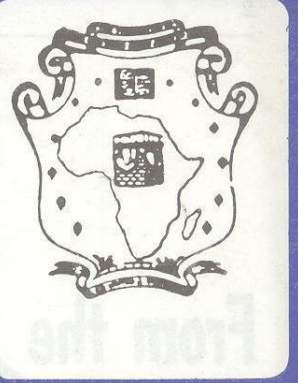


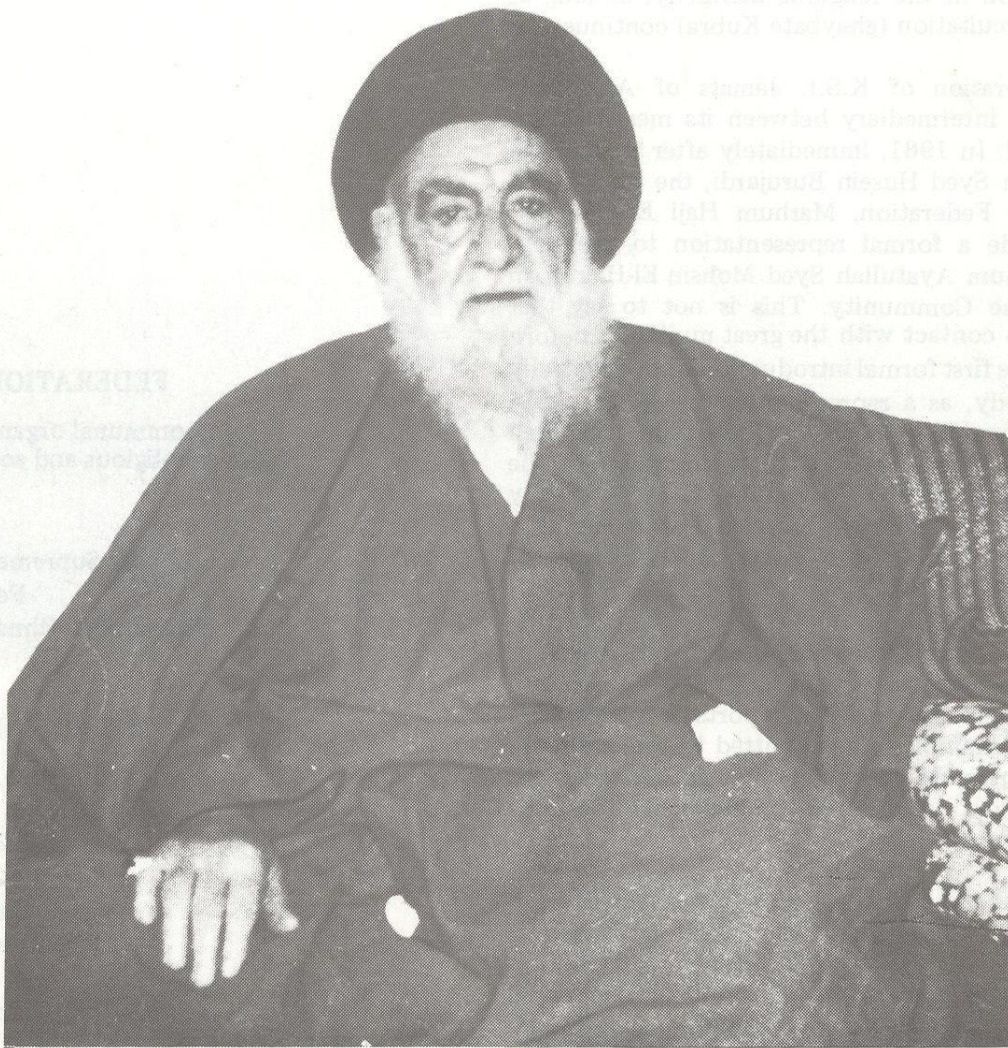
Federation Samachar



VOL. 19

ISSUE No. 4

JAMADIL AVVAL 1401/MARCH 1981



Marja-i-taqid Ayatullah Sayyid Abulqasim El-Musavi El-Khui

From the Editor



In this issue, we have briefly discussed the institution of Ijtehad and its origin. Due to recent upheavals in the Islamic world, this institution has come to light again in many recent publications on Islam, with a special emphasis on the Shia school of thought. To the Shia Ithna-Asheri, the concept and practice of taqleed is known to have kept them in constant contact with Ijtehad, a mujtahid or marja' being the highest person in the religious hierarchy, as long as the Great Occultation (ghaybata Kubra) continues.

The Federation of K.S.I. Jamats of Africa has acted as an intermediary between its members and the mujtahid. In 1961, immediately after the demise of Ayatullah Syed Husein Burujardi, the then Chairman of the Federation, Marhum Haji Ebrahim H. Sheriff, made a formal representation to the next marja', Marhum Ayatullah Syed Mohsin El-Hakim on behalf of the Community. This is not to say that there was no contact with the great mujtahids before 1961, but the first formal introduction of this centrally organised body, as a representative of our people in Africa, was made in 1961, and Marhum Ayatullah El-Hakim graciously granted his recognition in the form of wakalat to the Federation, to be personally executed by the Chairman in office. This recognition continues till today, now under the patronage of Ayatullah El-Khui.

The Federation keeps our mujtahid fully aware of its activities, more so on matters related to tabligh and other religious affairs. The reports of Bilal Muslim Mission, for example, are submitted to our mujtahid at regular intervals, to which he has expressed his full satisfaction, and blessed the Federation with his prayers.

On the other hand, the Federation serves to keep our members fully aware of the masail and fatwa of our mujtahid. All Molvis working in co-operation with the Federation are directed to explain the masail according to the fatwa of our mujtahid. When necessary, the Federation has translated the Risala; and in the case of our present mujtahid, Ayatullah El-Khui, it has distributed all available copies of the Risala to its members.

When a marja' dies, the Federation remains in constant touch with ulama and ahle-khubra in Iraq and Iran to determine the next one; and duly informs the members about the consensus reached. Taqlid being a matter of individual decision and choice, the Federation obviously acts only as a guide to all mo'mineen in Africa.

In his communications, verbal as well as written, our mujtahid directs the Federation to supervise the tabligh activities in this part of the world, and to look after the welfare of mo'mineen. This recognition is indeed a matter of honour and pride for the Community, and we hope that we will all rally behind this central organisation, the Federation, so as to derive the maximum benefit from the living institution of Ijtehad.

FEDERATION SAMACHAR

A communal organ devoted to the cause of religious and social upliftment.

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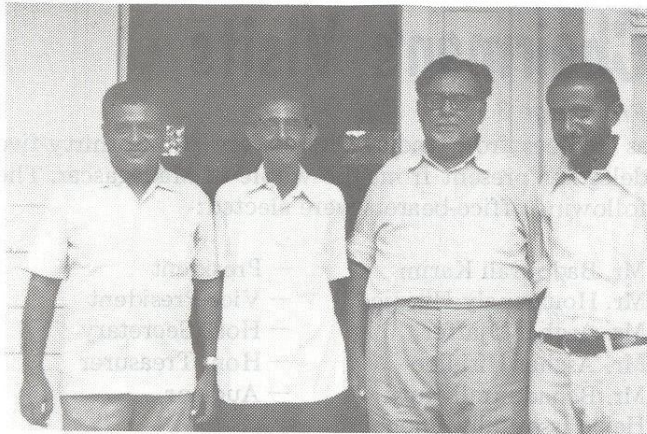
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Salim R.G. Datoo
Mohamedraza A. Datoo

Please address all correspondence to:
The Editor,
Federation Samachar,
P.O. Box 41837,
Nairobi, Kenya.

CHAIRMAN'S VISITS

The Chairman of the Federation, Alhaj Abdulrasul A. Lakha, visited the Lindi Jamat in the Southern Region of Tanzania on Thursday 12th February, 1981. He addressed the Jamat in the evening after Majlis and had earlier in the evening made a visit to the Madressa where, from the Chairman's personal vote, he donated a sum of Shs. 1,000/-. After his address, he had a long session with the Management Committee of Lindi Jamat. On the following morning, he saw various members of the Community with whom he discussed their personal and individual problems.



Office-Bearers of Lindi Jamat, from left to right, Raza S. Dhalla (President), Raza Rashid Versi (Vice-President), Yusuf Peermohamed (Hon. Treasurer) and Gulamasghar Sumar (Hon. Secretary)

He left Lindi on Friday, 13th February in the afternoon and travelled to Mtwara where he visited the businesses of the various members of the Jamat. In the evening, he had a meeting with the Management Committee at Mikindani.

On Sunday, 22nd February, the Chairman visited Dodoma where he held sessions with the Jamat Committee with whom he held discussions on matters of mutual interest.



Office-Bearers of Dodoma Jamat, from right to left, Amirali Versi (President), Shaukat Gulamali (Hon. Secretary) and Jawad H. Ansari (Hon. Treasurer)

At the joint request of Mohamaddi Islamic Centre (MIC) and the Islamic Shia Ithna-Asheri Union of Toronto the Chairman of the Council proceeded to Toronto on the 28th February, 1981, to mediate and help the parties arrive at a lasting arrangement for the use of Mohammadi Islamic Centre. The Chairman held separate and joint meetings with the parties and an agreement was eventually reached. The MIC decided and agreed to give the management of the property to the Union on the agreed terms and conditions. One of the agreed terms is that the appointment of the Resident Alim shall be made after joint consultation of both the Union and MIC and in the event of a disagreement as to the candidacy of the Resident Alim, the decision of the Federation of the Khoja Shia Ithna-Asheri Jamats of Africa shall prevail. The agreement now reached has superceded the interim agreement that had been reached previously. The Chairman returned to Nairobi on the 9th March and proceeded to Madagascar on the 12th.



From left to right, Mohsin Kamalia (President of the Islamic Shia Ithna-Asheri Union of Toronto), Ebrahim A. Kassam (One of the Trustees of Mohammadi Islamic Centre of Toronto), Mohamed Taqi J. Merali (Director of Religion), Mohamedjaffer Panju (Committee Member) and Ebrahim Lakhani (Committee Member)

On 12th March, 1981, the Chairman flew out to Madagascar to attend the Madagascar Territorial Council Conference at Tulear scheduled for the 13th, 14th and 15th March, 1981. At the request of the President of the Territorial Council and with the concurrence of all the delegates present, the Chairman presided over the Conference which had before it an agenda of 20 items. Invitees from Tanzania were unable to join the Chairman as both Air Tanzania and Air Madagascar scheduled to fly from Dar-es-Salaam on the 10th and 14th March, 1981, respectively had been cancelled. No invitees from Kenya were able to accompany the Chairman. However, Haji Gulamali Bhanji, Haji Ramzanali Halani and Mr. Gulamabbas Amiri of Rahenajat, Bombay, attended the Conference

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NEWS FROM THE SECRETARIAT

It is with deep regret that we wish to announce the resignation of Alhaj Hassan A.M. Jaffer as the Vice-Chairman of the Council due to health reasons. Writing to Hassanbhai on behalf of the Council, the Chairman, Alhaj Abdulrasul Lakha, said, "It is with considerable reluctance and regret that I am compelled to accept the resignation you tendered I pray that Allah may give you health such that would enable you once again to be active in communal activities so that the Community as a whole may benefit from your guidance."

By virtue of the powers conferred upon the Chairman by Article 23 of the Constitution, the Chairman has appointed the following to be Councillors:-

- | | |
|-------------------------------|---------------|
| 1. Mr. Mohamedali Sharif Jiwa | Moshi |
| 2. Mr. Ali Husein Shariff | Arusha |
| 3. Mr. Haider M.A. Khimji | Dar es Salaam |
| 4. Mr. Sachoo G. Abdulrasul | Dar es Salaam |
| 5. Mr. Asgharali M.M. Jaffer | Nairobi |
| 6. Mr. Roshan R. Merali Dewji | Mombasa |
| 7. Mr. Anwarali Sharali | Bukoba |
| 8. Mr. Baqir Alloo | Mwanza |

During the first quarter of 1981, the Office-Bearers have held five meetings in Nairobi on 20 January, 31 January, 24/25 February, 11 March and 20/21 March.

The next session of the Supreme Council is scheduled to take place in Arusha from 17th April to 20th April 1981. Items on the agenda include review of the Council's activities, adoption of the accounts for the year 1980 and budget for the year 1981, reports on tabligh, education and Bilal Muslim Missions and resolutions tabled by the Jamats and the Secretariat.

At the request of the Council, Alhaj Maalim Ahmed Issa Hasham of Dar es Salaam left for Madagascar on

17th March where he will assist our brothers to regularise their nationality status. Also at the request of the council, Alhaj Mulla Abdulrasul Hassanali Khaki of Mombasa left for Madagascar on 19th March on tabligh mission. Both of them will visit the various Jamats and will be there for about a month.

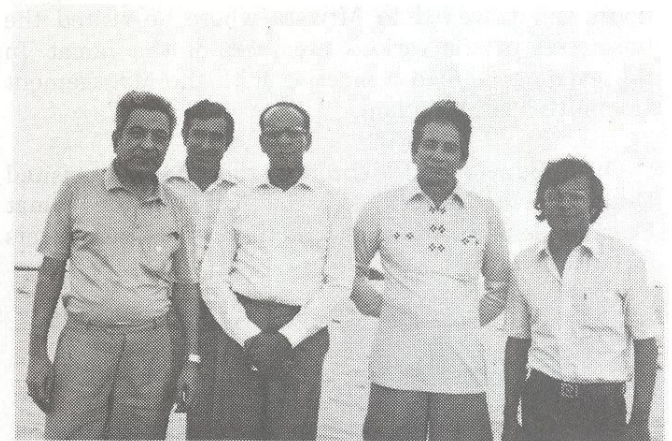
The Flag Day collection on Idd el Fitr 1400 A.H. by Bukoba (Tanzania) Jamat was Shs. 950/—.

Chairman's Visits

From page 3

as invitees from India. There were about thirty-five delegates present from the whole of Madagascar. The following office-bearers were elected:-

- | | |
|-------------------------|------------------|
| Mr. Badourali Karim | — President |
| Mr. Houssenaly Hiridjee | — Vice-President |
| Mr. Asghar Djaffer | — Hon. Secretary |
| Mr. Asghar Hiridjee | — Hon. Treasurer |
| Mr. Bahadourali Kurji | — Auditor |
| Hajee Issoufally Chenai |) |
| |) Trustees |
| Mr. Alihusein Nasser |) |



The newly elected Office-Bearers of the Madagascar Territorial Council, (from left to right) Houssenaly Hiridjee (Vice-President), Bahadourali Kurji (Auditor), Badouraly Karim (President), Asghar Hiridjee (Hon. Treasurer) and Asghar Djaffer (Hon. Secretary)

On 17th March, the Chairman visited the Re-Union Jamat where he addressed the general meeting of the Jamat in the evening and on the 18th March, he visited Mauritius.

Treat people in such a way and live amongst them in such a manner that if you die they weep over you, if you are alive they long for your company.

Hazrat Ali(A.S.)

NEWS FROM JAMATS

BIRMINGHAM, U.K.

The Annual General Meeting of the Jamat was held on 4th January, 1981, and the following new Management Committee was elected:-

- President —Mr. Mehdi Fazal.
- Vice-President —Mr. Naushad Mehrali.
- Secretary —Mr. Mohamed Bashir Bharwani.
- Joint Secretary —Mr. Akberali Mawji.
- Treasurer —Mr. Akber Somji.
- Joint Treasurer —Mr. Hassanali Rajpar.
- Members —Mr. Mehrali Daya.
- Mr. Kassamali Somani.
- Mr. Liaquat Jaffer.
- Mr. Maqbool Sajan.
- Mr. Alimohamed Khimji.
- Mukhi —Mr. Abdala Jaffer Hirji.
- Kamadia —Mr. Raza Moti.

DAR-ES-SALAAM, TANZANIA

A contract for the extension of the Imambada has been awarded to Universal Builders, Dar-e-Salaam. The project will cost Shs. 1.9 million. It is scheduled for completion towards end April/May 1981 and will go a long way in alleviating the accommodation problem faced by the ladies.

The recent Chairty Walk organised by the Ithna-Asheri Union on 25th December, 1980 to raise funds for the Alawy Flats, has had the expected success and it is hoped that the over 250 walkers will have collected a handsome sum of Shs. 1,150,000/- through sponsorships. The walkers, ranging from four years to over sixty, walked 15 Kms. from the Mosque to the University of Dar-es-Salaam.

At an impressive ceremony to mark the success of the event all the walkers and their sponsors were entertained to a dinner party at the Boarding House on 17th January, 1981. Prizes were awarded to the following and they were declared winners by the President of the Dar-es-Salaam Jamat, Alhaj Mohamed G.M. Dhirani:

- Alhaj Anver Manekia 1st Highest Collector.
- Alhaj Murtaza Lakha 2nd Highest Collector.
- Mr. Hassan Hirji 3rd Highest Collector.
- Alhaj Liakat Alloo Highest Donor.
- Mr. Kazim Bhalloo Youngest Walker (4½ Yrs old)
- Mr. Nazerali Esmail Eldest Walker (60 Yrs old)
- Mr. Shabbir Tejani 1st to reach finishing point.

In addition, each walker was presented with a Certificate of Completion of the Walk. At the same ceremony, a cheque for the sum of Shs. 750,000/- which had already been collected, was handed over to the Jamat by the President of the Union, Mr. Ibrahim Jivraj.



Charity Walkers at a check-in point. In the centre, Alhaj Mohamed G.M. Dhirani, President of Jamat, is seen smiling

Dr. Syed Musi Raza from Patna toured Dar-es-Salaam for a two week period to recite majlises during Ashra-e-Zainabiya. Dr. Raza captivated the large audience with his novel, scientific and logical approach to majlises and maintained an intellectual atmosphere throughout his majlises. He spoke also at the Husein Day organised by the Ithnaasheri Union on 3rd January, 1981. Dr. Raza is a lecturer in Sociology at the Patna University and has had the opportunity of reciting majlises at Manchester U.K., and other Western countries.

Dr. (Mrs.) Shamim Rizvi accompanied by her husband, completed her tour of two months to Dar-es-Salaam during which she spread her popularity further into East Africa by her eloquent majlises. Her husband, Mr. Rizvi, occupied his time by practising homeopathy. The couple also visited Mwanza and Moshi. In Arusha, they had the opportunity of seeing Africa's unique wild life.

Both husband and wife are in the Civil Service of the Government of Pakistan.

LONDON, U.K.

The Annual General Meeting of the Jamat was held on 11th January, 1981 at the Hammersmith Imambada. The following were elected:-

President	Dr Sadiq Rahim
Vice-President	Dr Akbar Mohammed Ali
Hon. Secretary	Br Manzoor Lalji
Asst. Secretary	Br Mohammed Raza Dewji
Treasurer	Br Mustafa Tejani
Mukhi	Br Onali Lalji
Asst. Mukhi	Br Sultan Remtulla
Committee Members	Br Mohammed Jawad Khaki
	Br Asghar Jaffer
	Br Mushtaq Asaria
	Br Mustafa Mawjee
	Br Ahmed Versi
Trustees	Br Gulam Janmohammed
	Br Akbar Juma
	Br Ahmed Dewji
	Br Nurmohammed Walji

The Jamat publishes a newsletter every month containing news and interesting short articles. Those who wish to receive a copy of the newsletter should write to the Hon. Secretary, The Khoja Shia Ithna-Asheri Jamat of United Kingdom, 30-32 Southerton Road, Hammersmith, London W 6.

MINNEAPOLIS, MINNESOTA, U.S.A.

The following address will prove useful to those who wish to go to the U.S.A. for permanent residence or a visit:

Khoja Shia Ithna-Asheri Jamat of Minnesota,
C/o Mr. Hussein K. Hirji Walji,
4918 63rd Avenue No.,
Minneapolis, Minnesota 55429,
U.S.A. (Tel: 612-533-2629)

MOMBASA, KENYA

The Managing Committee of the popular children's magazine, Torch, which is produced under the auspices of Huseini Madressa, held the official opening ceremony of their library on 20th February, 1981 at 8.45 p.m. A short programme of recitation of the Holy Quran, qasidas and speeches preceded the opening ceremony. The Resident Alim, Maulana Mirza Muhammad Mehdi was the Guest-of-Honour.

MWANZA, TANZANIA

The Jamat requires a person or a couple able to teach Diniyat in their madressa. An attractive salary will be offered to the right person. Those interested should apply in writing to the Mwanza Jamat, P.O. Box 40, Mwanza.

Sudden death has claimed the life of Haji Pyarali Ladha Meghji on Tuesday, 20th January, 1981 at Dar-es-Salaam. Haji Pyaralibhai hailed from a pioneer

family of Haji Ladhabhai Meghji. He served the Mwanza Jamat for a period of over 20 years in various capacities and also represented the Mwanza Jamat in Council Meetings. He was 52 years old and leaves behind a widow, 14 children and a large family.

NAIROBI, KENYA

The Nairobi Masjid (Prayer Hall) built 46 years ago, recently went through a major renovation and also received a long due face-lift at the cost of KShs. 140,000/00. The entire amount was donated by some mo'meens among whom the Merali Dewji family of Nairobi and Mombasa donated a total of KShs. 100,000/00.

The newly completed work includes steel fabricated roof structure, suspended ceiling, new electrical wiring with all new light fittings including emergency lights and chandeliers. All the ornamental masonry work has been restored and redecorated. The doors and windows too have been restored, new cabinets made and carpets for the first three rows laid.



At the opening ceremony of Nairobi Mosque on 29th January, 1981 (22 Rabi-ul-Awal 1401), (from left to right), Alhaj Rajabali Datoo (Trustee of Jamat), Alhaj Mohamedali Sheriff of Moshi, Molvi Syed Ali Abid Rizvi (Resident Alim) and Alhaj Mohamedtaki W. Merali

As from 1st February, 1981, the basic Musafirkhانا charges have been increased to Shs. 20/- per head per day, and for children under the age of 12 years, to Shs. 10/- per head per day. The Jamat regrets to have come to this decision but increased maintenance expenses, and elevated electricity and water charges have forced them to do so.

On Sunday 21st December, 1980, the Golden Crescent Group organised an outing for the children of Nairobi Jamat. The children were taken on a conducted tour of the Nairobi Orphanage. This was followed by a picnic.



Photo shows GCG Office-Bearers and children who are seen alighting from the bus

Cricket is a game of wits. Taking the pre-requisites of thorough coaching, training and practising, Jaffery put a team in the KCA League in 1979 to come out as champions, but due to a technical administrative flaw, though the team was a winner, it could not be acclaimed as such. In the 1980 Cricket season, all the muscle had to be mustered with an ambition for the Gold Medal, and under the able Managership of Jaffer Nanji and Skipper Mulla Mohamed Kassamali, the Jaffery team came out as champions of the Junior League and obtained promotion to the Senior League in the next season.

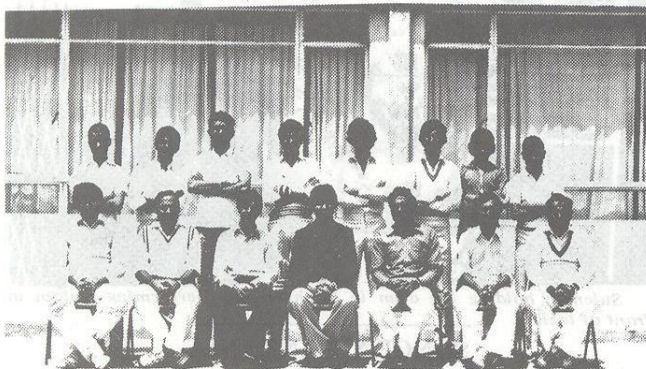


Photo shows members of Nairobi Jaffery Sports Club. Sitting from left to right: Mustafa Kanji (Vice-Captain), Ramzan Kassamali, Anwar Kassam, Manzoor Kanani (Hon. Secretary), Ramzan Nanji (Chairman), Mohamed Kassamali (Captain), Mohamed Bandali

Standing from left to right: Hasnain Taki, Turab Roshanali, Mohamed Merali, Asghar Bandali, Shiraz Janmohamed, Murtaza Kassamali, Mohamedali Bhanji, Mahmood Taki

At a meeting held on 7th January, 1981 by the Nairobi Jaffery Sports Club, the following members were elected for the ensuing term:-

- Chairman Mr. Ramzan Nanji.
- Vice-Chairman Mr. Sadiq Meghji.
- Hon. Secretary Mr. Manzoor Kanani.
- Asst. Secretary Mr. Akbar Assaria.
- Treasurer Mr. Akber Kara.
- Asst. Treasurer Mr. Mohamed H. Merali.
- Sports Secretary (Cricket) Mr. M.J. Nanji.

- Sports Secretary (Volleyball) . Mr. Mohamed Bandali.
- Asst. Sports Secretary Mr. Nazir Kalyan.
- Committee Members Mr. Feeroz Jagani.
- Mr. Anver Kassamali.
- Mr. Mumtaz Kanji.

Game Captains:

- Capt. Volleyball Mr. Anver Manji.
- Vice-Capt. Volleyball Mr. Ansar Kassam.
- Cricket Div. 1 Capt. Mr. Mohamed Kassamali.
- Cricket Div. 1 Vice-Capt. Mr. Mustafa Kanji.
- Cricket Saturday Capt. Mr. Asghar Bandali.
- Cricket Saturday Vice-Capt. Mr. Abbas P. Manji.

- Trustees: Mr. Anver Dattoo.
- Mr. Bashir Versi.

- Auditor: Mr. Mumtaz Kanji.

NAMPULA, MOZAMBIQUE

At the Annual General Meeting held on 21st November, 1980 the following were elected as the new Office Bearers for the year 1980/81:-

- Chairman Mr. Yousuf Nurmohamed Daya.
- Hon. Secretary Mr. Amirali S.E. Jessa.
- Hon. Treasurer Mr. Razahussein G. Dewji.
- Hon. Asst. Treasurer Mr. Mohamedali Ismail.
- Committee Members Mr. Mohamedtaki H. Suleman.
- Mr. Hussein Jamal Dhanji.

The address of the Jamat is:-
 Shia Ithna Asheri Jamat,
 P.O. Box 489,
 NAMPULA, Mozambique

PORT LOUIS, MAURITIUS

Maulana Sheikh Ali Husain (Sadru-Afazil) of Mubarakpur, India, came to Mauritius again, on 9th October 1980, for a period of two years. His Muharram majlises covered talks on the Quran, Hadith, History of Islam and other commentaries, and won the hearts of all those in attendance - both Shias and Sunnis.

What is noteworthy and extra-ordinary is that a mo'jiza (miracle) occurred to mark the end of the majlises. A young boy by the name of Suleman, son of Mr. Yusuf (belonging to the Hanafi Muslim Sect) had been suffering for a long time from an illness in which he lost consciousness every so often. Doctors in Mauritius were perplexed. Mr. Yusuf then took his son to London for a possible cure, but in vain. Mr. Yusuf who attended the majlises, decided to ex-

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At a glance.....Council's Monthly Assistance - 1981

	JAN	FEB	MAR	TOTAL
Scholarship for Higher Education	3,000	4,800	—	7,800
Marriage	—	25,000	5,000	30,000
Business	—	70,000	—	70,000
Poor	12,510	8,610	9,443	30,563
Bewa	7,260	5,560	10,060	22,880
Yatim	200	200	200	600
Chairman's Vote	—	1,000	—	1,000
Aalim Grant	6,876	9,139	44,195	60,210
Bilal Muslim Mission	25,000	25,000	25,000	75,000
Sadat	2,800	2,800	2,900	8,500
Publication Grant	—	—	74,000	74,000
	Shs 57,646	152,109	170,798	380,553

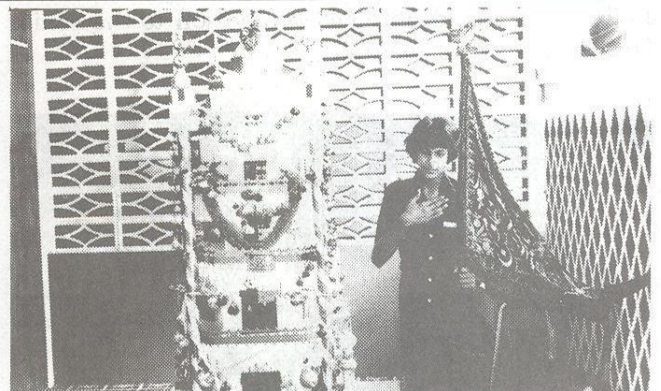
News from Jamats

From page 7

plain his son's illness to the Hon. President of the Jamat and other members, and the former conveyed Mr. Yusuf's plight to Maulana Saheb. The young boy, Suleman, was advised to stand near the alam (banner) and Mr. Yusuf was told to take a vow and ask for his son's good health. This was on the 7th night of Muharram. For two consecutive nights nothing happened, except when the alam touched Suleman's body, he promptly fainted. On removal, he regained consciousness. On Shab-e-Ashur, just after Maghrib prayers and just before the procession was to begin, a strange thing happened. Suleman, who was unconscious, uttered the words: "I shall not come again - never again - I am afraid of the alam. Today, I am going away!" While he was still in this state, after Maghrib prayers, the Hon. President, Mr. Haiderali Pirbhai, brought him to the alam and touched it to his body. The Ejaz (miracle) of Mawla (A.S.) started. Suleman began to shiver, opened his eyes, and took the alam in his hand and then, reciting, "Ya Ali, Ya Hussayn, Ya Abbas!" he started doing Maatam himself. The whole Imambada was overwhelmed with amazement and started reciting Naare-Haydri and Salwaat.

On 11th Muharram, Suleman went to Maulana and told him that he had embraced the Shia Faith. Suleman is well now.

Today, many needy and sick people come to the Imambada and pray standing in front of the tazia.



Suleman holding the alam in his hand and performing matam in front of tazia

SONGEEA. TANZANIA

For the past two years, the Jamat has been organising Khandak (Fire) Matam on the night of 8th Muharram. Many azadars take part in it and it is a moving event. The photographs below show the Khandak being prepared and azadars walking over it.



IJTEHAD~REASONING

What it is all about

By: Alhaj Mulla Asghar M.M. Jaffer

Islam as a universal religion has its own singularities. Unlike many other religions, it encompasses all aspects of human life. This is why we find that Islam gives a detailed directive in all spheres of life, spiritual as well as mundane. To humanity at large, an elaborate and comprehensive jurisprudence is Islam's unique and outstanding legacy.

Over the centuries, Muslim jurists have evolved Islamic jurisprudence into a science renowned for its amplitude and depth. While it has a complete guide to the ibadat (laws of worshipping and spiritual communion with Allah), it adequately covers laws related to social behaviour, marriage, inheritance, commerce and so on. The impact of this science as developed and evolved by Muslim jurists (fuqaha') can be seen on many modern laws. History acknowledges the fact that Muslims have had a lasting influence over the jurisprudence in the civilised world.

The sources of these laws are mainly the Quran and hadith. To these two, other two ancilliary sources have been added, aql (reason) and ijma' (the consensus). The latter two sources are important, though ancilliary. They have, in fact, helped to establish the institution of Ijtehad (reasoning) more firmly. It is not correct to assume that these are later developments, because they were in practice right from the days of the Prophet.

According to the Sunni school of traditions, Prophet Muhammad (s.a.w.) commissioned Muaz bin Jabal to go to spread Islam and distribute alms in Yemen. As Muaz set forth on his assignment, the Prophet asked him, "Muaz, how will you decide and judge when people will ask for guidance?" "From the Quran, of course," replied Muaz. The Prophet then asked, "What will you do if you fail to get a clear directive from the Quran?" Muaz said that he would then resort to hadith - the sayings of the Prophet. "And if you fail there?" asked the Prophet. "I will use my reason and intellect, considering what may please Allah and His Prophet," Muaz said. The Prophet was satisfied with this answer and raised his hands in prayers for Muaz.

This goes to prove that many learned emissaries of the Prophet, who were away from Medina and were required to judge any particular case in the light of Sheriat, used their reason based on broad directives

in the Quran or hadith. This evidently was Ijtehad, approved by the Prophet himself. In Shia school, there are numerous examples of Ijtehad being practised by the learned companions of the Prophet and our Aimma (Imams).

Dr. Hossein Nasr states in his translation of "Shia Dar Islam" by Allamah Tabatabai, "It is clear that acquiring knowledge of the principles of religion, even if it is in summary fashion, is possible to a certain extent for everyone. But acquiring detailed knowledge of the injunctions and laws of religion through use of basic documents of the Book and the Sunnah and technical reasoning based upon them (or what is called demonstrative jurisprudence, fiqh-i-istidlali) is not possible for every Muslim. Only a few persons have the capability of demonstrative jurisprudence, nor is such acquiring of detailed knowledge required of everyone The duty of the rest of the people, according to the general principle of the necessity for the ignorant to depend on the one who knows, is to seek guidance from capable men of learning, who are called mujtahids and faqihs. This act of following mujtahids is called imitation or taqlid.

The institution of Ijtehad grew in strength after the ghaybat (occultation) of our Twelfth Imam (a.s.). In fact, this institution has remained a peculiar quality of the Shia sect, which has produced men of outstanding capabilities and profound learning over the last several centuries. No era has remained without a mujtahid, and this continuity till today is in itself a significant achievement of the Shias.

In Shia mazhab, therefore, one is either a mujtahid or a muqallid (one who makes taqlid or follows a mujtahid). In normal practice, a person who is well conversant with the Quran, the Sunnah, the Ijma' and is capable of sane reasoning will guide a layman. He, as a mujtahid, will make the deductions and inferences and will give a ruling (fatwa) on what Sheriat says in respect of a particular case or situation. In the course of time, some among these mujtahids, attain higher proficiency and they are acknowledged as marja-i-taqlid. Some differences can arise in the verdicts of the mujtahids, although they are in very minor details. These differences are not the result of a mere pedantry or scholastic exercise. The important thing is that the mujtahids feel fully responsible to Allah and His pleasure in execution of their duties; and the limits of

utmost care before declaring their judgement (fatwa). One must not forget that all this is done in the days of the great ghaybat of our Iman.

For more than a thousand years, Najaf (Iraq) has been the cradle of Shia fiqh. Nearly all the great mujtahids have been trained and have qualified here. The system of education adopted in Najaf is indeed worthy of attention. A student can decide to go to any tutor for studying a particular branch of Islamic sciences and will study for as long as he decides is necessary. There are no examinations for this has not been accepted as a criterion to judge one's ability. Despite this apparently primitive mode of education, Najaf has produced ulama and mujtahids of the highest calibre, perhaps second to none in the Islamic world. Since the institution is open to all, it is not surprising to find more than one mujtahid or marja-i-taqlid in any given period, time or era.

There are quite a few marja-i-taqlid today, notable among them being Ayatullah Syed Abulqasim El Khui of Najaf. He is a man of profound erudition and is renowned for his vast knowledge of fiqh and usool. As a marja, he has a wide following. Most of us in East Africa are in his taqlid.

Ayatullah El Khui was born in 1902, and after completing his primary studies in Iran, the country of his birth, he went to Najaf for higher studies. His tutors saw in him a brilliant student and encouraged him to take a deeper interest in the subjects of jurisprudence with a hope that one day he would lead the institution of Ijtihad. Besides fiqh and usool, Ayatullah El-Khui has written books on other affiliated subjects, showing his versatility. His famous introductory work "Al Bayan" on tafsir of the Quran is quite illuminating. His lectures on usool-e-fiqh are attended by scholars from all over the world. These lectures have been compiled in a book known as "Al Muhadhirat". To his credit, besides all his work, is a team of brilliant mujtahids who were once his students. Among them was the great thinker and mujtahid of our century, the Martyr, Syed Muhammad Baqir As-Sadr.

MASAILS

A marja-i-taqlid normally publishes a book which contains all the masail related to ibadat (worship) and mua'melat (normal transactions). This work is commonly known as "Amaliyya" or "Risala". The marja would specify where he differs in his verdict from other mujtahids and would also admit his indecision in those cases where he has not been able to make a deduction. This book is for the use of his muqallids (those who are in his taqlid). The risala of Ayatullah El-Khui is called "Tauzihul Masail". Rulings on matters not covered in the risala may be obtained from the mujtahid by either going to see him in person or writing to him.

The following questions were put to our Mujtahid-e-Azam, Ayatullah El-Khui by Alhaj Maalim Ahmed Isaa Hasham of Dar-es-Salaam. The answers given are published for the information of the members of the Community. These masails first appeared in the News Bulletin of the Shia Ithna Asheri Jamat of Dar-es-Salaam, Issue No 2/80. The Editorial Board makes its grateful acknowledgement. Some of the terms that follow at the end have been defined by Al-Haj Mulla Asghar M.M. Jaffer.

Question: In the present age, it is a practice that girls work in most offices and companies. A man who works in such an office or company, in the course of his duties, talks to namahram girl. Is this act fele haram? And does this man remain adil or not?

Answer: To talk to namahram lady is not haram. And if this man's adalat is maintained in other respects, then this act will not invalidate his adalat.

Question: And what is the position, as far as shariat is concerned, of mo'meen shopkeeper when namahram ladies come to buy goods from his shop; is it haram to transact business with women? If this man sells goods to a woman, does he still remain adil?

Answer: Buying and selling to namahram women is not haram. And if adalat of that mo'meen in other respects is maintained, then this act will not nullify his adalat.

Question: In the girls' religious madressa, if a capable female teacher is not available to teach Usule Deen and Furue Deen to baligh girls, is it jaiz (permissible) for a male teacher to teach religion to these girls? And if this male teacher who is teaching religion to these girls is pesh namaz, can mo'meen pray behind him or not?

Answer: It is ehteyate wajib that is not jaiz (permissible) to look at the faces and palms of namahram ladies. But if these ladies (with open faces and palms) are unmindful in the sense that if, for example, they are told to refrain from going out, but they will still go out, then in such a case, to look at them without shahwat (sensuality) is not objectionable. And if this man's adalat is known in other respects, then this act will not nullify his adalat.

Signed: Elkhui. 2nd Jamadil Awwal 1400 A.H.

EXPLANATORY NOTES

Namahram: According to the laws of Islam, those persons who do not fall within the degree of relationship precluding marriage are known as Namahram. To put it simply, a Namahram is a person with whom an intending suitor can contract marriage. Quran enjoins upon Muslim men and women to cast down their eyes when they see a Namahram, and to refrain from lustful glances. This is the first and important step towards Purdah or Hejab. Conversely, those with whom Islam does not permit marriage, are known as Mahram. These include, for example, mother, mother-in-law, daughter, daughter-in-law, father, son, father-in-law and so on.

Adil: In the context used here, it is a virtue expected of those who lead daily prayers. An Imam of Namaze-Jamat, along with other conditions, must be an Adil. That is to say that he must possess a degree of probity and uprightness necessary to ensure a clean record of his life.

Fele Haram: Means a forbidden act.

Ehteyate Wajib: When a Mujtahid uses this term, he expresses his preference. Such rulings are equally binding.

Announcements

BIRTHS:

Place	Date	Name	Child
Mombasa	27 Feb 1981	Mr. & Mrs. Aarif K. Abdulla	Daughter — Fatema
Moshi	28 Feb 1981	Mr. & Mrs. Mohammed Iqbal M.R. Gulamhussein	Son — Mussadeq
Nairobi	16 Jan 1981	Mr. & Mrs. Shabbir M. Khatau	Son — Mustafa
Nairobi	2 Feb 1981	Mr. & Mrs. Mumtaz M. Kanji	Daughter — Fatima
Nairobi	23 Feb 1981	Mr. & Mrs. Naushad M. Champs	Daughter — Aiman
Nairobi	2 Mar 1981	Mr. & Mrs. Shabbir Habib A. Khalfan	Son — Rizwanali
Nairobi	12 Mar 1981	Mr. & Mrs. Hussein Kassamali Jivraj	Son — Tawfiqali

ENGAGEMENTS

Place	Date	Name
Mombasa	28 Feb 1981	Mr. Shabbirali Akberali F. Alidina to Miss Shehnaz Gulamabbas A. Peera
Mombasa	2 Mar 1981	Mr. Anverali Mohamedhussein M. Khatau to Miss Shamim Gulamabbas M. Khatau
Nairobi	23 Jan 1981	Mr. Mohamed Aliraza M. Nanji to Miss Marziya Aliasgher M. Nanji
Nairobi	23 Jan 1981	Mr. Abbas Pyarali M. Nanji to Miss Shamim Mohamed Jaffer M. Nanji

WEDDINGS

Place	Date	Name
Mombasa	15 Feb 1981	Mr. Haider Hassan A.M. Jaffer to Miss Tahera Amir H. J. Dhanji
Mombasa	28 Mar 1981	Mr. Al-Noor Gulamhussein A. Merali to Miss Tehsinabanu Kassim N. Panju
Nairobi	28 Feb 1981	Mr. Gulamabbas Jaffer A. Mohamed of Mombasa to Miss Khurshid Habib A. Khalfan
Nairobi	28 Mar 1981	Mr. Shabbir Aliasgher M. Nanji to Miss Nazma Mohamed Ali Karamshi of Bombay

DEATHS

Place	Date	Name
Nairobi	16 Mar 1981	Mrs. Fizzabai Hussein Kassamali Jivraj

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Shs. 100/- from Alhaj Habib Abdulla Khalfan of Nairobi on the occasion of the wedding of his daughter Khurshid to Gulamabbas Jaffer A. Janmohamed and of the birth of the grandson, Rizwanali, to Mr & Mrs Shabbir H. Khalfan

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Ijtehad

WHAT OTHERS HAVE SAID

In 23rd October 1980 issue of the New Scientist, Ziauddin Safdar, under the heading "Can science come back to Islam?" outlines how Islamic science flourished "when Europe was in its infancy". He goes on to say "If Muslim scientists were capable of such achievements, it is legitimate to ask, what caused the demise of Islamic science and consequent colonisation of the Muslim world? The rise of the Muslims to the zenith of civilisation in a period of less than a hundred years and the development of contemporary Islamic science was based on Islam's insistence, indeed over-insistence, on learning. The Quran and the traditions of the Prophet Muhammad are saturated with references to learning, education, observation and the use of reason At the end of 14th century, when the Muslim civilisation was recovering from the aftermaths of the Mongol invasion, the pious scholars, fearing a massive misuse of ijtehad by the unqualified and consequent deviation from the true teachings of Islam, closed the gates of ijtehad. This was not achieved by a conference or a meeting, but over a period of several decades, the learned scholars reached consensus that it was not allowed for anyone to exercise independent reasoning in matters of religion (Thus) Islamic science truly became a matter of history."

"There are two basic prerequisites that must be met before the process of rediscovering the methods and principles of Islamic science can begin. The first is obvious: the institution of ijtehad must be invoked for only then can the Muslim people develop the kind of Islamic perception that can relate the teachings of Islam to the problems of today and meet the challenges of tomorrow. The second is the integration of science policy in the Muslim world with the values and cultures of Islam"

He further asserts that when the gates of ijtehad were closed, "the practice of Islamic science all but disappeared. There is thus four hundred year gap between the traditions of Islamic science as they existed and the contemporary attempts to rediscover these traditions. Had there been a continuous link in the traditions of Islamic science, there would have been no need to rediscover Islamic science; it would have just existed. But because there is a missing link in the tradition, it is difficult for contemporary Muslim scientists to conceive how Islamic science can be practised today. And this is where the historians of science come in."

Allamah Sayyid Muhammad Husayn Tabatabai in his book "Shite Islam" writes: "In Sunnism, as a result of consensus of opinion (ijma) that occurred in the 4th/10th century, it was decided that submission to one of the four schools (of Abu Hanifah, Ibn Malik, al-Shafii, and Ahmad ibn Hanbal) was necessary. Free ijtehad or imitation of a school other than these four (or one or two smaller schools that died out later) was not considered permissible. As a result, their jurisprudence has remained in the same condition as it was about 1100 years ago."