual approach. Hence, Singh's argument that 'these injunctions were temporary regulations during the state of war' and 'not basic maxims of conduct' is appealing.

Similarly Shourie's contention of apostasy is ruled out by Singh's argument of hermeneutic approach. He finds that apostasy is split in two parts viz. negation of Islamic doctrine and negation of political authority. Many modern day laws claim capital punishment to rebels of state.

Shourie's other arguments like Cow-slaughter and denial of freedom of teaching other religions to non-Muslims in an Islamic State is not right. Cow-slaughter is neither compulsory nor encouraged (mustahab) in Islam. Also Muslims granted the freedom of religious practice to others.
in the past by as eminent companions as Umar to his Christians and Jewish subjects in Jerusalem. Shourie gives a one-sided picture and mentions Aurangzeb but forgets to mention other Muslim rulers and kings who prohibited cow slaughtering. Non-Muslims in an Islamic state are permitted to teach their religion to co-religionists.

Swarup's view that finality of Prophet Muhammad's messengership speaks of intolerance, signify his selective reading. Quran speaks finality of the last Prophet in Surah Alizab 33:40 but give directives of "to be your way and to me mine"(109:6) too.

Many such Quranic verses given by Singh overrule Swarup's arguments. His claim that five times in salah a Muslim declares, 'the Gods of others are false and only his God is true does not confirm with the teachings of Islam. His criticism that Islam accepted a few messengers is flawed. Islam teaches to believe in all the messengers and prophets of God. Intolerant are those who are not ready to believe in Prophets who came at a later period of time. Even egalitarian, tolerant Hindus do not include other Prophets; even so a Vaishnavite will not be ready to accommodate worshippers of Shiva. Islam do not adhere to the notion of their God and our God, it says there is only one God. Shourie do not differentiate between fundamentalism and intolerance. Fundamentalism and firmness does not always assume aggressiveness. The firmness is faith is required and at the same time in relationship with others the rule of human dignity
must be followed.

Singh's arguments have stronger appeal as he quotes basic sources and interprets them as a whole. Hence, it proves the view that Islam is peace and preaches tolerance, also refutes the arguments of the opposite view.

Slavery:

This topic is included in the discussion for there are Hindu scholars who made comments on this issue. Their views are on the side of supporting the claim that Islam promotes slavery, although there are those who express the view that it was Islamic teachings, which helped abolishing this law in the later times.

Singh has commented particularly about the "prisoners of war" and their humane and just treatment in Islam. Conceding the idea that Islam preached just and god treatment of the slaves.

He notes that Prophet Muhammad (SAW) had noble attitude toward the prisoners.

He narrates the incident, which took place after the battle of Badr, where,

"out of the seventy two captives only two were executed, viz, al-Nadir b. al-harith and Uqbah b. Abi Miaqit who were notorious for their unrelenting hostility toward the Muslim. The rest of the captives were treated with most kindness and consideration. One of these said in later days:"Blessing on the men of Medina, they gave us wheaten bread to eat when there was little of it, contending themselves with
dates.......some of the captives yielding to those influences, embraced Islam and were, therefore, immediately set free. The rest were kept for ransom.................The spell of kindly treatment was thus prolonged and left a favourable impression on the minds of those who did not at once go over to Islam." (Singh 2002:46)

Samanta concedes that Islam played an important role in the emancipation of slavery from the world. He opines that,

"slaves were given a better status in the society." (Samanta 1988:168)

He argues that in the subsequent years after the Prophet Muhammad (SAW), slaves even occupied the throne in Muslim world. He credits the

"Prophet for instilling in his followers the virtue of treating the slaves well and for their proper upbringing." (Samanta 1988:169)

Divekar has collected the words of J. W. H. Stobart, E. H. Palmer and Dr. Ambedkar to describe the attitude of Islam towards women. He records the words of Muir from his book. "Life of Mahomet",

"as long as this unlimited permission of living with their female slaves continues, it cannot be expected that there will be any hearty attempt to put a stop to slavery in Mohammedan country. Thus the Koran, in this matter of slavery is the enemy of the mankind. And women as usual are the greatest sufferers." (Divekar 1943:12)

Majumdar opines that Islam encourages slavery and concubinage in unrelenting terms. He notes:
"the recommendation of concubinage with captured kafir women does not occur in the Koran in only one verse and in an involuntary fit of divinely inspired lasciviousness...Its repetition is in so many verses." (Majumdar 2001:65)

Swarup opines that Islam encourages slavery in the society. His discussion on the 'Emancipating a slave' begins by the remark that either

"emancipating a slave was considered a form of talaq, which literally means, "freeing" or "undoing the knot" or a slave was no more than a cattle".

His former opinion is based on the evidence that the chapter on the slaves in the Book of Hadith falls at the end of the book dealing with marriage and divorce and the latter opinion is because the topic under discussion really belongs to the next book in the Hadith, which is on business transaction.

He asserts that,

"Muhammad by introducing the concept of religious war and by denying human rights to non-Muslims, sanctioned slavery on an unprecedented scale. Pre-Islamic Arabs even in their wildest dreams never imagined that the institution of slavery could take on such a massive proportions." (Swarup 1984:75)

He claims

"Zubair, a close companion of the Prophet, owned one thousand slaves when he died. The Prophet himself possessed at least fifty-nine slaves at one stage or another, besides thirty-eight servants, both male and female."
He opines,

"Slavery was interwoven with the Islamic laws of sale, inheritance and marriage." (Swarup 1984:75)

He remarks,

"to Muhammad, the freeing of a slave was an act of charity on the part of the master not a matter of justice." (Swarup 1984:76)

He opines that in Islam,

"only a believing slave deserves freedom." (Swarup 1984:76)

He cites a hadith to support this claim: "someone once slapped his maid-slave in anger and then, in contrition, wanted to free her. When Muhammad was consulted he said: "Bring her to me. "She was brought, Muhammad asked her: "where is Allah?" She replied: "He is in the heaven." Muhammad asked: "whom am I?" "Thou art the Messenger of Allah". She answered. Muhammad gave his verdict: "Grant her freedom, she is a believing woman." (1094)

The author mentions about 'disabilities' of a slave and notes that,

"even if a slave's person was freed, any property he might have or come to have was inherits by the emancipator......He can not seek any new alliance, nor can he offer himself as an ally without the permission of his former owner." (Swarup 1984:77)

He gives a hadith as evidence: The Prophet said: "One who took the freed
slave as an ally without the consent of his previous master, there is upon
him the curse of Allah and that of His angels and that of the whole
mankind."(3600)

"Aisha was ready to help a slave-girl, Barira to purchase her freedom
on the condition that "I shall have the right in your inheritance". But the
owner, though ready to free her for cash money, wanted to retain the
right of inheritance for himself. Muhammad gave his judgement in favour
of Aisha: "Buy her, and emancipate her, for the right of inheritance vests
with one who emancipates." Muhammad then admonished, "What has
happened to the people that they lay down conditions which are not
found in the Book of Allah."(3585)

He retorts that, slavery has its own reward, he gives the hadith: "When a
slave looks to the welfare of his master and worships Allah well, he has
two rewards for himself."(4097)

Reflections:
The discussion prompts divergent views on slavery. One is that Islam
promoted Slavery and the other that Slavery came to an end due to
Islamic measures.

Singh outlines the humane and just behaviour of Muslims with slaves
captured as Prisoners of war.

Samanta argues that Islam opened the way for the emancipation of slaves
and many slaves even became the rulers.
Baveja contests Divekar's claim that slavery is promoted by captive women in his discussion on Marriage with slaves.

Swarup holds the same ideas, however the historical records as given by Samanta that Islam not only emancipated but also made them rulers of Muslim state discredits his argument. Swarup has made many false remarks. Firstly, emancipating a slave was similar to talaq is a wrong interpretation. Secondly, he has inverted the historical fact that Islam reduced and gradually abolished slavery. Thirdly, it is erroneous that only a believing slave deserves freedom. Fourthly, a person who owns a slave has the right of \textit{wila} or inheritance, consequently the buyer has the \textit{wila} of the slave as well.

**Woman in Islam:**

This part of the discussion takes into account the Hindu perception of women's position in Islam. The main issues raised in this discussion are Marriage, Divorce, Concept of Mehr (dower), Marriage to Slave-girls, Share in inheritance and women witness among others. Every Scholar has its own way of interpreting Quran and the Hadith. Besides these two sources, the book of jurisprudence is also employed for evidences. The idea that emerges out of the Hindu view of woman in Islam is again not singular. Some scholars accuse Islam of being utterly unfair to the woman while others regard that Islam gave just right to the woman. A comparative study of position of woman in the Quran and the Gita is also
presented. However many authors have merged the status of Muslim women and women in Islam together. This juxtaposition is wrong and a clear demarcation must be maintained while assessing the women in Islam.

Baveja is a well-known scholar of Urdu and a keen student of Persian and Arabic. His work in Urdu, "Aurat aur Islami Ta'lim", has been translated in English as "Woman in Islam". In this book he discusses the issues concerning women in great detail. He discusses woman's right to life, education, property, marriage, divorce and inheritance; he explains status accorded to her in Islam as a daughter, wife and mother as well as issues like, veil or purdah and polygamy.

Daughters:

He quotes extensively from the Glorious Quran and the hadith of the Prophet (SAW).

He opines that,

"both boys and girls are the creation of God and there is no reason to prefer one to the other." (Baveja 1988:5)

He gives the Quranic verse: "Unto Allah belongeth the sovereignty of the heavens and the earth. He createth what He will. He bestoweth female (offspring) upon whom He will, and bestoweth male (offspring) upon whom He will. (42:49)

And, "He created you from a single soul." (4:1)
He asserts that,

"it was Islam that prohibited the killing of girls, a custom which was at times resorted to before the advent of Islam."
(Baveja 1988:5)

He refers to the verse which abolishes this evil practice:

"When the one buried alive is asked: 'for what sin she was killed?'"(81:8-9)

"When one of them receiveth tidings of the birth of a female, his face remaineth darkened and he is wrathful inwardly. He hideth himself from the folk because of the evil of what whereof he hath had tidings (asking himself): shall he, keep it in contempt or bury it beneath the dust, verily evil is their decision."(16:58-59)

Therefore, in order to curb this system of female infanticide according to him,

"the Prophet Muhammed, while converting women to Islam, made this a condition among others, that they would not kill their girls." (Baveja 1988:6)

"O Prophet! If believing women come into thee taking oath of allegiance unto thee, that they will ascribe nothing as partner unto Allah, and will neither steal nor commit adultery nor kill their children, accept their pledge and ask forgiveness from Allah."

Education:

He asserts,

"when the Quran places woman on a footing of equality with
men, then both must be accorded equal treatment. There could, therefore be no distinction between boys and girls, and the latter could not be given lesser education and training than boys, and thus be ignored." (Baveja 1988:6)

Taking the proof from the hadith: 'Prophet said: "it is essential for every Muslim man and woman to acquire knowledge."

In his opinion, neglect about the spiritual health of girls, "would amount to murdering their personality." (Baveja 1988:7)

He quotes the verse:

"they are losers who besottedly slain their children by keeping them in ignorance."(6:141)

Modesty:
The behaviour of both men and women in the society according to him must be of 'singular modesty' (Baveja 1988:8)

He quotes verses from the Quran: "Tell the believing men to lower their gaze and guard their private parts. That is purer for them. Verily Allah is aware of what they do."(24:30)

"And tell the believing women to lower their gaze and guard their private parts, and to reveal not their adornments save such is outward. And not to reveal their adornment save to their own husbands or father, or husband's father or their son or their husband's son or their brothers or their brother's sons or sister's sons or their women or their servants, or
male attendants who lack vigour or children who know naught of women's nakedness."(24:31)

He interprets this verse, that

"a woman should not display her charms and should never make a show of herself, except where it cannot be helped."

(Baveja 1988:9)

Since

"women are advised to cover themselves and refrain from any form of display or show before me" he notes, "it was therefore ordained that no outsider should enter another's house without first obtaining permission. For it is quite possible that the womenfolk in their house might be attired informally; and should an outsider enter straight off unannounced, he would certainly embarrass them." (Baveja 1988:12)

He gives the verse: "O ye who believe! Enter not houses other than your own without first announcing your presence and invoking peace upon the folk thereof. That is better for you that ye may be heedful. And if ye find no one therein, still enter not until permission hath been given. And if it were said unto you: Go away again, and then go away, for it is purer for you. Allah knoweth what ye do."(24:27-28)

He opines,

"when ye want to receive something from womenfolk inside a house you must do so from behind a screen so that you may not face each other, and this conduct is morally good
for both." (Baveja 1988:13),
based on the verse: "And when ye ask of them (women anything), ask it of
them from behind a curtain. This is purer for your hearts and for their
hearts." (33:58)

He remarks that,

"the Quran commends this practice in a lofty style as a
safeguard against moral slips for both men and women." (Baveja 1988:14)

However, he notes that,

"woman is not forbidden to speak to strangers" (Baveja
1988:14),
with the caution: "Be not soft of speech, lest he in whose heart is a
disease aspire (to you), but utter customary speech." (33:32)

He infers from the verse: "O Prophet! Tell thy wives and thy daughters
and the women of the believers to draw their cloaks (jilbab) close around
them (when they go out). That will be better, so that they may be
recognized and not annoyed." (33:59), that,

"women are not forbidden to go out on business; but they
should do so with the utmost modesty without making a
show of themselves." (Baveja 1988:16)

Wife:

Discussing the status of a wife, he notes,

"mankind has but one common source of origin, and that
they all constitute a single entity, and that the woman is to
form a part of the life of man and vice versa." (Baveja 1988:26)

He quotes: "O Mankind! Be careful of your duty to your Lord who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women." (4:1)

From the verse: "and of His signs is this: He created for you helpmates from yourselves that ye might find rest in them, and He ordained between you love and graciousness. Verily herein are indications for folk who reflect." (30:21), he deduces that:

"God has bestowed on her a greater share of gentleness and human sympathy, and for that reason she is more sensitive to the distress of others, and tries to afford them solace and comfort. This trait in her is manifest in a high degree in her capacity as a wife." (Baveja 1988:27)

He explains the verse: "Your wives are a tilth for you." (2:223)-

Just as grains and foodstuff depend upon the fields, and if there were cultivable fields, the food grains would disappear from the world, in the same way, the human race depends upon women, and if there were women, the human race would become extinct." (Baveja 1988:27)

He asserts that the purpose of marriage is also,

"to prevent immorality and wickedness in society. It would protect the purity of life of both men and women. The Quran eloquently uses at several places the word fortification (Ihsan) for marriage. Man is called, 'Muhsan' or the fortified man and woman 'Muhsana' or the fortified woman."
'Hisan' means a fortress and 'Ihsan' means fortification, so that a person who has protected himself from the attack of lust and taken refuge in wedlock is a Muhsan or such a woman is Muhsana." (Baveja 1988:36)

He further asserts that,

"by contrasting chastity with debauchery, the Quran stresses the point that marriage is not a means to sexual gratification but a serious undertaking involving heavenly responsibilities. Man and woman who agree to marriage should be willing to shoulder the burdens of family life. Islam gives sanction only to such a marriage and not, by any means, to 'Muta' or temporary marriage." (Baveja 1988:43)

Polygamy:

He discusses polygamy in the reference of these verses:

"And if you fear that you cannot act equitably towards orphans, marry such women as seem good to you, two and three and four; but if you fear that you will not be able to do justice (between them), then (marry) only one or what your right hand possesses, this is more proper that ye may not deviate from the right course." (4:3)

"Ye will not be able to deal equally between (your) wives, however much ye wish (to do so) (4:129)

He declares that,

"the plurality of wives is merely permissible and not a decree that must be obeyed. None of the Holy Scripture in the world prohibits plurality of wives, although every one praises
monogamy. And the great Prophets and religious leaders of
the world have shown by marrying more than one wife that
plurality of wives is neither objectionable nor a hindrance to
spiritual progress." (Baveja 1988:48)

Slave girls:

For the issue of slave-girls, he asserts that,

"a person who could not afford to marry a free woman was
recommended to marry slave-girls captured in war....some
contend that such captive girls need not be wives' without
formal Nikah. But this militates against the provision of the
Quran and Sunnat." (Baveja 1988:48)

He quotes: "And whoso is not able to marry free, believing women, let
them marry from the believing maids whom your right hand possesses.
Allah knoweth best (concerning) your faith. Ye (proceed) from one
another.(4:25)

"So wed them by permission of their folk and give unto them their
portions in kindness, they being honest not debauched nor of loose
conduct. And if when they are honourly married, they commit lewdness
they shall incur half of the punishment (prescribed) for free women (in
that case). This is for him among you who feareth to commit sin. But to
have patience would be better for you. Allah is forgiving,
merciful."(4:25)

"And compel not your slave-girls to prostitution."(24:33)

"And marry such of you as are solitary and the pious of your slaves and
maid-servants.' (24:32)

He opines that in Islam for marriage,

"man and woman should see and like each other." (Baveja 1988:50)

He gives the verse: "Marry those women whom you like." (4:3)

He supports his claim by giving the hadith: "narrated by Abu Huraira that a man came to the Prophet and told him that he desired to marry a woman of the Ansars. The Prophet thereupon asked him if he had seen her. He said: 'no'. The Prophet then said: 'go and have a look at her.'" (Muslim)

Narrated by Mughira bin Shai'ba, Prophet said: you must have a look at the woman because if love is to spring between you, the two should see each other." (Tirmizi)

The Prophet said: "Men marry women for four things, namely wealth, status, family, beauty and righteousness; but you should prefer righteousness (as the reason for selecting spouse)

He posits that early marriages must be permitted,

"only when circumstances warrant them pressingly in the interests of the parties concerned. But in normal circumstances, early marriages are improper and should be abstained from." (Baveja 1988:51)

He asserts that,

"In Islam a woman may not marry without the consent or
advice of her guardian. Such a guardian need not necessarily be her father or grandfather, but can be any male member of her family. She should consult him and he should give her away in marriage. This is guardianship in marriage." (Baveja 1988:56)

He provides evidence from the hadith: narrated by Ayesha that the Prophet said: 

"The marriage of a woman who marries without the consent of her guardian is void, void, void."

However, he notes:

"this does not mean that in the matter of marriage, by making the guardian's consent indispensable, a woman is assigned an inferior place. On the contrary, it is rather meant to protect her rights and interests. It is a purely administrative measure to safeguard the interests of women as well as those of society." (Baveja 1988:57)

He asserts that,

"the guardian cannot give away a woman in marriage without her prior consent and permission, whether she is a maiden or a widow, her consent is absolutely necessary in any case." (Baveja 1988:48).

He narrates several hadiths in this connection: narrated by Abu Hurairah that the Prophet had said that a woman, whether a maiden or a widow, should not be given away in marriage without her consent.

On this, the companion asked: "O Prophet, how can we obtain the consent of a maiden?" The Prophet replied: "If the maiden observes
silence (when she is asked whether she approve of the man chosen for
her or not) her silence will be construed as consent."

Mehr:

He defines Mehr as something

"which a man gives as a present to his bride at the time of
marriage or undertakes to give it later...The Quran by using
the word Nihla, makes the significance of dower clear that it
is meant to be a free gift by the husband to the wife. It is not
paid to the bride's father as the price of the bride, as was
customary in the pre-Islamic days." (Baveja 1988:62)

and as a

"very effective weapon in redressing or mitigating the
wrongs and injustices done to the woman and protecting her
rights." (Baveja 1988:66)

The remarks that,

"according to the Quran, the relationship between man and
woman is governed by the principle of equality" (Baveja
1988:67)

based on the verse: "and they (women) have rights similar to those
against them in a just manner". Nevertheless, he notes that,

"but with all this equality of rights man is given superiority
over the woman in certain matter",

as the verse further says: "and men are a degree above them."(2:228)

Because "men are in charge of woman, because Allah hath made the one
of them to excel the other, and because they spend of their property (for
He asserts that men and women
"differ in respect of their natural capacities. Hence, a
division of labour, which is to the advantage of both and of
society as well, has been adopted everywhere.....These minor
adjustments, however do not seriously affect the general
principle of equality of sexes." (Baveja 1988:67)

Witness:

He refutes the claim that women and men are not treated equally since
one man's evidence is regarded as equivalent to the evidence of two
women. He notes:

"this is a special case........only in civil disputes, two women
witness are required to be produced against one man. Women pre-occupied with domestic affairs, do not usually
pay close attention to business matters and it is possible that
they may not remember the exact details of a civil
transaction .For this reason it is laid down that if one male
witness is not available two female witnesses should be
produced, so that if one of them forgets the details, the other
could refresh her memory. In 2:282 this very reason is given.
But in other matters neither the Quran nor the jurists have
declared that the evidence of a woman is less credible than
that of a man." (Baveja 1988:68)

He finds that in case of formal accusation, it is ordained that both man
and woman should produce four witnesses, and both should be
administered the same form of oath.
He asserts that,

"it was Islam that affirmed that woman too has the rights over man, as man had over her, and that she deserved to be treated in a fair and just manner." (Baveja 1988:69)

As the Quran says: "But consort with them in kindness." (4:19)

Prophet said in his last sermon at Mecca: "Be good to women because they are given to you by God as a trust." (Muslim)

Also that, "Be kind and good to women in private life."

"He who is good to his wife and children is the best among you."

From the verse: "they are raiment for you and you are raiment for them." (2:187), he deduces that,

"man and woman are complementary to one another. Men must hide the weaknesses and mistakes of women and women also should not expose the weakness of men."

(Baveja 1988:71)

He interprets the verse: return them not to their hurt so that you transgress (the limits). He who doeth that hath wronged his soul. Make not the revelations of Allah a laughing stock (by your behaviour) (2:231),

that

"it is the duty of a husband that he should not treat his wife with harshness and violence." (Baveja 1988:74)

He explains that,

"when the Prophet said that he did not find for man a more harmful than a self-centered wife, he really meant that a wife
of this type constituted the most serious impediment of
man's moral and spiritual development." (Baveja 1988:77)

He discusses the remedy for disagreement between husband and wife. He
notes that in case when it is the fault of wife, the remedy given in Quran
is: "and (as to) those on whose part you fear desertion, admonish them,
and leave them alone in the sleeping places and chastise them, then if
they obey you, do not seek away against them." (4:34)

He notes the Prophet's last sermon at Hajj: "O ye people, in matters of
your wives, fear God, for they are prisoners in your hands. You are
within your rights in demanding that they should not allow such persons
to step into your houses, as you do not approve of. If they (wives) disobey
you, punish them, but the punishment should as not to mar their beauty."

In another instance Prophet said: "you are permitted to chastise them but
not in such a way as to disfigure them or leave permanent scars on
them." (Muslim).

The Prophet also prohibited striking on their faces.

The author notes in case when the husband is to blame, the remedy
according to Quran is: "And if woman faces ill-usage or desertion on the
part of her husband, there is no blame on them, if they effect a
reconciliation between them, and reconciliation is better, and souls are
prone to avarice. But if you act kindly and fear Allah, then surely Allah is
aware of what you do." (4:128)
And in case when both husband and wife are equally to be blame, the Quran says: "and if you fear a breach between the two, then appoint a judge from his people and a judge from her people, if they both desire agreement Allah will effect harmony between them surely Allah is Knowing, Aware. (4:35)

Mother:

He remarks that,

"the Quran accords the mother a greater right to filial obedience because she suffers more than the father for the sake of the children, and she also shoulders greater responsibility for their up-bringing and training." (Baveja 1988:87)

He supports this claim by quoting from Quran and Hadith:

"And We have enjoined man in respect of his parents-his mother bears him with fainting and his weaning takes two years-saying, be grateful to Me and to both your parents; to Me is the eventual coming."(31:14)

Narrated by Abu Hurairah that a person came and enquired of the Prophet, "to whom should I be affectionate and kind?" The Prophet said: "to your mother." He again asked, "To whom?" the reply again was: "to your mother." Again for the third time when he asked the same question, the reply was, "to your mother." After this when he asked, "to whom next?" The Prophet replied: "next (to mother) your father, then your relatives."
Divorce:

He discusses the issue of divorce in great detail. He quotes extensively from the Quran and the Sunnah of the Prophet.

He quotes the verse: "O Prophet! When you divorce women, divorce them for their prescribed time, and calculate the number of days prescribed and be careful of (your duty to) Allah, your Lord. Do not drive them out of their houses, nor should they themselves go forth, unless they commit an open indecency and these are the limits of Allah. He indeed does justice to his own soul. You do not know that Allah may after that bring about reunion." (65:1)

He deduces from this verse that,

"first divorce cannot be given without a valid reason. Second divorce will take effect not immediately on pronouncement but after the expiry of the prescribed period of time. Third, after the divorce, the wife would stay with her husband, for the full period of Iddat, provided the reason for the divorce is not adultery on her part in which case she can certainly be evicted out of his house. Fourth, before giving divorce, the husband must carefully ponder over the contemplated move and make sure that he is not transgressing the limits prescribed by Allah and that he is not exceeding his rights and thus, committing a sin." (Baveja 1988:90)

He clarifies that

"if a person is permitted to pronounce divorce three times at one sitting, and if this divorce is regarded as final, it would
contravene the Quranic injunction which prescribes a period of three months, after the expiry of which alone a divorce could become final.......Even the Prophet had ruled that declaration of divorce at one sitting should be regarded as one." (Baveja 1988:103)

He gives evidences from the Sunnah and the Quran.

He quotes the hadith: Narrated by Rukana b. Abdul Aziz that he divorced his wife Sahima thrice and then confirmed the Prophet about it saying that he really meant to pronounce divorce one. The Prophet thereupon asked: Did you really mean to do it only once?" "yes, once", replied Abdul Aziz. Thereupon the Prophet permitted him to renew relations with his wife, although according to the jurists referred to above, he could not have taken his wife back until she had remarried and secured divorce from the second husband.

"And when you have divorced women and they have ended their term (of waiting), then do not prevent them from marrying their husbands when they agree among themselves in a lawful manner."(2:232)

The author finds 'halala' to be a repulsive and disgraceful custom, as Prophet had also condemned it (Ibn-e- Maja)

He says, "the practice of divorcing three at one sitting was declared by the Prophet to be trifling with the Quran and making a mockery of its regulations." (Baveja 1988:104)

He discusses Khula and notes that although the wife has to forgo her
dower the husband is exhorted not to accept this sacrifice on the part of the wife.

He quotes the verse: "and how can you take it when one of you has already gone into the other?" (4:21)

He deduces that,

"if the wife desires divorce, that course that is recommended to the husband is to grant her request and also let her keep the dower which she has received on marriage." (Baveja 1988:111)

Inheritance:

For the disparity between the shares of males and females in inheritance the author argues that,

"by allotting a greater share to the male, Islam lends support to the view that the male is superior to the female. Such a conclusion however is quite unjustified. The allotment of shares is based upon a consideration of the needs and the responsibilities of the heirs and is not related to the question of sex."

He explains that,

"man is the bread winner for the woman. He has to provide for the needs of his wife and children. A large part of his income is spent in the interest of the wife and children. The purpose of giving him a larger share is to help him in this enormous task. A woman on the other hand has no obligations to spend her money on others. It is clear that to give her a smaller share is only just and fair." (Baveja
Singh discusses the issue of equality between men and women under the theme, "Peace and Perfection of Mankind."

He asserts that,

"to have given women the same rights as men in the laws of marriage and inheritance would have meant making a mockery of marriage as a social institution designed to regulate social behaviour and also a denial of the position of the mates as the chief bread-winner of the family. Islam does not denies women the right to earn an independent livelihood if they can or to supplement the family income." (Singh 2002:59)

He remarks that if

"men appear in the Islamic social and economic system to enjoy a few privileges over women, there are counter-balanced by certain freedoms which are given to women but which men are not entitled to in respect of basic religious duties." (Singh 2002:60)

He argues that,

"those who try to measure Islamic achievements in the light of the abstract notion of equality forget that the Islamic ideal itself is different. This ideal...by the Quran and Sunnah is to give to each sex such rights and privileges as would be consistent with its nature and conducive to the creation of a harmonious social order free from discords and injustices." (Singh 2002:60)

Sunderlal discusses the position and status of woman in Islam. His
approach is of synthesis. He quotes appropriate passages from the Gita and the Quran to support his claims.

He asserts that the teachings of Islam concerning women

"speedily wrought reformation in the Arab Social life."  
(Sunderlal1957:129)

He discusses the similarities between the Gita and the Quran and notes that,

"Narva Samrithi" of the Hindus regard women to be field of cultivation and men have to sow seeds therein."  
(Sunderlal1957:129)

A similar message in 2:223 in Quran is present.

He gives verses such as (2:228), (2:187), (2:229) and asserts that

"the Quran repeatedly asks men to treat well their womenfolk, to have justly with them and to protect their property."  
(Sunderlal1957:130)

While discussing the rights accorded to women in Islam he writes that,

"the Quran in (4:29) regarded it illegal and sinful to cohabit with any woman except his own wedded wife, no matter whether it be a slave woman."  
(Sunderlal1957:131)

He further writes that in the Quran in 4:32,

"women were permitted to work on their own and to own property of their own and exercise complete rights over what they have earned or possessed."  
(Sunderlal1957:131)

He discusses the concept the divorce by quoting verses 4:39,127; 65:4; 2:242; 2:231 and remarks that
“the duty of a man is to treat his wife with tenderness and justice and should he find it necessary to separate, he should do so in mutual good will." (Sunderlal1957:132)

He discusses the concept of 'parda' and quotes 33:59 and 24:30,31. He notes that,

"one should not stare at another under sex impulse and keep one's eyes lowered while talking to another of a different sex, and this injunction was obligatory on both men and women. Further, women are advised to let the "treasures of the body" be exposed to the view of others. According to the Quran, however, it is not necessary for a woman to remain confined within four walls of her house, nor to cover her face or hands or those parts of body, which necessarily remain uncovered in normal daily activity or "are normally exposed to view." (Sunderlal1957:134)

He quotes verses: 3:194; 4:123; 9:73; 16:99 and 33:35 and concludes that,

"even in spiritual spheres: the recompense for good living viz happy life in heaven is repeatedly promised both to men and women." (Sunderlal1957:134)

Gandhi opines,

"the law of Islam gave equal rights to women. "(Gandhi 1966:V20,411)

He finds women to be the

"incarnation of Ahimsa." (Gandhi 1996:50)

Vivekananda remarks that,

"it is a mistaken statement that has been made to us that
Mohammedans do not believe that women have souls and there is not one word in the Koran which says that women have no souls, but in fact it says they have." (Vivekananda 1994:V4,192)

Jain discusses the Sufi works and opines that,

"on the path of salvation there is no difference between man and women." (Jain 1975:128)

However he holds that,

"all souls are alike in respect of their natural abilities; there is difference only regard to the individual wills." He explains that, "women are more sentimental; their disposition obstruct their progress to a certain extent on the path of salvation."

He quotes from the Mathnavi:

"The superiority of men over women, o lover of jeweled beauty!
Is on this ground that men are more far-sighted!

Finally he deduces that

"women cannot adopt the garb of nudity, man can.................salvation cannot be attained from the female form. Women can reincarnate as men, and then obtain salvation." (Jain 1975:128)

Divekar gives contradictory statements while discussing the issue of woman in Islam.

At one place he discusses those preaching of 'Koran' which are beneficial to mankind, he asserts that

"Quran says: Treat women kindly and if you dislike them, It
may that you dislike a thing while God has placed abundant
good in it."

While in his conclusion he remarks

"Islam is unjust towards woman, bears towards womanhood
an attitude which is unwholesome." (Divekar 1943:126)

He draws evidences for this opinion from the works of J. W. H. Stobart,
Ambedkar and from the book "Sacred Books of East."

He raises his concern over the forced marriages of Muslim men with
Hindu women. He finds inconsistencies in the commands of Quran
regarding women. He elaborates:

"at places, commands of the Koran allow a Fidel to marry as
many ladies won on a battle field as he likes; at places the
Koran forbids the force and compulsion."

He asserts the verse: "but whoever of you cannot go the length of
marrying marrigiable who believe, then take of what your hand posses,
of you maidens, who believe." (4:25)

"Commands believers to marry women captured in war, if
otherwise marriage is not feasible." (Divekar 1943:20)

Further, he notes that the verse: "Do not compel your slave girls to
prostitution when they desire chastity" forbids raping such women as are
not willing to fall a prey to male lust." (Divekar 1943:20)

He remarks:

"the conquering Mohamadans found it convenient to pollute
Hindu women and hence they accepted the former
command, paying no heed to the latter." (Divekar 1943:20)

The other reason in his opinion which led to savage and inhuman oppression of Hindu women at the hand of Muslims were due to the reason that,

"Prophet never emphatically denounced pollution of women. He has not said that polluting woman is a sure way to hell, or that the creator shall strictly punish a rape."

Also that Quran

"instead of saying that the Almighty punishes one who rapes simply says that He forgives forced women." (Divekar 1943:21)

Saraswati comments on several verses of the Quran, which he finds paints a woman in a naked way. He finds that Quran comments very abhorrently which is below the dignity level about women. He particularly remarks about Mary, the mother of Jesus and his birth mentioned in the Quran. His work "Light of Truth" is a polemic piece of writing. The book is full of retorts. The author in his unique style quotes a verse from the Quran: "They will also question thee as to the courses of women, say they are a pollution, separate yourself, thereof from women and approach them not, until they be cleansed. But when they are cleansed, go in unto them as God hath ordained for you. Your wives are your field, go in therefore, to your field as you will." (2:222,209)

He comments that,
"prohibition of sexual intercourse during menstruation is commendable, but liking women to be a field and giving permission to approach whenever (the faithful) desired will make (them) lascivious." (Saraswati 2003:667)

He quotes the verse: *To the faithful both men and women, God promiseth Gardens, neath which the rivers flow, in which they shall abide and goodly mansions in the gardens of Eden. But best of all will be God's good pleasure in them. This will be the great bliss. Those who scoff at them will be scoffed at by God."*(8:75,80) And remarks that

"here Mohammad holds out a bait to men and women in the name of God, to compass his own selfish end. Had not Mohammed held out such bait, nobody would have suffered himself to be entrapped by him. So do believers in other creeds also talk? Men scoff at one another, but it does not behave God to scoff at anyone. This Quran is a mass of veritable funny tales." (Saraswati 2003:683)

His interpretation of the verses: *"And remember in the book of the Quran the story of Mary: when she retired from her family to a place towards the east, and took veil to conceal herself from them: and We sent our spirit Gabriel unto her, and he appeared unto her in the shape of a perfect man. She said, fly to refuge unto the Merciful God, that He may defend me from thee, if thou fearest Him, then do not approach me. He announced, verily I am the messenger of thy Lord, and am sent to give thee a holyson. She said, how shall I have a son, seeing no man hath*
touched me and I am not harlot. Gabriel replies, so shall it be; thy Lord saith, this is easy with me, and We will perform it, that We may ordain him for a sign unto men, and a mercy from us: for it is a thing which is decreed. Whereof she conceived him and she retired aside with him in her womb to a distant place."(19:12-16 and 18) is that,

"Mary while she was a virgin, gave birth to a son, although she did not like to co-habit with any man, yet contrary to her wishes she was conceived by the angel at the Lord's command. Now how wrong it was of God to have done so! There are many other objectionable things recorded in the Qoran which We do not think advisable to mention here."

(Saraswati 2003:692)

Further, from the verses: "And remember her who preserved her virginity, and into whom we breathed our spirit"(21"88),he deduces that

"it is impossible that such obscene statements should have been recorded in Divine revelation or even in a book written by a decent man. When even human beings do not relish such writings, how can God do so? It is such statements as bring the Qoran into disrepute. If its teachings had been good, it would have commended admiration like the Veda"

(Saraswati 2003:693)

The command of the Quran relating to women, he quotes the verse: "and abide still in your houses.(33:32) and find it

"extremely unjust that the women should be immersed within the four walls of the house like prisoners and men permitted to roam about freely."
He retorts:

"do not women feel a desire to breath fresh air, to walk in open space, and to view the phenomena of nature. This invidious distinction accounts for the fact that Mohammedan youths are peculiarly vagrant and licentious." (Saraswati 2003:700)

He discusses the marriages of the Prophet and abruptly quotes the verse:

"...and any other woman if she hath given herself unto the Prophet. Thou mayest postpone the turn of such of thy wives as thou shall please in being called to thy bed, and thou mayest take unto thee her whom thou shalt please and her whom thou shalt desire: and it shall be no crime in thee", and Interrogates.

"would it have been right if some other married woman had of her own free will desired to lead the Prophet to the hymeneal alter? How cruel that the Prophet was at liberty to divorce a wife whenever he chose to do so, while his wife was deprived of the right of obtaining a divorce even if he was guilty of misconduct." (Saraswati 2003:701)

Shourie comments about Muslim women, their status and role. He derives his arguments mainly from the compendium book of jurisprudence. He raises the issues of Muslim woman as a wife, the concept of Mehr, talaq as well as her status.

He quotes passages from *Fatawa-i-Rizvia*, Volume 9, book:1, p:183 describing the assessment of women by Ulama:
"when excited a woman is a hundred times more passionate than man.....A woman is mom ki naak (white hot)tip of the candle, in fact a tight little packet of raal (an inflammable resin), in fact a packet of explosives. If she is even brought near a spark (of temptation) it will cause an explosion. She is defective in reason as well as in faith. And by nature she is crooked. And in lust a hundred times more passionate than man. When the effect of bad company ruins men permanently, what is one to say of these delicate bottles which with the slightest knock break into smithereens? This nature (of theirs) is proved from several hadis."

He notes that according to the Quran, "the husband is the master." (Shourie 1998:289)

According to him these are 'apologists', that try to prove that

"no religion has given a high place to women as Islam."

He expounds that,

"at the time of marriage a customary dower which is given to the bride is referred as "ujoor" which he explains will make not only feminists but even the humanists "wince". (Shourie 1998:290)

He asserts that the view of women which is set out in the Quran and Hadis is that,

"they are to be second to men, that their function is to obey husbands and satisfy them in every particular, that they are deficient mentally, that they are ungrateful, that a woman advancing is the devil, that a woman receding is the devil, that they shall form the majority in Hell." (Shourie 1998:291)
He raises doubts that

"while in theory talaq is said to be so abominable to Allah, in practice the position is entirely the opposite—how that which is the most detestable thing has been made so easy for husband." (Shourie 1998:292)

He adds further that,

"in theory talaq may be abominable but in practice the husband has the power—the absolute, unconditional power; a power for exercising which he is not accountable to any one on earth—to throw the wife out by just uttering the word 'talaq'" (Shourie 1998:296)

He copies the instances of enquiries and replies ie. fatawa for talaq and notes that,

"it is only when we read the accounts of actual instances... that we can grasp how vigorously the rule is enforced."

(Shourie 1998:296)

However, it should be noted that citing of many instances from fatawa books are not an objective proof of such practices taking place in huge numbers. This can be proved only by giving the statistics of the divorce and triple talaq among Muslim women.

He notes that,

"the husband need give no reason for divorcing his wife........Far from giving a reason he does not even have to have one." (Shourie 1998:296)

He remarks that, talaq is valid even if given in rage or in a drunken state
or even if the husband is misled or compelled or in jest or in the absence of the witness.

He opines that, the position of women in Quran and Hadith is that,

"the husband has absolute power in the matter of divorce, that he need assign no reason for throwing his wife out, that he owes the wife no maintenance beyond providing her the barest minimum in three months following his pronouncement of talaq; and that the wife has no corresponding power." (Shourie 1998:321)

In his opinion the claim that,

"no religion has given a higher place to women than Islam is not just ludicrous it is chicanery." (Shourie 1998:329)

He asserts that the net result of Shariah is that,

"the woman lives in the sort of dread which a non-Muslim woman cannot even imagine to say nothing of non-Muslim males." (Shourie 1998:359)

Swarup opines that,

"a woman's social and legal disabilities and even her differential biological constitution and functions are interpreted in terms of her moral inferiority for which Allah has rightly punished her." (Swarup 1984:7)

He gives evidence from Al-Ghazali's book 'The Counsel For Kings'.

He quotes the Hadith: "O womenfolk! I saw you in bulk amongst the dwellers of Hell." When a woman asks him why it should be so, Muhammad tells her: "You curse too much and are ungrateful to your
spouses. I have seen none (like them) lacking in common sense and failing in religion but robbing the wisdom of wise."

He notes,

"a woman has her rights. She is entitled to be a lawful maintenance (nafqah); if the husband fails to provide it she can seek a divorce." (Swarup 1984:60)

Also that,

"She has to be consulted in the choice of her partner." (Swarup 1984:61)

He discusses the issue of talaq in detail. But the discussion is confined to the book of Hadith. He finds

"the conditions of divorce or talaq to be very easy and simple. In fact he holds that the easy conditions of divorce, the limitation of wives to four at a time was not unduly self-denying." (Swarup 1984:69)

Also that

"because of such law women had no sanctity. Wives could be easily disposed of by gifting or divorce." (Swarup 1984:69)

He emphasizes that there is no maintenance allowance for a Divorcee.

For the allowance given to woman during her Idda period, he notes that,

"having to provide an allowance for four months at the most was not very difficult. Thus, since husbands had almost no fear of any future burden, and could rid of their wives so easily, the threat of divorce hung heavily on Muslim women." (Swarup 1984:73)
He asserts that,
"wife beating was already there, but Islam brought to it a heavenly sanction." (Swarup 2000:3)

He draws his evidence from the Quran and hadith. He quotes the verse:
"Those from whom you fear perverseness, admonish them and banish them to beds apart, and scourge them."

He quotes this verse without giving the reference. Similarly he quotes the hadith in the footnotes without reference: "It is said that on one occasion the Prophet advised his follower not to beat their wives. Then Umar came and represented: our wives have got the upper hand of their husbands. In response the Prophet permitted the old practice. Then women collected round his house and complained of their husbands beating them. The Prophet said: verily a great number of women are assembled in my house complaining of their husbands and those men who beat their wives and do not behave well. He is not of my way who teaches a woman to do a stray and who entices a slave from his master."

He remarks that,
"though the Quran teaches here and there kind treatment of women, it is within the framework of man's unquestioned superiority, moral as well as metaphysical, here as well as in the next world." (Swarup 2000:5)

He discusses the hadith: "Once the Prophet stood at the portals of Hell and Heaven and he saw that the majority of those who entered the gate of
hell were women while among the inmates of Heaven they formed a minority" This hadith is given without quoting the source.

He deduces that,

"the Quranic God is palpably masculine....God in Islam is not conceived as a Mother, and that may explain why motherhood is not holy and conceiving and child-bearing are not God's favors and blessings but are his penalties and curse." (Swarup 2000:5)

He asserts that,

"Islam disfavors idealization of woman in any other form. She is treated too matter-of-factly, even too nackedly." (Swarup 2000:5)

This is because according to the author the Arabic-Persian word 'Aurat' means a woman or wife but primarily it means 'pudenda'; nikah the Arabic word for marriage means both matrimony as well as conjugal intercourse. He finds that institution of marriage in Islam is not sacramental. He observes that,

"Islam............regards marriage as a social contract which creates certain social and sexual obligations and rights." (Swarup 2000:7)

He discusses 'temporary marriage' ie. usufructuary or mutah marriage. He notes that,

"it was once permitted by the Prophet though it was soon discontinued." (Swarup 2000:9)

He regards live-in form of marriages and mutah to be very similar and
notes that,

"both view man-woman relationship as primarily contractual and regard the sacramental approach too fizzy and bothersome." (Swarup 2000:10)

He notes that,

"though Muslim marriage is all in favour of man, and with polygamy and concubinage it gives him all the opportunity and freedom yet it demands from him too faithfulness of a sort as it does from woman." (Swarup 2000:13)

He asserts that,

"if a supreme ruler such as the Khalifah commits adultery, he is not subject to its punishment." (Swarup 2000:15)

this statement is given without any evidence.

He deduces in connection with the punishment of Zina that,

"victims of this law are mostly weaker sections and women who are defenseless." (Swarup 2000:16)

He produces a case published in "The Illustrated Weekly of India" issue of 27th February 1983. He notes that,

"when a woman is actually raped she has hardly any redress. When a woman files for rape, she runs the risk of accusing herself of committing adultery." (Swarup 2000:16)

This generalization is made without giving any proofs.

He claims that

"the Quran takes for granted the institution of polygamy and concubinage that prevailed among the Arabs at the time of the Prophet but it froze the custom by giving it a divine
sanction." (Swarup 2000:17)

He gives a hadith, narrated by Ibn-e-Abbas, the Prophet had said: "in my ummat he is the best who has the largest number of wives." without quoting its reference.

He remarks that in Islam polygamy and concubinage "were practical institutions; these were made possible by growing Islamic imperialism and in turn they served powerfully to expansionist needs." (Swarup 2000:20)

He argues that, "nature wants man to be monogamic. In any given society, males and females are more or less equal." (Swarup 2000:20)

He asserts, "the Quran at several places frankly calls dower ujoor (wages or hire)" (Swarup 2000:23)

He quotes the verse: "O Prophet! We have made lawful to thee thy wives to whom thou hast paid their dowers... (33:50)

"Also (prohibited are) women already married, except those whom your right hands possess: thus hath God ordained (prohibitions) against you: except for these, all others are lawful, provided ye seek (them in marriage) with gifts from your property desiring chastity, not lust seeing that ye derive benefit from them, give them their dowers (at least) as prescribed, but if after a dower is prescribed ye agree mutually (to vary it) there is no blame on you, and God is all-Knowing, all-Wise."
If any of you have not the means wherewith to wed for believing women, they may wed believing girls from among those whom your right hands possess: and God hath full knowledge about your faith. Ye are one from another: Wed them with the leave of their owners, and give them their dowers, according to what is reasonable, they should be chaste not lustful, nor taking paramours: when they are taken in wedlock, if they fall into shame, their punishment is half that for free women. This (permission) is for those among you who fear sin; but it is better for you that ye practice self-restraint. And God is oft-forgiving, Most-Merciful.” (4:24-25)

In matters of talaq, he notes that,

"Muslim husband has all the initiative, a woman none."
(Swarup 2000:29)

He deduces that,

"Islam has been eminently a man's religion in which a woman holds a low position as a matter of course." (Swarup 2000:30)

The reason is since, while taking "Khula" she has to forgo her dower and at times even pay some price. The other reason is wife beating which according to the author is prevalent in Muslim societies. Once again this generalization about Muslim society is made without producing any evidences.

He asserts that,
"Matrimony in Islam is dominantly a secular activity and is contractual in approach, it lacks that note of a deeper commitment and obligation which fulfils a profound a psychic need.......in Islamic tradition, the center of marriage is a physiological man commanded to be fruitful and to multiply and make the Ummah numerous." (Swarup 2000:42).

He notes that,

"the problems of raising the status of woman in Islam.....requires a change of mind, a more humane and less theological approach." (Swarup 2000:44)

He declares that,

"the position of Muslim women would improve only when Muslim males are less Muslim." (Swarup 2000:47)

He concludes that

"the Quran's law on marriage, like its laws on neighborliness with infidels are no models to follow." (Swarup 2000:48)

Reflections:

Hindu writers are sharply divided about women's position in Islam.

Whereas Baveja, Singh and Sunderlal are of the opinion that Islam has accorded just, equal and fair rights to women, Swarup and Shourie blame Islam for the plight of Muslim women. The comments of Vivekananda and Divekar would not fall into any of the two categories; nonetheless it would help in assessing the Hindu perception of women in Islam.

Baveja's treatment of drawing evidences from Quran and Sunnah
consolidates his views. His discussion on the rights of girl child is praise worthy. However, he wrongly considers the witness of two women in civil matters, whereas this condition is applied in financial matters. According to a few scholars, this rule commands the qualified to be given the charge, since in those times women were not commonly involved in financial matters, two female witnesses were equal to one male witness. Similarly Wali’s consent for the marriage is recommended but not regarded as compulsory.

Singh opines that the different rights and duties of sexes are based on the rule of justice which are consistent with their natures.

Sunderlal's opinions are based on Quranic verses and he reads similarities between the Gita and the Quran. Vivekanada's remark proves his view to be of the former group. His remark about women's soul was more prevalent in the Judeo-Christian traditions due to their own texts and it proves his awareness of the Global debate of his time.

Chandra's remark that women cannot attain salvation in female form is against the teachings of Islam. The spiritual rights of women are conclusively proved both by Baveja and Sunderlal.

Divekar quotes Quranic verses to prove that Islam enjoins just treatment to non-believers. However, in his conclusion he holds the opposite view, drawing his evidences from the works of Stobart, Ambedkar and Sacred Books of the East. He accuses Muslim men of licentious behaviour
particularly towards Hindu women. In his opinion Quran must be
blamed, as it never announced punishment of hell for such behaviours.
This remark is refuted by Baveja's discussion on Modesty. Quran not
only gives rules of modest behaviour but also pronounce harsh
punishment for guilty as mentioned in Surah Nur 24:2. His objection to
the marriage with slave girls and prisoner women can be refuted by
Baveja and Sunderlal's discussion of the same. He misrepresents Quran
by writing that men can marry as many women they wish. The rules of
conduct according to Quran are based on modesty, which never allow, as
he has charged to rape or pollute women.
Saraswati uses a free hand translation and gives out his own reading and
interpretation not consonant with Quran. His claim that women are
treated 'naked' is on the basis of Surah Baqarah 2:223. However, Baveja's
explanation of this verse is more credible and hence refutes Saraswati's
objections. Moreover Sunderlal has pointed out a similar verse that is
present in the Gita. His other argument that Mary, mother of Jesus
Christ was impregnated forcibly by a man, is clearly against the meaning
of the verses in Surah Maryam 19:18-21 and Surah Anbiya 21:91. Also his
translation and interpretation of the verses 33:50-51 are not correct.
These charges were made against Quran to create discord between
Christian and Muslims during the British rule in India. He argues that
Quran confine women to houses and is unjust towards them. As outlined
from Quran and Sunnah by Baveja and Sunderlal that women are given right to education and property. He misrepresents divorce, which is correctly explained by Baveja.

Shourie finds women's position in Islam as not just unequal than men but something which non-Muslim women can't even conceive. His sources have been fatawa and ruling books. His arguments are based on secondary sources, misinterpretation, wrong conclusions and a bias against Islam. He shows that women's majority will be in Hell. Even Swarup makes this claim. The hadith in consideration points out that ungratefulness and infidelity are the reasons for their doom and not their gender.

The hadith records: *Once the Messenger of God went to offer the Eid prayer. He passed by the place of the women and said: 'O women give alms as I have seen that you women constitute the majority of the inhabitants of hell'. They said: 'Why is it so, O Messenger of God?' He said: 'you curse frequently and are ungrateful to your husbands. I have not seen anyone more deficient in intellect (aql) and religion (din) than you.' The women said: 'What is deficient in our religion and intellect, O Messenger of God?' He said: 'Is not the testimony of a woman worth half of that of a man?' They answered in the affirmative. He said: 'this is the deficiency in her intellect .Is it not that a woman can neither pray nor fast during her menses?' They answered in the affirmative. He said: 'This*
is the deficiency in her religion.'
(al-Bukhari, Bk. of Menstruation, no. 293; Bk. of Almsgiving, no. 1369; Bk. of Faith, no. 114)

This hadith has to be taken contextually, it will not make a fundamental ruling for all Muslim women, since it goes against the position and status of women as outlined in other verses and hadith of the Prophet. As noted by Anne Sofie Roald in her book 'Women in Islam', concerning interpretations of hadiths,

"one of the rules of interpretation known to Muslim scholars is that there are cases in which the determining factor in interpretation is the specificity of the occasion (of the hadith) and not the generality of its wording. Even if the generality of its wording is to be accepted that does not necessarily mean that a general rule is applicable, categorically to any situation. As such, the hadith is not conclusive evidence of categorical exclusion."(Roald 2002:190)

Swarup and Shourie claim that men are given superiority, as a whole over women is again not conducive to the spirit of the Quran.

Majority of Islamic scholars in contemporary times speak of equal and not identical rights for women. The verse from Surah Nisa 4:34 which speaks of qawwam is not a ruler rather a maintainer, a helper or one who 'stands out' to look after.

The translation of Mehr or bridal gift as wages is against the Quranic spirit. Quran employs the word 'nihlah' in Surah Nisa 4:4 for the bridal
Words have multiple dictionary meanings, hence 'ujoor' is not just wages, recompense but means records and gifts too. This misunderstanding is experienced when a person lacks the knowledge of Primary sources in its original language. This objection is common in both Swarup and Shourie's views. Although Baveja has called it a gift but it is incumbent on the husband to give the mehr and it does not rest on his will.

Shourie's other objection that women are more lustful is not found in the Quran and the Sunnah.

His argument that husband's right for talaq are made easy is contradictory to Islam's view. Prophet has declared that, "Divorce is that which God has permitted which he hates most." (Sunan Abu Dawud, Bk of Divorce, no.1863 and Sunan Ibn Maja h, Bk of Divorce, no.2008). The entire procedure of talaq as outlined in the Quran, which puts many conditions for the husband, practically make the divorce or separation difficult. For example, the rule of arbiter, talaq only in the state of purity or tuhr' and then 'waiting period or Iddat' are few, which delay the actual procedure. Moreover the permissibility to take back wife after talaq and also the irrevocability after three talaqs all safeguard women's position.

However, in India the Personal laws as outlined during the Colonial period does not take into account many sensibilities. These Personal laws need Islamisation in order to protect women's rights accorded to them by
Islam.

Swarup shares Shourie's views that talaq is made easy and 'Khula' is made difficult. Islam grants a woman the right to separation through the procedure of 'khula' from her husband.

*The wife of Thabit b.Qais came to the Messenger of God and said: O Messenger of God! I do Not blame Thabit for any defects in his character or his religion, but I cannot endure to live with him. The Messenger of God then asked her: 'Will you return this garden [which was given to you as dowry]' She said: 'yes'. Then he [Muhammad] said to Thabit: 'Accept the garden and divorce [talaqh, release] her one divorce [with one divorce pronouncement]' (al-Bukhari,Bk. of Divorce,no.4867,an-Nisai,Bk of Divorce no.3409,Ibn Maja,Bk of divorce,no.2046,Musnad Ahmad,no.15513).

Swarup's other objections such as women are morally inferior; a khalifah is not punished for adultery and child bearing is cursed in Islam cannot be found in Islamic sources. On the contrary, the spiritual rights of a Muslim women as discussed by Baveja and Sunderlal disproves the claim of moral inferiority. Also, there is not a single rule in Quran and Sunnah which grants the Khalifah the right of adultery. History records that even Khalifah answered the court of law in petition of a common subject. It was the importance of justice in Islam that attracted many people towards Islam. So also his claim that childbirth is a curse is exactly opposite to
the Islam's views. Mother's position given by Baveja disprove this claim.

Quran records in Surah Nisa, verse: 1: *O Mankind! Reverence your Guardian Lord who created you from a single person, created of like nature, His amte, and from them twain scattered (like seeds) countless men and women- fear Allah through whom ye demand your mutual (rights) and (reverence) the wombs (that bore you).

His claim that Quran uses the word 'Aurat' for women is a misunderstanding. The word for women in the Quran is 'nisa'. Moreover the word 'aura' is employed at three places in the Quran but none of these places use this word for women. In Surah Ahzab 33:13 is used for bare houses, in Surah Nur 24:31 to signify the hidden parts and in the same Surah 24:58 for 'three times of undress'.

He claims that Islam encourages wife beating. However, Surah Nisa 4:34 makes it clear that a husband can beat the wife softly only in case of 'nushuz'. 'Nushuz' is explained as social misconduct; where beating is the last resort. The first two measures are admonition and separation in bed. Hence, Islam does not grant an open license to the husband for wife beating. However, it permits in cases of nushuz with guidance that this beating should not leave any marks.

His contention that 'Muslim women's position will improve only when Muslim men become less Muslim' is not correct. As the Messenger of God said: "The best among you is the one who treats his family in the
best manner. And I am the one among you who treats his family in the best manner." (Sunan al-Tirmidhi, Bk. of Virtues, no. 3830; Sunan Ibn Majah, Bk. of Marriage, no. 1967) Shourie and Swarup attempt highlighting the status of Muslim women in an unproportional way. Swarup misquotes the hadith, which says the best Muslim is the one who has the largest number of wives. It is erroneous and has no place in the Islamic teachings and principles. Similarly, the meaning of the word nikah remains marriage contract or deed and not as he said conjugal relationship. (Siddiqui, As-Safa 2001: I, 24-25).

In conclusion, the doubts raised by the latter group are refuted by the former view. Hence, the former view that Islam accords equal and just right to women as outlined in the Quran and Sunnah are more credible.