





## Human Rights In The Arab-Islamic Culture Cairo Institute for Human Rights Studies CIHRS

\* CIHRS is a professional, non-governmental research center specialized in the study of human rights in the Arab world. CIHRS was founded in April 1993 and has started its activities in April 1994. The Institute views itself as part of the international and Arab human rights movement.

\* The Institute does not associate with any kind of politicized activity, and cooperates with other institutions on equal basis in all political matters, except when it comes to the International Human Rights Law.

\* CIHRS' activities include conceptual and applied research, educational programs, seminars, courses, periodical and non-periodical publications, as well as providing research facilities and consultation to interested researchers.

Abdullahi An-Naim	(Sudan)	Abdel Monem Said	(Egypt)
Ahmed Othmani	(Tunisia)	Amal Abd El Hadi	(Egypt)
Aziz Abu Hamad	(Saudi Arabia)	Asma Khadr	(Jordan)
El Said Yasin	(Egypt)	Fateh Azam	(Palestine)
Ghanem El Nagar	(Kuwait)	(Kuwait) Haytham Manna	(Syria)
Mohamed Amin Al Midani	(Syria)	Ibrahim Awad	(Egypt)
Sahar Hafez	(Egypt)	Violette Dagueree	(Lebanon)

### Researcher Advisor

Dr. Mohamed Sayed Said

### Director

Bahy El Din Hassan

The views expressed in this book do not necessarily reflect those of the CIHRS

9 Rustom St #35-Floor7. Garden City - Cairo Tel: 3543715 Fax: 3554200  
P.O. Box 117 (Maglis el-shaab) (e-mail address) cihrs@idsc.gov.eg

BOARD OF TRUSTEES  
Cairo Institute for Human Rights Studies  
CIHRS

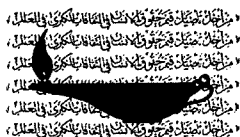
# Human Rights In The Arab-Islamic Culture

Haytham Manna

Preface by

Ahmad Abdel Mu'ty Hegazy

Translated by Wassim Wagdy  
Revised by Katie Schnippel



## **Human Rights In The Arab-Islamic Culture**

**Haytham Manna**

- Copyright** :All rights are reserved  
**Publisher** :Cairo Institute for Human Rights Studies  
9 Rustom St #35-Floor7. Garden City -  
Cairo Tel: 3543715  
**Printing** : Afaq Tel & Fax 3039436  
**I.S.B.N** : 996-5121-82-5

# TABLE OF CONTENTS

Preface by Ahmad Abdel Mu'ty Hegazy .....	7
Introduction: A Call for Independent Judgement .....	15
The Culture of Reception in The Dialectic of Self / Other....	21
On Equality And Responsibility .....	29
Economising Violence .....	37
Against Injustice .....	45
The Right To Aliment .....	49
Tolerance .....	55
The Woman .....	63
Read! .....	71
Glossary of Names And Movements .....	79
Bibliography .....	91



# Preface

**By: Ahmad Abdel Mu'ty Hegazy**

Could we really speak of human rights in a classic culture which emerged in the Old Ages, matured and came to full development in the Middle Ages?

The concept of "Man" as was expressed by the French revolution, and as currently adopted by the United Nations and human rights organizations, has not crystallized but in the modern ages, and only in the thought of enlightenment. That thought that rid humanity of all types of discriminations which differentiated between races, colors, religions, and social classes; and sanctified slavery, forced labor, despotism, physical and moral persecution; and ensured that all rights remained the privilege of men, masters, followers of the prevailing religion and the rich, barring women, slaves, peasants, artisans, and servants - whom had been turned into instruments of pleasure, tools for labor, staple for famines and fuel for war.

If indeed we can find in classic cultures - as the Greek, Latin, Arab, or Chinese- human rights in the philosophic,



religious or moral sense, the question remains whether those rights had ever been transformed into laws, and whether we could find examples of systematic and sustained implementation of such laws in any of the old societies.

Since it was the case in old societies and cultures that rights were restricted to certain categories and groups of people and excluded the others, could we then speak of the existence of "human rights" in the absolute sense -i.e. with no distinctions of race, gender, religion or class- in those societies or cultures?

This is an indispensable question, or reservation, in the beginning. Except if this study were meant to show what the Arab Islamic culture ingrained of humanist spirit and rationalist trends and moral and philosophical ideals, from which we could -with or without reinterpretation- conclude that the Muslim Arabs had in the Middle Ages reached a concept of "Man" that is close to the modern concept, and that they have recognized (even if theoretically) certain rights which if not synonymous with what is embodied in the instruments issued in the last two centuries, at least came close to and paved the way for them.

It is indisputable that this humanist spirit does exist in the Arab Islamic culture, as well as those philosophic and moral principles. The Holy Koran -the principal source of this culture- mentions "Man", in the absolute general sense which envelops humanity, around seventy times. The sev-

enty sixth Sura in Koran is titled: "Man". The traditions of the prophet and his companions emphatically preach that people are born free, equal and are all siblings. The reader will find in this study clear manifestations of the respect and glorification that the Arab Islamic culture holds for Man, and its recognition of many of the rights provided for in the "Declaration of The Rights of Man and Citizen" issued by the French National Assembly in 1789, and in the "Universal Declaration of Human Rights" issued by the United Nations after World War II.

However, in dealing with this subject -and others- we need to maintain objectivity, in order to avoid sensational exaggerations and naive generalizations, as that made by Ms. Margaret Thatcher six years ago, during her prime ministry, when commenting on the French celebration of the bicentennial of their revolution she proclaimed that the English have preceded the French by the measure of centuries, for the democratic and human rights hoisted by the French revolution were anticipated by the rights recognized in the Magna Carta in 1215 and the Bill of Rights in 1688! We would be more exaggerating and more naive if we claim that we have predated both the English and the French.

We should be objective and judicious enough to admit first that the Arab Islamic culture is not one trend nor one spirit. Because, simply, it is the culture of multifarious groups that include the elite and the laymen; the loyalists

and the oppositionists; the rulers and the subjects. It is also a culture of many epochs. Some of them were characterized by flourishing, openness and tolerance, and others sunk into introversion, bigotry, suspicion towards the "other" and persecution of dissidents.

Then we have to adhere to objectivity and staidness and admit that the ideas produced in older societies can not by any means be the same as those developed in modern ones. We ought to pay respect to history as constituted by different conditions, states and phases, in order to be able to distinguish between the old and the new; the vulgar and the mature; the simple form of a certain idea and its complex representation; moral advice and legal principles; words and deeds.

Some people allege that the freedoms of conscience, expression, belief and property, as well as the rights to security, resistance of oppression and tyranny, participation in drafting and enacting the law, and the defense of the sanctity of private life, all exist in our heritage without having had to develop, and further allege that modern instruments have not in any way gone beyond them. Those people have to tell us where we could find those rights and freedoms, and have to explain the types of discrimination and the forms of injustice, oppression, tyranny and persecution that our old societies witnessed and which we are burdened with to date.

It is bewildering that those who assassinated Farag Fou-

da; attempted to assassinate Naguib Mahfouz; ordered the separation of Nasr Abo Zeid and his wife; tried Youssef Chahine and Adel Imam; slaughtered hundreds of writers, poets, artists, thinkers and women in Algeria; claim that they are shedding all that blood and waging war against those intellectuals in the name of Arab Islamic culture, and on the other hand we find others claiming that human rights in the Arab Islamic culture are complete and exhaustive.

Not this nor that! Rather we maintain that the Arab Islamic culture -albeit it took the basis of medieval societies for granted- was a vanguard culture in its time. It brought the attention of the people to the injustice they suffered from, encouraged the emancipation of slaves, allowed for the accountability of the rulers, hallowed motherhood, equated between races, and protected the followers of other heavenly religions.

If Muslim Arabs had proceeded with their development and progress, they would have reached what Europeans reached in the modern ages. However, they stopped, and were beleaguered by the Crusaders and Tatars, and afflicted with disaster by the Ottomans. Thus, they became introverted and isolated themselves. Their main concern has become to maintain their grounds, and so the meanings of the texts changed, and any one text which was understood in a certain way in the times of flourishing came to mean something contradictory in the times of degeneration. It



# Introduction

## **A Call for Renovation and Independent Judgement**

In a television movie titled "Laila, born in France", a generational conflict persists among an Algerian family. The father, epitomising the conservative view, argues that "in France there is change. But here the world does not change. It is there as it is and will forever remain as it were."

The film was almost brought to an end with this sentence that constitutes a striking blow to anyone who is somewhat oriented with the developments of Arab history. First, to our disappointment, it expresses the point of view of a group of people who deny the concept of progress. Yet, fortunately, it does not express the perspective of everybody. If there is a source of pride for the civilisations of this region of the world, it would be that the concept of progress in its religious sense was born here, with the birth of the New Testament and of Christianity in Palestine two thousand years ago. Also, this concept in its secular sense was the offspring of the Arab civilisation in its heyday one thousand years ago.

There is something new under the sun! And in knowledge, the old, as Abu Bakr al-Razy argued, can never surpass the present. The quintessence of the Eastern concept of progress is that the present furnishes humanity with far richer opportunities.

Abu El 'Ala'a El Ma'arry, the rationalist pessimistic philosopher, stressed non repetition in life: only death is repeated, and supremacy is always for the present.

*I, even if coming the last in time  
would bring forth what predecessors could not*

Away from this tint of pessimism, Abu al-Fadl al-Andalussy endorses the same perspective:

*To those who belittle the present  
and give precedence to the ancestors  
Say that that past was once new  
and that the present shall once be old*

The grand Islamic thinkers and jurists were not far from such creative perspective. Ibn Hazm Al Andalussy is related to have said: "No one is to imitate anyone else, whether alive or dead. Every one has the right to independent judgement (Ijtihad) according to his ability." And also: "Whoever imitates any of the Prophet's companions or followers, or Malek, or Abu Haneifa, or al-Shafe'y, or Sufian al-Thawry, or al-Awsa'y, or Ahmad, or Dawood, shall be forsaken by them in this world and in the hereafter."

Also, Jamal al-Din Ibn al-Jawsi asserts that “ imitation annuls the benefit of the mind, because it was meant to reflect. It is a disgrace for one who was given a candle to put it out and walk in the dark.”

In his book “Reply To Those Who Lived So Long Without Knowing That Ijtihad Is A Religious Duty”, the title of which reflects its intention, Imam al-Sayouty writes:

"People are so taken by ignorance, so blinded and deafened by obduracy that they denounce the call that ijthihad is a religious obligation in all ages and is the duty of the people in all times".

References to the call for renovation and independent judgement could be plentiful. This call constituted the primary motive for the flourishing of scientific and religious scholarship in Arab and Islamic history. Could there be a more appropriate approach to human rights in a certain culture than the reiteration of such a call? It is indispensable for linking the accomplishments of the past to the aspirations of the present, and the failures of the past to the gloomy phenomena of our age.

Despite the fact that the Caliphate political system survived until the nineteen twenties, there is almost a consensus that the Arab Islamic history should generally be divided into two phases: flourishing and degeneration.

Even the fundamentalist Abu Hassan al-Nadawy could not find a term other than “degeneration” in his book



“What the World Lost By the Degeneration of the Muslims.”

However, the question we pose to those who agree or disagree with us is: when was the flourishing and when was the degeneration? Moreover, from such a question several others emerge that are indispensable for facing the challenges of a renaissance that places the rights and basic freedoms of man at its core:

Could the foundations of a new phase of flourishing be laid through the present-day persecution of the symbols of enlightenment and renaissance!?

Could the repudiation of the differences of opinions and multiplicity which characterised religious and temporal scholarship in the Arab Islamic history plant new flowers of knowledge and life!?

Could we come to terms with history, after long absence, by closing the door before renovation and independent judgement!?

Could we, in the birthplace of religions, honour the human being, his values and beliefs by rejecting the achievements of the international human rights law, which were inspired by the general concern for the rights of the earth's supreme being!?

Because our civilisation has contributed much to the long march of liberty and rights and because we have an important role in the progress of this march in our coun-

tries and throughout the world, it is necessary that we remember the merits of the pioneers who contributed in this work.

While we are reflecting on the achievements of those who preceded us in the defence of the dignity of the human being, we have to ask ourselves: do we have the necessary courage to engage in the battles of our age with a broadmindedness that approximates that which characterised the prominent characters of the great civilisations? And what might be our endeavours that would make the next generations take pride in our contribution to them and to humanity?

In the "Grades of Being" by al-Sadr al-Qawnawy, the Sufi author emphasises his exaltation of the human being: "The human being is the last in [the chronological order of] existence, and the first in [the order of] perfection. No other being is entitled this status. We have shown that man incorporates factual and moral truths, entirely and in detail, in judgement and existence, in substance and attribute, by necessity and by contingency, factually and metaphorically. Whatever you hear or see in the external world is but a layer of man's layers, a name for his reality. For the human being is the truth and the self."

How befitting it would be to work on translating this literary exaltation into actual respect for the human being, especially with the advent of a new millennium which still awaits a genuine tune.



# **The Culture of Reception in The Dialectic of Self / Other**

Before dealing with the issue of human rights in the Arab Islamic culture, a certain fundamental problematique that has influenced our cultural make-up in the twentieth century (especially the last third of the century) has to be considered. This problematique originates from the existence of the Western cultural / informational hegemony which accompanied the economic hegemony in the relations between different peoples and cultures. This hegemony imposed on us a certain lexicon that is in fact a product of a Western culture which finds in "universalism" a suitable lever for its pervasiveness. It also produced a certain local reaction which finds in national or religious identity a suitable cloak to cover its own weaknesses.

In order to avoid mere generalities, we might give a simple example that has always stricken any impartial observer of the conditions of the Arab World in the fifties and sixties: the Western media, as well as most of the Western specialists in the affairs of the Arab World, used to employ terms such as "moderate" and "radical" regimes. By the former, it was meant to include regimes like the Saudi in the Arab East, whereas Nasserism and the

Arab national movement in general were accused of extremism.

The point of departure of that discourse was essentially the local regime's attitude towards the west as a norm for its evaluation, irrespective of that regime's stances towards its society, democracy or human rights in the sense used since the Universal Declaration of those rights.

It did not matter for Foster Dulles, the US Secretary of State in the fifties, when publishing his "War or Peace" that Saudi Arabia refused to abolish slavery, as much as he was concerned with dividing the world into enemies and supporters of communism. Similarly, the prominent Western scholars showed no interest in an important reform in the Arab Islamic juridical evolution, namely the juridical endeavour to reconcile Islamic rules and contemporary positive law which was taking place in Egypt, Syria and Tunisia. Western researchers were more concerned with the maintenance of the centre of the fundamental interest: the Arab oil peninsula, even if it is a non constitutional political entity which applies the most bigoted creed in Sunni Islam and reduces the penal code to amputation, stoning and flagellation.

This image which the US policy imposed on the region was launched in Riyadh and sustained in Kabul. Despite all of the verbal allegations, the US image has marginalised the issue of human rights and the rule of law. For one example, it has contributed to the normalising of corporal

This intentional colour blindness was exposed with the establishment of the Islamic Republic in Iran, when the guards of the revolution were attacked with no reference to the fact that they are the Ja'afari version of the Wahabi mutaw'e\*. It was also exposed when corporal punishments and the enforcement of worship and veil were brought under fire without referring to the international silence about the very same practices in the Saudi Kingdom.

Politicians and mass media professionals employed an eclectic approach which had, for many decades, imposed a one-sided view based primarily on the interests of the West. Thus, with time, a reactive culture of refusal has developed; a culture that calls everything coming from outside the local cultural system a crusade or a Zionist invasion, etc. This culture has become introverted due to the mistrust in the "other", holding firmly to each and every relic of tradition, whether fit for all times or obsolete.

We do not want to explain here the phenomenon of retrogression to origins or the past in a reductionist manner. Yet, it is important to note that that mistrust is a mutual responsibility that falls in part on the position and the stance of the "other", and in part on a certain "myopia" that is a

---

\* A body of low-ranking officials in Saudi Arabia, responsible for monitoring public morality and ensuring conformity with the "Islamic" rules of conduct as stipulated by the official Wahabi ideology. (Translator's note)

legitimate child of the conditions of crises which considers all that falls outside our epistemological system to be absurd and untrustworthy.

This approach, with its active and reactive aspects, naturally leads to one of the basic components of racism and xenophobia, namely holism: all Muslims are fanatics; all Jews are Zionists; all Westerners are imperialists, etc. Such a dangerous attitude classifies human beings according to prejudices, on the basis of which judgements and positions are taken that set the state of animosity among peoples, opinions and beliefs ablaze.

Identifying our point of departure, away from an interest-motivated media culture and an isolationist traditional culture, at the same time, is the first methodological norm in the present effort aimed at recalling certain essential facts of the Arab Islamic culture.

We should hasten to present the second norm before we are presented with any illusions of the return of the past. It could be summarised by stating that looking back at the past for us is a subject of enrichment, not imitation.

In his path from the laws of the jungle to the struggle for human dignity, the human being has taken various steps. Each civilisation has inscribed several pages in the yet unconsummated book of human liberation. Such a contribution does not, however, endow any single civilisation with a special or a privileged status. Rather, the contribution puts it in its proper place along with the various major

human cultures that are giving shape, day after day; to the features of an international legislation for human rights, the respect of which has become a precondition for the survival of the human race.

After discussing methodological norms, we come to a fundamental historical fact which enables us to deal with the givens of a certain culture with its various trends and tendencies without any prejudgement. This fact is based on a simple, even self-evident, idea: no religion has been able to effect ideological or doctrinal unity after the death of its missionary prophet. In Islam, only the Prophet Muhammad, by virtue of being the primary human reference for religion during his life time, was able to advance his interpretation and methods, known as the prophetic traditions or Sunna.

Yet even in the lifetime of the prophets, opinions came to vary and differ. No prophet was spared criticisms and accusations by adversaries, and even by supporters. Who could allege that the Muslims were unanimous on the peacemaking agreement of Hodaybiya? Who could say that the Muslim women widowed by the wars appreciated the general amnesty conferred by the prophet on all who take refuge at Abu Sufian's house? What historian could ignore the difference in attitudes regarding the spoils of

---

\* This refers to a jurisprudential standards, by which the later Hadith or Koranic verse (the abrogative) annuls the earlier (the abrogated). (Translator's note)



reform is slowly but surely gaining grounds, carrying a new futuristic and democratic vision. It is a task for all of us to support such a reform and to join in its struggle against the aggressive bigoted culture and against the fanatic calls for violence.

Many Arabs believe that tolerance, liberty, education, the abolition of illiteracy, and the eradication of backwardness and disease are essential values in their religion. No one has the right to take away or denounce their freedom of belief and its expression in any frame of reference they choose. Our right to denounce starts when any ideology proposes, in the name of any principle whatsoever, to deprive people of their rights only because they belong to a different race, colour or religion.

It remains to be said that the next pages aim at opening the door for exploration. They are far from being comprehensive of all the treasures of a civilisation that has become an inheritance of mankind.

# On Equality and Responsibility

“People are as equal as a comb’s teeth” says the prophetic Hadith. No discrimination is tolerated between an Arab and a non-Arab, between a black and a white. In the Koran and the farewell speech of the Prophet, only piety is presented as the standard of moral privilege among people. In other words, nobody is to favour one over the other, as the assessment of piety is an exclusively divine matter.

The question of equality has a long standing tradition in the Arab Islamic culture, whether in refuting the unequal distribution of opportunities or wealth or in denouncing the signs of extravagance and lavishness shown by rulers and their monopoly of all powers.

Moreover, many a thinker in the Arab tradition took up the battle for equality with the purpose of warring against compliance and submission. Hence we find Ibn al-Rawendy asserting that “the gravest of sins in the message [of Islam] is to submit to somebody who is your similar in appearance, soul and reason, who eats and drinks just as you do, to the extent that to him you become like an object

---

\* A collection of writings that questioned several rules of Islam, thus were termed "Sabi'eyat," i.e. blasphemies. (Translator's note)

so that he can move you up and down as he pleases.” In al-Razy’s “Sabi’eyat”\*, it is stressed that “people are identical in the essence of humanity, and share the same forefather: the speaking, dying animal. Souls and minds are essentially equal.” Ibn al-Nadim argues that Muzdik ordered the people to observe equality and renounce despotism. The poet al-Riyashi chants about equality and the right to be different: “People are equal, but different in disposition.”

The Koran affirms the principle of equality before the law. Along the same lines, the prophetic Hadith states that Fatema’s position before the law would not differ from any other person. This legal concept is associated with the affirmation of individual responsibility: “no soul shall bear another’s burden” and “one is not to be punished for his father’s or brother’s offences.” This notion is reinforced, on the one hand, by the rule of conditioning obligations relative to capacities \_ “Allah burdens not a person beyond his scope”(The Cow, 286)\_ and on the other hand, by scrutinising evidence before condemnation. This practice is rooted in Arabic traditions and jurisprudence; to avoid injustice, the accused has the benefit of doubt and is considered innocent until proven otherwise.

Rules changed many times during the life time of the Prophet Muhammad, constituting a standard for those who relate the nature of judgements with time, place and circumstances. Omar Ibn al-Khattab emphasised the impor-

tance of considering the motive of committing a crime in judgement. Independent judgement in the interpretation of the sacred text and of the Sunna was known since the death of the Prophet, particularly in the days of great Islamic figures. In contrast, isolationism and dependency characterised these feeble schools of thought and eras of degeneration in Arab Islamic history.

The Koran stresses the distinguished status of Man: "Verily, We created man of the best stature." This verse underpins the refusal by the followers of the Ta'weli (reinterpretation) school of subjecting the human body or mind to any punishment. Muslim philosophers consider that "Man with his intellectual faculty shares God's capacity to comprehend the truth." Al Safa Brethren hold that:

Man's plight is to persevere, avoid falsehoods in his speech, avoid misdeeds in his imagination and mistakes in his information, shabbiness in his morals, evil in his work, wrong-doing in his endeavours, and flaws in his undertakings.

This is what was meant by the statement of the Safa Brethren: "Resemblance to God is based on Man's plight."

The Koran and Sunna demand that the call for Islam be addressed to the intellect, through amicable preaching and presenting righteous views and propagating good deeds. Islam recognised what had constituted a common denominator of all religious and legal systems in the past four millennia, namely the principle of reciprocity, though in many

instances of its application this principle involved offering blood money in compensation for inflicting injury or death. One can not find in historical records a trace of the killing of a monk, pastor, deacon, archbishop, Catholicos, nun, or any of the servants of church in Arab-Islamic society.

The Koran addresses its demand of justice to everybody (always in the plural), except in the case of the Prophet (“I was commanded to uphold justice among you”). Other verses call on arbiters to be just: “If you are to adjudicate, rule in justice”; “Be fair when you talk”; “Animosity toward certain people should not make you shun justice”... etc.

The combination of different authorities was nothing but an attempt to strengthen the power of Sultans. It is not supported by any Koranic verses. Ibn Khaldoun and a number of Imams endorsed it as part of their holistic view of a Caliphate’s jurisdiction. However, it was denounced by Hassan al-Bassry, al-Kindy, Abu Hayyan al-Tawhidyy and others.

The prohibition of unfairness is the basis for establishing justice in Islamic heritage. The Hadith related by Moslem says: “O, people, I prohibited injustice for myself, and made it prohibited among you. So do not do injustice to each other.” Dozens of Hadiths urge judges to uphold justice even if it is to the detriment of a relative, a ruler, or a friend. Several Hadiths prohibit those who ignore the rules

of adjudication from acting as judges. It might be argued that some of those Hadiths are contrived, while the others are dubiously related to the Prophet. Our answer is that the concerned material was said and used politically, socially and juridicially. Whether those related Hadiths are genuine or made up is irrelevant to the fact that they have become a component part of our history and culture. Thus, what concerns us is not to verify their origin (there are those who dedicate their time fully to this task), but to trace the movement of the production of culture in both its religious and juridical expressions, as well as its relation to the early kernels of the human rights principles in Arab/ Islamic history.

Ibn Abu Awfa narrated a certain Hadith that links Juridical knowledge and justice to judgeship: "Allah is with a judge insofar as he is fair. If he does injustice God will abandon him." Another Hadith classifies judges into three categories: "One judge [will be] in paradise and two in hell. The first knows the truth and accordingly passes his judgement - he will be in paradise. The second knows the truth, and yet purposefully does injustice - he will be in hell. The third adjudicates without knowledge - he will be in hell." The Prophet was then asked: "But what is the fault of the ignorant one?", he answered: "His fault is that he should not be a judge until he acquires [the needed] knowledge."

Maybe one of the severest criticisms against unfair

judges is that made by al-Hassan al-Bassry:

There are those who live in opulent comfort, seek ranks, squander what is entrusted to them, refer to epidemic while remain unscathed. By terrorising the virtuous people above them and tyrannising non-Muslims under their authority, they waste away their religion but fatten their riding animals, and enlarge their houses but constrict their reward in the Hereafter. Do not they indeed renew their attire but wear away their religion!? You find the one of them lying on his side and eating not from his own money, his food is extorted and his servants are in forced labour. He orders the sweet after the sour, the warm after the cool, the succulent after the brittle, till he is overindulged, then he would belch and call on his slave girl to get him a digestive.

There are dozens of manuscripts on judicial ethics and the rules of justice. The relation between judges and rulers took many varied forms. Many Muslims sought decisions from judges belonging to their sect by mutual agreement and irrespective of the ruler's position.

In classic books, one finds severe criticism directed towards judges who support unjust rulers against their people, such as those criticisms stated in the treatises of the Safa Brethren:

As to your judges, trustees and eulogists, they are more inequitable, unjust, vain and infamous

than Pharaohs and tyrants... Judges secure themselves against an unjust ruler by bribing him with the money of orphans and religious endowments, and they makeup with their enemies by accepting bribes from them and in return condone their crimes, false testimonies and plunders.

In “Insights and Treasures”, Abu Hayyan al-Tawhidyy describes the righteous judge as “holding to the truth and its evidence, and shunning away from any aberrations. He would not do injustice to the meek, would not allow a litigant to undermine his status and would carefully consider the issues related to rendering his decision, taking all precautions to uphold justice between litigants, taking from the wrongful to give the wronged.”





# Economising Violence

In all societies, human kind has suffered from two main expressions of violence: nature's violence on the one hand, and violence of man against fellow men, on the other. While man's resistance against all forms of nature's violence, e.g. floods, thunder storms, earthquakes...etc., was materialised in the invention of different means of limiting nature's destructiveness, human violence was never rational; it did not follow such a progressive linear path. On the contrary, its path has suffered from many regressions and setbacks which humanity has paid dearly for. We find that the two Northern World Wars caused a larger number of deaths and casualties than in all history. The technical revolution and the nature of socio-political systems did not lead to the prevalence of the concept of peace. On the contrary, the technical and scientific mastery was translated into horrid forms of aggression.

The phenomenon of violence affects first of all the threatened individual. It also overshadows the choices of a group "in crisis", whenever it is unable to solve its internal or external problems. It should also be noted that people do not always resort to reason in hard times. The entrenchment of a culture of peace requires that all of us encourage

those solutions based on reason not arrogance, and encourage patience in contrast to anger and self control in contrast to aggressiveness.

It is important to mention that political power monopolises, in principle, the physical means to practice all sorts of pressures and impose the prevailing law of violence which, in one way or the other, shapes the potential reactions of society in general or of the marginalized. The more the state lacks the ability to wisely use this weapon of control, the more dangerous and expected the possibilities of social violence become.

In pre-Islamic Arabic poetry we find many poems abhorring war and calling for mutual understanding and tolerance, as for example the celebrated poem by Zuhair Ibn Abi Sulma:

*War is what you have known and tasted,  
my words are not mere soothsaying.  
If stirred up, it is reprehensible,  
if kindled, it flares up to wreak havoc.  
It will grind you as the two stones of a flour mill,  
and will give birth to many children.  
It will deliver, wean and nurture evil, monstrous progeny.*

War, that bitter poisonous drink, as one of the Assad clan described:

*disseminates pains, abases masters.*

*and makes the healthy scabious and blemished.*

Probably the first practical formula for combating violence in the pre-Islamic Arab society was the idea of the sacred "haram" months where war is prohibited and blood shed is forbidden, as well as those alliances which were established to check the powers of the different tribes through some sort of justice towards the weak.

The word "peace" is mentioned 237 times in the Old Testament. The "Messenger of Peace" was one of most significant titles of Christ since the first days of his mission. Before Islam the Arab monotheists denounced the tribal wars as producing animosity between people and abolishing co-operation and friendship. In the literature of Al Sa'aleek (the Vagabonds), we find unmistakable denunciation of tribalism and a call for solidarity between people irrespective of their differences. In our opinion, hospitality, as a great social and cultural value in the Arab peninsula, was the main fountain head of limiting violence. There were certain rules for the respect of guests irrespective of their tribal, national or geographical affiliation. Those rules proscribed any assault on a guest and prevented a hurried resort to violence in both major and minor conflicts. Poetry reflected the celebrated status of hospitality in the Arabs value system in hundreds of verses, one of the most expressive of which is:

*I am the slave of my guest as long as he resides,  
and no other trait of mine is close to that of a slave.*

In one of the ancient oriental tales, we can find the association of tolerance and hospitality. In Maw'ezatol Salekeen (The Preachment of Those Who Followed The Spiritual Path):

It is related that prophet Abraham would not eat unless with a guest. It happened that he did not eat for a day and a night because of the lack of guests, so he went out in the wilderness to search for a guest. He saw an old man whom he found out to be a disbeliever. He said: "If you were a believer in God, I would have fed you", and turned away from him. So Gabriell descended from heaven and told Abraham: "God says to you 'I have provided him with the means of subsistence for seventy years, and when I assign feeding him to you for one day you did not!' "

In this expressive humane story hospitality is evident in its most sublime of meanings to include every human with no regard to identity or belief. Indeed, dozens of stories and anecdotes reinforce and call for hospitality.

We have always wondered about the relationship between generosity (karam) and dignity (karama) in the Arabic language. A Kareem (generous / dignified) person according to Ibn Mansour, the author of "The Tongue of The Arabs" is "the beholder of all kinds of goodness, honour and virtues". "The Kareem" is one of the names and

attributes of God. It is said:

*It is certain that generosity is in your nature,  
never have I enjoyed a more dignified way of life*

In one of the first texts to honour the human being irrespective of identity, belief, language or nation, the Koran states: “and we honoured Adam’s sons.” This honouring is intertwined with the defense of the primary human right: the right to life. This right is most evident in Islam’s prohibition of killing children in times of war or peace, because of destitution or in fear of disgrace. This position was evident in all Islamic wars and in Koran’s answer to the killing of girls by some Arab tribes: “You should not kill your children in fear of poverty. We sustain them and you”, “and when the girl-child that was buried alive is asked for what sin she was slain.”

Jewish, Christian and Islamic texts in general entrench the principle of pardon and forgiveness. The East knew early the salute “peace upon you” in all Semite languages. In the Holy Koran, peace occupies a very distinct place, which, in our view, governs all the texts that discuss the holy war (jihad): “Allah summoneth to the abode of peace” and not to that of war. It also stresses that peace should engulf all humanity: “...and say not to anyone who greets you: ‘You are not a believer’”. The upper hand is for the peace alternative: “O you who believe! Come, all of you, into peace”, “And if they incline to peace, incline thou also to it, and trust in Allah”. We might as easily find

a correlation between peace, death, and resurrection in the Koran verse concerning Jesus: "Peace on me the day I was born, and the day I die and the day I shall be raised alive".

These rules calling for peace and tolerance are also pervasive in later opinions and writing. Foremost of these is the stance of al-Hassan al-Bassry, the inspirer of the first kernels of civil society in Islam. They might also be found in the reformative and renovative tendencies in Islam. Following is an excerpt of a lengthy conversation between the "rescued" and the "perished" according to the Safa Brethren as explicated in their treatises:

The rescued asked the perished: "How are you?"

The perished answered: "I am being blessed by God, asking for more, willing to have it. I am defending God's religion, being hostile against his enemies and fighting them."

- "And who might those be?"

- "Those who differ with my belief and doctrine."

- "Even if they believe that there is no God but Allah?"

- "Yes."

- "If you prevail on them, what might you do to them?"

- "I will call on them to adopt my opinion, doctrine and belief."

- “And what if they do not?”
- “Then, I will fight them, shed their blood, extort their money and kidnap their children.”
- “Suppose you could not do that, what are you going to do?”
- “I will pray to God day and night to damn them. I will curse them in my prayers. All this seeking to be nearer to God almighty.”
- “Are you sure that this will really harm them?”
- “I am not certain. But by so doing I relieve my heart, satisfy my soul and quench my desire.”
- “Do you know why that is so?”
- “No. Tell me.”
- “It is because your mind is sick, your heart is tortured, and your soul is condemned. On the contrary, the only road to satisfaction is to cast off pains. You might as well be sure that your fate is Hell.”

Then the perished asked the rescued: “So, tell me of you opinions and beliefs.”

The rescued answered: “I am being so blessed by God that I wonder if I could ever be grateful enough. I am satisfied with the will of God and whatever it might be, withstanding his judgements. I wish no evil for any soul, bear no malice, intend no evil. My soul and heart



are comforted. People fear me not. My religion is that of Abraham, may peace be upon him. I say as he said: 'those who follow me belong to me. As for those who do not, may God pardon and have mercy on them', 'If you punish them, my God, they are your slaves. If you pardon them, you are the Wise and the Almighty.' ”

## Against Injustice and Torture

On the first glance, one might believe that the Caliphates system and the link between religion and kingdom in the Arab-Islamic history have turned repression \_as a means of containing and keeping down opposition\_ into one of the most important component parts of Arab-Islamic culture. This might be true if we believe that “Islam” was responsible for the acts of the Caliphates, and that the Caliphates were the custodians of religion and other cognitive expressions; a belief that a considerable number of early and contemporary Arabs and Muslims reject.

A ruler who wears the cloak of Islam (and who of them did not?), does not represent anything but his own interpretation, which should not be binding on anyone. In this sense, we consider the view of Ibn Taymiyah that “Seventy years under an unjust Imam is better than one year without an Imam” to be mistaken, and that he is responsible for the consequences it had on the freedom of opinion, belief and human dignity. This view contradicts both the spirit and the wording of Koran : “Our judgement on those who do people injustice and transgress is that they will face a painful destiny.”

Indeed, the “palace clergy” had narrated many Hadiths and stories that condone despotism and even tyranny by

rulers. And it is true that the constabulary of Caliphates did not spare the opposition, whether Islamic or non Islamic, Arab or non-Arab. It is also true that the “Imams of Despotism”, to use an expression coined by Abdel Rahman al-Kawakeby, have made the preservation of the Caliphates’ rule, even if despotic, a precondition of the sustenance of religion (sic!). This even if the Caliphate concerned was of the type of Abdel Mallek Ibn Marawan who said: “I have no remedy for this nation but the works of the sword until you succumb. I swear to God, I will slay him who would call on me to fear God.” Yet, this tendency should not bar us from noting those enemies of injustice and despotism who confronted this school, and who had early on stated that: “Kingdoms could rest on disbelief in God, but never on injustice.”

In the counter tradition, we find zealousness to underscore the demarcation line between belief and injustice, which is expressed in the following Hadith: “The nearer one gets to a ruler, the farther he is from God.” Another Hadith states that “the best of martyrs are Hamza and he who stood to a transgressive ruler challenging his command and hence was killed.” Sufian al-Thawry said that “he who smiles in the face of a transgressor, has a place for him in his gatherings or accepts any of his favours would be disavowing Islam and deemed by God as one of the collaborators of transgressors.” In the same vein, Ibn al-Athir narrated that ‘Omar Ibn Abdel ‘Aziz before becoming a Caliph described the conditions under the Caliph al-Walid by saying: “al-Hajjaj in Iraq, al-Walid in Syria, Korra in Egypt, Othman in Medina and Khalid in Mecca...

God! The world is replete with injustice and inequity.”

Makhoul al-Damashqui related that “on the Day of Judgement, despots will be gathered along with their collaborators, including even those who provided despots with ink or pens. They will all be put in a coffin of fire and thrown in hell.” Another Hadith associates lying with injustice: “There will be rulers who will do injustice and lie and will have flatterers around them. Whoever joins them, endorses their lies and help them with their injustice is forsaken by me. He who has no bearing with them and does not help them belongs to me and I to him.”

There are several Hadiths and other narratives that denounce committing torture in all its forms, such as: “The first to enter hell will be the floggers who flagellate people by the orders of tyrants.” Also, Ibn Omar narrates: “A Sultan’s guards and constabulary will be the dogs of hell on the Day of Judgement”. In the collection of Prophetic traditions by Abu Dawood, it is stated that: “God will [in the Hereafter] torture those who tortured people in life.”

In “Reprimand for Those Who Derogate History”, al-Sakhawy called on historians to shun from narrating news of torture except if necessary, in which case they should relate these news in such a manner as to invoke abhorrence, so that such news would not be used to support those who want to commit torture. He added: “Al Hajjaj once asked Annas Ibn Malek about the severest punishment that the Prophet had used, so Ibn Malek told him. When this incidence reached al-Hassan al-Bassry, he said ‘ I wished he had not told him.’ ”

We could find many sayings that had been passed down to us which denounce torture and reject any justification for its practice, such as those by notable believers as Abu Tharr, Ghilan al-Demashqui, al-Hassan al-Bassry, Ibn Araby, al-Fakhr al-Razy and al-Sahrawrady, and by pioneers of philosophy and medicine such as Honain Ibn Ishaq and Abu Bakr al-Razy, in addition to sayings by the Khurramites. Finally, in “The Fundamentals of Properness”, al-Ga’afar al-Sadeq was quoted to have said: “He who has loyalty for an unjust ruler has no religion.”

# The Right to Aliment

The International Covenant on Economic, Social and Cultural Rights calls for the fundamental right of every individual to be free from hunger (article 11). Though the Covenant asserts the right to adequate food, clothing and residence, it is still in need of one or more annexed protocols to deal with the practical aspects of economic rights, especially the means to safeguard the right to basic requirements of living.

There is a tendency today to call for an instrument to ensure what could be termed "the right to aliment", in the sense of the linguistic and historic definition of the word aliment (quout) in Arab tradition, where we find in Al Ishah: "Aliment is the food necessary for the sustenance of the body."

The right to aliment is an issue that had been tackled in Arab poetry, literature and folk proverbs since pre-Islamic times. Mar Maroun is famous for refusing to sleep under a roof while there is somebody who is denied shelter, and similarly there are early texts in the Persian Mazdekite tradition that denounced inequality among people and called for the equitable division of wealth and for averting injustice. In Christian, Jewish and pre-Islamic poetry there is an unmistakable stress on the importance of providing for whoever is in need, on solidarity between people and on

the wretchedness of accumulating wealth. In this regard al-Samaw'al said:

*I saw the orphans with their straps around the waist,  
to assuage hunger, but no avail.*

*I told my servants: comfort them,  
my house will be their place of stay.*

Aws Ibn Hajjar thus tackles the issue of spending money:

*I would never stash my food in fear of tomorrow,  
for each and every morrow has its table.*

In old Eastern proverbs, it was said that "If poverty were a man, I would have killed him."

Much of the poetry of Sa'aleek (the Vagabonds) urged the spirit of co-operation, as for example the following outcry by Bishr Ibn al-Mogheirah:

*They have all eaten their fill,  
whilst satiation is a disgrace,  
when your fellow man is in hunger.*

The same sentiment is reiterated by al-A'asha:

*You sleep in winter with your stomachs full,  
when your neighbours spend their nights in  
hunger pains!*

In the Bukhary collection of Prophetic traditions it is related that "Islam was started by five slaves, two women and Abu Bakr." How much was Islam denounced by the notables and rich of Mecca as the religion of the oppressed

and the poor! They argued: “We see you [Muhammad] are followed only by our inferiors”, (Koran).The Koran unequivocally countered this discourse, for example in its comment on Abu Lahhab whose “money nor riches will spare him not” and on al-Mogheirah Ibn al-Waleed who thought that his wealth which “he gathered and counted” would make him live forever, yet it would not save him. At the same time, the Prophet called for the eradication of destitution, comparing poverty to disbelief, and demanded that the rich provide for those in need.

With the spreading of riches in the wake of the grand conquests, many of the Prophet’s companions called for the equitable division of wealth and demanded that the peoples of the conquered territories not be lead to starvation. They argued that, as Omar Ibn al-Khattab said, “Allah sent Muhammad as a guide, not a tax collector.” Ali Ibn Abi Taleb’s stance against the unequal distribution of wealth is well known. He said: “ the poor are hungry because of what the rich enjoy,” and “I have never seen abundance not associated with some lost right.”

Also in this matter, Abu Tharr al-Ghaffary’s positions are well known. He said: “I am amazed that a man who does not find his food for the day does not come out to the street with his sword drawn.” Interpreting the Koranic verse “ Those who amass gold and silver and do not spend them for the cause of God, forewarn them [O, Muhammad] of a painful punishment”, he said: “A Muslim should not own more than the staple of one day, except if it is intended for the cause of God.”



*Life could never teach me greed,  
nor have I ever been deceived by its rewards.*

It is beneficial to note the Ayyarein, the Shottar and the various movements of futuwwah (chivalry) which constituted the social fabric of revolts in Medieval cities, sought to entrench the spirit of co-operation and solidarity in the face of greed and avarice. The thread of this anti-poverty tendency ran throughout Arab-Islamic history. It took modern shape in the hands of innovative trends in the Arab and Islamic worlds, under the influence of the early socialistic ideas and the French Revolution which associated equality with liberty. It could also be discerned in the call for justice and combating hunger and poverty by Islamic reformers.

Human Rights activists consider the integration of economic, social and cultural rights on the one hand, and the political and civil on the other, an essential component of their strategy because of the organic link between bread, liberty and equality.

# Tolerance

Religion constitutes one of the primary cultural sources of tolerance in the Arab East, even though the battles between the different sects and creeds were fought under its guise. As is known, nobody wages war in the name of the devil and whenever man intends a shameful endeavour he seeks an ideal banner.

In pre-Islamic Arab history, tolerance and forgiveness formed the background of the coexistence of the different beliefs on one hand and also served as a check for clan conflicts. Al-Samaw'al Ibn Ghareid, after his son was killed before his very eyes, was entitled to avenge himself by killing the perpetrator, said:

*A crime I pardoned,  
and an offender I forgave.  
I omit those offences which afflict me,  
and if I wish I could repay.  
I protect my neighbour in ordeals,  
invulnerable is he whom I shield.  
I swore to always honour my word,  
even if all people retract theirs.*

The Koranic verses invoking tolerance and forgiveness are numerous. However, to be able to appreciate the di-

mensions of the spirit of tolerance in Koran, it is necessary to consider two specific verses which deal with the issue of polytheism. The first is : “Indeed, Allah forgiveth not that a partner be ascribed unto Him. He forgiveth all save that to whom He will.” According to this verse, disbelief is considered the gravest of sins. Yet, of infidels the Koran states: “And if one of the infidels seeks your protection then grant him protection, so that he may hear the Word of Allah, and then escort him to where he can be secure”. It is so ridiculous that this sublime spirit of tolerance is sometimes transformed, in theological debates about the proper duration of protecting a disbeliever, into a mathematical formula that is in proportion to the “generosity” of the theologian concerned.

The general amnesty which the Prophet issued on conquering Mecca remains the material embodiment of this spirit of tolerance. The Prophet, who escaped many attempts on his life, had to emigrate along with his followers, had to fight, and suffered all throughout the years of his mission, did not find a more fitting sentence to end that phase of struggle than: “Go! You are free,”\_ no punishment or restriction on anybody.

If there is one crucial point regarding tolerance in a certain religion, it would be the acceptance of other faiths, and whether anybody should be forced to embrace that religion. In this respect, the Meccan Koran is exemplary in its emphasis of the freedom of belief, where it addresses the disbelievers: “Unto you your religion, and unto me my religion.” It also emphatically condemns the forcing of

anybody to adopt Islam: "If God wished, all those on earth would have believed. Would you force people to believe!" and : "there is no compulsion in religion." It is known that Imam Abu Haneifah said: "What I believe is an opinion which I force no one to believe and would not accept that some one should be forced to believe it. Whoever has a better view should present it." This stand, which brings to our mind the excommunication fatwas (religious rulings) now prevalent, is supported by the following advice by al-Fakhr al-Razy: "The one who is right should listen to the arguments of the mistaken and answer it with no harm nor intimidation."

While the concept of tolerance constituted the wellspring of democracy in the European culture, in the Arab-Islamic heritage it constituted the practical reaction to the manifestations of extremism, violence, and the domination of one belief over the other. It thus usually invoked the withdrawal from political conflicts, especially armed ones, and the shunning of "socialising with the dead", to use the expression of Muhammad Ibn Wasi'a, which means the self-indulgent rich and the transgressive rulers.

As an example, al-Hassan al-Bassry called out:

O people! Do not transgress. Hold your hands. Fear God your Lord. Do not kill one another for a perishable world, and for loots that would not last, but would only bring the wrath of God unto its owners.... Blessed is he of you who is noble and honest, as to disregard what his peers contend for, for the sake of God.

Also pertinent is the reply of Malek Ibn Dinar to the ruler of Basra, who asked him to pray for him: "How numerous are the aggrieved who imprecate you!" In addition, Farkad al-Sabkhy called for the avoidance of arrogance, envy, opulence, lust for money, power and satiety. He was quoted to have said "the kings of Israel killed their people for religion, while your kings kill you for the sake of this world. So, let it be theirs" (Ornament of Holy Men).

Affection is an essential element of tolerance. The Prophet is related to have said: "A man of faith is affectionate and has the affection of people." Affection also includes good wishes for others as much as for oneself, as in the Oriental adage "like for people what you like for yourself, and hate for them what you hate for yourself." Affection is also expressed in the humane concern for others, as in the following prayer of Uwais Ibn al-Qarany: "O, God! I apologise to You for every hungry stomach, for I have no food but that in my stomach and no clothes but those on me" (The Elite of the Elite).

The Koran links being a man of faith to forgiveness and staidness: "those who suppress their anger and forgive others." It also associates religion with ease and human capacities. God wishes ease for human beings, not distress. We also find that mutual criticism between the different religions is guaranteed as a right, without its transformation into malice. For notwithstanding the problems of inter-religious conflicts, cultural and human relations existed between people of various faiths. Monasteries were frequented by Muslims, and many religious sites were the

meeting-places of poets and men of letters. A Muslim poet thus described a monastery called al-Lajj in Najaf:

*May God bless the monastery of al-Lajj,  
for it is so dear to me.*

*Close to my heart, though far in place,  
and how many far things that are yet close.*

Abu Nuwwas praise another monastery:

*Leave the orchards of apples and roses,  
and go visit that monastery.*

*Where young men are emaciated,  
from dedication in their worship.*

*Day and night their chimes echo the gospel recital.*

*You would not hear any loathsome sounds.*

*What you'll hear is gospel verses,  
and the eloquent praise of Christ.*

Ibn al-Fared brings together the experiences of the various faiths, on the basis of the notion of the oneness of existence:

*The rope around the monk's waist binds my hand.*

*If the Koran lights the altars of a mosque,  
the same it is with the bible and the church.*

*And with the books of the Torah,  
that are recited by the rabbis.*

*If someone kneels before a stone idol,  
still you can not denounce him in bigotry.*

Ibn Araby thus expressed the spirit of tolerance:

*I used to renounce any companion,  
if his faith was not like mine.  
Now my heart encompasses all images:  
a meadow with gazelles, a monastery for the monks,  
a house for idols, and the ka'ba of the pilgrims,  
the tablets of Moses, and the Koran.  
I believe in the religion of love wherever it points,  
for love is my belief and faith.*

Abdel Karim al-Jeely seeks the truth wherever it is,  
transcending the limitations of any one belief:

*At one time, you will see me kneeling in a mosque,  
and at another time you will find me praying in a  
church.  
If I am disobedient in the judgement of the Shari'a,  
I am obedient in the judgement of the truth.*

We can notice an evident universalistic disposition in  
the words of Jalalul Din al-Roumy:

O, Muslims. I wish I knew what to do.  
I do not know who I am.  
I am not a Christian nor a Jew,  
neither Zoroastrian, nor Muslim,  
neither Eastern nor Western,  
I am neither heavenly, nor earthly.  
I am not terrestrial, nor celestial  
I am neither Indian, nor Chinese,  
neither Bulgarian, nor Persian,

nor Iraqi, nor am I from Khurasan.  
My mark is being with no mark,  
my place is nowhere.  
I am not a body nor a soul,  
for my spirit is the soul of souls.  
When I rejected dualism, I saw the oneness of the  
world.  
I see the One, seek the One, know the One, and re-  
cite the One

Clannish bigotry, according to Ahmad Ibn al-Tayyeb, is “to consider the worst of one’s people as better than the best of other peoples.” Someone once said that “clannish bigotry could relate to a clan or money or power.” In “The Production of Man in the Mediterranean East”, Haytham Mana’a defines clannish bigotry as “the zealous adherence of a group to its collective interests and value system and siding with them in all instances.” Clannish bigotry reaches its utmost level in the relations of domination that are disguised in religious attire as a means to silence dissidents and suppress the “truth.”

The use of the “divine” for the purpose of domination was criticised quite early, by popular wisdom, Sufis, philosophers and critical men of faith. Al-Kindy said:

Rulers mount their ill-gotten thrones for the  
pursuit of power and for trading in religion.  
They are bereft of religion. Because he who  
trades in something sells it, and who sells any-  
thing  
leaves it. He who trades in religion has



no religion.

Likewise, we find in the writings ascribed to Jaber Ibn Hayyan an outspoken protest against those who "seek worldly power by means of religious scholarship." Abu Bakr al-Razy thus described the bigots of his time: "If one asks them for the proof of what they allege, they explode in anger and sanction his death. They prohibit reasoning and urge the killing of those who differ with them. Hence, the truth is buried and suppressed." One thousand years after, we ask the reader to change the names and he/she will find around him those who reiterate the very same wretched threatening discourse.

Abu al-Ala'a ridiculed communal strife in Islam in the following words:

*X of people said, and Y of people answered.*

*Both are foolish in their calls.*

He also criticised the use of religion for personal motives:

*Do not be deceived by those reciters,*

*who, in the dark, read the Koran.*

*They gamble with their wisdom,*

*and they lose in such a gamble.*

*Like an ugly feeble man,*

*who as a cover feigns religiosity.*

# The Woman

As to date, no serious comprehensive study of the social Arab-Islamic history has been undertaken. Studies concerning gender relations suffer from a tendency to project with an almost total absence of research attempts based on deduction. The conflict between different positions is characterised mainly by dogmatism on one hand and opportunism on the other. Dogmatists search for verses that invoke women's inferiority and Hadiths that cast women as minors. On the other hand, opportunists skillfully ignore such texts and have recourse to more generous ones regarding women.

However, the relationship between genders like any inter-human relation\_ is not based on texts or jurisprudence. It is, before anything, a human-lived relation. As much as opinions on any subject could, opinions on the issue of women's equality with men differ. It is also a cause for struggle. Progressive women and enlightened men have continuously fought for rights and equality in all epochs, each with its own spirit and realities. Regardless of the many philosophical and legal questions, we could discern, here and there, some glimpses that break through time and space. These glimpses convince us that the right to equali-

ty is, like freedom, inseparable from the existence of human beings, although terribly violated in many historical epochs and in all civilisations.

In the second decade of Hijra, the poet Hotay'a was asked while facing death: "How do you wish your money to be distributed?" He answered "the female of my children gets the same as the male." "This is not the judgement of God", they replied. He answered: "But this is my judgement."

Asma'a Bent Yazid al-Ansariyeh, elected by some women to represent them, thus addressed the Prophet:

I am the delegate of women to you. God has sent you to all men and women. And hence we believed in you and your God. We, women, are confined and restricted to your houses and look after your children. You, men, are privileged by Friday prayer, group prayers, calling on the sick, attending funerals, repeated pilgrimages, and still better the jihad for the cause of Allah. When you go on pilgrimage or to war, we keep your money, weave your clothes, rear your children. Should not we share in the recompense and reward?"

'Aisha was no less resolute when she commented on the Koranic verses dealing with his marriages: "I see your God hurries to your pleasure." The great role of Khadija, the first prominent figure in Islam, in the Prophet's life

and in the imperilled early years of his mission is well known.

Women started moving beyond patriarchal constraints very early in Islamic society, by breaking men's monopoly of warfare. This was manifest among the Kharijite, where women participated in fighting, mobilisation, production, political and literary life. Through their presence, women discarded many of the "indisputable" traditions. Kharijite youth, forming an army which included 150 women fighters, recognised the right of women to hold the post of Caliph, and elected a woman -Ghazallah- as their leader. Also notable is al-Bejaa, the Kharijite woman who played an eminent role in combating the Ummayyids, until she was executed after her limbs were amputated by the ruler of Basra, Ubaidullah Ibn Ziyad. In an attempt to terrorise women he exhibited the naked amputated bodies of the Kharijite women in the marketplaces.

Gohayzah, Um Hakim and al-Fare'ah are names that stand out in history as a symbol of women's role in the socio-political struggle in Arab-Islamic history.

Likewise, women had a prominent role in the ranks of the Ghollah since the second half of the first Hijri century. Al-Tabary and al-Jaheth state that the seeds of the Ghollah movement was laid by two women (Hind al-Maznneyah and Laila al-Na'etiyah), whose home was the meeting place of the movement. It is also beneficial to recall the many literary meetings which took place in women's

homes.

“Equality is a Western notion,” argues one fundamentalist. We need only recollect the position of al-Jaheth (died 869 AD):

We do not hold, and neither does any reasoning being, that women are superior to men or that they are inferior to them. Yet, we have seen people who belittle and depreciate them and deny them their rights.

If we wish to read a severe criticism of polygyny, we must go back to Abu al-Ala’a al-Ma’arry’s opinion 900 years ago:

*He married three after the first,  
and told his bride my quarter is for you.  
He feeds her well if she’s content,  
and stones her if she falls for his adjunct.*

Commenting on the Koranic verse concerning polygyny, one Koran reciter in Basra said: “If people carefully examine God’s words ‘You should be fair, but you will not be able to,’ one would not accept injustice to himself or to his wife.” In this respect, it is important to note that Isma’ilis, the Muwahedein, and the Karmathians renounced polygyny from the start.

Many philosophers and reformers refuted the ideology of male supremacy. The view that men and women are equal in their sexual desires and pleasure is reiterated

many times in Arab literature, whether in support or in criticism. For example:

A woman's desire for a man is the same as his for her. Do not you see that a man would not quit even a lengthy intercourse until he is satisfied. Similarly, a woman who does not reach satisfaction will only hate the man. (National Library Manuscript no. 3039, paper no. 39)

Abu Bakr al-Razy refuted those who argued that men and women have different traits and characters that explain and legitimise men's superiority. He rejected the Greek's association of hot and dry with men and cold and moist with women. He argued: "We can see many women who are hotter in temper than many men; this proves that masculinity or femininity is not linked to hotness" (Manna'a: Woman in Islam).

In the debates among the various sects, we can find references to the rejection of the veil; the acceptance of the mingling of the sexes, and of women's work and counselling women on religious and temporal affairs; the rejection of male guardianship; the alteration of the inheritance rules and the abolishment of dowry. All of these issues were raised in the civilisation of the East and were used by the fundamentalist to attack the renovators centuries ago. It is not surprising that this rich and multifaceted debate receded with the predominance of a rigid view of religion and with the decline of the Arab-Islamic civilisation. The mat-

ter asserts the vital link between the progress of humanity and the advancement of women in society.

Let us consider the following narrative from the early days of Islam:

We, men of Koraysh, prevailed over our women. When we joined the Ansar, we found that their women had the upper hand. Thus our women started to follow their lead. I once yelled at my wife and she chided me for that. When I disapproved of what she did, she exclaimed 'why did I disapprove?' And she told me that the wives of the Prophet chide him, and that the one of them may even turn her back on him for a whole a day. I was alarmed, and thought 'shame on her who dares do that to the Prophet,' and called on Hafssah. I asked her whether one of them would embitter the Prophet for a whole day, she answered: "Yes!"

I said: "May she who does that be damned."

Let us compare this anecdote with the Mamluki or Ottoman harem, or with the prohibiting of women in Saudi Arabia from driving cars, or with the forcing of women in Iran to wear the veil or with the treatment of women in both countries as a legal and social minor.

Around a century ago, with the return of Arab and/or

Islamic societies to the stream of history, the issue of women's liberation, freedom, and full equality with men resurfaced. The issue constitutes one of the most pivotal arenas for struggle between the old and the new, progress and decline. However, life remains the ultimate judge. Where are those Imams who battled against girls' schools at the turn of this century? Where are the disciples of Ibn Abdul Wahab who refused to abrogate slavery for that would annul many Koranic verses and would do away with the rules on slaves (sic!)? Did not they sink into oblivion, along with that Imam who, commenting on the introduction of railways in Iraq, shouted during one Friday sermon: "You leave God's donkeys, and ride that 'chemin de fer'!"

Today, at the crossroads of the women's cause, fundamentalists and traditionalists, with utter disregard for the richness of the lessons of the past and present, stand for a literal replication of the past. Neglecting that the primary lesson the Prophet Muhammad presented was his assimilation of the spirit of his time and his embodiment of the incessant transcendence of the "self" towards the better, they stand for the assassination of the elements of progress and time. On the other side, human rights activists defend full equality, as one of the most essential cornerstones of the dignity of both sexes, and of human rights international law, and as the optimal contemporary interpretation of the tendency toward equality in the Arab-Islamic heritage.





# Read!

The Koran starts with the command “read!”, and the verses that urge seeking knowledge and education are well-known. Knowledge, in the early years of Islam, was not restricted to theological sciences. There are numerous sayings that are related to the Prophet which deal with the different aspects of knowledge demanded by early Islam. For example, “the most wretched of people on Judgement Day will be a scholar who benefited nobody,” he who has knowledge and withholds it, God will bridle him with a harness of fire on Judgement Day,” “seek knowledge from birth till death,” “seek knowledge even if as far as China,”... etc.

It is worth mentioning in this regard that the prophet ordered the war captives of Koraysh to teach the Muslims. Omar Ibn al-Khattab was the first to decree a salary for those who educated Muslims and their children; Amer Ibn Abdullah al-Khoza’i was the first to be salaried. Also, the first Muslim generation solicited help from the Christian Arabs of Hairah to educate their children and remunerated them generously. Among those first teachers Jufaina al-Nasrany is famous.

The broad concept of knowledge precipitated an exten-

sive translation movement from Hindi, Persian, Syriac, Greek and Latin. This task was not restricted to Arabs and Muslims. Rather, one of the characteristics of that wave was that a translator seldom combined those two features.

That didactic movement led to the rise of new cognitive methods and rich realms for research, developing the Arab language, studies of the prophetic traditions, and jurisprudence; not to mention the spheres of the different applied sciences. It also paved the way for the rise of new sciences such as algebra. It might be the case that confident openness on the world and the fearless perceptiveness towards the various disciplines of knowledge made the torch of Oriental civilisation shed its light on all parts of the Old World. The Prophet Muhammad is related to have said: "Wisdom is the goal of a man of faith; he should take it wherever he finds it, regardless from which source it is obtained." It is also related: "Wisdom is the goal of the man of faith; wherever he finds it he should hold to it, and whenever he discerns it he should seek it. Wisdom is right and right is not to be ascribed to anything; everything should be ascribed to it. It is not to be predicated on anything; everything should be predicated on it."

The diversity of the sources of knowledge and linking its validity to the specific time and place is one of the characteristics of early Arab-Islamic culture. In his "Paradise of Wisdom", Ibn al-Tabary argued that "what is natural is what is congenial to one's age and time." Similarly, al-

Kindy is related to have said that the rules of reasoning are deduced from its given time. The Safa Brethren attribute the differences between people to the diversity in the characteristics of the different times, places and peoples:

"... thus creeds, opinions, religions and beliefs differ even among the followers of the same religion. That is due to the dissimilarity in their interests, languages, birthplaces, the traditions of their countries, and the ideas of their chiefs, scholars and tutors who differ among themselves in pursuit of worldly prominence. It is said "Be different, and you will be prominent." Hence, if there were no differences between the scholars, none would be able to achieve leadership, and they would have all been equal."

The absence of a Koranic verse on the system of government, and the different forms government took in the first forty years of Islam is a vindication of the absence of any ready-made model for rule in the Koran or Sunna. This fact compelled every Caliph to undertake a number of measures that should not be binding on everybody. If we examine the Koran, we would find that the one verse on "Khilaffah" (rule / succession) concerned the weak on earth (i.e. the common people not the elite) and not their leaders. Professor Muhammad Khalaf-Allah reiterates this fact, supported by fifteen centuries of political history:

“There exists no text on the system of government”, and “... the system of rule in Islam is based on independent judgement, not texts. And what is based on judgement can be replaced, if a new judgement is more to the public interest.”

One of our gravest pitfalls is the perception of the fundamental freedoms as incompatible with Islam and the entanglement of Islam in a war against human rights. For, since the inception of Islam, there has been an emphasis on the right to knowledge, the freedom of belief, and the right to independent judgement. Furthermore, the notion of ultimate retribution in Islam is associated with the divine and not the human subject “Verily, to Us will be their return. Then verily, for Us will be their reckoning”. In the Koran, legislative verses are few in comparison to those dealing with the issue of belief. This explains the vast variety of standpoints on the issue of government.

In our opinion, al-Hassan al-Bassry remains the symbol of the “counter-authority” that defends values in the face of power, justice against might, and social peace against strife. Some suggested to al-Bassry that he should join the rulers, as those Imams who did: “Why would you not call on the rulers, and ask them to behave in all fairness and to shun abomination?” He answered: “A man of faith is not to humiliate himself. Their swords are swifter than our tongues” (Ibn Sa’ad: The Grades). When al-Bassry was asked about the position a man of faith should adopt as re-

gards strife, he said: "Be neither with these nor those!" When asked, "not even with the Commander of the Faithful [the Caliph]?", he angrily replied: "Yes, not even with the Commander of the Faithful!" This impartiality, however, did not inhibit him from practicing justice, for he believed in the separation of the administrative and the judicial authorities. Historians hold that he never accepted remuneration for this task.

While some scholars considered general compliance to be the foundation of Islamic ideology, freedom was an anthem for innovators and the enlightened. Thus Rashid Ibn Khalifa considered freedom to be analogous to "good life." Arabic language is replete with "prison literature" that renounced humiliation. How eloquent is Assem Ibn Muhammad al-Kateb's reply, from behind bars, to those who considered prison to be a house of trial and dignity:

*He who calls jail high repute,  
is but jesting with his words.  
Jail is the house of degradation,  
humiliation and disgrace.*

The respect for Man in Arab-Islamic history is at the core of the notions of the "perfect man" in the Sufi tradition, the "society of co-operation and rational solidarity" of al-Razy's, and the "glorification of human reason" of al-Ma'arry and al-Tawhid's. On the other side, the Imams of tyranny never swerve from restraining the potentials and dwarfing the rights of the human being.

We are in need of reviewing our history as told by the writers of the Sultans. Ibn Araby pointed out this short-coming of history; "this is all sheer lies; a history written for kings." We are also in need of reviewing our way of perceiving our cultural tradition that is, like any advanced human culture, complex and multi-tiered.

The right of disagreement is an essential cognitive rule in the study of Hadith and jurisprudence. For example, Imam al Shafe'i said, "to me, my opinion is right that might prove wrong, and others' opinion is wrong that might prove right." The Safa Brethren argued that "disagreement of opinions and doctrines among scholars has many benefits that are unknown even to many wise people." Al-Sahrawrady argued that "any two things that have something in common are necessarily different in another respect."

Is not it pitiful, recollecting this history, that we live nowadays in a one-general, one-party, one-prince culture, presented as what is authentically Arabic and Islamic!

At any enlightened stage of a people's history, progress is considered an indicator of existence, and al-Shirazy's view on the collective conscious and unconscious holds true: "It is a wonder that Man is in continuous progress without being aware of it." If we are to be ashamed of something, it would be the fact that in interacting with the realities of our age, we can not match the level attained by our predecessors in dealing with the realities of their time.

This explains, to a great extent, the pride assumed by the open culture approach, which characterised the Arab-Islamic civilisation, and the feebleness that marks contemporary cultural and doctrinal isolationism.

Ibn A'shah narrates that "al-Hassein Ibn Abil Harr had a Rafedite son, a Horourite daughter, a Mu'tazelite wife and a Murge'ite sister" (Insights and Treasures). Indeed, in one Arab household the various Islamic sects coexisted, with men and women differing in opinion. How far this is from the Wahabi school that excommunicates all others, and the Bazdarans who alienate all material and moral assets of human beings!

In conclusion, it is befitting to ask:

What is the relationship between a civilisation where there is no trace of killing a nun or a priest, and a movement that holds them targets for its military operations?

What is the relationship between the Islam of harmony, co-operation and the respect of the other as part of self respect, and the Afghani political Islam in all its expressions?

What is the relationship between the mutawein forcing people to go to the mosque, and a Koran that affirms the freedom of religion and belief?

What is the relationship between the Bazdarans whose task is to punish any woman who wears the veil "inappropriately," and the Islam of the Prophet's time,



when no woman was ever forced to wear the veil?

What is the relationship between a man of faith whom people trust and a frivoler who uses Islam to terrorise people?

What is the relationship between those who did not refrain from fabricating Hadiths commanding people to obey tyrants and unjust rulers, and those who refused to be the weapon of the unjust against the oppressed?

What is the relationship between the Imams of tyranny and people of justice?

It has become imperative to underscore the line of demarcation between the endeavours of the authorities and the voices of counter-authority, ideological despotism and the aspirations for freedom, injustice and justice, doctrinal totalitarianism and the fundamental freedoms, a fenced city and Utopia, the enslaved man and the perfect man.

The dissociation of those factors that clear the course for human dignity and those that had led to the degeneration of Arabs and Muslims, is more exigent today than ever before. There are different readings of history, and if the pages of despotism are shameful in themselves and for us, there is yet the history of the struggle for the rights and freedoms of both men and women. It is only this history that we recognise.

# Glossary of Names and Movements

**Abdel Karim al-Jily:** (767 AH 1363 AD - 811/1406 or 820/1417) Celebrated Muslim mystic. He followed the ideas of Ibn Araby.

**Abdel Mallek Ibn Marwan:** (26/646-86/705). After his father's assassination, he ascended the Umayyid throne in 65/685. In spite of continual wars against foes abroad and at home, he found the time for development projects.

**Abdel Rahman Badawy :** A great contemporary Arab existentialist philosopher from Egypt.

**Abdel Rahman al-Kawakeby:** (1854-1902) Syrian Arab lawyer and democratic Muslim. Author of *Tabai' al-Istibdad* "Features of Despotism".

**Abu Dawood:** (202/817-275/888) Traditionalist. He studied in Baghdad under Imam Ibn Hanbal (founder of the Sunni school of Hanbalism). well-Known for his *Kitab al-Sunan*.

**Abu al-Ala'a al -Ma'arry:** (D. 1057 AD) A famous Arab poet and philosopher, rationalist. Lived in Ma'arra in the actual Syria.

**Abul Atahiya:** ( 130/699-210/825) One of the most important Arab poets of the Abbaside era. Considered a free thinker.

**Abu Bakr al-Razy:** (250/864-313/935) The most celebrat-

ed physician in the Arab-Persian history. Chemist and philosopher known for his criticism of religion. Humanist, he believed in a progressive scientific and philosophical knowledge.

**Abu Bakr al-Seddiq:** (D. 22/634) First Caliph in Islam after the Prophet Muhammad (June 8-633). A great figure in the religious and political history of Arabs and Muslims.

**Abu Hanifa:** ( 80/699-150/767) A great Muslim jurist and founder of the Sunni Hanafite school.

**Abu Hayyan al-Tawhid:** (310 or 320-400 or 414) A great figure of the Arabic literature Jurist, philosopher, sufi and compiler of miscellanies. Lived in the 10th century.

**Abu Nuwwas:** (130/747-145/767) One of the greatest Arab poets. In the center of his poetical activity were his wine and love songs, and drolleries.

**Abu Sufyan:** A leader of the aristocratic party in Mecca hostile to Muhammad (Father of Mu'awiya, founder of the Umayyade throne).

**Abu Tharr al-Ghaffary:** (D. 32/652) Companion of the Prophet Muhammad. Known as "the socialist Muslim," he was openly against social injustice and despotism.

**Abu al-Fadl al-Andalussy:** Great poet of the golden Arabic ages in Spain.

**Ahmad Ibn al-Tayyeb:** A disciple of al-kindy, known for his political studies.

**'Aisha Bint Abu Bakr:** The favourite wife of the Prophet. Born in Mecca (613-614 AC). At the time of the Prophet's death she was 18 years old. Aisha often interposed in politics.

**Aly Ibn Abi Taleb:** Great figure of Arabs and Muslims. A cousin and son-in-law of Prophet Muhammad and the fourth well-guided Caliph (35/656-40/661). He is called "waliullah"(the friend of God) by the Shi'ite.

**Anass Ibn Malek:** One of the most prolific traditionalists. His mother gave him to the Prophet when he was ten years of age. He died at Basra about 91-93/ 709-711.

**Al-A'sha:** A great moralist Arab poet before and during the first years of Islam.

**Amer Ibn Abdullah al-Khouza'y:** The first Teacher honored by the second Caliph in the 7th century.

**Aws Ibn Hajar:** Poet of the tribal confederation Mudhar. Lived before Islam. Al-Ma'ari placed him in Hell in his "Risalat al- Ghufuran".

**Asmaa Bint Yazid al-Ansariyah:** One of the most eminent women in early Islam. She transmitted 81 hadiths of Muhammad and participated in the great battle of Yarmouk.

**'Asem Ibn Muhammed al-kateb:** Poet and political figure from the time of the Abbaside caliph Al-Muqtader (295/908-317/929).

**Ayyarin & Shuttar:** A social popular opposition movement in Baghdad since 193/890, most active in 920-1.

**Al-Balja'a al-Kharijiyah:** A great mujtahid woman of the kharijite. She was killed by Ubaidullah Ibn Ziad, the Umayyid governor.

**Bani Assad:** Arab tribe occupied a spacious region from Medina to the Euphrates.

**Bishr Ibn al-Mogheirah:** A great poet of the Sa'alik, anti conformist movement. Born before Islam.

**Al-Bukhary:** (194/810-256/870) Traditionalist, known for his collection on Tradition: al-Jami al-Sahih.

**Ja'afar al-Sadek:** (80/700-83/703) A celebrated Shi'ite Imam known for his knowledge of Islamic and non-Islamic sciences. He played no part in politics.

**Al-Jahiz:** (150/250-868/767) A great figure of the Arabic literature. For al-Tawhid, he is one of the three greatest Arabs: Umar Ibn al-Khattab, al-Hassan al-Bassry and al-Jahiz. He was Mu'tazilite.

**Jouhaizah:** A kharijite woman known for her courage in the first century of Islam

**Jalal al-Din al-Roumy:** A great Persian mystic poet of the Middle ages. Died in 672/1273

**Jufaina al-Nasrany:** A well-known Christian teacher of the first century of Islam.

**Al-Fakhr al-Razy:** (D. 606/1209): Jurist and theologian known for his commentary on the Koran.

**Farashah:** A Kharijite militant woman of the Umayyid epoch.

**Al-Fari'ah:** A Kharijite militant woman of the Umayyid epoch

**Farqad al-Sabkhy:** (D.131 AH ) A disciple of al-Hassan al-Basry he had a good non-Islamic religious culture.

**Fatemah bint Muhammad:** (D.11 h.) Daughter of Muhammad and wife of Aly. For some Shi'ites, she represents "the embodiment of all that is divine in womanhood".

**Futuwwah:** In ordinary usage, all honorable qualities that distinguish a noble youth. Name used by some Sufis and by the protestation movements in the cities.

**Ghazalah:** leader of al-Shabibiya (a group of the Kharijites), she headed a mixed army with more than 200 women against al-Hajjaj in the eighties of the first century of al-Hijra.

**Ghilan al-Demashqui:** A great open minded and one of the first opponents of fatalism in Islam. he was crucified by the Umayyed Caliph Hisham Ibn Abdel Mallek (25/105-43/724).

**Al-Ghoulah:** Common name given to many extremist Shi'ite sects.

**Hafsah Bint Omar:** Daughter of the Caliph Omar Ibn al-Khattab and wife of Muhammad, her marriage was childless.

**Al-Hajjaj Ibn Yussuf:** (41/661-95/714): Most celebrated of the Umayyid governors States-man, his fidelity to the Umayyids knew no bounds. known for his repressive and anti-democratic measures

**Al-Hallaj:** (244/858-309/922) A Persian mystic and theo-

**Ikhwan- al-Safa (The Safa Brethren):** In the second half of the 4th/10th century, a religious and political association, described themselves as the “pure and faithful”. They wrote 52 treatises: a marriage of ideas of Greek, Persian, and Indian wisdom. Hermes, Pythagoras, Socrates, Plato and Aristotle were brought together with Arab and Islamic thought.

**Isma'ilites:** A Shiite sect so called because it stopped the series of Imams at Ismail (died in 143/760), eldest son of Ja'afar al-Sadik. Known as the esoterics (batiniya), whose starting point was the allegorical exposition of the Koran. One of their offshoot, was the Carmathians. At the end of the third century A.H, Ubaid Allah al-Mahdy recognised as Imam by the Berbers of the tribe Ketama founded in Tunisia the empire of fatimids, soon afterwards extended to Egypt.

**Kharijites:** The earliest sect in Islam. The schism was caused by the proposal presented to Aly by Mu'awiya during the battle of Siffin (37-657) with the famous “Judgement belongs to God alone”. They did not have any true unity of military or political action, nor did they have any unified body of doctrine.

**Khurramites:** In Persian, khurram means agreeable. In the reign of Ma'mun (198/218-813/833) Babak al-Khurramy rebelled against the Caliph in Adharbaijan and resisted from 201 to 223, the date of his execution in Baghdad. The sect had humanitarian and so-

cial justice orientation.

**Al-Kindy:** A great Arab philosopher born in the middle of the ninth century. Known for his encyclopaedic Knowledge.

**Laila al-Nati'yah:** A woman of great culture. She belonged to the extremist Shiites.

**Makhoul al-Demashqui:** a transmitter of tradition.

**Malek Ibn Dinar:** (D.131) Disciple of al-Hassan al-Basry, jurist, he had wide knowledge of the three monotheist religions.

**Al-Walid Ibn al-Mougheirah:** A leader of the aristocratic party in Mecca, hostile to Muhammad. The Koran criticized his attitude in Sourat al-Humaza-104.

**Muhammad Ahmad Khalaf-Allah:** Contemporary Arab reformist writer from Egypt.

**Muhammad Ibn Wasi'a:** Disciple of al-Hassan al Basry and great lecturer of Koran. He refused to be a judge because "its a gift of the Sultan". Contemporary of Malik Ibn Dinar.

**Nasser Khussraw:** (394/1003-453/1061) Persian historian. After a great journey in the Muslim countries he concluded that Islam had diverged from the true path and that only Ismailism could save the true believers from inevitable ruin.

**Omar Ibn Abdel Aziz:** (63/682 - 101/720) Umayyid Caliph known for his piety. He was distinguished for his great simplicity and frugality. His reign lasted only two and half years.



**Omar Ibn al-Khattab:** Second Caliph after Abu Bakr (13/634 - 23/744). Father of the first Arab Islamic institutions. Known by historians as just and hard.

**Othman Ibn Affan:** The third Caliph (23/644-35/655), a rich merchant, he was the first Muslim of high social rank. Son-in-law of the Prophet. Killed in a Muslim conflict which opened the greatest dissents in Islam.

**Al-Sadr al-Qawnawy:** (672/1273) a great mystic. He adopted the old idea of the perfect man "al-Insan al-Kamel" as a microcosmos of a higher order reflecting not only the powers of nature but also the divine powers.

**Rashid Ibn Khalifa:** (1183-1219 AD) "Free thinker" and writer.

**Al-Rayyashy:** Arab poet of the Abasside epoch.

**Al-Sa'aleek:** A social and poetical anti-conformist movement before and during early Islam.

**Al-Sahrawardy:** ("The Killed") (549/1153-587/1191) Theologian, philosopher and mystic. Founder of the philosophical tendency called "al-ishraq" (illumination).

**Al-Sakhawy:** Historian known for his wide knowledge of the Middle Ages.

**Al-Samawal Ibn Gharidh:** The most famous Jewish Arab poet before Islam, moralist with social and humanist tendencies.

**Al-Shirazy:** (D. 1050 AH.) One of the great unknown men

in the history of human thought. Theologian, philosopher and mystic.

**Sufian al-Thawry:** (D.161/778) Traditionalist and transmitter of tradition.

**Al-Suyuty:** (D.911AH) A great Islamic theologian. Author of hundreds of treatises and books. Best known for his "Saon al-Manteq"

**Al-Tabary:** (839-923 AD) A great Arab historian. He laid down the principles of his new school of law. Well-known for his commentary on the Koran (Djami al-Bayan fi Tafsir al-Koraan) and the history of the world (Tarikh al-Rusul wal-Muluk). He was accused of heretical tendencies, certainly unjustly.

**Ubaidullah Ibn Ziad:** Umayyid governor of al-Basra.

**Um Hakim:** Poet and activist Kharijite.

**Umran Ibn al-Hassein:** (D.52 h) Companion of the Prophet, very pious Muslim.

**Uwais al-Qarany:** (D.37) An Islamic figure known to be poor and faithful.

**Al-Walid Ibn Adbdel Mallek:** Umayyid Caliph (88/98-705/715), he ranked as the great builder of the dynasty. Father of the Arabicisation of the administration. He named strong and repressive governors like Hajjaj, Qurra, Uthman and Khaled.

## Bibliography

- The Koran.
- The Old Testament and the four Books of Revelation.
- The Bukhary collection of prophetic tradition.
- The Muslim collection of prophetic tradition.
- Ibn al-Atheer. Al Kamil fil Tarikh, (The Consummate Book on History).
- Ibn Abi al-Hadid. Sharh' Nahj Al Balagha, (Commentary on The Proper Method of Rhetoric), Cairo, 1959.
- Ibn al-Jawzy. Safwat Al Safwah, (The Elite of the Elite), Haidar Abad, 1355 A.H.
- Adaab al-Hassan al-Bassry, (The Rules of Conduct of al-Hassan al-Bassry), Cairo, 1931.
- Ibn 'Arabi. Turjoman Al Ashwaq, (The Interpreter of Longing), Beirut, 1312 A.H.
- Kitab Al Tafseer, (The Book of Explication), Maimannia Press, Egypt, n.d.
- Ibn Sa'ad. Al Tabaqat Al Kobra, (The Great Grades), Beirut, 1957.
- Ibn al-Tabary. Ferdawss Al Hekmah, (The Paradise of Wisdom).
- Ibn Manthour. Lissan Al Arab, (The Tongue of the Arabs), Sadder Press, Beirut.
- Ibn al-Nadim. Al Fehrest, (The Index), Al Ma'refah Press, Beirut, 1978.
- Ibrahim Fawzy. Ahkaam Al Ussrah fil Jahilleyah Wal Islam, ( Family Rules in Pre-Islamic Societies and in Islam), Al Kallemah Press, Beirut, 1983.
- Abu Bakr al-Razy. Rassa'el Falsaffiah, (Philosophical Treatises), Al Afaak Al Jadidah Press, Beirut, Third Edition, 1979.
- Abu Hayyan al-Tawhidi. Al Bassa'er Wal Thakha'er, (Insights and Treasures), Aslass and Damascus, 1964.

- Al Imta'a Wal Mu'anassah, (Gratification and Conviviality), Cairo, 1942.
- Abu al-'Ataheya. Collected Poems.
  - Abu al-'Ala'a al-Me'arry. Lozoom Ma La Yalzam, (Necessity of the Unnecessary), Beirut Press, 1983.
- Saqt Al Zand, (Sparks), Sadder Press, Beirut, 1963.
- Abu al-Farag al-Asfahani. Al Aghani, (Songs), Al Sha'ab Press, Cairo, 1970.
  - Abu Na'eem. Hellyat Al Awliya'a, (The Ornament of Holy Men), Cairo, 1973.
  - Abu Abdel Rahman al-Salmi. Tabaqaat Al Sufiah, (The Grades of Sufism), Cairo, 1953.
  - Albert Nasri Nader. Al Tassawof Al Islami (Nossouss), (Islamic Sufism: An Anthology), The Catholic Press, Beirut, 1960.
  - Ikhwan Al Safa. Rasa'el Ikhwan Al Safa, (The Treatises of Al Safa Brethren), Sadder Press, 1957.
  - Bandali Jouzy. Min Tareekh Al Harakaat Al Fekriyah Fil Islam, (From The History of Intellectual Movements in Islam), Third Edition, Damascus, 1982.
  - The Commentary of al-Fakhr al-Razy on The Koran.
  - The Commentary of al-Tabary on The Koran.
  - The Commentary of the Jalals on The Koran.
  - Jaber Ibn Hayyan. Rassa'el Jaber Ibn Hayyan, (Treatises of Jaber Ibn Hayyan), Cairo, 1935.
  - Al-Ja'hedh. Rassa'el al-Ja'hedh, (Treatises of al-Ja'hedh), Cairo, 1933.
- Al Hayawan, (Living Creatures), Beirut, 1978.
- Girgis Dawood Dawood. Adyan Al Arab Qabl Al Islam, (The Pre-Islamic Religions of the Arabs), The University Institution, Beirut, 1981.
  - Ja'afar al-Sadek. Ossoul El Kafi, (The Fundamentals of Properness).

- Jawad 'Aly. Al Mowassa'a Fi Tarikh Al Arab Qablil Islam, (The Detailed Account of Pre-Islamic Arab History).
- Abdel Rahman Badawy. Min Tarikh Al Ilhad Fil Islam, (From the History of Atheism in Islam), n.d.
- Al Insan Al Kamel Fil Islam, (The Perfect Human Being in Islam), (including excerpts from al-Qawnawy's book "The Grades of Being" and Ibn Qadeeb el-Ban's "The Divine Episodes"), Publication Agency, Kuwait, 1976.
- Tarikh Al Tasawwof Fil Islam, (The History of Sufism in Islam), Publication Agency, Kuwait.
- Mathaheb Al Islameyin, (Doctrines of Islamists), Al Elm Lilma-layeen Publishers, Beirut, 1973.
- Al Sobky. Tabaqaat Al Shafeiya, (The Categories of Shafeites), Cairo, 1964.
- Al Sakhawy. Al I'lan Bil Tawbikh Limann Zamm Al Tarikh, (Reprimand For Those Who Derogate History).
- Al Sahrawrady. Hikmatol Ishraq, (The Wisdom of Illuminism), Tehran, 1313-1316 A.H.
- Hayakel El Nour, (Temples of Light), Egypt, 1957.
- Al Shafei. Kitab Al Omm, (The Jurisprudence Encyclopedia), Amiria Press, Cairo, 1322 A.H.
- Shams al-Din al-Zahaby. Kitab Al Kaba'er, (Book of the Grave Sins), Al Asriya Press, Sayda, 1988.
- Shahrestany. Al Millal Wal Nihhal, (Sects and Creeds), Beirut, 1975.
- Abdullahi Na'eem. Nahwa Tatweer Altashree'a Al Islami, (Toward the Development of Islamic Legislation), Sina Publishers, Cairo, 1994.
- Abdel Karim al-Jily. Kitab Al Insan Al Kamel Fi Ma'refat Alawakher Wal Awa'el, (The Book of Perfect Human Being in the Thought of Ancestors And Contemporaries), Egypt, 1293 A.H.
- Muhammad Ibn Khalaf Ibn Hayyan (known as Waki'e). Akhbar Al

- Quddah, (The Annals of Judges), Cairo, 1974.
- Muhammad Ahmad Khalaf-Allah. Al Nass Wal Ijtihad Wal Hukm Fil Islam, (The Text, Ijtihad and Government in Islam), Al Arabi monthly Journal, June 1984.
  - Muhammad Sa'eed al-Ashmawy. Al Islam Al Siyassi, (Political Islam), MOFEM Publishers, Algiers, 1990.
  - The Seven Celebrated Ancient Poems.
  - The National Library Manuscript, Paris, No. 2861.
  - The National Library Manuscript, Paris, No. 3039.
  - The National Library Manuscript, Paris, No. 5889.
  - Muhammad Joudal Sahhar. Abu Zarr el-Ghaffari, Al Ishtraki Al Zahed, (Abu Tharr al-Ghaffary, The Ascetic Socialist), Cairo.
  - Nasser Khussraw. Safarnameh, (Book of Travel), Schefer Publisher, Paris, 1881.
  - Nasr Hamed Abu Zaid. Naqd El Khetab El Dini, (The Critique of Religious Discourse), Second Edition, Cairo, Sina Publishers, 1994.
  - Mafhoum El Nass, (The Concept of Text), The Arab Cultural Centre, Beirut, 1990.
  - Hady al-'Alawy. Al Mustatraf Al Jadid, (The New Book of Oddities), Al Tali'a Publishers, Beirut, 1980.
  - Haitham Manna. Al Mar'a Fil Islam, (Woman in Islam), Al Hadatha Publishers, Beirut, 1980.
  - Islam And Disease, PH.D.dissertation (in French), High Institute of Social Sciences, Paris, 1983.
  - Intaj Al Insan Sharqil Motawaset, (The Production of Man in the Mediterranean East), Al Nidal Press, Beirut, 1986.
  - Jadal El Tanwir, (The Dialectics of Enlightenment), Al Tali'a Publishers, Beirut, 1990.

## **· CIHRS's PUBLICATIONS**

### **I. Human Rights Debates :**

- 1- Human Rights Guarantees Under Palestinian Self-Rule Authority,  
Part one : The Political and Legal Considerations. (Arabic & English).
- 2- Part Two: The Cultural Considerations. (Arabic).

#### **Coming**

- 3- *Human Rights Guarantees Under a Totalitarian Islamic Regime, Model of Sudan* 1989 - 1994
- 4- Human Rights Guarantees of the Palestinian Refugees Under the Current Peace - Process.

### **II. Intellectual Initiatives Booklets:**

- 1- Sectarianism and Human Rights, Violette Dagueree (Lebanon), (Arabic).
- 2- The Victim and the Executioner : Hytham Mannaa (Syria), (Arabic).
- 3- The Civil and Political Rights in the Arab Constitutions: Fateh Azam (Palestine), in Arabic and English.
- 4- Human Rights in the Arab Islamic Culture: Hytha Manna, (Syria) in Arabic and English.

#### **Coming**

- 5- Human Rights - The Right to Participate : Ahmed Abdullah (Egypt)

- 6- Human Rights - The New Vision : Moncef El Marzouki (Tunis)
- 7- The Minority Problem in the Arab World - The Case of Syrian kurds: Mohamed El Sayed Said (Egypt ) & Hytham Manaa (Syria).
- 8- Citizenship in the Arab-Islamic History: Hytham Manaa.

### **III. Ibn Rusd Booklets :**

- 1- Freedom of the Press : A Human Rights Perspective.(Arabic), Mohamed El Sayed Said and Bahey El Din Hassan.

#### **Coming**

- 2- Renewal of the Main Political Trends in the Context of Democracy and Human Rights (Pan Arabism, Left and Political Islam), (English & Arabic).

### **IV. Periodicals:**

- 1- "Sawasiah", Bimonthly Bulletin, (Arabic & English).
- 2- "Rowaq Arabi", Periodical, (Arabic & English).

### **V. Other Publications :**

- 1- How do University Students think of Human Rights?, A monograph of 9 papers written by the students of the 1st and 2nd Training course of CIHRS (Arabic), volume 1a & 2.
- 2- Principles of Human Rights, Mohamed El Sayed Said, El Ghali Publish House (Arabic)





## **Haytham Manna :**

- Born in South Syria.
- Studied Medicine at the University of Damascus in Syria, and Mary & Pierre Currie in France.
- Received a Diploma in psychosomatic treatment from the University of Paris 13, and a Diploma in the disturbances of sleep and waking from the University of Montpellier, 1989. Taught courses on sleep at the University of North Paris in 1990.
- Studied social sciences and received a ph.D in Anthropology from the Higher Institute of Social Sciences, Paris, 1983.
- Co-founder and international relations supervisor of the outside branch of the Committees for The Defence of Democratic Freedoms and Human Rights in Syria.
- Vice President of the International Federation for Human Rights.
- Member of the Board of Trustees of the Cairo Institute for Human Rights Studies.

## **His Works In Arabic :**

- The Revolt of the Peasant Commune, Damascus, 1975.
- Woman in Islam, Beirut, 1980.
- The Arab-Islamic Society From Muhammad to Aly, Paris, 1986.
- The Production of Man in the Mediterranean East: The Clan, The Tribe And The State, Beirut, 1986.
- The Woman!!, Collin, 1988.
- The World of Sleep, Laodicea, 1990.
- The Veil, Collin, 1990.
- The Dialectic of Enlightenment, Beirut, 1990.
- The Challenges of Enlightenment, Collin, 1991.
- The Victim and The Executioner, Cairo, 1995.

He participated in several collective works on women in the Arab World and on human rights, and published about 100 articles and lectures in Arabic, French and English.