



## ***FURUD AL ‘AIN AND FURUD AL KIFAYAH***

**A NEW LOOK AT ISLAMIC  
OBLIGATIONS AND THEIR  
RELATIONSHIP TO *MASALIH*  
(BENEFITS/INTERESTS) AND  
CIVILIZATION**

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**T**his study aims to throw some light on the basic purposes of the *furudh* (obligations, pl. of *fardh*) and explain why they have been classified as *fardh al ‘ain* (individual obligation) and *fardh al kifayah* (collective obligation) in the Islamic Shariah.

Both these classes of obligations demonstrate an association between approach and objectives that cannot be found in any other Divine or man-made legal systems, because in Islam there is an inseparable organic link between the development of the individual and the structure of society. This is reflected in a legislative system that aims to create a distinctive *Ummah* (nation/community) with its own specific characteristics and attitudes to life, both collectively and where its individual members are concerned.

According to Imam al Shatibi, there are two types of “rights” (that is to say, obligations) – rights due to Allah such as the regular prayer, fasting and the Hajj

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pilgrimage, and rights due to man including debts, expenses, advice, reconciliation between disputing parties etc. These rights are of two kinds – specific and non-specific.

Specific rights are binding upon the person to whom they apply and entail him “incurring a debt” until he has discharged them. They include prices payable for purchases, compensation for damaged, lost or stolen perishable goods, sums payable as *zakat* (alms tax), obligatory prayers etc. These “debts” will continue to be binding obligations until they are paid off or (when applicable) waived by the creditor.

Non-specific rights are also binding, but not upon every individual. They include charitable donations in which no individual obligation is involved, payments and donations to the needy, relief for those in distress, saving people who are drowning, jihad, enjoining what is right, forbidding what is wrong etc. This category encompasses all the *furudh al kifayah*, or collective obligations<sup>1</sup>.

The division of obligations into specific and non-specific shows clearly that a specific obligation cannot be avoided since it is a legal requirement and must be carried out in full. On the other hand, a non-specific obligation is contingent upon the will and choice, or upon “responsible freedom” in which the motivation comes either from within the individual or from external goals. It is designed to differentiate between people in their actions and the degree to which they are willing to vie with each other to perform good deeds, satisfy the needs of others and achieve the goal (even if only a few people contribute to it). The do-gooder will come to fore, while a person who falls short of perfection in this respect will fade into the background.

*Furudh al 'ain* and *furudh al kifayah* exist to achieve an objective – that is, to set a range of different goals and enable human beings to “demonstrate their effectiveness”. At the same time, they take into consideration people’s different circumstances, while making it a condition that they strive to perform their obligations to the best of their abilities.

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<sup>1</sup> Al Shatibi: *Al Muwafaqat*, 1/156-157.



*Farḍ al 'ain* is required by the Shariah as a binding obligation upon every individual to whom it is applicable and may not be performed by one person on behalf of another. It includes the regular prayer, *zakat*, the Hajj pilgrimage and the Ramadhan fast, as well as the avoidance of forbidden things such as alcohol, anger, injustice, shameful deeds, adultery and fornication. It is designed to develop and strengthen the individual and the *Ummah*, purify society and create a virtuous community.

*Farḍ al kifayah* is also an obligation, but as far as the Shariah is concerned it does not matter who performs it, since it is a collective requirement rather than an individual one and it is aimed at serving the public interest as a whole. It includes the learning of crafts, trades, commerce, industry, medicine, engineering, astronomy, history, geography, the sciences and the Law, as well as the provision of guidance on religious and ethical matters, performance of the funeral prayer, returning greetings, jihad (including jihad for “constructive” purposes as well as defensive jihad), enjoining what is right, forbidding what is wrong and other obligations required by the Lawgiver for the benefit of the people, though they may not be binding upon every individual in the category to whom they are applicable.

*Fardh al kifayah* is a general, or public, duty and if it is performed by one individual, it ceases to be binding upon the rest of the group, who will not be held culpable for not performing it. On the other hand, if nobody performs it, all will be held culpable<sup>1</sup>.

As *fardh al kifayah* is an obligation that must be performed, it can be converted into a *fardh al 'ain* if a specific person is appointed to perform it; such cases might include saving a person from drowning, treating somebody who is ill or fire-fighting, if the group only has one swimmer, one doctor or one firefighter or person capable of extinguishing fires<sup>2</sup>.

1 Abu'l Husain al Basri: *Al Mu'tamad*, 1/149, 369; al Laknawi al Ansari: *Fawatih al Rahmut Sharh Musallam al Thubut*, 1/63; *Sharh al 'Adud 'ala Mukhtasar Ibn al Hajib*, 1/234; *Sharh al Mahalli 'ala Jam'i'l Jawami'* li Ibn al Sabki, 1/130; Ibn Badran al Dimeshq: *Rawdhat al Nadhir wa Junnat al Manadhir*, 1/93.

2 *Sharh al Mahalli 'ala Jam'i'l Jawami'*, 1/133.



Sunnah practices may also belong to the *fardh al kifayah* category, such as praying for a person when he sneezes, returning a greeting or ritual slaughter of an animal on behalf of the members of a household (as cited in al Nawawi’s *Minhaj al Talibin*).

According to al Shatibi: “*Fardh al ‘ain* may be summed up as a demand required of every individual to whom it is applicable, while *fardh al kifayah* may be summed up as straightening what is crooked in the religion and its followers. However, what is *fardh al kifayah* may become binding upon the person who is obliged to administer it, such as justice in the case of the emir or giving to those next of kin in the case of the nearest of kin. Alternatively, *fardh al kifayah* may be voluntary or ‘recommended’ for some (people) and only binding upon the (community as a) whole. Or in rare cases it may be compulsory for certain (specific individuals)”.<sup>1</sup>

*Fardh al ‘ain* and *fardh al kifayah* exist as separate categories because each has its own objective. *Fardh al ‘ain* applies to the whole *Ummah* and every member of it as a general rule, while in the case of *fardh al kifayah* the required action may be performed by anyone. This indicates that *fardh al ‘ain* is for the benefit, development and improvement of every individual, while *fardh al kifayah* exists so that the desired benefit can be realised by any individual Muslim or Muslims. This demonstrates the wisdom of the Shariah system, which aims to promote the community’s long-term interest without imposing too great a burden upon those who serve it.

## The “collectivist tendency” in the Shariah

People are wrong when they suppose that Islam is only interested in developing and improving the individual while ignoring the community. On the contrary, the Shariah of Allah the Most High attaches great importance to collective or communal matters and sees the improvement of the individual as the means to achieving a better *Ummah*, society and state. This is as true of politics, the law, governance and worship as it is of economics, society, ethics, human relations, the family, the school, the

<sup>1</sup> *Al Muwafaqat*, 1/160.



university, the farm, the factory and the commercial enterprise. As the following analysis will show, it applies to every area of life.

**Worship.** Prayer – particularly congregational prayer – is designed to discipline man’s soul and improve his behaviour: “Prayer restrains from shameful and unjust deeds” (*Al ‘Ankabut*, 45). Performing the congregational prayer in the mosque reinforces the bonds of brotherhood; when a brother is present, his brother feels reassured that he is all right, and if he is absent he will check up on him; he will visit him when he is ill and pray for him when he is away on a journey. And – inspired by his sense of the unity of his *Ummah* - if his country is attacked he will feel impelled to defend his brethren, his nation and his honour with his life and property.

**Fasting.** Fasting also develops a feeling of brotherhood and unity and reminds people of the sufferings of those in need. It trains a person to tolerate hardship and teaches him the virtues of patience, willpower and abstinence from material pleasures and desires. It purifies a person’s soul and instils a fear of Allah and an awareness that the Almighty is watching him in secret and openly. As the Quran says: “O ye who believe! Fasting is prescribed for you as it was prescribed for those before you, that ye may fear (Allah)” (*Al Baqarah*, 183).

**Zakat.** *Zakat* establishes the principle of co-operation between the rich and the poor, weak and impotent. It strengthens social cohesion and develops a sense of brotherhood in the community. And it reinforces and develops money and property. The Qur’an says: “Of their goods take alms, so that thou mightest purify and sanctify them” (*Al Tawbah*, 103).

**The Hajj pilgrimage.** The Hajj is an annual general conference that brings people together so that they can know each other, co-operate and develop a sense of belonging to a single community. It is a forum for discussing the state of the Muslim community as a whole, forging unity, strengthening the bonds of brotherhood, exchanging mutual affection, putting the principle of equality into practice, and learning altruism, sacrifice, truthfulness and purity. The Qur’an says: “That they may witness the benefits (provided) for them...” (*Al Hajj*, 28). Those benefits are general and are to be found in this world and the next.



The above shows that acts of worship have a strong social significance and help rid mankind of the evils of ignorance, poverty, sickness and atheism.

Civil transactions and contracts. These exist as legal instruments to satisfy people's needs, promote the exchange of benefits and interests, develop the economy, facilitate the movement of funds and channel energies and potential. They also encourage self-reliance, self-sufficiency and the use of local products on a basis of justice, equity and fair exchange; moreover, they promote confidence, truthfulness and honest dealing, and discourage greed, rapaciousness and injustice. Al Shatibi says: "The Lawgiver laid down the Shariah with a view to serving consensually agreed interests and benefits. In these issues He determined that the interests under consideration should be comprehensive, not partial (i.e. general and all-embracing, not restricted to a particular section or sections). The same principles apply to the practice of established custom. Were it not for the fact that the partial is less worthy of consideration, this would not be the case..."<sup>1</sup>.

The *fiqh* dealing with the system of property ownership has a "collectivist tendency"<sup>2</sup>. Examples of this include restrictions on freedom of action with regard to private property so that the interests of its owners are protected and inappropriate people (such as spendthrifts and the feeble-minded) are prevented from handling money. According to the Qur'an: "To those weak of understanding make not over your property, which Allah hath made a means of support for you, but feed and clothe them therewith, and speak to them words of kindness and justice. Make trial of orphans until they reach the age of marriage; if ye find sound judgement in them, release their property to them" (*Al Nisa'*, 5-6). Note the expression "your property". This indicates that protecting the property of the community, the *Ummah* and every individual from waste and extravagance is a Shariah obligation. The same applies to restrictions on public property such as the ownership of public utilities, the prohibition of monopolies, the legitimacy of compulsory fixed pricing, the bar on dividing up open real estate

<sup>1</sup> *Al Muwafaqat*, 1/139.

<sup>2</sup> See Mohammed Wahid al Din Sawar: *Al Naz'ah al Jama'iyyah fi'l Fiqhi'l Islami wa Atharuha fi Haqqi'l Mulkiyyah*, P. 45 onward.



compulsorily between warring parties (this question arose during the time of 'Umar - may Allah be pleased with him), restrictions in the interests of social cohesion with the aim of eliminating poverty and disease and ensuring an adequate standard of living for all members of society, obligations incumbent upon individuals at times of crisis, such as the *kharaj* tax payable by the rich to offset any *Bait al Mal* (Treasury) deficit in case of jihad, payment of *diyah* (blood money) as compensation for a person killed when his killer is unknown, and preparing and burying dead paupers out of *Bait al Mal* funds.

Legislation on the way things may legitimately be used includes measures to prevent a property owner from abusing his rights, the granting of inheritance rights in *talaq al farar* cases (divorce with the aim of preventing the wife from inheriting property) and a ban on taking divorced wives back on inequitable terms. The Qur'an says: **“..do not take them back to injure them, (or) to take undue advantage”** (*Al Baqarah*, 231). Another ruling bars the mother of a suckling from demanding excessive remuneration.<sup>1</sup>

Other regulations allow the sequestration of property in the public interest (including nationalisation) on condition that compensation is paid to the owner. This happened at the time of 'Uthman bin al 'Affan (may Allah be pleased with him) when the Two Holy Mosques were expanded. In the view of some contemporaries such as the late Sheikh 'Ali al Khafif, it is also permissible to set a maximum limit on the ownership of agricultural land.

There are restrictions on the use a property owner may make of his property to prevent him from misusing it. For example, he is not permitted to halt production or plant forbidden crops such as drugs and tobacco. (These items are classed as *khaba'ith* - noxious - in Ibadhi *fiqh* and by other schools of Islamic jurisprudence).

All the above underlines the necessity of protecting the public interest in accordance with the *Hadith*: “Muslims are partners in three things: water, herbage and fire”.<sup>2</sup> Another narration adds “and salt”.

<sup>1</sup> The researcher's *Nadhariyyat al Dhururah al Shar'iyyah*, P. 231.

<sup>2</sup> Recorded by Imam Ahmad and Abu Daud.



The obligation to acquire knowledge in order to eliminate ignorance and illiteracy is either *fardh al ‘ain* or *fard al kifayah*. It is a major *maslahah* (singular of *masalih* = benefits/interests) and a vital necessity in every age. Non-Shariah subjects - according to al Ghazali<sup>1</sup> – are classed as either *mahmud* (praiseworthy), *madhmum* (undesirable) or *mubah* (permissible). The *mahmud* category covers disciplines that serve worldly interests such as medicine and arithmetic; some are *fardh al kifayah*, while others are regarded as virtues but not obligations.

*Fardh al kifayah* includes every branch of learning that is indispensable for the managing of worldly affairs such as medicine (which is vital for the welfare of the body) and arithmetic<sup>2</sup>, which is needed for day-to-day transactions, wills, the division of inheritance etc.

Basic crafts and trades are also in the *fardh al kifayah* class. They include agriculture, weaving and politics, as well as cupping and needlework, since the One Who sent the “malady” also sent the “antidote”. Hence needlework and tailoring enable a person to cover his body and wear beautiful apparel, as expressed in this verse from the Holy Qur’an: “O Children of Adam! Wear your beautiful apparel at every time and place of prayer” (*Al A’raf*, 31). The same principle also applies to the other indispensable disciplines.

The worldly disciplines in the “virtue” category include in-depth studies of arithmetic, medicine and other desirable but non-essential subjects.

The *madhmum* category of worldly knowledge includes magic, sorcery, quackery and mumbo-jumbo, while *mubah* comprises fields such as serious poetry, history and current affairs.

There are four types of Shariah disciplines in the *mahmud* class. ‘*Ilm bil usul* (knowledge of the “roots”) covers the sources of legislation from the Qur’an, Sunnah, *qiyas* (analogy), *ijma’* (consensus) and the Traditions of the Companions, while ‘*ilm bi’l furu’* (knowledge of the “branches”) is concerned with the way one should understand the *usul* – not linguistically,

<sup>1</sup> *Ihya’ ‘Ulum al Din*, 1/13, 15 and onward.

<sup>2</sup> Also engineering, which is classed as essential in “urban development” *fiqh*.





but from the point of view of their actual meanings and rational interpretations.

'Ilm bi'l muqaddimat (knowledge of the "preliminaries"). This is also called 'ulum al aalah ("sciences of the mechanism") and includes language and grammar – i.e. the "mechanism" for understanding the Book of Allah the Most High and the Sunnah of His Prophet (PBUH).

'Ilm bi'l mutammimat (knowledge of the "completions") is concerned with the study of the Qur'an, the Sunnah and the Traditions, and background information on the *Hadith* collectors and the status of the narrators.

A unique feature of Islam is that it classes the acquisition of knowledge as a Shariah obligation and sees neglecting to do so as a social crime and therefore punishable. The Prophet (PBUH) said: "The search for knowledge is a binding obligation upon every Muslim"<sup>1</sup> and "What should one say of people who do not educate their neighbours and do not teach them, offer guidance and advice to them and accept advice and guidance from others? By Allah! People should teach their neighbours, educate them, give them guidance, enjoin them (to do right) and advise them to eschew (wrong). And people should learn from their neighbours, acquire knowledge from them and take advice from them. Otherwise, He will hasten their punishment in this world".<sup>2</sup>

It is a general *fiqh* principle that the public interest should be upheld and promoted. It is reflected in jurisprudential *fiqh* (including the rules of evidence, witness statements, affirmation, swearing oaths, inference, etc.) and the *fiqh* of peace and war. In jurisprudential *fiqh* litigants must be treated fairly and equally, and this principle must even be applied to enemies. Evidence must be heard and there must be no injustice of any kind, or bribery or corruption. The Qur'an says: "...let not the hatred of others to you make you swerve from wrong and depart from justice..." (*Al Ma'idah*, 8), "...and any who transgresses the limits of Allah does verily wrong his (own) soul...". (*Al Talaq*, 1) and "...Allah loveth not corruption" (*Al Baqarah*, 205).

1 Recorded by Ibn 'Abdul Barr on 'ilm, from Anas b. Malik.

2 Narrated by al Hafid al Mundhiri in *Al Targhib wa'l Tarhib*.



It is vital that the principles of virtue, piety and mercy should be applied in matters such as keeping the peace, determining the legality of war as a means of resisting evil, aggression and tyranny, and establishing the conditions for peace, security and stability. The values of tolerance and forgiveness must be uppermost; identical criteria should apply in dealings with all sides and Muslims must maintain their high standards of behaviour such as respect for the dead and the decent treatment of captives. Muslims regard war as a remedial necessity to be used as a means of defending their lands and the things they hold most dear. In such situations the highest principles of moral and humane behaviour must be upheld in accordance with Abu Bakr's ten ethical commandments; do not kill a woman; or a child; or an aged person; do not cut down a fruiting tree; do not destroy a building; do not slaughter a sheep or a camel except to eat it; do not burn down a date palm; or chop it down or flood it; do not bear a grudge; and do not act in a cowardly way.<sup>1</sup>

The rules stipulating that fighting is legal when absolutely necessary - while at the same time the rules of civilized behaviour must be observed - are set out in the Qur'an: "To those against whom war is made, permission is given (to fight), because they are wronged – and verily, Allah is Most Capable of aiding them. (They are) those who have been expelled from their homes in defiance of right – (for no cause) except that they say: Our Lord is Allah. Were it not that Allah checked one set of people by means of another, there would surely have been pulled down monasteries, churches, synagogues and mosques, in which the name of Allah is celebrated in abundant measure. Allah will certainly aid those who aid His cause – for verily Allah is Full of Might and Power" (*Al Hajj*, 39-40).

### **A new view on motivation for promoting the public interest and building civilization**

New *masalih* (interests/benefits) arise in every place and time and this is also true of the demands of civilization. Muslims need to respond to new developments because they always feel motivated to do so and – by doing

<sup>1</sup> *Tanwir al Ḥawalik Sharh 'ala Muwatta' Malik*, 4/6, printed by al Babi al Halabi, Egypt.



so – they contribute to the rebirth of their *Ummah* (Nation/community) and country. The Qur'an says: "O ye who believe! Respond to Allah and His Messenger, when He calleth you to that which will give you life; and know that Allah cometh between a man and his heart, and that it is He to Whom ye all shall be gathered" (*Al Anfal*, 24). "Giving life" means rebirth in its broadest and most precise sense, because giving life to the individual and the Community of Believers means revitalising their souls, their land, their society and the time and place in which they live. The *din* (Faith) creates civilizations, because it imbues individuals, communities and nations with an indispensable power – the "power of morality and belief" - and the *Ummah* owes its strength of character and constancy to the moral values which stem from its Faith.

The precepts that encourage the *Ummah* to embrace new ideas are firmly based on the teachings of Islam and its fundamental political, economic and social principles. They include, in particular, these five:

**1** - The development of a sense of general and personal responsibility for one's actions, inspired by this verse from the Holy Qur'an: "But stop them. For they are answerable" (*Al Saffat*, 24) and the words of the Prophet (PBUH), narrated by Abu Barzah al Aslami (may Allah be pleased with him): "The two feet of the servant will not cease (from standing before Allah) on the Day of Judgement until he is asked about four things: on his life and how he spent it; on his knowledge and what he did with it; on his wealth and where he earned it and how he spent it; and on his body and in what way he utilized it".<sup>1</sup> Another version narrated by Abdullah bin Mas'ud (may Allah be pleased with him) states: "The two feet of the servant will not cease (from standing before Allah) on the Day of Judgement until he is asked about five things: on his life and how he spent it; on his youth and how he utilised it; on his wealth and where he earned it and how he spent it; and how he used his knowledge".<sup>2</sup>

These words instil an awareness in people's minds that they will be seriously accountable for all their actions. This in turn leads them to

<sup>1</sup> Recorded by al Tirmidhi (*Jami' al Usul*, 11/102, No. 7944).

<sup>2</sup> Also recorded by al Tirmidhi (*Jami' al Usul*, 7945).



question themselves before they are summoned for judgement. When the Qur'an says: "O ye who believe! Fear Allah, and let every soul look to what (provision) he has sent for the morrow" (*Al Hashr*, 18), this is an indication that a person's previous actions will be enquired into. It was on this basis that 'Umar (may Allah be pleased with him) said: "Call your souls to account before you are called to account and weigh them before you are weighed" and "If a sheep is lost on the banks of the Euphrates, I fear that Allah will ask me about it on the Day of Judgement". We should bear in mind, too, that the angels who stand constantly on everybody's right and left hands are recording everything that he does, whether it be good or bad; a person should therefore set aside an hour at the end of each day so that he can question himself and give an account of everything he has done or failed to do, in the same way that merchants settle their business accounts with their partners at the end of the year, the month, the week or the day to ensure that nothing is missing or out of place. Since this is the practice in man's worldly affairs, then how could a sane, rational person not question himself about those things that will determine whether his everlasting life in the hereafter will be one of joy or suffering?<sup>1</sup>

Another *Hadith* describes the principle of general responsibility that applies to every individual: "All of you are shepherds and every one of you is responsible for those under his care. A leader is a 'shepherd' and responsible for those under his care. A man is the 'shepherd' of his family and responsible for its care and a woman is the 'shepherdess' of her husband's house, so she is responsible for its care. A servant is a 'shepherd' of his master's property, so he is responsible for its safekeeping, and a man is a shepherd of his father's property so he is accountable for its safekeeping. So all of you are shepherds and every one of you is responsible for those under his care".<sup>2</sup>

**2** - The public interest must be given preference over private interests because the public interest concerns everybody. The *fiqh* principles governing it include:

<sup>1</sup> Al Ghazali: *Ihya' 'Ulum al Din*, 4/345-346.

<sup>2</sup> Recorded by Ahmed, the Two Sheikhs (al Bukhari and Muslim), Abu Daud and al Tirmidhi from Ibn 'Umar (may Allah be pleased with them).



- **“Private damage shall be tolerated in order to avert public damage”**. (Para. 26 of the Ottoman Civil Code).
- **“Conduct towards subjects is dependent upon interests” (Para. 58). This is based on the saying of the Prophet (PBUH): “No emir in charge of the Muslims’ affairs who does not strive on their behalf and work as faithfully for their welfare as he strives and works for himself will enter Paradise with them”.**<sup>1</sup> The Prophet also said: “Anyone who exploits a man from a group in which there is a person who is pleasing to Allah has betrayed Allah and His Messenger and the Believers”.<sup>2</sup>

**3** - Encouraging good deeds. The Islamic approach to public duties does not involve coercing people to perform charitable and virtuous acts by command. Instead, it awakens a desire in them to do good and encourages them to do so in different circumstances and situations. The Qur’an expresses this message clearly when it says: **“It is not righteousness that ye turn your faces towards East or West; but it is righteousness to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers; to spend of your substance, out of love for Him, on your kin, on orphans, on the needy, on the wayfarer, on those who ask, and on the ransom of slaves; to be steadfast in prayer and practice regular charity; to fulfil the contracts which ye have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, the God-fearing”**. (*Al Baqarah*, 177). The true way to Paradise is when a person does good out of a sense of personal conviction and of his own free choice, not when he has virtue forced upon him to qualify him for the highest ranks of Heaven.

**4** - *Ihsan* (acts of the utmost kindness and charity) to others. *Ihsan* is among the highest levels of goodness, truth and justice and indicates purity of Faith, devotion, forgiveness and tolerance. Ibn al Qayyim says: “The rank of *ihsan* is the kernel, the spirit and the perfection of Faith. It is a rank that combines all the other ranks and unites them within itself. This is attested

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<sup>1</sup> Recorded by Muslim, al Tabarani and others.

<sup>2</sup> Recorded by Al Hakim in *Al Ahkam* – from Ibn ‘Abbas (may Allah be pleased with them).



by Allah the Most High, when He says; ‘Is the reward for *ihsan* other than *ihsan*?’ (*Al Rahman*, 60) and in the Hadith recorded by the Two Sheikhs and narrated by ‘Umar, the Emir of the Believers: ‘That you should worship Allah as though you see Him’”.<sup>1</sup>

Sheikh al Islam al Harawi says: “The first of its (i.e. *ihsan*’s) degrees is *ihsan* in the intention to refine it through knowledge and reinforce it through resolve”. It is refined through knowledge because in becoming subservient to knowledge it is purified and set on the right path, while resolve will strengthen it and ensure that it suffers from no weaknesses of shortcomings.<sup>2</sup> This shows that *ihsan* is the ultimate in purity and goodness and that it is associated with a strong resolve that knows no vacillation.

**5 - Istiqamah** (probity/firmness). This means standing firm and following the straight path without the slightest deviation. The Prophet (PBUH) owed his grey hairs to his intense awareness of the serious responsibility *istiqamah* entails. When asked where those hairs came from he quoted from this verse in the Holy Qur’an: “Therefore stand firm (in the straight path) as thou art commanded” (*Hud*, 112)<sup>3</sup>.

There are numerous verses in the Qur’an that enjoin *istiqama* and declare that the *mustaqim* (person who practises *istiqamah*) is destined for felicity and entry into Paradise. They include: “Verily, those who say: ‘Our Lord is Allah (Alone)’, and then they stand firm, on them the angels will descend (at the time of their death) (saying): ‘Fear not, nor grieve! But receive the glad tidings of Paradise which you have been promised!’” (*Fussilat*, 30), and “If only they had stood firm on the (right) way, We should certainly have bestowed upon them water (i.e. rain) in abundance”. (*Al Jinn*, 16).

Ibn al Qayyim says: “Allah the Most High has shown that *istiqamah* is the opposite of *tughyan* (oppression/excess), which means ‘going beyond

<sup>1</sup> Ibn al Qayyim: *Tahdhib Madarij al Salikin*, 2/763.

<sup>2</sup> Ibid. P. 764.

<sup>3</sup> Recorded by al Tirmidhi and al Hakim from Ibn ‘Abbas (may Allah be pleased with them).



acceptable bounds' in everything. 'Umar bin al Khattab (may Allah be pleased with him) said: '*Istiqamah* means that you stand firm on enjoining (right) and forbidding (wrong) and that you do not act slyly and evasively like the fox.' And Ibn Taymiyyah said: 'They stood firm (*istaqamu*) in love and worship of Him, and did not turn away from him to the right or the left.' He also said: 'The height of reputability and honourable behaviour is *istiqamah*'"<sup>1</sup>.

The above five precepts offer the best basis for common action in defence of the public interest and the future of our *Ummah*. Today the need for them is more pressing than ever. We need to create a strong, revitalised *Ummah* that can take its place at the forefront of the civilized nations, rather than an *Ummah* of empty words and bluster, even if this means striving against the West's attempts to prevent us from doing so and spurning its malicious designs.

## Summary

Islamic obligations (of both the *fardh al 'ain* and *fardh al kifayah* varieties), together with Islamic values, principles and rulings – including acts of worship, dealings between people, ethics, transactions and relations with non-Muslims – are crucial to the public interest, the *Ummah's* future progress, its honour and dignity and, above all else, its ability to depend upon its own resources.

Unfortunately, Muslims today are immersed in ignorance and backwardness and usually care only about their own personal self-interest. In doing so, they generally turn their backs on the public interest – unless, that is, they are called upon to provide relief and assistance when faced with disasters and crises; in such cases you will find that they are generous, open-handed and ready to sacrifice their most prized possessions for the sake of Allah, the *Ummah* and the public good, embodying the Qur'anic principle: "...but give them preference over themselves, even though poverty was their (own lot)" (*Al Hashr*, 9).

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1 *Tahdhib Madarij al Salikin*, 2/527-529.



So the “collectivist tendency” is the dominant feature of Islamic legislation and takes precedence over the “individualist tendency”. Its supreme goal is the well-being of the community and a strong society composed of upright, decent individuals.

*Fardh al 'ain* is the main instrument for refining and developing individual, personal virtues and good qualities, while *fardh al kifayah* is a communal obligation which may be performed by any individual or group, provided that its objective is achieved.