

SOCIAL STRUCTURE UNDER THE PIOUS CALIPHATE

As regards the actual social conditions in Arabia on the eve of the advent of Islam, one can safely say that the pre-Islamic Arabs of the desert were steeped in all sorts of vices like people in other parts of the world. They fought amongst themselves continually; minor quarrels developed into incessant tribal wars; trivial local feuds often continued for centuries; plunder and robbery were regarded as honourable and normal economic activities; drinking and gambling were looked upon as noble traits; sexual corruption and unlimited polygamy were universal; women did not enjoy any status in society; and young girls were buried alive. In short, the Arabs had no conception of a decent, refined and cultured social life. Similarly, they had no conception of ethics and were steeped in the worst forms of immorality. It is these factors that gave this epoch the name of the period of 'Ignorance.'

But it is also a fact that Arabs had certain qualities of chivalry, simplicity and hospitality and had not been corrupted by the traditional traits of culture and thus possessed great potentialities. They held in themselves the possibilities of rising into a power that could change the whole course of history. They were capable of being utilized as the first laboratory for an ideological revolution. The crux of the whole matter is that, as compared with other people, the Arabs, in spite of their prevalent vices and immorality, were better fitted to bring about a revolution under the able guidance of Prophet Muhammad than people of any other country.

As prophet and reformer of his people Prophet Muhammad could not be otherwise than revolutionary in the fullest sense of the word; for his religious teaching introduced not only a complete change in the political situation but also had an equally important bearing on the social conditions. During the ten years the Holy Prophet Muhammad presided over the commonwealth of Islam of Medina, a great change had come over the character of the Arab people: a congeries of warring tribes and clans were rapidly consolidated into a nation under the influence of one ideology.

On the emergence of Islam the tribal organization of the Arabs, the decentralized rule of the Shaykhs in the desert regions and that of small princes and chieftains in the more fertile areas gave place to a powerful central government with a single legal, moral and religious

code for all. The primitive, isolated and almost static society of the Bedouins was violently rocked to its very foundations and made dynamic and progressive. The clan basis of society yielded place to a society based on religious brotherhood, which transcended geographical boundaries and racial or linguistic differences.

In a nutshell, the picture of Arabia at the death of the Prophet is the picture of a land greatly convulsed by the flux of tremendous new ideas. These ideas brought about profound changes in the immediate period of his Companions. How this change was completed and the new society of Islam came into being is a narrative that belongs to the period of the Pious Caliphate.

Elements of the New Society

The new society that came into being as the result of Islamic Revolution consisted of three main classes, namely, the Muslim, the non-Muslims and the slaves. Among the Muslims were included emigrants and helpers, ordinary Arabs, clients and Muslim slaves, both men and women – although a fuller discussion on the slaves as a class will be made later. Among the non-Muslims were included Jews, Christians, and other non-Muslims including the slaves, both men and women. It will be our task now to review their inter-connexions, their gradual transformation, their final fusion and merging into one whole.

The Muslims

To begin with, there was no difference at all between the Muslims and the non-Muslims. If there was any difference between the rights, duties and responsibilities, that only existed between the Muslims and the non-Muslims as they belonged to different categories of citizenship. Some of the Orientalists assert without any basis that it was the Arabs alone who were the conquerors and as such held a dominant position in the State. If the Arabs held a dominant position, it was not due to the fact that they were Arabs, but because they were Muslims and the pioneers of the Islamic Revolution, who had sacrificed their all for the sake of Islam and were prepared to take the utmost responsibility to run it successfully even at the cost of

their life and property.

Being regarded as the most virtuous and competent, the prominent Companions of the Holy Prophet were from amongst the Emigrants elected by the people as Caliphs and were placed at the helm of affairs. These Companions, in fact, did not behave like kings or presidents of a modern state, but they regarded themselves as public servants and mere custodians of the interests of the people, and discharged their duties very honestly and faithfully. They did not enjoy the life of this world but lived a life of utmost austerity.

The next group of Muslims came from the group of helpers (Ansar) and they also sacrificed their all for the sake of this Ideology. It was they who had not only given shelter to the Prophet and his Companions when they were obliged to leave their birth place, but also shared all their fortune with their Emigrant brothers. It was with their assistance that the Prophet had been able to build a State at Medina to avert the danger from the Quraysh. Both the Ansar and the Muhajirin were knit together by the Holy Prophet of Islam in the brotherhood of Islam. The Ansar, also like Muhajirin, had dedicated their lives to the protection and promotion of the cause of Islam, and made great sacrifices along with their adopted brothers in building the city state of Medina. Prominent personalities from both the groups of Emigrants and Helpers were naturally included in the Advisory Body of the Pious Caliphs and were consulted in all administrative affairs and selected to important posts according to their capacity and capabilities.

Clients

The next group in order of importance was that of the clients. They presented an institution in themselves. They formed the bulk of the Muslim population, not only in the distant provinces but also in Arabia itself. The clients were the non-Arabs who had accepted Islam in other lands and migrated to the capital of the Caliphate and other well-known places of Arabian peninsula, like Mecca, Taif, Kufa and Basra. The freed slaves were also called clients and their number too was very large. These clients were free citizens of the Empire and had a profound bearing on it.

The institution of clientship sprang up from the institution of slavery. It existed in the pre-Islamic period, was reformed, greatly

extended and finally sanctified into a practical and religious institution under Islam. As a technical term in law and history, it has three different connotations: freed slave, client by agreement, and client by blood relation.

Often a very dark picture is painted as to the condition of the clients but that certainly relates to the Ummayyad period. During the period of the Pious Caliphate, they served as teachers in the religious seminaries. They were solely responsible for the propagation and development of knowledge. It was they who served in the Secretariate and as literary attendants in the Caliph's court. During this period the secretariat work was almost wholly conducted by the clients. In short, all communal activity was entirely done by them. Clients were given a very fair deal. The clearest example is that of Hazrat Umar who wanted to nominate a client as his successor to the Caliphate and most of the clients of Hazrat Ali occupied high posts in his army. The truth is that numerically the clients formed the main population of the Arab Empire and enjoyed, for all practical purpose, not only an equal status with the Arabs, but were, in fact, better off. The best proof of this assertion is that most of the early conquests, both military and civil, were carried out by the genius of the clients under Arab leadership. In fact, there was no distinction between Arab Muslims and non-Arab Muslims during the Pious Caliphate as all the four Khulafai Rashidin were the true followers of the precepts of their Master, the Holy Prophet Muhammad, who in the famous sermon on the occasion of his last pilgrimage to Mecca, made the great utterance that the Arabs had no superiority over the non-Arabs, nor the white over the black; personal greatness in Islam depended only on righteousness and devotion to God.

The Non-Muslims

It now remains to speak of the subject races professing other faiths than Islam whom we have mentioned as forming the second category of citizenship living within the bosom of the Caliphate.

It is generally asserted by the Orientalists that these non-Muslims were considered as inferior and belonged to the second category of citizenship. But the historical facts will prove that in certain respects they were better off than even the Muslims. It is

quite true that in an Ideological State, only those persons could be entrusted with its administration who had firm belief in Islam's ideology and were conversant with its spirit and had made the realization of the aim of that State as their life mission. It was the believers alone who had made all kinds of sacrifices, and who had undertaken to bear all the responsibilities of running the State. On the other hand, the non-Muslims had agreed only to live as Dhimmis (protected subjects) with peace and tranquility within its jurisdiction. Naturally the rights and duties of each section of the people differed fundamentally. Since the non-Muslims did not believe in Islam's ideology, they could not possibly be associated with its basic policy-making and also could not be entrusted with any key positions. However, the pious Caliphate, in accordance with that verse in the Quran, "No compulsion in matters of faith," did not believe in forcing its religion, culture and traditions on others or adopting coercive measures under the cloak of nationalism for merging the culture of the non-believers. On the other hand, it provided full scope for the growth of their culture and traditions and the administration of their civil affairs in accordance with their own religious law. Nay, it went one step further and regarded all the non-believers as its own responsibility and as such guaranteed full liberty of conscience, protection of property, life and honour and freedom of religious beliefs to all the non-Muslims.

As the non-believers were not obliged to defend the State, they were required to pay a small tax in the form of *Jaziah*, but the moment they showed their willingness to render military service they were at once exempted from the payment of this tax. Hazrat Umar had made the rule that if a non-Muslim rendered military service to the State even once in a year, he was to be exempted from this tax for the whole year. That the *Jaziah* was charged in lieu of the military service can be proved by the fact that only those persons were charged this tax who were capable of rendering military service, i.e., women, old persons, children, the sick and the disabled were all exempt from its payment. Even the religious leaders of other religions who had retired from active life enjoyed this exemption. On the other hand, no exemption from rendering military service was possible for any Muslim at any cost.

If at any time, the Muslim authorities felt that they were not in a position to give due protection to their non-Muslim subjects,

they were morally and religiously bound to return the amount of *Jaziah* if this were already collected from them.

Professor T. W. Arnold writes in his book, *The Preaching of Islam*, as follows:

“The tax (i.e. *Jizyah*) was not imposed on Christians, as some would have us think, as a penalty for their refusal to accept the Muslim faith, but was paid by them in common with the other non-Muslim subjects of the state whose religion precluded them from serving in the army, in return for the protection secured for them by the arms of the Musalmans. When the people of Hirah contributed the sum agreed upon, they expressly mentioned that they paid this *jizyad* on condition that ‘the Muslims and their leader protect us from those who would oppress us, whether they be Muslims or others.’ Again, in the treaty made by Khalid with some towns in the neighbourhood of Hirah, he writes: ‘If we protect you, then *jizyah* is due to us; but if we do not, then it is not due.’ How clearly this condition was recognised by the Muhammadans may be judged from the following incident in the reign of the Caliph Umar. The Emperor Heraclius had raised an enormous army with which to drive back the invading forces of the Muslims, who had in consequence to concentrate all their energies on the impending encounter. The Arab general, Abu ‘Ubaydah, accordingly wrote to the governors of the conquered cities of Syria ordering them to pay back all the *jizyah* that had been collected from the cities and wrote to the people saying, ‘We give you back the money that we took from you as we have received news that a strong force is advancing against us. The agreement between us was that we should protect you, and as this is not now in our power, we return you all that we took. But if we are victorious we shall consider ourselves bound to you by the old terms of our agreement.’ In accordance with this order enormous sums were paid back out of the state treasury, and the Christians called down blessings on the heads of the Muslims, saying, ‘May God give you rule over us again and make you victorious over the Romans; had it been they, they would not have given back anything, but would have taken all that remained with us.’ (pp. 60-61)

It is significant to note that all the land in the conquered countries was left with the non-Muslims who were granted all the proprietary and prescriptive rights. In no case were the Muslims allowed to purchase such land from the non-Muslims. Even the

state could not acquire it for its own purposes without the consent of the owner. The revenue fixed by the State was based on equitable methods and in no case exceeded half the produce of the land if taken in kind. Caliph Umar had issued instructions to the rent collectors that they should deal with the non-Muslims most leniently and he used to summon ten persons from each province to report to him whether enough was left to the non-Muslim cultivators.

If a Muslim acquired the landed property, the agreement was considered null and void and the property reverted to the Central Treasury. The Muslim cultivator could, however, acquire landed property from the Central Treasury, but for all practical purposes, the rent amount was the same as was charged from the non-Muslim cultivators. The rule was that *Kharaj* land could not be converted into 'Ushr land. It is thus clear that in matters of land tax, both the Muslims and the non-Muslims stood on equal footing. The non-Muslims were charged only *jaziah* which was much less in incidence than the Zakat that was charged from all Muslims without any exception.

Liberty of Conscience

The Caliphate never interfered with the worship of the protected subjects. Monasteries continued in peaceful prosperity. Every community, of whatever persuasion, was permitted to choose its own spiritual chief. The Christians were allowed to maintain and repair their old churches and also to construct the new ones. All charters granted to the non-Muslims by the Islamic State during the days of the Pious Caliphate invariably contained the guarantees not only in respect of life, honour and property, but also explicitly with regard to religious freedom. A few instances might be cited here.

The following pledge was given in writing to the non-Muslims of Georgia when that country was conquered: "protection to their lives and property and freedom in matters of communal organization and observance of religious practices is hereby guaranteed, and no change shall be effected in this behalf." Similar charters were given to the non-Muslims of Mahe Dinar and Azerbaijan by the Muslim authorities. The pledges which the second Caliph of Islam gave to those non-Muslim communities who came under the protection of

the Islamic State are very well known. The text of one such treaty which was granted to the people of Palestine will suffice:

“In the name of Allah, the Beneficent, the Merciful. This is the pledge of protection granted to the people of Palestine by Umar, the Servant of Allah and Leader of the Faithful. This protection is for all their co-religionists and relates to their lives, property, churches and crosses, be they in bad condition or good. (In this way that) Their churches shall not be turned into dwelling houses, nor shall they be pulled down. No injury shall be done to them, or to their enclosures, or to their crosses, or to their attached properties. No restriction shall be imposed regarding their religious ceremonies and none of the people shall be harmed in any way. No Jew shall be permitted to stay along with them. Whatever is in this document is guaranteed in the name of Allah and His Messenger and the Caliphs and the Muslims in general on the condition that the people pay the *jizyah* regularly.”

One important thing to be noted in this connection is that the pledges given to the non-Muslims by the Islamic State were not like the paper guarantees which the so-called civilized governments of the present day give to people on different counts. Their strict observance and fulfillment was a matter of utmost importance to the Muslims — in fact, a most sacred and invincible obligation. Thus when Umar the Great was to breathe his last, after his assassination by a non-Muslim, one of the pieces of advice he gave to the Muslims was:

“I advise him (who is to become *Khalifah* after me) to fulfill the pledge of protection given to the Dhimmis (protected non-Muslims), to wage war (if necessary) for protecting them and to abstain from placing upon them a burden which may be beyond their power.”

So far as the dispensation of justice was concerned, the Muslims and the non-Muslims stood on equal footing. Anas related that once a non-Muslim Copt came to Umar the Great and said: “I have come to seek your protection against injustice.” “Be not afraid: you are under strong protection,” came the reply. Thereupon the Copt submitted his complaint in the following words: “I and the son of Amr bin al-‘As (Governor of Egypt) competed in a horse race in which my horse scored victory. Enraged at the defeat he flogged me saying that he was the noble’s son.”

‘Umar the Great immediately wrote to ‘Amr bin al’As to present himself along with his son concerned. When the two arrived,

the non-Muslim complainant was called. A whip was given in his hand and he was asked to flog the Governor's son.

In the words of Hazrat Anas: "The Copt was flogging the son of 'Amr bin al'As, and we were satisfied at the dispensation of Justice, until at last he himself stopped it." Then 'Umar asked the Copt to place the whip over the head of 'Amr bin al'As, to which the Copt replied: "The lad flogged me and I have avenged the wrong. 'Amr bin al-'As has done me no harm." After that the Caliph turned to 'Amr bin al-'As and said:

"Since when have you come to regard human beings as your slaves although their mothers brought them forth as possessors of liberty?"

One day when, during the Syrian war, 'Umar the Great camped at Jabiyah, a non-Muslim came to him and complained that some Muslims had picked up grapes from his vineyard without his permission. Coming out of his camp instantaneously, the Caliph found a Muslim coming out of the vineyard with some grapes on his shield and said to him in a severely harsh tone: "You too started committing such foul deeds." The person pleaded that he had been led to it solely because of his extreme hunger. Thereupon 'Umar got the owner of the vineyard compensated for his grapes to an extent which satisfied him.

Once a farmer of Syria complained to 'Umar the Great that the Muslim army had destroyed his crop during its march through his field. The Caliph paid him ten thousand dinars from the State Treasury by way of compensation.

A person once informed 'Umar the Great that the yield of a certain land was higher than what had been assessed in connection with its taxation and that consequently the amount of the tax should be increased. The reply of the Caliph was: "The land has come under our administration through a peace-treaty. Therefore, we cannot raise the amount of the tax beyond that which had been stipulated in the treaty, however much the produce of the land might increase."

Grant of Stipends and Old-Age Pensions to the Poverty — stricken and Destitute non-Muslims from the State Treasury

When Hirah was conquered during the Caliphate of Abu Bakr a pledge was given by Khalid bin Walid, the Commander-in-Chief of

the Muslim army, to the non-Muslims of that areas which included the following words:

“Whoever from among the old people shall become incapable of earning his livelihood because of his old age or because of calamity, or shall be reduced to poverty to an extent which renders him dependent upon the charity of his co-religionists, he shall be exempted from the *jizyad* (i.e. the Protection Tax). And not only that. He and his dependents shall be paid stipends from the State Treasury of the Muslims so long as they reside within the jurisdiction of the Islamic State.”

One day, when coming out of a mosque, ‘Umar the Great saw a Christian begging for alms. The Caliph approached him, inquired from him about his affairs and remarked: “It is against Justice that while we realized the tax from you when you were young and capable of earning, we keep away from helping you when you have grown old.” Saying this he immediately ordered that a regular pension sufficient to maintain him comfortably should be paid to him for life from the State Treasury.

Treacherous Non-Muslims Citizens Treated Generously

Situated on the frontiers of Syria and the Byzantine Empire, ruled respectively by Muslims and Christians, there was a town called Arbasoos. It had come under the Muslims through a peace treaty. But in spite of the pledge which its Christian residents had given, they used to act as traitors and were in the habit of passing on secret information to the enemy on the other side of the border. ‘Umar ibn Saad, the Governor of Arbasoos, finally informed ‘Umar the Great about it. In reply the Caliph sent to him the following instructions:

“Assess the value of all their assets, their lands and their cattle, pay to them double of that amount and ask them to migrate (comfortably) from there. In case they do not agree to it, given them one year’s time, and exile them thereafter.”

Impartial Justice Meted Out to Non-Muslims

Since Islam respects the religious laws of other religious communities, the protected subjects could not be brought under the

jurisdiction of the Islamic Law, unless they themselves so desired. But once they brought the case to a Qadi's court, they could not take it back to their own. However, when disputes among the non-Muslims took a turn which was likely to affect law and order, the Government could interfere. Legal relations between themselves were therefore governed by the laws of their own faith. In cases of inheritance, marriage, divorce and the like, the Muslims followed their law and the non-Muslims their own.

No Christian or Jew could inherit from a Muslim, and no Muslim from a Christian or Jew. This meant that the children of non-Muslims, if they embraced Islam, had to be disinherited. If a non-Muslim left a will for the construction of his own place of worship, it was allowed. The goods of an heirless protected subject were to devolve upon the members of his own community while those of an heirless Muslim were to go to the Central Treasury of the Government.

Whenever a dispute arose between a Muslim and a non-Muslim, the case was decided by the Qadi and the principle adopted was: "The non-Muslim is just like a Muslim in matters concerning this world." In the punishment of crimes there was no difference between a Muslim and a non-Muslim. If a non-Muslim was killed by a Muslim, the latter was liable to the same penalty as in the reverse case. The golden rule adopted by Islam in this respect was: "The blood of a protected subject is like the blood of a Muslim."

The following historical event will throw sufficient light on the conception of justice in Islam even where a non-Muslim was involved against the Caliph of Islam.

At the time of his departure for the battle of Siffin the Caliph Ali lost his *Zirah* (weapon). When he returned from the battle field, he found it with a Jew. He asked the Jew how he got it as he had neither given it to anybody nor had he sold it. The Jew rudely replied that since it was in his possession, it naturally belonged to him. The Caliph, in spite of being the Head of the State, had no other alternative but to take the case to a Court of Justice along with the Jew. The Judge then proceeded with the case and inquired from the Caliph about the case. Hazrat Ali told the Judge that the *Zirah* which was now in the possession of the Jew belonged to him as he had neither given it to anybody nor had he sold it. Thereupon the Judge sought an explanation from the Jew. He replied that as it was in his

possession, it belonged to him. Then the Judge demanded an evidence from the Caliph. The latter wanted to produce his own son Hasan and his slave Qanbar as witnesses, but the Judge declined to accept the Caliph and issued his verdict in favour of the Jew. Hazrat 'Ali accepted the decision of the Judge without any hesitation or remonstrance, but the Jew himself was greatly surprised and confessed that the weapon in question belonged to the Caliph Ali and was so deeply impressed by Islamic code of law that he embraced Islam then and there.

In fact, in safeguarding the rights of non-Muslims, the Islamic State had gone to such extremes as to give them the liberty of maintaining even those practices which were entirely opposed to the teachings of Islam. For instance, the consumption of intoxicants is forbidden to Muslims, yet the non-Muslims of the country had full liberty, not only of consumption, but also of its manufacture, import and sale. The same was true of games of chance and contracts entailing usury.

It was, in fact, the nobility of Muslim conduct in general and their puritanical fairness and justice in administration which had endeared them to the non-Muslims to such an extent that the latter desired to be governed by the former in preference to their own co-religionist rulers.

Muir, a hostile critic of Islam writes in his work, *Caliphate*:
 "Leniency towards the conquered and their justice and integrity presented a marked contrast to the tyranny and intolerance of the Romans . . . The Christian subjects enjoyed more civil and popular liberty under the Arab invaders than they had done under the rule of Heraclius and they had no wish to return to their former state."
 (p. 128)

And this is what Arnold has to say about Muslim tolerance in his *Preaching of Islam* (p. 56):

"There is strong reason to believe that even a majority of orthodox subjects of the Roman Empire were the well-wishers of the Arabs . . . They readily — and even eagerly — received the new masters who promised them religious toleration . . ."

When the Muslim army reached the valley of the Jordan and Abu 'Ubaydah pitched his camp at Fihl, the Christians inhabitants of the country wrote to the Arabs saying:

"O Muslims, we prefer you to the Byzantiniens, though they are

of our own faith, because you keep better faith with us and are more merciful to us and refrain from doing us injustice and your rule over us is better than theirs, for they have robbed us of our goods and our homes." The people of Emessar closed the gates of their city against the army of Heraclius and told the Muslims that they preferred their Government and Justice to the injustice and oppression of the Greeks."

"For the provinces of the Byzantine empire that were rapidly acquired by the prowess of the Muslims found themselves in the enjoyment of a toleration such as had been unknown to them for many centuries. They were allowed the free and undisturbed exercise of their religion . . . The extent of this toleration — so striking in the history of the seventh century — may be judged from the terms granted to the conquered cities, in which protection of life and property and toleration of religious belief were given in return for submission and payment of *Jizyah*." (p. 56)

Also that "Living under the security of life and property and such toleration of religious thought, the Christian community — especially in the towns — enjoyed flourishing prosperity in the early days of the Caliphate." (p. 63). Such references can be multiplied beyond number. They are an irrefutable proof of the tolerance which Muslims practised.

The Slaves

The slaves formed the third class in this new society. Slavery was an institution recognized by all people before Islam. To Islam, however, belongs the credit of laying down principles which, if developed on the right lines, would have brought about its ultimate extinction in the near future. But it was not the work of a day, and therefore so long as the institution remained, provision had to be made for slaves which should make them as good citizens as the free men.

The rapidity and extensiveness of the great conquests during this era brought into Arabia not only vast amounts of wealth, but also untold numbers of slaves, men as well as women. The number of slaves multiplied so rapidly that at the time of Hazrat Umar's assassination, it was more than 100,000 in Medina alone. Hazrat Umar actually apprehended the danger of their presence and wished to

transfer this huge population away from the capital, but the Companions differed with him and ultimately he had to give up the idea. Every Arab house had dozens of them and the big houses had them in hundreds and thousands. These slaves were entirely in the hands of their owners but were often quickly freed; despite this they remained attached to their masters and their alien culture constituted a potential force in the new set-up. In spite of the great revolution and of the new social laws, these formidable forces took their own course of natural evolution and many new traditions and institutions came into being which were neither expected nor desirable. Since the slaves were suddenly drawn into the new social order of Islam, and since they were completely dependent upon their masters they at once presented a problem which was difficult to be solved in its entirety.

It is said that Islam did not issue a charter abolishing slavery outright and the practice of the early Muslims is quoted as a strong argument in support of this theory. But neither of these facts is correct. Islam declared without any ambiguity that man is free and he should not accept the bondage of any other man: he is commanded to bow down to God alone. The entire human race was claimed to constitute one brotherhood without any religious distinction. There are numerous verses in the Quran bearing out the above concept, for instance "Mankind was one nation, then it was divided. And your Lord has ordained that you should not worship any one except Him. There is no rule but of God. He has decreed that you should worship none but Him."

Now as regards the actual problem of slavery, the best thing is to seek a direct reference about it in the Quran, without offering any apology. The Quran does not allow the enslavement of any citizen for any reason within the bounds of the Islamic State. It also does not allow the persecution, arrest or enslavement of civilians in a foreign territory by Muslim troops. The only way by which one can enter the Islamic State as a slave is war. Only prisoners of war could be made slaves. About these war-prisoners the Quran says that the State could slay them or imprison them or free them with or without ransom. These were the various alternatives. The Head of an Islamic State could adopt any one of them depending on the prevailing situation.

In actual practice during the Pious Caliphate, all these alter-

natives were adopted. But in most cases the prisoners were distributed among the Muslim soldiers as slaves. There were two reasons for it. The one was that there were no proper arrangements in those days to keep large numbers of people in prison; the second was that the Muslims thought that if the prisoners were given to individuals they might, in due course, embrace Islam and become good citizens. The second consideration often prevailed and Islamic history can give brilliant examples of freed slaves who played glorious roles in its making and development. The last remedy against the evil was to abolish the practice of distributing prisoners if the combatants could be trusted that they would not renew their previous hostility. In this respect, Hazrat Umar took the first step by liberating all those prisoners who had been captured during the wars against false prophets and apostates. The next step he took was to release the prisoners in the conquered countries if they agreed to live in peace under the protection of the Muslim rulers.

Although slavery could not be abolished totally during this period, yet much was done to improve the slaves' social conditions. There is no doubt that Hazrat Umar tried by sundry ways to curtail the custom and whatever of it remained did so with such humanity that it became a mere name, and the slave for all practical purposes became the equal of his master.

With regard to the emancipation of slaves, all kinds of measures were adopted. The most well-known method was to emancipate the slave out of mere mercy. Muslims were persuaded to free slaves on various occasions, for atonement of sins, and so on. Oftentimes a slave was freed out of gratitude for a little amount of service. Slaves were often freed on occasions of festivity like marriage, birth of a child, etc. Emancipation was also effected by means of formal agreement between the slave and his master the slave promised to pay him a certain amount by installments as the price of his freedom. This arrangement was known as *al-Mukhatabah*.

When the slave girl was taken as wife by her master and she gave birth to a child, it became obligatory on the master to respect her person; he could no longer dispose her of as a slave and she became free automatically after his death. Also the children which were born in this condition were free citizens and enjoyed the right of inheritance as do the children of a free woman.

For those who were already slaves, Hazrat Umar made provision

which put them on par with their masters. While assigning pensions to the heroes of Badr and other battles, he also gave maintenance allowance to the slaves equal to those of their masters, and the same principles was observed on other occasions. One of the instructions to the officials was that they must visit the slaves who were ill. If they failed to do so, sometimes they were dismissed for committing this offense. Hazrat Umar used to invite slaves to dine with him and to say so loudly enough for those who felt ashamed to mix with the slaves. The army commanders were instructed that if a slave gave protection to any people, it should be regarded as if it had been given by all the Muslims, and the army must abide by it. To one commander, he wrote, "A slave of a Muslim is one of the Muslims. The protection he gives is their protection and must be honoured."

The treatment meted out to slaves and their sons was so humane that it led to the rise of great geniuses from among them who were held in high esteem throughout the Empire. Usama, the slave of the Holy Prophet, was the first Commander of the forces appointed by Hazrat Abu Bakr and all the principal Companions were put under his command. 'Akramah, who ranks among the Imams of Hadith and to whom Abdullah b. Abbas had given the degree of juris-consult, and Nafi', who was the teacher of Imam Malik and whose chain of reporters is called the golden chain by authorities on Hadith literature, had both been slaves.

Marriage of Slaves

Before Islam slave girls served either as soulless tools satisfying the master's carnal passions and were divested of all rights or were used for earning money for him through prostitution. Both these evil practices were abolished immediately and order was given that both free men and slaves, males as well as females, should remain in a married state. "And marry those among you who are single and those who are fit among your male slaves and your female slaves and do not compel your slave-girls to prostitution when they desire to keep chaste, in order to seek the frail goods of this world's life" (24: 32-33). The order to keep the male as well as female slaves in a married state is here combined with the order which puts an end to prostitution, and thus these two evil practices of pre-Islamic Arabia were put an end to by the one clear injunction that they shall be

married.

True, the master still had the right to establish sexual relations with the slave-girls. But this right was hedged in with so many conditions that the status of such a slave-girl was rendered almost equal to that of the free wife. She had specific rights and privileges, one of which was that any slave girl who had given birth to a child automatically became free after the death of her master. Her child too was regarded as free and had all the rights of free men, including that of becoming the Caliph of Muslims. Among the numerous great Muslim Caliphs born of slave-girls, one might mention the name of al-Mamun, the celebrated Abbasid Caliph.

The case of the master of a female slave who would himself have sexual relations with her differs only in one respect, i.e., that he being himself her master, does not stand in need of permission from anybody else. The Prophet's example, whoever, shows that when a prisoner or war was elevated to the dignity of wifeness, she was also set free. It was in this manner that he took two ladies, who were prisoners of war, as wives. He set an example in this matter, and the faithful were enjoined to take him for an example (33:21) and imitate him. Nay, his acting in this manner was undoubtedly based on his interpretation of the Quranic revelation, and that interpretation of which the proof exists in his act, must be followed by all Muslims. The Prophet most emphatically laid it down that the master of a slave-girl should educate her, set her free and marry her. The Holy Prophet said, "There are three people for whom there is a double reward: a person belonging to Ahl-al-Kitab (revealed religion) who believes in his own prophet and believes in Muhammad, and the slave owned by another when he performs his obligations towards his master, and the man who has a slave-girl with him, then teaches her good manners and instructs her with polite accomplishments and educates her, then sets her free and marries her."

A good deal of criticism has been made by people against this practice which is dubbed as concubinage, which is not true. But these critics forget that under the prevailing circumstances this right granted by Islam to the slave-girls was in keep with the realistic attitude of Islam to human problems. Those who are conversant with what happens after wars in the present times will appreciate the realistic solution offered by Islam.

Conclusion

To sum up, it can be asserted with sufficient justification that by accepting Islam, people of other nationalities acquired at a stroke complete equality of rights with the Arab Muslims, and were raised to the rank of the governing classes. The heavier the yoke, the more irresistible became the spell of the formula, "There is not God but God, and Muhammad is His Prophet," which immediately set them free from the bondage and perils of the day. Thus countless conversions took place in Iraq and Syria, in Egypt and Persia, and in other conquered countries.

The nation, consisting of individual tribes, was welded together into one national unit by the common religion, Islam. While the old Arab tradition laid great stress on nobility of the descent, Islam did exactly the opposite. It only declared all the faithful to be brothers, and emphatically condemned the obstinate adherence to clannish spirit and tribal jealousy. Thus runs an old poem; "Smuggled into a tribe by adoption, he supports his adoptive father in the hope that he may admit him into the circle of his notable tribesmen, but my father is Islam, and no other do I need, though he be of noble descent of Kais and Tamim." The following incident strikingly illustrates the contrast between the old popular idea and the ideal set up by Islam. A Bedouin of the tribe of Anbar came to the Governor for advice regarding a question of inheritance from his father. The Governor wished to know how many sons were living. "My brother and I," replied the Bedouin, then after a pause added, "and bastard Hajin, son of a slave girl." "Then," retorted the Governor, "the inheritance must be divided into three equal parts." "What!" protested the Bedouin. "Is the bastard to have an equal share with me?"

The family as a unit of social organization already existed in the Jahiliyah period (Period of Ignorance) but its scope and functions and its status were not well defined. Polygamy was common, divorce was also frequent, marriage was contracted as a fact of mere tradition; it carried about it neither any sanctity, nor any dignity. There were also concubines in the households of Arab chieftains, but their number was comparatively small. When Islam came, it gave a wider and definite code about all these problems of social life. The family was declared as the most respectable unit of society. All social development was subservient to it. The duties and functions of both

the sexes were defined, marriage came to be regarded as a sacred act, divorce was hated as a very objectionable practice, polygamy was limited, rights and obligations of men and women were clearly laid down.

Drinking, gambling, adultery and other such vices almost disappeared during this period. People living within moral bounds enjoyed this material world as best as one could. The general impression, therefore, is that it was an age of harmony and healthy life; emotions and ideas were controlled and material luxury was not allowed to trespass the limits of morality or encroach upon the saner judgement of the people.

To put it in a nutshell, the Pious Caliphate was a novel and wonderful experiment in social organization. During the days of the Holy Prophet Muhammad and his immediate Companions, this Social Order presented a unique spectacle of moderation, humanism, social justice and goodness.

The experiment was begun by the Prophet Muhammad, but it bloomed and bore fruit in the new social order that overtook the world after him. The people of other countries which came under the direct dominion of Islam, also imbibed this new spirit and shared in its wonders and niceties; and even the world outside felt its strong impact and learned much that bettered the condition of the human race.

This ideal Islamic State founded by the immediate successors of the Holy Prophet was not confined to Arabia alone; it covered several countries having different languages and possessing varying cultures. However, this ideal State was possible so long as there was a virtuous society to bear its burden and responsibility. But the moment the majority of this class of virtuous people disappeared, the ideal Islamic State gradually degenerated into a corrupt institution. Thus this ideal Caliphate could last only for about thirty years till the end of the reign of the fourth Pious Caliph, Hazrat Ali, from whose hands the Umayyads snatched power through unfair and undesirable means. They corrupted the Institution by introducing un-Islamic system of hereditary succession and did away with the traditional elective element with regard to succession. The undefined system of hereditary succession brought about not only degeneration amongst the rulers, but sometimes also led to disastrous wars of succession among the various competitors for the exalted office.

This undefined system of hereditary succession constituted a precedent and was followed by all the successive Muslim dynasties. But, on the whole, the Muslims continued to run their administration in accordance with Divine laws, thus resulting in equality before law and taxation, fraternity of the believers, equity and justice, liberty of conscience, freedom of expression and last but not the least toleration towards the members of other faiths. As these ideals were not to be found anywhere else in Medieval age, the Muslims succeeded to hold their political and cultural supremacy in the then three known continents of the world, i.e., Asia, Africa, and Europe for about a thousand years. But from the beginning of the nineteenth century, they began to decline in every part of the Muslim world, as by now they had almost ceased to follow the fundamental principles of Islam. On the other hand, by this time Renaissance was complete in Europe and the abolition of monarchies and feudalism by the spirit of French Revolution had paved the way for the reception and adoption of the Islamic ideals, namely, equality, liberty and fraternity. Thus from the beginning of the nineteenth century, the Europeans succeeded in enslaving almost all Muslim countries and they maintained their political and cultural hold upon the Muslims till the middle of the twentieth century.