

CHAPTER 6

A FRESH LOOK AT THE ISLAMIC PRECEPT SYSTEM

INTRODUCTORY REMARKS

The precept system of a religion is always deemed to be its most obvious distinguishing feature. Precepts concern the different modes of relationship of the individual with God, and are, therefore, relatively the most unaffected by and unsusceptible to developments in the cumulative knowledge and wisdom of the human family. Therefore, there is no need to reconstruct the precepts, unless of course some item may happen to prick the individual's conscience. Had, for example, Islam prescribed human sacrifice at some special occasion (which is obviously not the case) there would have been a point in altering this particular item of the precept system, assuming of course that human sacrifice was judged as utterly immoral.

PRAYER (SALAT)

One's conception of prayer is organically related with one's general world view or conception of God. The popular conception that prayer is a petition or supplication to God for specific boons such as health, wealth, or success in some specific objective is based on a more or less anthropomorphic conception of God, Who intervenes in human affairs when supplicated by His faithful devotees or even at His own Will. According to this view, where the petitionary prayer goes unheeded, the granting of the petition would have harmed the supplicant or would have involved injustice to someone else. Further, while God radiates mercy to every creature without being supplicated, supplication is necessary for man's own spiritual growth.

The conception of petitionary prayer generates numerous intellectual difficulties, which, however, do not apply to what may be called the evocative conception of prayer. According to this conception, prayer is the evocation of

the latent reserves of man through attuning the human consciousness to the promptings of the Primal Value Elan, or, in religious language, God within man. Receptivity to this Divine core of the human personality restores the equanimity that the frustrations of life ever tend to destroy. Prayer is not a substitute for action, which alone moulds the course of events in accordance with causal laws. But prayer is the spiritual attunement, which helps and encourages us to undertake the right action. The real function of prayer is cathartic and therapeutic rather than executive. Prayer is the source of inspiration rather than a means of implementation of human objectives.

The conception of prayer as the catharsis and the revivification of the soul is clearly found in *Sufism*. Even as the transfer of a fish from a bucketful of water into a flowing river gives a fullness of being to the fish, spiritual prayer transports anxious and frustrated man into the limitless ocean of spiritual bliss and serenity; the '*ananda*' of Indian philosophy, and the '*nafs-e-mutmainna*' of Islam.⁹⁵ To the immature person prayer is a substitute for magic. He is apt to believe that just as the application of scientific knowledge brings about desired results, prayer, accompanied by true faith in God, brings about desired results in accordance with mysterious spiritual laws. This conception of prayer is a hangover from the early phase of man's history when magic dominated over man's imagination. But this conception of prayer is totally incompatible with the scientific outlook.

The obligatory prayer of Islam is essentially adulatory. All the postures of prayer, such as the commencement posture, the standing posture, the bow and the full prostration, etc., heighten the feelings of total surrender to or an 'existential melting' before the Lord of the worlds. Obligatory prayers at fixed periods, however, tend to become mechanical, thus transforming the oft-repeated communion with God into a compulsory and, at times, even unwanted presence before an absent God. While it is true that the daily repetition of prayers does inevitably make them a routine affair, yet the numerous gains of regularity in prayer more than compensate this deadening effect of repetition. Moreover, when the individual may be least expecting any spiritual ecstasy during prayer, it may suddenly descend upon him or emerge from the depths of his being, as a gift of grace from God. In the absence of regular prayer the moments of such grace are likely to be much less frequent, if not rare. Regular and disciplined prayers are thus extremely useful, if not essential for sustained spiritual growth.

FASTING (SAUM)

The purpose of fasting is obviously the acquisition of self-control over one's appetites and impulses. Without spiritual discipline fasting tends to become merely voluntary hunger. The spirit of fasting is not negative deprivation of food, but rather the regulation of human impulses in the service of a positive spiritual ideal. Every day can provide an opportunity to fast in this sense. For example, if one feels sleepy or lazy and is tempted to skip over some duty, the deliberate abstinence from sleep or the overcoming of laziness is a kind of fast. The obligatory fasting during Ramazan is only the minimum discipline, leaving the individual free to apply the spirit of fasting on different occasions. This does not imply any harshness or the loss of freedom and spontaneous joy of living. All that the spirit of fasting implies is that the individual must not lose his sense of direction while enjoying the good things of life. While asceticism and Puritanism exaggerate the constant awareness of this sense of purpose, Islam strikes a balance between spontaneity and discipline.

WEALTH TAX (ZAKAT)

Charity certainly provides material relief to the needy. But it has undesirable psychological repercussions upon both the giver and the receiver. The Quranic prescription of an obligatory tax to be paid to the state, according to a fixed percentage of one's wealth, is thus an advance upon the notion of private charity.⁹⁶ It contains the germs of the concept of the collective responsibility of the state towards the building up of a welfare society. The Quranic emphasis on the wealth-tax signifies the relative importance given to social justice and economic well being by Islam as compared with other religions. It must, however, be conceded that social justice in the contemporary Western sense, namely, polymorphous equality of opportunity irrespective of sex, status, and religion, etc., is a higher social ideal. It must also be conceded that tax on residual wealth needs to be supplemented by a tax on income in order to augment the total resources of the state and also to enforce austerity. Mere exhortation to spend less upon oneself and give more in charity does not suffice to solve the problem of poverty.

Again the rigid fixation of *zakat* at the rate fixed by the Prophet ﷺ or his immediate successors leads to a static approach in a field where the utmost flexibility is the prime need. The concept of *zakat* must be functionally interpreted instead of being regarded as a rigid and fixed component of the Islamic precept system. The different types of state taxes that have gradually been established such as customs and excise duties, income-tax, house tax, etc., are after all different means to the end which is also the objective of *zakat*; the welfare of the common man through the provision of different amenities. Consequently, the Muslim citizens of composite or secular states, which have their own tax systems, should not be burdened with an additional religious tax that might have serious economic repercussions on individuals belonging to the already heavily taxed group. There can be only one state and only one source of compulsory taxation. Any contribution made to religious or cultural organizations should be voluntary rather than obligatory. The functional interpretation of *zakat* would help to promote the emotional integration of the Muslim citizens of secular states with their non-Muslim fellow citizens. Moreover, under these conditions Muslims would not have the feeling of being rather second class Muslims on account of non-payment of *zakat*.

PILGRIMAGE (HAJJ)

Hajj is, perhaps, relatively more ritualistic than the other precepts. Fasting, prayer, almsgiving are not ritualistic but essentially instrumental activities. But the rites of *Hajj* are primarily ritualistic or commemorative, though they also have an instrumental function. The rites of *Hajj* are probably an exercise in blending change and continuity into an organic unity. They commemorate the episodes in the life of Abraham; the premier prophet of pre-Islamic Arabia. The inclusion of *Hajj* rites in the basic precept system of Islam must have satisfied the Arab's sense of group identity in general, and the regional pride of the Meccans in particular, and must have facilitated their authentic movement towards Islam. On the other hand, the creative genius of Islam has imbued those ancient rites with a fresh significance. Thus the circumambulation of the Kabah, the kissing of the black stone, the performance of animal sacrifice, the throwing of pebbles at Mina, the running to and fro between certain points, etc., all have been given a spiritual significance mainly connected with episodes in the life of Abraham.

This symbolism exercises a profound influence upon the spiritual growth of the Muslim pilgrim. At times the immediate effect is very strong but gradually wears out, while at other times it may be more or less stable. In many cases the initial effect itself may be negligible, while in some cases, paradoxically enough, the individual's character and conduct may even ethically deteriorate after the performance of the *Hajj* rites.⁹⁷ Much depends upon the maturity, attitudes, and expectations of the pilgrim as well as the spiritual and moral guidance available to him during the *Hajj*. If, for example, he is not sufficiently clear about the symbolism, then it should not surprise us if he fails to experience the phenomena of 'spiritual quickening'. The case is analogous to the failure of a person to be moved by a poem whose imagery is not very clear to him.

To turn to the instrumental functions of *Hajj*, they are the same as those of the weekly Juma congregational prayers, but on an enormously bigger scale. The growth of a sense of group identity and of emotional identification with fellow believers all over the world through joint participation in symbolic activities. The sense of Islamic brotherhood, however, can be no substitute for the brotherhood of man as such.

THE PROHIBITORY SYSTEM IN ISLAM

Every religion has a system of prohibitions, which may be more or less elaborate. The prohibitory system of Islam is primarily based upon the Quran though, as is to be expected, it is supplemented by the *hadis*. In general the tone and temper of the Quran is permissive rather than repressive. The Quran does not prescribe an ascetic view of life but encourages a life-affirmative ethic. There are numerous passages that draw one's attention to the sources of joy and beauty of life in this world as well as in life after death.

It is also very significant that the Quran discourages a casuistical approach to the system of prohibitions and injunctions. For example, the followers of Moses were discouraged from seeking unnecessary clarifications and details concerning some of the injunctions given to them.⁹⁸ The implication is that they should use their common sense and exercise their own discretion in such matters. It is again highly significant that the Quran only refers to a very small list of prohibited food items and expressly declares that barring these everything is permissible, according to individual likes

or dislikes. This permissive approach of the Quran was qualified by later developments in the concrete precept system of Islam.

The prohibitory system of the Quran extends to the spheres of sex, food and drink, economic practices, individual and collective morality, etc. In this section, however, I shall deal with the sphere of food and drink only. The other prohibitions will be mentioned in the institutional system of Islam to which a separate chapter has been devoted.

In the sphere of food, the Quran prohibits only the flesh of swine, blood, carrion, and the flesh of animals offered to idols. But there is no harm in eating pork under conditions of acute hunger or distress, when no other food may be available.⁹⁹ “This proviso suggests that the Quranic prohibition is not in the nature of a primitive taboo that can never be violated by a person, but that the prohibition is a restriction of some other kind. But the exact grounds of this restriction are, however, very difficult to know, if we look at things from the rational point of view.

Muslims often claim that this prohibition is based on rational grounds, since pork is injurious to the physical, mental, and spiritual health of human beings. Very often far-fetched theories or unverified explanations are put forward in support of the Quranic prohibition. For example, it is alleged that the sexual lewdness and propensity to dirt found in the pig corrupt the nature of those who consume its flesh. Quite apart from the consideration that this is factually incorrect, this kind of reasoning leads to obviously wrong conclusions in related fields. For example, the buffalo is a very dull and unintelligent animal, but the consumption of its milk does not have the slightest tendency to make people dull or unintelligent.

It is thus very difficult to discover a rational reason for the prohibition of pork, apart from the obvious consideration that pork may not be suitable in a hot climate which leads to ready putrefaction of fatty meat.¹⁰⁰ This rational justification would, however, be applicable only in hot climates and not possess a universal validity.

There are three alternatives available to us. Firstly, we may adopt the stand that our finite minds are incapable of grasping the wisdom of every single detail of the Word of God, and that we should surrender our judgment to the Divine will without questioning. This may be called the attitude of total surrender to an external authority. The second alternative is to reject the Quranic prohibitions as not only invalid but also an unnecessary encroachment upon one's freedom. According to this view, food prohibitions have

no ethical import and should not be given any importance even when they are found in the Quran. The third alternative is to acknowledge that every revelation contains traces of the conceptual and ethical framework of the space-time in which the revelation occurs. Taking this stand, a Muslim may hold that the Quranic prohibition may either have a rational justification, hitherto not yet grasped by us, but likely to be grasped later on, or it may represent a trace of the Judaic conceptual valuational framework. He may then accept the discipline required by the Quran as a symbol of his creative fidelity to the Quran without, however, claiming that the prohibition can be rationally justified. The spirit of this alternative is clearly distinct from that of the first alternative, even though they both agree in showing deference to the Quran. As regards the prohibition of blood, etc., comments are unnecessary since they are not controversial items.

The other main item in the prohibitory or rather the disapproved list are alcoholic drinks and gambling. It is significant that the language of the Quranic injunction to desist from the above is not as stern as in the case of the flesh of swine. If the literal sense of the Quranic text be followed, alcohol and gambling are to be 'avoided', while pork and blood, etc., are 'prohibited', according to the Quran. This distinction does not entail that alcohol is allowed by the Quran. But it does entail that there is a difference of degree in the demerit involved.

As regards permissible food, many orthodox Muslims think that only the flesh of such animals is permissible as have been slaughtered in the traditional Islamic or Jewish way. Consequently, they have a conscientious objection against such methods of slaughter that do not lead to the free flow of blood of the slaughtered animal. This leads to unnecessary restrictions on the consumption of the flesh of animals slaughtered by Christians, Sikhs or others, even though the animal food as such be quite permissible. A liberal approach in this matter is thus on an entirely different plane than the plea of relaxing the objection against pork, and alcohol, etc.

In the ultimate analysis, however, the true moral worth of an individual lies not in his following the rules of food and drink, but in his commitment to foundational values such as love, compassion, truth, justice, and loyalty, etc. Admittedly these words or their equivalents are common to every individual and society. But the concrete significance or use of these value words differs considerably from person to person, society-to-society, and age-to-age. Hence, an active concern for ceaseless growth in these values is

a much more vital matter than the concern for implementing the food and drink rules given in the Quran.

In the end, a few observations are called for on the subject of music, painting, and other branches of fine art. Although there is absolutely no prohibition in the Quran on these activities, traditional schools of law in Islam have definitely discouraged or prohibited these activities. Undoubtedly, fine arts have flourished in Islamic societies. But all this artistic efflorescence occurred not because of, but in spite of, the severely restrictive or puritanical approach to the aesthetic dimension of man's experience. Many fields of art had to be totally sacrificed in view of the prohibition on the visual representation of living forms. Moreover, the average Muslim suffered or tended to suffer from an uneasy conscience at the appreciation or enjoyment of dance and music. This un-Quranic Puritanism has been a source of profound deprivation to the average Muslim. It has conspired along with some sociological factors; to foster a somewhat unbalanced personality development in Islamic societies. The total lack of great music in the Islamic cultural *gestalt* is the most glaring instance of this unfortunate devaluation of man's aesthetic impulse. It is true that architecture tended to fill the void left by the retreat of music, and Muslim architecture tends to be as delicate and tender as a musical note. Again, the art of Quranic recitation was developed to a very high rank, and moved people to spiritual ecstasy. Yet, the aesthetic dimension has never attained the rank that it did in ancient Indian, medieval Christian, or Western secular culture.

To conclude, the puritanical attitude is not an internal and integral feature of the Quran, which contains no prohibitions against music or other fine arts. Puritanism was injected into the nascent Islamic tradition due to its birth and early growth in Arab society, which, though steeped in poetry, oratory, and martial valor, etc., was deficient in music and the softer virtues of humanity. Later on, when Islam was grafted upon Persia, and Turkistan, etc., the cultural soil or the genius of the people was much more favorable to the flowering of the fine arts, which indeed did happen in history. But the seeds of the Islamic thought-cum-value system had already been baked enough to permit of any theoretical changes in the prohibitory system.¹⁰¹

The precept system of any religion is the most obvious external sign of group membership and also the least amenable to any suggested change. Any change in the precept system is bound to be regarded as an attack on the heart of the religion and its actual displacement by a new religion or

sect under the verbal garb of the old. This attitude is perfectly justified. Moreover, the Islamic precept system is quite rational and does not call for any modification in any basic sense. However, a relatively permissive approach towards the precept system instead of the traditional disciplinarian or rigorous approach is desirable in those cases where strict literal adherence to the traditional precept system leads to rather absurd consequences, very quick repetition or very long gaps between the five obligatory prayers, in areas such as Sweden, Finland, and Siberia, etc. Similarly in the above regions the literal adherence to the Quranic prescription concerning fasting leads to a fast, sometimes of ten minutes, and at other times, of twenty three hour's duration. Both these situations are unhappy. The same is the case with the animal sacrifices made almost simultaneously by millions of *Hajj* pilgrims. The enormous quantity of meat, bones and skins of the animals slaughtered must be harnessed for man's betterment. Thus some new patterns to supplement these mass sacrifices are called for, if we wish to render our customs and rituals more meaningful and functionally relevant to man's contemporary needs.