

In the Name of Allah, the Most Compassionate, the Most Merciful

Classification Of

ALMIZAN

THE INTERPRETATION OF HOLY QURAN

BY: Great Allameh Seyyed Mohammad Hossein Taba-Tabaii

BOOK FORTY SIX

PRINCIPLES OF LAW

IN QURAN

PUNISHMENTS IN ISLAM

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"Allameh" Ayatollah Seyyed Mohammad Hossein Taba-Tabaii
&
His Masterpiece:
" **ALMIZAN**, THE INTERPRETATION OF HOLY QURAN"



Image of Allameh

(Oil Painting. Work: Seyyed Mehdi Amin, 1991)

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Part One

LAW **IN** **QURAN**

Chapter One

Basis of the Theory of Law in Quran

Purpose of Law and Legislation in Quran

« يَا أَيُّهَا الَّذِينَ آمَنُوا اصْبِرُوا وَصَابِرُوا وَرَابِطُوا وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ! » (آل عمران: ٢٠٠)

" O, you who believe! Preserve Your patience and be garrisoned; and Strengthen your mutual relations[against the army of the enemy of Islam] and Above all fear from the disobedience of Allah's Commands, so that you Receive salvation!"

(Holy Quran, Ale'Imran:200)

The goal and general direction (or weak point) of all current laws in today's world is the enjoyment of the advantages of material life, and this is the goal that, in all laws, is considered as the outmost degree of human happiness. While Islam does not accept it, because in terms of Islam, happiness does not amount to a material gain, but its circuit is much broader. One of its regions is the same life in this world, and its other area is the heavenly bliss that, in terms of Islam, the real life is the same life of the Hereafter. Islam does not consider the happiness of the real life, the afterlife of mankind, to be attainable except by the Morality and Purity of the soul from all evils. Meantime, Islam considers the fullest extent possibility of Perfect Morality when, the human beings have a competent social life, and have a vital life in the service of the God Almighty and humiliation towards His

Glorious Lordship, also treating the human beings based on the Social Justice.

Islam, based on this theory, in order to secure the happiness of the world and the Hereafter, started its reforms by inviting to the Monotheism so that all human beings would worship One God, then legislated its laws on this basis. Islam did not limit itself only to improve the human demands and deeds, but completed it with the orders of worship, and also added it with Real Knowledge and Genuine Ethics.

(Almizan: V. 4, P. 143)

Executing Guaranty of the Quranic Laws

Islam entrusted the implementation of the guarantee primarily to the Islamic government and, secondly, to the community, so that all the people of the community can supervise in works of government by scientific and practical training and with the right to enjoin the Good and Forbid the Evil.

One might say: The same problem entered into civil laws enters also into the Islamic law, that is, as the executive authority in those laws can not enforce those laws in secrets, because there is no knowledge of hidden rebellion, the executive authority In Islam also has the same problem.

In response, we should say that, the truth of the general laws, both Divine and mankind, is nothing but mental facies in the minds of the people, namely they are only the information that lies in the minds and hearts of the people, when the will of man belongs to it, it comes to work, and they do things according to them, it is clear that, if the will of people does not belong to it, and they do not want to act on them, they will not find anything of the outward subject to those laws.

So it's important to do something to ensure that the people's will belongs to enforce that laws, and the laws come into being. The laws established in present civilization are no more than the will to carry out the works of the people according to the will of the majority, that is all, but what can we do to make this happen? No solution has been supposed for it, whenever the wills are alive and active and wise, the law has enforced well, and whenever through the degeneration of society and inability of the integrity of the complex, the will has died, or if it was alive, but due to society's depression in lust and spread of the scope of debauchery it has lost its common sense, or if it was alive and showing intelligence, it did not dare to speak under the dictatorial states, and the will of that tyrannical ruler suppressed the will of the majority, and the law was given in the pot of oblivion.

It should be said that in the ordinary course of law, the law only manages the appearance of society and can prevent some crimes and aggressions, but in crimes committed in secret, the law does not have a way to prevent it, and can not range the extents of its rule to the trunks and outposts. At all of these cases, the Nation cannot achieve its expectations which is the implementation of law and safeguard of society from corruption and collapse. The divisions became after the first and second world wars in lands of Europe was one of the best examples in this event.

You can consider this meaning in the emergence of Communism, which is nothing more than a child of democracy, because this system did not exist in the world except because of the pretense of the prosperous class to the revelry and debauchery, because of increasing the deprivation of other classes of society day to day, enlarging the distance between these two classes, the atrocities and loss of justice in the higher class were higher and the wrath and

grudge against them in the deprived classes flared. If the laws of the civilized countries could guarantee human prosperity and guarantee the execution of law, there was never such a neglected birth as (Communism !)

You can also get the truth of our speech with a look to the international wars, which, once and twice, has made the earth and lives of human beings its prey and put the blood of thousands of thousands of people on earth, destroyed the races and farms; for what? Only and only few men asked to respond to their sense of arrogance and instinct of greed and cupidity.

Will you now admit that Western laws can not provide human well-being for the lack of support in the hearts of humans? To a human being so much dangerous, what the law means? The law, in the eyes of such a man, is nothing but a ridiculous game!!!

But, Islam has documented its governing tradition and legislated laws on the basis of morality and tried to train its people on basis of that ethical ethos.

Since the laws running the actions are under the guaranty and commitment of morals, and the morals are always and in everywhere with the human beings, acting the entrusted duty in secret and in public, better than a police officer, because the police and any security force can only guard and secure the public.

If there is no belief in Resurrection, there is no other real cause that would prevent man from following the desire of the soul, and forcing him to abandon the natural pleasures, passions, and carnal desires.

Therefore, these immoralities and the like, are the dangers that other than the Monotheism, there is no stronghold to protect man from them, and

that is why Islam has established its morality, which is a part of its running system, on the basis of Monotheism. The believe in Monotheism is also one of its objects. The necessity to belief in Monotheism and Resurrection requires that the man to be committed spiritually, whenever and wherever he is, to do good and to be away from evil, despite that he identifies one and the same thing is good or bad. Whether an admirer or a helper would praise or help him for his ethical goodness, or not. Because, such a person believes that God is always with him and knows how he is. God is the Supporter and Guardian of every one. He believes that the Almighty God sees the deeds of every human being. He also believes that beyond this material world there is a Day that, on that particular Day, whatever every human being has done will be presented for him (whether good or evil.) On that Day, everyone will be punished for what he has done!

(Almizan: V. 4, P. 143)

Chapter Two

A Discussion on the Freedom in Term of Quran

False Impression on the Concept of Freedom in Islam

« لا إِكْرَاهَ فِي الدِّينِ...! » (بقره : ٢٥٦)

"There is no compulsion in religion...!"

(Holy Quran, Baqareh: 256)

One of the wonders is that some of the contributors and commentators have worked hard and hard to prove that in Islam the Belief is Free. They have argued for the Quranic Verse: " ***There is no compulsion in religion,***" and other Verses like that.

While we mentioned in AlMizan, following the interpretation of this Verse, what the Verse wants to convey. What we add here is that, Monotheism is the basis of all the Laws and Rules of Islam, and yet how possible is that Islam decrees the freedom of Belief?

If the Verse above wants to legislate such a thing, will it not be an explicit contradiction? It is definitely contradictory, and freedom in the belief in Islam seems like that the civilized world today rules the laws and then at the end of each one adds a law that, in practice, people are free to act on it, or not!

In other words, the **belief** that is an authentic recognition, if found in the mind of a man, it is not an arbitrary act of man, so that it is not possible to

forbid the person to have a belief, or to leave him free to have the other belief, but what about the Beliefs can be tasked with is their practical use, that is to say, to prohibit some of the works that are in contradiction with the requirements of that belief, and to recommend some others which are according to requirements of that belief.

For example, to force a person to invite people to a known belief, and with a firm argument convince them that they should accept that belief or refuse to accept another belief, or to force him by mentioning his argument to write and publish a book, trying to corrupt the beliefs that people already had, or to show them that the practices that they do upon their belief is false and incorrect.

So, what accepts the instructions and orders to do, or not to do, is the practical requirements of beliefs, not the beliefs themselves, and it is clear that when the said practical requirements are in contrary with the provisions of the current laws in a society, or with the principle that law based on it, the law would evidently prevent such an action.

Therefore, the Holy Verse: *"There is no compulsion in religion..."* is only in this position to construed that the belief does not accept compulsion, nor can it mean that Islam does not force a person to believe in its teachings, nor can it be so the people are free in their belief.

Islam did not rely except upon the **Religion of Monotheism** in its legislation. The Religion of Monotheism, whose three principles are: *The Oneness of Creator, the Prophecy of Prophets, and the Day of Resurrection*. These are the principles that Muslims, Jews, Christians, Magus, namely, all People of the Book have unity and alliance on them! So the Freedom also is only in these three principles, not else, because we said that the freedom in other than these principles means the destruction of the Principle of Religion!

Of course, there is another aspect of Freedom in this regard, and it is Freedom of Expressing Opinions during the Discussion, which we will revert to it in other issue.

(Almizan: V. 4, P. 143)

The Translation is to be continued !