Interestingly Sunni traditions narrate the exact same story as Shi’a traditions. So Sunnis do not deny that this event took place, rather they do not see it as explicitly stating that Ali should take over from Muhammad.
On the way back from Makkah the pilgrims stopped at Ghadir Khumm and Muhammad called for a raised platform to be made. He invited Ali to join him on the stage and revealed what he had been told in an earlier message from Allah. He raised Ali’s hand in the air and said:

Key quote

O people...I am about to be called (to die) and thus I must respond.

Of whomsoever I had been Master (Mawla), Ali here is to be his Master. O Allah, be a supporter of whoever supports him (Ali) and an enemy of whoever opposes him and divert the Truth to Ali.'

- Hadith from Ghadir Khumm

For Shi’as this is a clear message— Ali is to take over from Muhammad and who ever opposes him is an enemy of Islam.

To make matters worse, the shura that took place was done before Muhammad was even buried. While all the key players assembled to have their claim be heard, Ali was busy preparing his beloved Prophet for his burial.

Ali retired from public life and did not acknowledge Abu Bakr’s leadership until his wife, Muhammad’s daughter Fatima, had died.

Ali was overlooked two more times for the position, next in favour of Umar and then Uthman before he finally became Caliph in 656CE.
After the martyrdom of Hussein at Karbala the Umayyad Dynasty began but the Qurra never accepted them and formed the Shi’a Ali– The party of Ali and thus the Shi’a movement began in earnest.

Unfortunately after waiting so long to become caliph, Ali did not have the best of times when he became leader. A lot of the problems arose under Uthman’s caliphate. Uthman was a member of the rich Umayyad clan who had been Muhammad’s greatest opponents in Makkah. On becoming caliph, Uthman appointed many of his relatives key positions of power in the Islamic world, many of them being key enemies of Islam in the time of Muhammad. He also removed privileges from the Qurra (Muslim soldiers) and increased those of the soldiers who had fought in the Ridda wars against Abu Bakr in the early days after Muhammad’s death. He also issued one standard version of the Qur’an and banned all dialectal versions—this angered many pious Muslims. All these poor decisions eventually lead to one of Ali’s supporters assassinating Uthman.

Ali called an amnesty for the assassin which gave Aisha, with her old grudges, an excuse to led an army of opposition against Ali. Ali defeated Aisha at the Battle of Camel but then had to deal with open opposition from Uthman’s relative Muawiyah.

At the Battle of Siffin Ali was forced into arbitration with Muawiyah but this angered some of Ali’s supporters. So much so that in 661CE as Ali was at prayer in the Mosque at Kufa, one of his followers killed him with a poisoned sword.

Muawiyah now claimed the Caliphate and bought Ali’s oldest son Hasan off with a pension. Hussein was promised to take over after Muawiyah died. However, when Muawiyah died he named his son Yazid as his successor. Hussein and his small group of supporters rode to Iraq to challenge Yazid for the Caliphate but on their way they were ambushed and brutally murdered by Yazid’s troops.
Specific Shi’a Interpretations of the Five Pillars

The Shahadah: The Statement of Belief is the first pillar of Islam. It underpins everything a Muslim does and sums up the most important beliefs of Muslims and states:

There is not God but Allah and Muhammad is the messenger of Allah.

The Shi’a version of Shahadah is the same apart from it adds:

And I bear witness that Ali was the friend of Allah.

Salah: Salah is obligatory prayer five times a day using set words and actions. Shi’as believe the forehead should be prostrated onto dust or earth, preferably a block of baked earth from Karbala.

Most Shi’as do not regard it as obligatory to attend mosque for the Friday Jumuah prayers.

Shi’a believe that Abu Bakr, Umar and Uthman all knew that Muhammad had chosen Ali as his successor and yet chose to ignore this and keep quiet about it. For this reason Shi’as regard them as they great enemies of Islam and they are publicly cursed in Shi’a Jumuah prayers.

Zakah: Zakah is charitable payment. In Shi’a countries it is paid to the mujtahid– in Sunni countries it is paid to the state. Shi’as also make a Khums payment of 20% on their goods and savings.

Key Fact
Shi’a reject ijma as it was the consensus of the community that elected Abu Bakr and ignored the rightful claim of Ali.
**Extra Festivals**

- Ghadir al’Khum - The appointment of Ali
- Ashura - The martyrdom of Hussein

**Tawhid**

- Shi’a do not believe that God has any physical attributes despite the Qur’an referring to them – they believe these are to be interpreted symbolically.

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**T1 D-F Religious Practices that Shape Identity**

**You can find out more about Shi’a Pilgrimage in the later section!**

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**Sawm**: Sawm is fasting during daylight hours during the month of Ramadan. Shi’as do a slightly longer fast than Sunnis as they only start eating when the sun has completely set. Shi’as also spend 3 days in Ramadan in mourning for Ali who was murdered on 20th Ramadan.

**Hajj**: Hajj is the annual pilgrimage to Makkah that all Muslims must strive to make once in their lifetime. Shi’as are obliged to perform the hajj in the same way as Sunnis but Shi’as also have many other pilgrimage sites linked to the story of Ali and Hussein.

Shi’as believe they attain grace from visiting the tombs of Shi’a saints.

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**The Role and Status of the Imam**

In Shi’a Islam the name for the leader of the Islamic community is the Imam, this is not to be confused with the Sunni imam, with a lower case ‘i’ who simply leads prayer at mosque.

For Shi’a Muslims Ali became the first Imam after the death of Muhammad in 632CE and he occupied this position until his death in 661CE. However, Ali was not officially ruling anyone until he was elected Caliph in 656CE.

After Ali, most Shi’as believe there were 11 more Imams, giving them the name Twelvers as they believe in 12 Imams.

These were:

- 2) Hasan (Ali’s eldest son)
- 3) Hussein (Ali’s youngest son)
- 4) Ali Zaynul (Husyan’s son)
- 5) Muhammad al’Baqir (Ali’s daughter’s son)
- 6) Jafar (Muhammad al’Baqir’s son)
- 7) Musa (Jafar’s son)
- 8) Ali ar ‘Rida (Musa’s son)
As you can see, Shi’as believe that the Imam’s should be directly related to prophet Muhammad, through Ali and Fatima’s bloodline. Shia’s also believe the Imam should clearly designate their successor before they die. This is known as nass and is no doubt a safeguard against what happened at the death of Muhammad with Ali’s claim being ignored.

Shi’a biographies of the Imams were written by Shi’as trying to prove how special the Imams were so they contain a lot of apparent mythology about the Imams.

These include:

- The Imams were born already circumcised and with their umbilical cords severed.
- They were able to talk at birth and some even spoke from within the womb.
- They perform miracles and possessed supernatural knowledge.

Imams can commit no sins and act as an intermediary between humans and God.

Shi’as believe that Muhammad appointed Ali and gave him the Divine Light so that Ali had God’s power to decide what Muslims could and could not do. This power was then passed from Ali to Hasan and Hussein and then to his son and so on.

For Shi’as it is unthinkable that God would leave us to our own devices, without any guidance, and so in every
Shi’as believe that all 12 Imams and Muhammad died as martyrs—usually by being poisoned by their enemies.

The Hidden Imam and Mahdi

Shi’as believe the last Imam—Muhammad al Mahdi never died but instead went into hiding in a cave in Samarra and is still alive today.

His hiding is known as an occultation and there are 2 aspects of it—the lesser occultation and the greater occultation.

The Lesser Occultation

At this point the Hidden Imam was in the cave but was in contact with 4 men called Babs who passed on his messages to the Shi’a community.

When the last Bab died in 941CE the Hidden Imam went into his Greater Occultation which he is still in know. He is still in control of the affairs of men and communicates through the dreams of holy men.

The Hidden Imam as the Mahdi

Both Sunnis and Shi’as believe in the Mahdi. The Mahdi is a figure who will return to earth and usher in a reign of peace and bring about the end of the World. For some Sunnis the Mahdi will be a follower of Muhammad but he has not yet been born. Other Sunnis believe the Mahdi will be prophet Isa returning for his ‘second coming’. For Shia’s the Mahdi will be the 12th and Hidden Imam.

Shi’as do not know when the Mahdi will appear but they believe it will be in a year with an even number and on the anniversary of Hussein’s martyrdom.
Shi’a Pilgrimage

As well as the Hajj to Makkah, Shi’as have their own Shi’a pilgrimages to various holy sites connected to the Shi’a story.

Shi’as can go on pilgrimage to the tombs of the 11 dead Imams, all but one of these are located in Iraq.

The Shrines housing the tombs usually have golden domes over them.

Shi’as will often try to visit the tomb on the anniversary of their death. The most famous example is visiting Imam Hussein’s tomb as part of Ashura.

Shi’as believe that those who are buried on the site if an Imam do not have to go through the grave trial with Munkar and Nakir.

Some may even make pilgrimage to the descendants of the Imams.

The main Shi’a holy cities are:

- **Najaf**, Iraq—burial site of Ali
- **Karbala**, Iraq—place of Hussein’s martyrdom
- **Qom**, Iraq—burial of site of Fatima, Imam Ali ar Rida’s sister

The largest Shi’a pilgrimage is to the Imam Hussein Mosque in Karbala during Ashura. Numbers far exceed those that visit Makkah every year for the annual Hajj.
Muta

Muta is a special temporary marriage only practised by Shi’as in Sunni Islam it is generally considered haram after Umar revoked a law that previously had allowed it.

The Qur’anic verse that seems to permit muta is from Sura The Women:

**Key quote**

“As to those whom you married for a fixed time (Muta), give them their agreed dowries; and there is no sin for you in what you mutually agree together after what has been settled.” (4:24).

Muta may meet the needs of someone who is travelling for a long time and is in need of companionship, or someone who cannot find a permanent spouse. Additionally it may serve the needs of someone without the financial means to have a wedding and then to support his wife financially.

Similarly, youth who are too young for the responsibilities of permanent marriage but in danger of committing the sin of sex before marriage, may lawfully meet in a Muta marriage.

Muta is the way to avoid sin when permanent marriage is not possible. Islam is clear that, between men and women, touching, viewing parts of each other’s bodies that should be covered, and visiting while unescorted are sins unless they are closely related or married.

Both the length or the marriage and the mahr paid must be agreed in advance, and specified in the marriage contract.

A woman can have a muta if she is:

- Muslim, Christian or Jewish
- Not married
- Not a young virgin
- Not a sex addict
Taqiyya

Taqiyya refers to dissimulation, that is the denial of one’s beliefs in order to avoid persecution and suffering, or argument with mainstream Sunni Muslims.

Many of the Shi’a Imams counselled caution and suggested Shi’as should conceal their true allegiance to the Imams, if in doing so they would be spared their lives.

It is thought that Imam Jafar developed the doctrine of taqiyya, perhaps because he himself was frequently imprisoned by the ruling Abbasid Caliphs at the time.

Taqiyya while maintaining mental reservation is considered lawful in Shi’ism "in situations where there is overwhelming danger of loss of life or property and where no danger to religion would occur thereby". Shi’is lived mostly as a minority among a frequently-hostile Sunni majority until the rise of Safavid dynasty. This condition made taqiyya doctrine important to Shias.

The whole doctrine of taqiyya, of not feeling safe to express your true beliefs and allegiance fits in well with the general Shi’a identity as an oppressed and wronged religious minority.

In practical terms, taqiyya might involve a Shi’a pretending to be a Sunni or a Christian.

There is Qur’anic support for taqiyya and it is allowed by Sunni Muslims in some circumstances. However, it is more often associated with Shi’as and some Sunnis stigmatise Shi’as for their willingness to deny their Muslim faith, as they see it.
Task:
Below is a list of several key points bulleted in response to a question that has been written requiring an explanation of the distinctive features of Shi’a Islam. From the list select the most important points that you would include in your answer. Remember AO1 questions are only worth 20 marks and you have approximately 24 minutes of exam time to complete them.

You can chose to do a depth or breadth approach so choose a few points to develop for a depth approach or several points for a breadth approach.

List of Indicative Content:

- Succession of Muhammad
- Muhammad’s appointment of Ali
- Identity as a oppressed and wronged minority
- Imamate
- Differences to 5 Pillars inc:
  - Addition to Shahadah
  - Cursing first 3 Caliphs
  - Khums payment
  - Longer fast and mourning Ali in Ramadan
- Other Pilgrimages
- Distinctive beliefs inc:
  - Muta (temporary marriage)
  - Taqiyya (dissimulation)
  - Imam-Nass (designation of next Imam)
  - Imam-Ilm (special knowledge of Imam)
  - Imam– Mahdi
Islam T4 Religious Practices that Shape Identity

One of the most important aspects of Islam is the ummah – the worldwide community of Muslims that transcends gender, race, social class. Muslims think of themselves as one united family, referring to each other as brother and sister. The question is, does the Ummah transcend the sectarian split between Sunni and Shi’a Muslims?

One could argue that a Muslim is anyone who submits his or herself to Allah, who accepts tawhid and worships the one, true God. It seems clear that all Muslims, whether Sunni or Shi’a do this and this shared belief should unite them as Muslims.

However, Sunnis may point out that Shi’as treat their Imams like demi-Gods, believing they have special knowledge of the Qur’an and acted as intermediaries between God and man. This is akin to shirk for many Sunnis. There are also those who accuse Shi’as of Bida – adding to Islam due to the fact that their Imams are said to be in contact with God and can deliver new rulings etc after Muhammad, who is supposed to be the Seal of the Prophets.

There are however, many countries where Sunnis and Shi’as have lived peacefully side by side and even intermarried and raised mixed children, sometimes known playfully as Sushis. Countries such as Pakistan have generally seen good relations between Sunnis and Shi’a, with Shi’as holding several top offices despite their being a Sunni majority.

However, for every example of unity there are more instances of fighting and tensions. In Sunni Saudi Arabia, Amnesty International has said “Members of the Shi’i Muslim community suffer systematic political, social, cultural as well as religious discrimination”. Like wise Sunnis claim persecution in the Shi’a majority Iran.

One could argue that many famously Shi’i features are actually shared by Sunnis, for instance Sunnis also mourn the death of Hussein and honour the ahul bayt (family of the Prophet). This shared belief creates a sense of untidy between the two sects of Islam.

However, many Shi’as feel resentment towards the Sunni majority for the wrongs that were done to Ali and Fatima at the hands of the Sunni Ummah. Added to the martyrdom of Hussein at the massacre of Karbala at the hands of the Sunni Caliph Yazid, it seems tensions between the two groups are likely to remain. Such tensions have been worsened by various Sunni terrorists attacks against Shi’i mourners during Ashura. For groups like ISIS and al Qaeda before them, Shi’as are heretics, not true Muslims and they deserve to be persecuted.

In conclusion then, there are certainly tensions between the two main sects of Islam but perhaps a lot of the issues are more complex than simply a divide between Sunni and Shi’a and indeed for many everyday Muslims, the issue of whether a person is Sunni or Shi’a is not a matter of concern to them.
To what extent is Shi’ism a unique form of Islam?

Many would argue that Shi’ism is indeed a unique form of Islam since it differs so much from Sunni Islam, especially when it comes to the Imamate. For many the Shi’a view of the Imam as being possessed with special supernatural knowledge and having miraculous births, elevates them to almost demi-god status and is at risk of committing the worst sin in Islam, shirk.

However, it is fair to point out that some Sunni biographies of the Prophet attribute miraculous events to the life of Muhammad. Such as the camel being able to produce an endless supply of milk when Muhammad was adopted by the Bedouin wet nurse, or the angels removing his heart and having it cleansed.

This suggests that the two sects are not as different as some might think.

Others would suggest the Shi’a have their own special identity as an oppressed and wronged minority. The importance they attach to Hussein and his martyrdom set them apart from Sunni Muslims, who as Ruthven claims, do not even know the story of Hussein and his massacre at the hands of the Sunni Caliph Yazid.

However, others would argue that Hussein is just as important to Sunnis as he is to Shi’as and they too are just as horrified at his brutal murder at the hands of Yazid.

This suggests that although Shi’as have adopted martyrdom as a central aspect of their identity as Shi’as that Hussein, as the prophet’s beloved Grandson is just as important to them.

Shi’as often feel a betrayal at the hands of the Sunni majority. They feel that Ali and Fatima and indeed the whole Ahul Bayt were let down by the Sunni Ummah at the death of the prophet. To express this belief they openly curse the first three Caliphs during Jumah prayers.

However, although Sunnis regard the first three caliphs as Rashidun, they still acknowledge the importance of Ali to Muhammad. For instance the events of Ghadir Khumm, where Muhammad famously said “Whoever is an enemy of Ali’s is an enemy of me” is narrated by Sunni traditions as well as Shi’a ones. It seems therefore the main difference between the two groups is how they interpret the events not the events themselves.

Finally it can be argued that Shi’ism is unique as it has several practises that are only found in Shi’a Islam. For instance, allowing muta marriages and the doctrine of Taqiyya.

However, it could be argued that muta marriages, though more commonly associated with Shi’a Islam are practised throughout the Sunni world. Moreover, taqiyya is also allowed for Sunnis and there is Qur’anic basis for both.

Ultimately, as both follow the Qur’an, Sunnah and Hadith as their main sources of authority, we can argue that in practice Sunnis and Shi’as have more common ground than they do differences. Others would argue that the differences between Sunni and Shi’a are mainly political differences and not in fact significant religious differences.
Who are Sufis?

Sufism, or tasawwuf as it is known in Islam is a mystical form of Islam that can be followed by Sunnis or Shi‘as. Sufism is spiritual and mystical philosophy focused on a direct connection to Allah.

They live simple lives, devoting their time and energy to deepening their relationship with Allah.

There are many different theories as to where the name Sufi actually came from.

Some believe is from the Arabic word suf—meaning ‘wool’, thus referring to the uncomfortable and itchy wool garments the Sufis traditionally wore as part of their ascetic efforts.

Others believe the word comes from the Greek ‘Sophia’ meaning wisdom.

There are several other ideas about where the name comes from but none is confirmed.

The Sufis are Muslims who are not satisfied with just doing the Five Pillars; they also want to feel as close to Allah as possible by seeking a personal relationship with him. Pure disinterested love of God. aspires to reach fana union with God. can be achieved through yogic breathing saying ‘hua’ in remembrance of God.

The Origins of Sufism

Sufis originated in the East of Arab Empire. They were reacting against the materialism and lack of piety among the Umayyad Caliphs.

Unlike Shias, they regard first 3 caliphs as ‘rightly guided’ rashidun and look at their example as well as Muhammad’s for how to live. E.g. Prophet tied 2 stones to his stomach out of hunger.
Abu Bakr wore a simple garment tied with 2 pins, Umar lived on bread and olive oil and Uthman looked like a slave in his appearance.

It is from this lifestyle of the early Muslim leaders compared to the luxury of the Umayyad’s did a group of Muslim ascetics come who were determined to make Islam a more devoted religion.

One of their asceticism grew out of mysticism where one can go into a trance and have visions.

**Who is the Qutb?**

The word Qutb means the pole or the axis. It is the highest rank of a Sufi master. The qutb was regarded as the centre of spiritual energy upon whom the well being of the world depended.

The qutbs would know each other but they would be veiled by Allah from the common people.

It is therefore not known who the qutb of the age is but at times some mystics have proclaimed themselves as the qutb of their time. On other occasions others have acknowledged a master as being the qutb.

The autb is the perfect human being. At any given time there will be 5 qutbs in the world. Only a few masters will know who they are.

**Key quote**

Behold! verily on the friends of Allah there is no fear, nor shall they grieve

_Sura 10:62_

The Holy Qur’an explicitly mentions the Awliya (friends of Allah) and describes them as the Believers who fear Allah: So we must all agree that there are Awliya and that they exist co-terminally, which means co-everlastingly, with the Religion.

Next, the Holy Qur’an explicitly mentions that the Believers have "levels" and that "He raises" some of the Believers above others. (see Sura 58:11 – left)
The Role of the Teacher

The progress along the path of Sufism is in the hands of a spiritual guide or teacher who strictly directs the disciple’s ascetic practices and meditations. This apprenticeship could last up to 3 years before his teacher accepted him or her into the group by presenting them with patched garment from which the name Sufi is possibly derived.

The path to becoming a Sufi is marked by various stations and states. The first station for instance was repentance. Another common station was complete trust in Allah (tawakkul)

Some higher stations of the path are patience, gratitude and acceptance.

The final stages of the path were reached through interior knowledge with the ultimate goal being fana- complete annihilation of the self into Allah. When an individual returns from a state of fana they experience the spiritual intoxication and ecstasy common amongst mystics from all faiths and backgrounds.

Everyone wishing to become a Sufi would join a Sufi order, known as a tariqah. Each tariqah claims a connection to the Prophet Muhammad through a chain of transmission, very similar to the Hadith isnads. These are called silsilahs – X was taught by Y who was taught by Z and so on back to Muhammad.

The initiates are known as murids and they are a disciple of a Shaykh. A murid owes absolute allegiance to his or her shaykh- upon dying a Shaykh would choose a successor.

Mohammed Shafii, a psychiatrist knowledgeable in Sufi tradition, suggests:

The Sufis feel that maturity cannot be achieved alone. They feel there is a need for guidance and discipline. The path is unknown, the night is dark and the road is full of danger. Dangers include preoccupation with selfishness, false visions, misinterpretations of mystical states, arrest in development, fixation in a particular state, appeal to various drugs to create false mystical experiences and not infrequently overwhelming anxiety and insanity.
The importance of Practising what you Preach

A guide is someone who has explored his or her own inner nature and is capable of leading others to explore their own inner spiritual depths. A teacher instructs from experience, as the following story points out:

Nasruddin, a Sufi teacher, was serving as a local judge. A woman came to him with her son and complained that her son had an uncontrollable sweet tooth. She asked Nasruddin to tell the boy to stop eating sweets all the time. Nasruddin agreed and told her to come back in two weeks. When they returned, he said simply, “Young man, stop eating sweets! It is no good for you.”

The mother asked, “Why did you have us wait for two weeks? Couldn’t you have said this to my son when we first came to you?”

Nasruddin replied, “No I couldn’t possibly have told that to your son two weeks ago. First, I had to stop eating sweets!

The Role of the Teacher

Al-Ghazali describes eight duties of a teacher. Although the teaching techniques and personal styles of teachers vary widely, this is an excellent guide to understanding the complex role of the Sufi Shaykh:

1) “The first duty of the teacher is to be sympathetic to students and treat them as his own children.”

In many tariqahs sexual relationships between the Shaykh and murid are strictly forbidden and seen as incest.

2) The teacher cannot receive any payment from his student. This is related to the ancient tradition, found in both Judaism and Islam, that one does not take money for teaching God’s scriptures or divine truth.

3) “[The teacher] should not withhold from the student any advice, or allow him to attempt work at any grade unless he is qualified for it.”

Overambitious students need to be discouraged from taking on duties or practices that are beyond their capacities.

4) Dissuade the student from evil but by suggesting it and not coercing it.

5) The teacher should praise the strengths and advantages of other teachers and disciplines and will say nothing about their faults. In this way, the teacher models patience and tolerance.

6) He should limit the student to what he or she is able to understand and should not require of them anything which his mind cannot grasp.

7) The teacher should differentiate his lessons so weaker students can understand and follow.

8) The teacher must always lead by example and practice what they preach.
The Use of Parables

The Sufis have been using carefully crafted stories, or parables for teaching purposes for hundreds of years. Though on the surface these often appear to be little more than fairy or folk tales, the Sufis hold that they enshrine—in their characters, plots and imagery—patterns and relationships that nurture a part of the mind not reachable in normal ways, thus increasing our understanding, flexibility and breadth of vision.

There are several common symbols that are recurrent through Sufi writings and parables.

For instance:

1) The drop and the Ocean
2) The wine of the Beloved
3) The lover and the Beloved
4) The classical love story of Layla and Manjun is often used symbolically and frequently alluded to in Sufi writings.

The drop and the ocean
- drop of water = individual human being
- Fish = Individual human being
- Ocean = The Divine Unity
- Pearl = an enlightened human being

The Wine of the Beloved
- Cup bearer = metaphor for the Sufi Shayk
- Drunkard = the ecstatic Sufi
- Drunkenness = spiritual ecstasy
- Tavern = the spiritual heart of the individual where she can drink the wine of Divine Love
- Wine = Divine love

Layla and Manjun

Layla and Qays were both exceedingly beautiful and fell in love with each other at first sight, even though they were both from different tribes.

When Laylas father found out of their love he was furious and confined her to her tent.

Qays was distraught and penned poems for his Layla. He would wonder the neighborhood reciting them in the hope that he would see her.

Eventually he became obsessed with her and she was his only reality. He became known as Manjum (the madman).

Once when sifting through dust looking for Layla someone asked Manjun what he was doing. He replied “I look for her everywhere in the hope of finding her somewhere”.

The story represents our relationship with the Divine Essence. The Arabic word for Divine Essence is feminine so it is often symbolized as a woman. The woman is usually named Layla which means ‘night’ as this denotes the mystery of the Divine Essence.
Sufism

Symbolism in The Conference of the Birds

1) Birds = human soul, can be caged or fly free
2) Each individual bird = different personality types
3) The seven valleys the birds fly over = 7 stages of the mystic path
4) The ending when the birds realise they are Simorgh and Simorgh is them = fana – annihilation into the Divine Essence.

The Lover and the Beloved:
- Beauty = the glory of the beloved
- Down = The face of God
- Embrace = loves ecstatic raptures
- Perfume = the invisible presence of God

You should ensure you are familiar with the following two famous Sufi Parables and learn a few simple quotes from them.

The Conference of the Birds—Farridudin Attar

The most famous work by the 12th-century Persian poet Farridudin Attar about a pilgrimage taken by birds to meet “King Simorgh the Wise.” Sorrowing because they lack kingly guidance, the birds gather together, receive help from the inspired hoopoe, and depart on their quest. Along the way, individual birds confront spiritual obstacles: the parrot’s heavy jewellery weighs her down; the finch fears the storm; the hawk, seeking to arrive first, becomes lost.

Prose narration alternates with the hoopoe’s rhymed speeches of encouragement, which contain a recurring refrain: “

So do not let this impatience
Destroy this golden chance.
Release its hold upon you now
And to your King advance!

When their journey is complete and they are in the presence of the great Simorgh they find that Simorgh is themselves and they are Simorgh

They see the Simorgh—at themselves they stare,
And see a second Simorgh standing there;
They look at both and see the two are one…

The parable is rich with symbolism (see side bar for details).
The Parable of the Spider

Another parable that Sufis frequently use comes from the Qur’an itself. The Parable of the Spider is based on the following verse:

Key quote

The parable of those who take protectors other than God is that of the spider, who builds (to itself) a house; but truly the flimsiest of houses is the spider's house;- if they but knew. Sura 29:41

The Direct Personal Relationship between the Teacher and the Pupil

The murid gives over his/her will completely to the shaykh by pledging their allegiance - bayat to the shaykh

The relationship between a murid and a shaykh is binding in this life and in the next. The murid does not move from one shaykh to the other, the bond between them is retained. Often murids would gather around the shaykh to live in a retreat centre, which is known as a ‘khanqah.

Even when a student has been accepted and is no longer under the tutelage of their master there will remain a close personal connection between the two for the rest of their lives.

Rule 1 from al Ghazali’s list of duties for the Shaykh emphasizes the close relationship considering any relationships between the Shaykh and murid to be akin to incest.
The Role of Asceticism

Zuhd, meaning detachment in Arabic, is the name for asceticism.

Even though a Muslim is permitted to enjoy fully whatever unforbidden pleasure God bestows on him, Islam nevertheless encourages and praises those who shun luxury in favour of a simple and pious life.

The Qur’an is full of verses that remind believers that life is fleeting and the hereafter everlasting. It also holds in great esteem those “servants of God who pass the night prostrating themselves in the worship of their Lord” (25:63–65). The Prophet himself spent long periods in solitary vigil, fasting and praying, even before his prophetic mission.

Zuhd developed in Islam as a result of the Muslim conquests, which brought with them material wealth and widespread indulgence in luxurious living. It can also be seen as a direct rejection of the lavish practices of the Umayyad Caliphate.

Religious Muslims reacted to this by calling for a return to the way of life of the Prophet and his pious Companions. The growth of the Islamic state had also brought with it bitter political disputes that pitted Muslim against Muslim in fierce struggles for power. The resulting bloodshed spurred men of religion to denounce such actions and to seek peace of mind in abstinence from all that distracts from the worship of God.

Because God is totally other and transcendent, to approach God one must strip off all attributes of the self.

Purification involves:
- Restricting one’s possessions, sleep and food intake
- Purging oneself of attachment to the self
- Poverty my poverty is my pride—Sufi saying—this also involves desiring nothing do oneself— even paradise

Often the sober mystic follows the path of self denial, where the Sufi who emphasises love of God tends to a more ecstatic and enthusiastic expression.
The Importance of Personal, Mystical Experience as a way of experiencing God.

In general there are three main ways in which a Muslim can experience God, these are as follows:

1) Through reading the Qur’an

2) Through using their God given reasoning to see Signs in nature

3) Through using human inner, spiritual capacities to see the Signs of God within the self and to be directly aware of God’s presence, providence and love.

Key quote

On the earth are Signs for those of assured Faith, as also in your own Selves: will yet not then see? Sura 51: 20-21

The above passage gives credence to this third method of experiencing God and this is most clearly linked to the type of religious experience Sufis seek.

The Nature of God in Islam in Relation to Religious Experience

Before coming to Muslim religious experience, we should remember some basic characteristics of God in the Qur’an and Islamic tradition. Belief, or rather faith, in God is the first, most essential and central conviction in Islam. The first thing a Muslim is required to believe in, is the existence and unity of God.

One can look at the description of God first in the Qur’an, and then in Islamic tradition. Naturally, there are many verses in the Qur’an about the existence and attributes of God.

Praise be to Allah, the Cherisher and Sustainer of the Worlds: Most Gracious, Most Merciful; Master of the Day of Judgement. Thee do we worship, and Thine aid we seek. Show us the straight way, the way of those on whom Thou has bestowed Thy Grace, those whose (portion) is not wrath. And who go not astray (1: 2-7).

According to the description in a verse from the middle of the Qur’an, which the Sufis often quote, Allah is the light of the heavens and the earth…. (24:35).
The Concept of Religious Experience

Muslim mystics are generally called Sufis, and the Sufis have looked upon themselves as Muslims who take seriously God’s call to perceive his presence both in the world and in the self. They tend to stress inwardness over outwardness, contemplation over action, spiritual development over legalism, and cultivation of the soul over social interaction.

On the theological level, Sufis speak of God's mercy, gentleness, and beauty far more than they discuss the wrath, severity, and majesty that play important roles in both fiqh. Sufism is usually considered as the inner dimension of Islam. It remains a vibrant living tradition which still maintains its position at the heart of traditional Islam, and contemporary practitioners of tasawwuf draw upon scriptural sources to justify their tradition and their access to direct experience of Allah’s immanence through their practices.

Mohammad Iqbal offers five general observations on the main characteristics of the Sufi or mystic experience:

1. **Immediacy of the experience.**

2. **Unanalysable wholeness of mystical experience.**

3. **To the mystic, the mystic state is a moment of intimate association with a unique Other Self, transcending, encompassing, and momentarily suppressing the private personality of the subject of experience.**

4. **Ineffable—since the quality of mystic experience is to be directly experienced, it is obvious that it cannot be communicated**

5. **The mystic’s intimate association with the eternal, which gives him a sense of the unreality of serial time, does not mean a complete break with serial time. The mystic state in respect of its uniqueness remains in some way related to common experience.**

The Sufis viewed God as beloved, and lover, and they wanted at least closeness with Him. The worshipper’s relation to God, is described by the Qur’an as “nearer to him than the jugular vein” (Qur’an 50:15). Their main goal is to reach the (recognition of the) oneness of God (tawhîd), the love of God (mahabbah), and the knowledge of God.

Different Sufis have suggested different end goals of the mystical experience, where some suggest it is union of the human soul with God, others suggest it is annihilation of the soul into God (fana).
Sufi Devotional Practices

Of the many devotional practices you need to know the following three:

1) Dhikr – Remembrance
2) Muraqaba (Sufi Meditation)
3) Sama (Spiritual listening, specifically whirling)

Dhikr

It is also known as the ‘Wird’ and in Sufism it is the practice of repeating the name of God, and the repetition of a set number of invocations. These invocations may include beseeching the dead or seeking help from other than God for needs that only God Almighty can grant.

Different Sufi groups practice dhikr differently. Certain phrases that are repeated with the tongue and counted on prayer beads (tasbih) Some groups do dhikr loudly chanting in a circle, some do it alone.

Dhikr is regulating the breath. Certain phrases said as one breathes in and out.

Some groups avoid Dhikr spoken out loud and concentrate on silent Dhikr.

First thing asked on day of Judgement how many times you remembered Allah. Every time you do Dhikr Allah, Allah creates new angels, sends them to your land of paradise to build you paradise.

At times, the Dhikr is chanted in melodic hymns with eyes closed, rich music may be played (to some this is essential); moreover, some will dance before the Sheikh while saying the Dhikr.

Remember me. will remember you.
Sura 2:152

Dhikr is categorized by the Sufi elders into three categories:

A. Dhikr of the commoners, in which they are to repeat the Shahadah

B. Dhikr of the high class, which is to repeat the name of God, ‘Allah’

C. Dhikr of the elite, which is to repeat the Divine pronoun ‘Hu’, (i.e. He).

TOPIC LINK!
We looked at dhikr and wurd as part of our Salah topic in Y12.
**Muraqaba**

*Muraqaba* literally means "to keep an eye" and is the Sufi word for meditation. It implies that with meditation, a person watches over or takes care of his spiritual heart (or soul), and acquires knowledge about it, its surroundings, and its creator.

This form of meditation is common amongst most Sufi orders and is a core concept for many tariqas.

**To Prepare for Muraqaba:**
1. Make fresh wudu and pray 2 *raka’t*.
2. *Recite the Shahadah 3 times*
3. Ask for forgiveness 70 times
4. Recite Sura 112 3 times
5. Recite Sura 1
6. Seek support of shaykh at least 200 times

Initially the muid may begin the practice of Islamic Meditation/Muraqaba for short intervals of 5 to 15 minutes, and gradually work towards longer sessions extending even for hours at a time.

The goal and purpose of Islamic Meditation is to manifest perpetual presence in the reality of the Shaykh. The more one keeps to this vital practice, the more its benefit will manifest in his daily life to the point that he reaches the state of annihilation in the presence of the Shaykh. One must know well that the Shaykh is the bridge between illusion and reality and he remains in this world only for this purpose. The Shaykh is thus a unique rope extended to anyone who seek freedom for only he may serve as the link between one still mired in this world and the Divine Presence.

What purpose does meditation serve, and how can we reach such a state? It is mentioned in all the Muslim Holy Books: the Torah, the Gospels and in the Holy Qur’an, as a method to reach the Divine Presence. When a person comes face to face with the Creator, they leave everything else behind. Nothing remains except their soul. It is believed that nothing can touch them physically in such a state, because their physical body will have entered their spiritual being. Normally it is the opposite: our souls are imprisoned in the physical body.
Sama

Sama translates as “listening” and is the Sufi practice of listening to music and chanting to reinforce ecstasy and induce mystical trance. The Muslim orthodox regarded such practices as un-Islamic, and the more puritanical among them associated the Sufis’ music, song, and dancing with drinking parties and immoral activities. The Sufis countered such attitudes by pointing out that Muhammad himself permitted the Qur’an to be chanted and that the adhan (call for prayer) was also chanted in order to prepare for worship.

Sufis maintain that melodies and rhythms prepare the soul for a deeper comprehension of the divine realities and a better appreciation of divine music. Music, like other beautiful things, draws the Sufi closer to God, who is the source of beauty.

Many Sufis have held that a true mystic does not lose himself in such forms as music but uses them only to bring himself into a spiritual realm, after which he must experience deeper meanings and realities. While Muslim fundamentalist legalists reproved Sama as an innovation (bida), some Muslim scholars held that it was a useful innovation since it might bring souls nearer to God.

Many Sufis, e.g., the Mawlawīyah dervishes, combined dancing with Sama. Often Sufis requested that after their death there should be no mourning at their funerals, insisting instead that Sama sessions be held to celebrate their entrance into eternal life. The Sufis warned, nevertheless, that the full appreciation of Sama requires strong ascetic training. An individual must be pure in heart and strong in character before indulging in Sama; otherwise music and song would arouse his base instincts instead of elevating his spirituality. Some Sufis reject the practice of Sama altogether.
How far is it possible to have a personal mystical union with God in Islam?

Clearly achieving a direct personal union with God is one of the chief goals of Sufism but for many Muslims this simply isn’t possible. Many Sufis would say it is possible, simply because there is a long history of Sufi Mystics who have done so, or at least claim to have done so. Furthermore, the response of those who have achieved such union adds weight to their claims. They are ecstatic and often act intoxicated with Divine Love as if there were drunk or on drugs.

Others would deny that such union with God is impossible since Allah is said to transcend all of creation. As Yusuf Hijazi points out “Allah is completely distinct from His creation”. For such Muslims the notion of union goes against the key doctrine of Tawhid which clearly states “There is none like unto Him”.

Many Sufis would point out that personal experience of Allah is possible and this is shown in Muhammad’s famous religious experience, al Miraj. In this experience Muhammad is taken to Jerusalem where he ascends to heaven and meets God. It is here where God tells Muhammad he expects believers to pray 50 times a day and Moses convinces Muhammad to bargain him down to 5 times a day.

Critics of Sufi mysticism however, would claim this is an isolated experience for the Prophet of God alone, it is not a sign that any Muslim can have such a direct and personal experience of God. Also al Miraj was at the request of God, Sufi Mystical experiences are heavily contemplated by the individual.

Critics of Sufism often claim it is un-Islamic and the notion that one can have a direct and personal experience of God is tantamount to shirk. However, in response Sufis can point to numerous passages in the Qur’an that seem to support the closeness of God to his creation. For instance Sura 50:15 states “We know the whisperings of his soul and we are nearer to him than his jugular vein”. There is also the Light Sura which refers to Allah as the ‘Light upon light’ and states that all things return to him. This notion of returning to him can be interpreted as fana for Sufis.

However, there are several other passages from the Qur’an that seem to deny the Sufi claim of direct personal experience of God. Sura 7:143 says “You cannot see me” and Sura 27:65 claims “No one in the heavens and the earth knows the unseen except Allah”. This seems to categorically deny the gnosis of God and the world that Sufis claim comes from their experiences.

In conclusion, it seems there will never be agreement amongst Muslims as to whether this kind of experience is possible, but for those who believe in it, it remains a very powerful event.

Issues for analysis and evaluation

How far is it possible to have a personal mystical union with God in Islam?

This section covers AO2 skills and content

Specification Content

How far is it possible to have a personal mystical union with God in Islam?

AO2 Activity

Listed below are 9 possible lines of argument.

Use your notes and info book to develop each argument with evidence, examples and quotes.

1. God is transcendent and totally other– no one can have union with him.
2. God is said to be near to man than his jugular vein.
3. Many Sufis report experiencing this and have acted with ecstasy to support their claims.
4. The Qur’an has several passages that support Sufi ideas.
5. Shi’as believe their Imams were in contact with God– the qutb is similar to the Shi’a Imam.
6. Muhammad received some revelations direct from God and al Miraj is a direct experience of God.
7. Experience of God is not the same as union with.
8. God uses angels as intermediaries because he cannot be directly experienced.
9. Some who have a problem don’t fully understand it.
Are Sufi Devotional Practices valid within Islam?

There are many within Islam that reject Sufism as being un-Islamic. They particularly have a problem with some of the Sufi devotional practices. Sama for instance, which involves the use of music and dance is seen by many traditionalists as being un-Islamic and even haram.

However, those who wish to defend this method of devotion have pointed out that the prophet allowed the Qur’an to be recited in a melodic way and the adhan also is ‘sung’ to the people at prayer time.

The practice of dhikr has also been criticised as it has become the word Allah or even the pronoun ‘Hu’ chanted repeatedly with no real meaning. There is also the idea that if a Sufi repeats the name of God thousands of times they will get special rewards in Jannah. Some see this as being against the spirit of Islam and one should not be withdrawing from society to gain merit by doing pointless utterances. Many Muslims think time would be better spent working in society, fighting against injustice and oppression.

However, Sufis would argue that in performing dhikr they are only following the command laid out in the Qur’an by God, “Remember me and I will remember you”.

Many Muslims are against Sufism as they believe it is a form of bida, since Sufism wasn’t practised by Muhammad nor the Salaf. Indeed Muhammad was quite opposed to monasticism and extreme asceticism.

However, many Sufis claim that while the name was not around during Muhammad’s time, Muhammad was indeed the first Islamic mystic and his modest lifestyle is one which Sufis today try to emulate. They also trace the lineage of the Shaykhs through a silsilah back to Muhammad.

Many traditionalist Muslims, especially Wahhabis are against Sufism as they believe it is in direct conflict with the doctrine of Tawhid and the unity of Allah. The Sufi pursuit of achieving union with God is seen as shirk. There is a famous historical example of ibn Hallaj who after a mystical experience claimed “I am the Truth” and was subsequently executed.

However, the famous Sufi al-Hujwiri explains that this concern is due to an error on the part of the critic. He uses the example of fire- when an item enters into the fire, the fire transforms it to its own quality (hot) but an item does not become fire (does not change its essence). So when a person enters into God they are changed by God’s quality but they do not become divine.

Clearly there will always be those who take issue with Sufi devotional practices, but for those who partake of them they are a valid and important aspect of their Islam.

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**AO2 Activity**

Listed below are 10 possible lines of argument.

Use your notes and info book to develop each argument with evidence, examples and quotes.

1. Problems stem from ineffability do therefore misunderstanding
2. Use of music allowed by Muhammad
3. Saves Islam from being overly legalistic and makes Islam more attractive
4. Made lots of contributions to Islam over years
5. Muhammad set some examples for Sufism- very modest, simple life, extra prayers, teaching of Jibril questioning
6. Seen as shirk- example of al Ha I am the Truth
7. Many issues raised with Sufism
8. Use of music and dance= seen as haram
9. Seen as bida- not true Islam, rejected by many
10. Rejected by Wahhabis and Salafs
11. No example of mysticism by Muhammad or Salaf
Crime and Punishment in Islam

In Islam the central principle of equality comes into play when discussing Crime and Punishment also. This means that everyone is equal before the law and every citizen should have equal rights to be protected by the law. This also means that no citizen is above the law. If a person can buy their way out of punishment then Islam sees that society as being corrupt but all is not lost as no one escapes Divine Justice on the Last Day.

Many people in the West condemn Islamic views on Crime and punishment as being barbaric and old fashioned. Ruqaiyyah Maqsood defends Muslim teachings in this matter by suggesting that if everyone truly followed Islam there would be no crimes anyway. She also compares the ‘swift physical punishment’ of Islam to Western incarceration asking is prison really kinder?

Imprisoning a criminal leads to the following problems:

- Separation from family members
- Breaking apart of the family unit
- Children and spouse made to suffer
- Creates a financial burden for the family left behind

In Islam these issues are avoided as the criminal is punished, shamed and hopefully deterred from future crimes but can still look after his or her children and family.

The aim of Muslim justice is peace, right and order. If someone has been wronged, Muslims should do everything possible to but it right. In Islam you are not permitted to turn a blind eye to injustice.

“The entitlement for an injury is an equal injury back; but if a person forgives and is reconciled, that will earn reward from Allah”

Sura 42:40

F: Ethical Debate on Crime and Punishment

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Sura 42:40
The Rights of the Accused:

The Accused:
- Cannot be arrested, convicted and punished all in one day
- Should not be denied legal representation
- Are innocent until proven guilty
- Have the right to appeal
- Have the right to have their punishment carried out publicly— not to be harsh but so justice can be seen to be done and also so no bounds are exceeded

The following people are never legally responsible for their actions:

- Those not conscious of what they have done
- Those who are mentally unstable
- Those who are below the age of puberty

There is also no punishment for immoral behaviour between consenting adults in their own home— that is thought to be between them and Allah and so while they may receive Divine Justice on the Last Day, they should not be given any in this life. Islam also teaches that the repentance of sins is accepted by Allah right up until their dying breath.

Two Categories of Crime

In Islam there are two categories of crime. These are:

1) Crimes against Allah
2) Crimes against individuals

Crimes against Allah are sins that are done in private and are dealt with by Allah. Sins against individuals are breaking the law in public or any private sins that involve
causing harm to others. These will be served with earthly justice.

Three Categories of Punishment

In Islam there are three main categories of punishment:

1) Qisas
2) Tazir
3) Hudud

Qisas:

Qisas is based on the teaching of ‘an eye for an eye’ and means the punishment would be the same as the crime. It is available for the crime of murder, bodily harm or damage to property. Hudud crimes cannot be dealt with by qisas.

The Qur’an also encourages people to pardon the criminal instead. The various law schools debate about whether qisas can be applied if a Muslim, kills a non-Muslim. The Hanbali school says it does not apply to non-Muslim victims, whereas the Maliki school rules Qisas can apply if the murder of the non-Muslim was treacherous.

In some cases Diyah (blood money) can be paid in compensation to the victim and their family instead of a qisas punishment. However, some have complained that this is against the principles of equality as richer criminals can buy their way out of their due punishment.

Tazir:

Tazir are corrective penalties for less serious crimes. They can be used for the following:

1) Where the Qur’an has no specific hadd or qisas penalty;
2) When the proof is based on strong assumption of guilt but there is not enough evidence;
Tazir penalties include:

- Fines
- Imprisonment
- Community service
- Tagging
- Probation
- Flogging

Tazir penalties are decided upon by the Judge, who also has the right to forgive the tazir crime. Tazir crimes do not require the same amount of witnesses that more serious qisas and hudud crimes need (four adult male witnesses).

Ibn Tamiyya listed the following as Tazir crimes in the 14th Century:

1) Flirting without fornication
2) Spying
3) Eating forbidden food
4) Stealing something that is lying around
5) Bearing false witness or encouraging others to bear false witness

In practise Tazir penalties vary quite a lot depending on the law school.

The penalty for rape depends on whether a country classes it as a Hirabah crime or a zinah crime.

Zinah crimes refer to adultery and fornication. Hirabah are more serious.

Most countries now class rape under hirabah and so the penalty can be the death penalty. It also doesn’t require a victim to produce 4 witnesses.

In some countries like Pakistan, it comes under zinah and therefore the woman must produce 4 witnesses. The penalty in Pakistan can also be Tazir so the rapist would get 30 lashes, a fine or up to 10 years in prison.
Hudud (hadd):

Hudud penalties are those which are specifically laid out in the Qur’an.

Hudud penalties include amputation, flogging and the death penalty among other.

The 6 areas covered are:
1) alcohol
2) Theft
3) Kidnapping, armed robbery, terrorism
4) Adultery and fornication
5) Slander, false accusation
6) Apostasy

The following two hadiths, one from Muhammad and one

Key quote

Avert the infliction of the hadd penalties, if there is a way out, let the person go.

Hadith

My mercy prevails over my wrath

Hadith Qudsi

For this reason there are very strict conditions that must be met before a Hadd penalty can be issued.

Some Hudud Penalties:

- Flogging for public drunkenness
- Cutting of the hand for theft
- Hirabah crimes (armed robbery, assassination, hijacking, kidnapping, terrorism) - Death Penalty
Different Scholarly Views on the Death Penalty

Capital Punishment in Islam
The Death penalty is still on the statute of law in many Islamic countries. However, the Qur’an clearly teaches:

Do not take a life, expect for just cause
17:33

The three reasons the death penalty may be issued are: murder, public sex and apostasy if accompanied by treason or murder).

There are some cases of the death penalty been given for zinah (adultery). However, while the death penalty for adultery was common in Pre-Islamic Arabia there is no scriptural basis for this punishment. There is in the Torah but not in the Qur’an. However, the Prophet was involved in cases where people were sentenced to death for adultery.

In two known cases the guilty were Jews and Muhammad simply told them to try them according to the laws of Judaism. In a third case a man admitted his guilt and asked to be stoned so he could enter paradise with a clean slate. He later changed his mind and tried to escape when thestoning began. The villagers killed him anyway. Upon hearing of this Muhammad said he wished they had have let him go for his repentance would have been accepted by Allah.

In Islam the victims family have the right to overrule the judge and offer a pardon or accept a diyah payment instead. Such an act will be rewarded by Allah.
Traditionalist View: Shaykh Ahmad Ash Sharabasi:

Sheikh Ahmad supports the death penalty as a legitimate form of self-defence by the state and as ordained in the Qur’an.

The Death penalty is not a recent legislation, so it should not be subject to different views on whether to impose, lift or cancel it. It has been ordained along time ago, and has attracted vigorous debate among legislators, Muslims and non-Muslims. Even those who call for cancelling the death penalty see it necessary in some urgent cases. Some of them call for it at times of political disorders and wars; others see it urgent in deterring dangerous criminals.

Those who call for the abolition of death penalty have many pretexts. For example, their main objection is that death penalty causes irreparable harm. They mention some rare cases in which innocent people were sent to death penalty. The reply to this argument is found in guarantees set by Islamic legislation against errors or miscalculation in executing penalties. It stipulates that this punishment must be based on tangible and well-established evidence; justice must be made to run its course, confession must be genuine, the testimony must be from trustworthy witnesses; the punishment must not based on circumstantial evidence.

Shaykh Ahmad also argues that any punishment given incorrectly to an innocent causes irreparable harm, not just the death penalty.

Another objection is that human life is so honourable and sanctified to be violated by anyone. For them, one owns one’s life and no one else has any authority over that life. Shaykh Ahmad refutes this claim by arguing life is the gift of Allah and it is Allah who legislated penalties to deter man from oppressing his brothers in humanity. So, those who oppose death penalty are contradicting themselves. They claim to be merciful toward the murderer, while they should be thinking of justice for the victim.

All lawmakers legalize self-defence, and they say it is permissible for one to kill a person who attacks him, if there is no other way. So in resisting the attack, man is compared to the society as it fends off aggression. That is, a murderer deserves the death penalty because he has trespassed against the whole society by killing one of its members. So, when the society calls for death penalty for such a criminal, it is really in a state of self-defence.

Finally the death penalty is the best deterrent for criminals. This proves that death penalty is the best way to deter the criminals and protect the innocent. There is neither exaggeration nor injustice in implementing this penalty. Rather, it is a fair penalty.
Modernist Muslim View: Tariq Ramadan

Tariq Ramadan is opposed to all forms of corporal and capital punishment because he believes the meaning of the Qur’an requires interpretation. He argues that there have been many cases of violations of Islamic law where punishments have been meted out haphazardly and unjustly. Ramadan argues that the death penalty is applied often incorrectly and suggests there is a lot of hypocrisy depending on whether the Islamic country in question happens to be a rich ally of the West or not.

He mentions the case of Mirza Tahir Hussain, who had his execution postponed to coincide with Prince Charles’ visit to Pakistan. Before the visit there were several calls for appeal that fell on deaf ears. Ramadan argues that Hussain’s guilt is still doubtful. He was once acquitted and then, after an appeal, condemned to death by the Islamic judiciary authorities. As he is also a British national, his case has drawn some political pressure from the west to prevent the execution. The response of officials has been that this was impossible on the grounds of “giving the impression” that the Pakistani justice was bending to western requests. “Impression” has had precedence over law.

Ramadan says we are in a difficult situation since, the west, on the one hand, reacts only if its citizens are involved or when the countries in question are poor or among the enemies (but never when it comes to allied dictatorships). On the other hand, we have the Islamic majority countries, which either bend to western pressure, or refuse to do so in the name of national independence and dignity or, simply, to save face. Through this hypocritical and politicking game, few lives are spared but, all things considered, children, women and poor people are still badly treated, tortured and executed in silence for they are not lucky enough to be either western citizens or from a country that may be interesting from a regional or international geostrategic viewpoint.

Ramadan argues that it is vital that Muslim consciences throughout the world call, in the name of their religion, its principles and its universal requirement of justice, to an immediate stop to these executions. “We need to enforce an immediate moratorium and to open a thorough debate on the necessary reforms to be promoted within the contemporary judiciary systems”.

Far from the media spotlight, children, women and men suffer the worst treatments - up to capital punishment - and the Islamic world remains silent while everybody knows that the judiciary systems are failing, that children, women and men are sometimes judged without having a lawyer, without the slightest respect of the fundamental rights, sometimes simply as an example or after a trial’s parody. Tariq Ramadan tries to reconcile his beliefs as a Muslim with his opposition to the death penalty, which since it has it’s basis in the Qur’an and the Sunnah means he cannot denounce entirely. Instead Ramadan argues that the real issue is the context in which the hudud penalties are applicable.

The real issue, he says, He argues that the political and legal systems in the Muslim world do not allow for just and equal treatment of the individual and that “you can’t go on killing poor people and women” who, he says, are the main victims of the current situation.

Islam T4 Practices that Shape Identity

“To call for a moratorium is to give ourselves the means to open a debate far from the current political games and calculations. It means, above all, to put an immediate end to injustices and to prevent people being executed in silence”.

Tariq Ramadan

Key Term

Moratorium = temporary prohibition of an activity
In his essay *Punishment and Desert*, James Rachels takes a somewhat Utilitarian approach to the death penalty and argues that it is acceptable and indeed, retributive punishment in general is the best way of meeting the 4 requirements of punishment. Rachels argues that any system is unjust if it does not meet the following 4 requirements:

1. **Guilt** - Only the guilty may be punished.
2. **Proportionality** - The punishment should be proportional to the crime.
3. **Equal treatment** - People who have committed the same crime should get the same punishment.
4. **Excuses** - People who have good excuses should not be punished, or at the very least, they should not be punished as severely as if they had no excuse.

Rachels compares and contrasts three systems of punishment against these 4 requirements - deterrence, retributivist and rehabilitation. He finds only retributivism to meet the 4 requirements. He explains as follows:

"Retributivism incorporates all four principles in the most natural way possible. (1) Only the guilty should be punished, because innocent people have not done anything to deserve punishment. (2) People who committed the same crime should receive the same punishment, because what one deserves depends on what one has done—it is a trivial consequence of the Principle of Desert that those who have behaved in the same way deserve the same response. (3) The Principle of Desert also requires proportionate responses, because what people deserve depends on how well, or how badly, they have behaved. A murderer has treated another person very badly indeed, and so deserves a very severe response. (That is why retributivists are inclined to support capital punishment in principle, although they might have other reasons for opposing it in practice.) A thief, on the other hand, has done something less wicked, and so deserves a more moderate response. (4) Finally, a retributivist system of punishment would have to accept excuses, because what people deserve depends only on their voluntary behaviour. Acceptable excuses show that behaviour was not voluntary; that is why the demonstration that one was coerced, or that it was all an unavoidable accident, gets one off the hook.

The best social practices are the ones that maximize welfare. The practice of treating people as they deserve is like this—people are on the whole better off if deserts are taken into account than if decisions are made solely on other grounds. One consequence of this is that we end up with a retributive understanding of punishment."

Rachels is therefore in favour of the death penalty where it is deserved and is proportional to the crime that has been committed. He may disagree with Islamic jurists about what crimes deserve to be met with the death penalty but in principle, he agrees with it for similar reasons to why Islam itself recommends this.
Issues for analysis and evaluation

How effective are Islamic ethical teachings for Muslims living today?

Many would argue that the ethical teachings in the Qur’an are based on 7th Century Arabia and are therefore not very effective for Muslims living in the modern world, especially for those trying to integrate into Non-Muslim countries where many of the teachings would seem alien and extreme to outsiders.

However, the obvious response to this is that the Qur’an is the word of God and is eternally relevant. The Qur’an refers to itself as a kindness to the whole of humanity and so should not just apply to 7th Century Arabian Muslims.

Indeed many would argue, that Muslims living in modern Non-Muslim countries need the ethical teachings of the Islam to guide their lives more than ever. This is because they find themselves surrounded by immoral behaviour and temptation.

For instance, Islam has very strict rules on sex before marriage and adultery. It is absolutely forbidden and has some very harsh concurrent punishments such as flogging and even stoning to death. Many would argue that as people live longer and marry later, such rules are not effective for Muslims living today. In the time of the Qur’an people would marry soon after puberty so there would not be much temptation to have sex before marriage, today there is a massive pressure.

However, we could point out that Islam has much more realistic ethical teachings than other Abrahamic faiths. For instance, marriage is not seen as being for life in Islam. It is a contract and if the contract is broken divorce is allowed. Islam also allows for family planning and the use of contraception which is particularly important in the 21st century.

Some could argue that Islamic teachings on blasphemy are outdated and countries like Iran and Pakistan that make these sins illegal are not taking into account the postmodern nature of society where many people are atheist and do not believe in God.

However, we could argue that these laws are in Muslim countries and so shouldn’t be an issue for true Muslims as they would never commit blasphemy anyway.

Ultimately most Muslims will try to live by the ethical teachings of Islam, no matter how challenging, as they see this life as a test for the life to come. Suggesting that they are too hard to follow because there is temptation in modern society is misunderstanding what it means to be a Muslim— one who submits to God, not societal pressure.
How far can Islamic teachings on punishment be applied today?

There are many who claim that Islamic punishments are outdated and barbaric and have no place in the modern world. Hudud punishments tend to get a lot of attention in the press as these are the physical punishments that to many seem quite harsh. However, for all the attention they get hudud punishments are not often issued and this is because they have very strict, protecting the accused against false accusation. In practice Tazir punishments are more common.

Regardless, there are those who particularly object to the death penalty in Islam which is sometimes given for certain crimes such as murder and adultery. This is not just an objection from non Muslims but from Muslims as well. One famous example is that of Muslim scholar Tariq Ramadan who has called for a moratorium on the death penalty in Islamic countries, not because he outright disagrees with the punishment but rather because he believes it is used corruptly against vulnerable people in society.

However, there are others who support the use of the death penalty. James Rachels being one. He argued that only retributivist punishment, like that found in Islam, ensures that the punishment is fair, proportional and only those who are guilty are punished. The Muslim scholar Shaykh ash Sharabasi also supported the death penalty since it is divinely ordained in the Qur’an, as well as being evidenced in the Sunnah.

There is much criticism with how Islam deals with rape since the victim needs to find 4 adult make witnesses to support her accusation. Many would claim this is totally impractical as if 4 men were witness to a rape surely they would stop it? It seems designed to favour the rapist. However, many would argue that these rules only apply if the country considers rape as a zinah crime and most countries count rape as hirabah. Under hirabah the victim would not need to produce the 4 witnesses and the punishments are stricter. It should also be pointed out that the same rule protects women of being falsely accused and charged for adultery.

Perhaps a lot of the concern for Islamic punishment is based in the fact a lot of the punishments are physical. However, as Maqsood argues is a swift physical punishment really as cruel as incarceration and the subsequent separation of the criminal from their family?

We might conclude that Islamic punishments are too alien to western views to be applied in non-Muslim countries but that they work well enough in Muslim states who are used to this kind of swift physical punishment. There still remains the issue of such punishments being meted out in a corrupt manner by some governments however, which means no matter how well meant the original Qur’anic rulings are their application in modern society is problematic.