Prophetic Leadership Model for Today: An Appraisal

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ABSTRACT

The prophets of Islām in past have demonstrated Islamic attributes of a servant type leadership whereby a leader is servant first for his followers. The Islamic perspective to leadership is interesting, not because it is new, but because it worked in the past. For over 1,400 years from the time of Prophet Mohammad ﷺ, Muslim leaders have demonstrated sound leadership and developed a great civilization in the process. This paper explores why an Islamic alternative might generate better outcomes. The assumption underlining this article is that the solutions of leadership crisis today are not only valid for Muslims, they tap into universal values and universal wisdoms and they are therefore valid for non-Muslims as well. It is our understanding that good leadership seems to be in short supply nowadays. Political, social and economic challenges dominate the headlines. The divide between the haves and the have not's seems to be widening. The problem of how to make the today's Millennium Development Goals (MDG), sustainable is becoming increasingly urgent. This is true in the Muslim world but it is increasingly true in developed countries as well. The recent electoral results in the UK and the United States indicate that what worked yesterday will be met by rising popular discontent by followers in the West and it will necessitate a change. Thus the qualities of Islamic leadership- teamwork, partnership, shura as a means of mutual consultation, and strategic thinking can ensure success and sustainable leadership.

Keywords: *Leaders, Prophetic Model, Spirited Leadership, Leadership Theories.*

Introduction

Prophetic model of leadership does not necessarily evolve from the time of Prophet Muhammad ﷺ alone rather it dates back to previous civilizations too. All Abrahamic and sematic religions followed the prophetic leadership model and style of one or other prophets of the past. Today's leadership in developing the right competencies fail in characters building. The analysis of the problems at Western institutions of repute was applauded but proposed solutions seemed vague and unsatisfactory. As previous civilization of Nail described the life story of Prophet Yūsuf (Joseph), describes how he was forced out of his homeland after a conspiracy by his brothers. The story depicts how he went to Egypt and started to work in the King's palace earning a prestigious position in public office. He was appointed as a custodian of the "land's treasures" which mostly included Egypt's food ministry that Holy Qur'ān captured as:

وَقَالَ الْمَلِكُ ائْتُوْنِيْ بِهٖ اَسْتَخْلِصْهُ لِنَفْسِيْ ۚ فَلَمَّا كَلَّمَهٗ قَالَ اِنَّكَ الْيَوْمَ لَدَيْنَا مَكِيْنٌ اَمِيْنٌ قَالَ اجْعَلْنِيْ عَلٰى خَزَآئِنِ الْاَرْضِ ۚ اِنِّيْ حَفِيْظٌ عَلِيْمٌ ١

> "And the king said, "Bring him to me so I may attach him exclusively to myself. And when he spoke to him, he said, Indeed, you are today established [in position] and trusted. [Joseph] said, "Appoint me over the storehouses of the land. Indeed, I will be a knowing guardian."[2]

Despite the fact that Prophet Yūsuf was not appointed as manager cum leader position holder in so called, our modern day understanding of the word, his duties definitely involved elements of leadership, management and control. Thus his story is used among some modern-day Muslim scholars as an example of an early public official whose duties involved planning, organizing, leading, keeping record and track of the large amount of food supplies for the whole kingdom. As explained, some researchers have also linked the attributes of Prophet Yūsuf mentioned in the Qur'ānic chapter to the attributes that need to exist among modern-day Muslim leaders. Perhaps this is the first example of a form of leadership that had transformed the whole history of children of Isrā'īl who are technically called Jews by modern day Muslims stemming from Muslim's and Qur'ānic sources.

Spirited Leadership Principles

Much commendable progress over the last few years was achieved. There has been a huge effort around the world in researching the role of spirituality at work. There is a general agreement that spiritual leaders are more moral and more ethical. We hope to demonstrate that they can still be effective. Within this

broad framework, we decided to focus on the universal lessons found in the Qur'ān, the scripture of the Muslims as final revelation. Islamic leadership principles have similarity with conventional leadership principles except religious matter, morality and revealed spirituality that must have human roots and human peaceful existence.[3] As Muslims we believe that Prophet Muhammad ﷺ and his rightful four Caliphs' had religious, moral as well as spiritual attributes. Allah Almighty elevated His last prophet as mercy to all mankind (*Raḥmatul-lil-'Aālamīn*). Any leadership traits of Islamic leadership generally emerges from its primary sources of Holy Qur'ān and *Sunnah* which are guidance based on Islamic spiritual practices since the start of the Muslims' civilization.[4] Scholars of *Islām* identified the four stages of moral and spiritual development encompassing spirituality enhancement. Accordingly these are: *Imān, Islām, Taqwā* and *Eḥsān*.[5] Prophet Muhammad ﷺ once declared his mission as being sent to mankind for perfecting the morality of mankind based on revelation and spirituality. These four stages of spiritually have guided spirited leadership based principles for leadership personality development.

Imān

Imān (faith in God), is one of the core values of Islamic moral characters which necessitates a full faith in God. *Imān* relates to monotheism as God is one and alone (*Tawḥīd*) and Prophet Muhammad ﷺ is His last messenger. A leader with *Imān* is called a *Mu'min* believes that all resources endowed to him belonging to God. A *Mu'min* will not dodge responsibility for his actions, and will continually remain responsible citizen of the society who emphasizes good deeds. *Imān* or faith has six elements mostly believing in unseen-thus a servant type leader focuses on Allah, angles, books as Al-Qur'ān and others revealed to previous prophets (like *Thaurah, Zabōr, Injīl* and others), previous prophets, human fate and life after death- constitute the necessary parts of Islamic faith.

Islām

Islām (achievement of peace with God*)*, is the second layer of the morality from an Islamic perspective of both-leadership and followership. *Islām* literally means peace with God, within oneself and with the physical and virtual environment that are creations of God. This also a form of human's willing submission to Him. *Imān* is the seed and *Islām* is the fruition.[6] A leader who has *Imān* and practices *Islām*, therefore will never be seen an arrogant person.

> *"Malik, you must never forget that if you are a ruler over them, then the Caliph is a ruler over you, and God is the supreme Lord over the Caliph."*[7]

It is stressed in the historical letter by fourth Caliph 'Alī to Mālik al-Ashtar an-

Nukai, who was newly appointed Governor of Egypt then.

It's unfortunate in modern time that people at large equates Muslims today with *Islām*. Adherents of faith are supposed to be called followers of *Islām* but so called 'Muslims' today are sometimes carry bad name for *Islām*. *Islām* is a peaceful religion and a very small fraction of bad apples among them are rots and spoils a good name of *Islām* as if *Islām* teaches tyranny and chaos to its adherents.

Taqwā

Taqwā (mindfulness or fear out of love of God) simply translated as fear your God. However, this fear of God is not because Almighty Allah frightens human but fear out of His love and affection. So *Islām* teaches to be mindful of Allah's commandments and instructions as revealed to His Messenger Prophet Muhammad ﷺ. Accordingly "the essence of *Taqwā* lies in an attitude of heart and mind rather than in an outward form."[8] A *Muttaqī* is a person whose frame of mind, his thoughts, emotions and inclinations will reflect *Islām*. Leaders' mindfulness or fear of God will restrain him or followers from behaving unjustly to whom they interact whether to community members, to customers, to suppliers or to anybody else. All forms of '*Ibādah* such as *ṣalāt*, fasting, paying *zakāt* and performing *Hajj* or other rituals in *Islām* must be in essence to create a *Taqwā* that brings closer all His slaves to Him-the Almighty Allah.

Eḥsān

Eḥsān (excellence and optimum level of love of God) is reflected in the extreme level of relationship to God that in turn creates an excellence in every things a follower or faithful must do to obtain an utmost closest as possible seeking pleasure of his/her Lord. This love of God motivates the leadership to work towards attaining God's pleasure. The Prophet Muhammad ﷺ himself described the virtue of *Eḥsān* as follows:

> "*To worship God as if you see Him, and if you cannot achieve this state of devotion then you must consider that He is looking at you.*"[9]

A difference between the qualities of *Muttaqī* and *Muḥsin* is concisely explained as if among the government employees, there may be someone who performs their duties and responsibilities scrupulously; however he/she does not demonstrate any additional commitment. But many employees push themselves beyond the call of duty; because this category or types are energized, who are willing to make extra sacrifices in the pursuit of organizational goal. From an Islamic perspective the first group of employees is like believers who act what is sufficient and necessary; we can say this group of employees has *Taqwā, whereby*

the second group of employees has *Eḥsān.* Thus Muslim leaders and followers who are tirelessly hold fast the banner of *Islām* under the most difficult circumstances; are *Muḥsin* and these are rare breed of leaders today. Thus the spiritual dimension to the leadership is call of the hour for leadership development through the stages of *Imān*, *Islām*, *Taqwā* and *Eḥsān.*

The principles associated with an alternative leadership style can open the door of excellence and high level of achievements. These principles are extracted from the Qurānic words and the sayings or practices of Prophet Muhammad ﷺ who possessed the transformational leadership values. Prophet Muhammad ﷺ possessed extraordinary values which made him a unique example of benevolent person as a role model of any servant leadership type for mankind as he is described (*Raḥmatul-lil-'Aālamīn*). His transformational leadership values are attributed to freedom, justice, equality, and collective well-being. He used to liberate people from being enslaved by materialistic and worldly sensual pleasure that run contrary to spirited leaders in this temporary world. His emphasis used to be on family values about the respect for women, affection and kindness for children in return children honoring their parents, the importance of educating the children, financial security for wife/wives after the husband's death. As a husband he was known to treating his spouses with kindness and gentleness, respecting even foster parents, brothers, and sisters, and the importance of loving and honoring relatives He didn't like to severe family bonds and relationship. Prophet's speeches also focused on character building consisting of values that include gentleness, humility, kindness, moderation, modesty, politeness, and truthfulness. The Prophet ﷺ communiques during days in *Madinah* included the admonition of collectivism and lifestyle dominant by values that included charity, forgiveness, hospitality, and mercy. The Prophet's left behind four rightly guided Caliphs (*Khulafā-e-Rashidūn*) who were successors of Prophet ﷺ also possessed the character and similar good deeds. Muslim leaders after the four Caliphs similarly had historical names such as 'Umar bin Abdul Azīz of Umayyad Dynasty had great leadership style with excellent communication skills is known for adhering high moral values.

Accordingly the emphasis is on dominant traits theories from and Islamic principles and perspectives are values which are consist of faith and belief, knowledge and wisdom, courage and determination, mutual consultation and unity and Islamic brotherhood/sisterhood (*ukhwah*), morality, piety, honesty and trust, superior communication skills and oratory, justice and compassion, patience and endurance, commitment and sacrifice, lifelong endeavor and

gratitude and prayers.[10] Therefore, these values practiced by the Prophet Muhammad ﷺ were inherited by his successors- four Caliphs- Abū Bakr, 'Umar, Othmān, Alī to achieve their eternal goals in mundane life and made them great leaders in the human history.

Muslims believe that given the proper training on spirituality, leaders would naturally develop a strong moral character. This moral character will be tested in the rough and tumble of organizational life. Leaders will either make compromises or they will rise to the occasion. In this article, we hope to show that leaders don't have to compromise on their principles to be successful.

Much commendable progress over the last few years was achieved in search of an alternative leadership style. There has been a huge effort around the world in researching the role of spirituality at work. There is a general agreement that spiritual leaders are more moral and more ethical. We hope to demonstrate that they can still be effective. Within this broad framework, we decided to focus on the universal lessons found in the Qur'ān, the scripture of the Muslims as final revelation and Prophetic traditions full of universal values.

To do justice to the topic, we had to first understand the current issues surrounding conventional leadership. This proved much more difficult than anticipated and it took me to dig deep into the pertinent issues. This constitutes the first part of the article. At the later part, I feel that readers should understand the limitations of conventional theories of leadership; and appreciate that the Qur'ān addresses the issue of spirituality comprehensively.

We then try to understand the Prophetic Leadership Model used by the last messenger and our Prophet Muhammad ﷺ and his Four Successors. We try to demonstrate that Islamic leadership is possible today. This has been put in later part of the article. This part therefore provides us critical context to understand how the message of the Qur'ān should be understood. We cover this in last section of the paper.

Leadership Theories Revisited

There are so many theories of leadership developed in Western countries and these are taught in Western business schools religiously such as the transactional leadership which is a leadership approach that stresses the exchange of rewards with subordinates for services rendered[11] and transformational leadership approach leads the change in the organization's vision, strategy, and culture, and it empowers people in the organization and increases the base of power and effectiveness rather than restricting it.[12] Nevertheless, due to space constraint, many are ignored at this point of time. However the key theory that interests

author(s) and found as dominant in the Prophet's life style is that prophet was used to practice the servant leadership theory as follows:

Servant Leadership

This approach is very close to the daily life of the Prophet and is based on rather source of any pure Islamic leadership principles. Catholics and researchers from Scandinavian region have published wonderful research on this area. This is a moral leadership approach that leans toward values, ethics, principles, virtues, morality, spirituality, authenticity and love for humanity. It advocates that leaders should serve those under them, protect them and help them to reach maximum effectiveness.[13] Since the 'servant leadership' theory is much closed to Islamic principles of leadership needs some elaboration. The following paragraph would help to explain this further:

Greenleaf's servant leadership theory, which advocates putting away the self-interest of leaders for the benefit of their followers[14] is closest to Prophetic traditions. Nonetheless, while there has been increased research in the development of conceptual models and questionnaires, little is still known about conditions that facilitate servant leadership.[15] The literature pertaining to servant leadership is rather indeterminate, somewhat ambiguous, and mostly anecdotal subjected to time and space.[16]

According to Greenleaf[17], the major purpose of business should be to generate a positive impact on its employees and the community at large. The servant leader brings together service and meaning to all stakeholders. The leader should be familiar with basic religious and spiritual values in serving those stakeholders. Hence the leader serves others including colleagues, the organization, and society at large selflessly. Service, in this sense, is thus not a special case of leadership, but rather a special kind of service guided by spirituality and entrusted by Almighty Allah.

The framework for servant leadership consists of helping others discover their inner spirit, earning and keeping the trust of others, service over self-interest, and effective listening. The core of Greenleaf's[18] servant leadership model is based on four tenets of moral authority: (a) sacrifices, (b) inspires commitment to a worthy cause, (c) teaches others that ends and means are inseparable, and (d) introduces the world of relationships. Spears[19], as cited in Fry, stated that the best leadership is not provided by those who seek leadership roles but, instead, by those with a compelling vision and a desire to serve others first.

Likewise the previous prophets such as Joseph and Moses, our beloved Prophet Muhammad ﷺ demonstrated the 'Servant Leadership' style in most of the time

because he lived as servant to serve the mankind. He held the principle that he does not expect any favour from anyone else in this world rather his reward would come from Allah Himself for the services he rendered to mankind. The last speech of the Prophet during the *Ḥajjatul Widāh* (Final Sermon at Pilgrimage) he asked the people in front of him whether he has performed the services to the expectation of Prophetic mission and what he was tasked fully or not? All of them responded with one voice that you have performed beyond expectation and had achieved your mission of service to mankind. To that Prophet raised his finger to the sky and asking Allah to be the witness of the acknowledgement by his followers that he has been excellent servant of them.

Islamic leadership emphasizes the general welfare of the *Ummah* (the society) through justice, equity and fairness. The general pattern of leadership from Islamic perspective links leaders to the concept of accountability, responsibility and sense of assessment of the Day of Judgment which according to a Muslim's believes would be held when Allah ﷻ judges everyone's acts Himself. Thus the leadership of the Prophet ﷺ and his rightly guided four Caliphs proved to provide good governance through their fair and just leadership. In this regards the leadership by example of accountability, responsibility and concern as well as social welfare of people is judged through the objectives of *Maqāṣid-us-Sharī'ah* achievements. Furthermore the prophet through leadership succession plan transferred these attributes to the next generation to emulate if they are supposedly be triumphant in front of Allah on the day of resurrection. Leadership succession is not only an important phenomenon rather a necessary condition for sustainability in any contemporary civilization of organizations.

Power and Authority

It is usually said that too much power corrupts people and absolute power corrupts absolutely. This was contrary in case of the beloved prophet. More and more people came under the fold of *Islām* and *Makkah* was conquered but prophet has demonstrated humility despite absolute authority over his subjects. He kept himself busy in worshiping his Master, Allah as His humble slave out of humility. Beside Prophet Muhammad and his followers conquered the holy city of *Makkah* where they were not allowed to stay and chased out of their birth place as pagans of *Makkah* forced them to immigrate to *Madinah* after 13 years of launching of prophetic mission, forgiven all the people of *Makkah* who ever have been source of all kind of physical and mental torture to the Prophet himself and requested all his companions to forego all that they endured during the past. Therefore there is no room to accommodate any form of violence and power

abuse despite absolute control and authority over others including the enemies of Islām during a period of *Jāhilyiyah* (ignorance). It is unfortunate that today's so called the followers of faith (*Islām*) are abusing the *Islām* (the religion of peace and harmony) for their ulterior political motives to garner support on the name of religion and faith who eventually are rejected by majority Muslims. As an exemplary leader, Prophet's *sīrah* (lifestyle) will dwell some lights on this in following paragraphs.

Prophet Muhammad ﷺ and Leadership Style

It has been mentioned by writers[20] that the Prophet Muhammad ﷺ was a positive thinker. He used to be engaged in activities which were always result-oriented. His style completely was to refraining from all such steps as may prove counter-productive from the *Maqāṣid-us-Sharī'ah*. The author grouped the Islamic leadership principles that were practiced by the Prophet Muhammad ﷺ into the following categories:

Start with Simple:

Al-Bukharī narrated that; "Whenever the Prophet had to choose between two options, he always opted for the easier choice."[21] This is a great idea for effectiveness and implies that leaders should be moderate and consider for the followers as simpler option compared to difficult situations has high chances of success. This helps to achieving organizational goals since success brings more successes due to the initially easier option chosen.

Remain Positive in Disadvantaged Circumstance:

There exist no exception to the rule that leaders are faced with challenges quite often, to considering them as temporary while leveraging on their *Yaqīn* (conviction) to be able to get out of the trap of short versus long termism. Leaders should face with such challenges with sight to achieve the best out of it in long term. "*With every hardship there is ease.*"[22]

Migration:

This is a principle likened to the word '*Hijrah*'. Leaders should be innovative and creative and craft strategies accordingly to meet up with the challenge of time. They must be open to new experience; that is, an ability to unlearn and relearn new ways of doing things.

Turn out of an Adversary:

Leaders do face disgruntled followers within the organization. Feel good factor and remain humble at time of their needs and descent advice in return of uncalled for behaviors has a conquering effect over unyielding subordinates. Prophet Muhammad ﷺ was repeatedly subjected to practices of antagonism by

the pagans of Makkah but always in turn returned them goodness for Pagan's evil design. "*You will see your direst enemy has become your closest friend*"[23]

Cashing on Others' Strength:

As we know during the Battle of Badr, there were 70 prisoners of war. However these were educated people but were caught in this war. Prophet Muhammad ﷺ negotiated for their exchange terms and conditions with *Makkah* people that if any one of them would teach ten Muslim children to read and write he would be freed from being POWs. Thus the first ever school in the history of *Islām* was initiated in which all of the students were Muslims. But on the other side all teachers were from the enemy rank of unbelievers who staged a war against the Prophet and his follower from *Madinah*. A British orientalist who remarked about the Prophet of *Islām* ﷺ said: "*Muhammad faced adversity with the determination to writing success out of failure.*"[24]

Peace Making Approach Remains Always Stronger than Violence:

It is unfortunate today that many Muslim leaders are expected to display leniency rather choosing a confrontation approach. However teaching of our Prophet ﷺ is to remain steadfast in handling faults or mistakes of followers. Hiring and firing is easier than counseling, attitudinal change training, constructive criticisms, descent and humble advice, if does not work followed by warning letters, etc. are preferable over dismissal. This constructive approach mobilizes the commitment of the employees and subsequently improves organizational performance. Prophet Muhammad ﷺ simply said: "*Go, you are free.*"[25] his direst opponent (war criminals) at the conquest of *Makkah* (*Fataḥ Makkah*) rather than witch hunting and killing them. Many among them embraced *Islām* due to the good gesture by the Prophet and Muslims at large.

Be Proactive Thinker:

The best way is to think out of the box. To seeking an alternative option to get the opportunity of making a sound decision, that can withstand the test of time. It paves the way for leaders from running into future crisis with the followers.

Political Solution Not Engaging in War:

The lesson learned from the *Ghazwa* of *Ḥudaibiyyah*. The unbelievers were determined to engage Muslims in fighting. The strategy obviously was they were an advantageous position. The Prophet ﷺ looked forward to accepting their conditions unilaterally, and signed peace agreement. It was a ten-year peace treaty. The idea was that the meeting ground between Muslims and non-Muslims until then had been on the battlefield. Due to this treaty no more options for pagans of *Makkah* to wage war against each other and henceforth the

usual area of conflict became that of ideological debate and intellectual discourse. *Islām* eventually emerged as victorious because of the simple reason of its ideological superiority.

Idea of Gradualism:

Any theory of change necessitates Freezing- Unfreezing and Refreezing. Adopting gradualism for change to organizational restructuring is always good to be step-by-step basis until their followers fully integrate themselves into the new and desired organizational culture. Leadership is expected to act like facilitators following a gradual rather radical change. Due to not following this approach the theory of reengineering has failed today in the Western and industrialized nations. This gives ample opportunity to followers in adapting to new environment or organizational culture and they easily cope with the new policies or rules. With gradualism, leaders are sure of carrying along with them their followers without anyone being left out during a change process. *Islām* stands for the evolutionary approach, rather than the revolutionary method.

Pragmatism Matters:

Beurocracy theory of leadership suggests positions and boss in an organization and holders of such positions are so occupied with titles or positions as to simply forget their vision. Leaders should emulate the principle of simplicity and humility as displayed during the writing of *Ḥudaibiyyah* treaty by the Prophet ﷺ; when oppositions to his status as was objected due to written as draft of treaty said; "*This is from Muhammad, the Messenger of God.*"[26] but the pagans of Makkah declined this statement. Prophet ﷺ simply changed his statement and ordered the draft should read as; Muhammad, son of Abdullah.

There is a long list of Islamic leadership principles researched and published by Muslim scholars, for instance, an authors identified six general principles of Islamic leadership; sovereignty (*Al-Siyadah*), mutual consultation (*Al-shura*), justice (*Al-'Adālah*), equality (*Al-Musawāt*), freedom (*Al-Ḥurriyyah*) and enjoining the right and forbidding the evil (*Amar bil Ma'rūf wa nahī anil Munkar*).[27] The author regarded them as the modern terminology that is involved in establishing so called an Islamic organization.

Review of Some Islamic Leadership Literatures

A brief review of Islamic leadership literature suggested these dimensions as follows:

Firstly, People claim that *Islām* is most misunderstood religion in modern time. However one of the fastest spreading religions is *Islām* in the 21st century.[28]

Secondly, Due to the above this has only increased the roles and responsibility of

Muslims in this world. However there exists a need of understanding of *Islām* and Islamic jurisprudence about various aspects of life encompassing political, social, economic, worship, and all other aspects. Being student of management discipline I foresee its relation to business, Islamic finance and management of organizations, as Allah says in His holy book Qur'ān:

"[....] whereas Allah permitteth trading and forbiddeth usury [.....]"[29]

Finally, my interest in writing this article was due to dearth of literature especially empirical ones related to corporate leadership from an Islamic perspective. There existed a need to provide an alternative that is aimed at investigating the available materials on Islamic leadership principles based on prophetic model and provides direction to future researchers.

There are writings available on internet search to fill in the wide but they are very limited in jungle of available literature mostly on conventional leadership. After some search of the articles and their contents a short descriptions are given below:

"Attributions and requirements of Islamic leadership" by "Dahlena Sari Marbun (2013)" This study was an attempt to unveil the relationship requirements and attributions of Islamic leadership. It starts its ideas with the definition of leadership, links it with management literature and then leads it to the concept and application of attribution principles (where attribution is defined as needs, desires, motives, causes of a specific behavior). Moving a step forward, it links attribution with the requirements of leadership. It is commented that a leader from Islamic perspective should possess rational awareness (Allah's vicegerent) and spiritual awareness (Allah's slave).It gives a narrative of a good Islamic leader , as given, in literature, and traits it should possess: good at intentions (service to mankind), mindfulness of Allah s.w.t. (*Taqwā*), kindness and care (*Eḥsān*), Justice ('*Adl*), Trust (*Amānah*), Truthfulness (*Ṣidq*), Self-improvement (*Itqān*), Keeping promises and sincerity (*Ikhlās*), Consultation (*Shura*), and Patience (*Ṣabr*). It further discusses Ahmad model which highlights three main attributes namely: Taqwā, Itqān and Akhlāq.

"Clarifying Islamic perspectives on leadership" by "Darwish Almoharby & Mark Neal (2013)"

This study entails at investigating the basics of Islamic leadership as highlighted in the major sources of Islām i.e. Qur'ān and Sunnah. It further highlights the basic ideas, concepts and prototypes as highlighted in these scripts. Thus it provides the foundations of Islamic leadership. It uses content analysis approach to identify the key concept related to the leadership in the abovementioned

scripts. These contents are further refined after seminars, conference presentations and subsequent discussions. Islamic leadership is based on a legal system which is aimed at unity of purpose, acknowledgement of oneness of Allah, and taking the life of Allah's Apostle ﷺ as the practical guidelines of a true leader. It is therefore suggested that an Islamic leader is a person who is true believer (oneness of Allah and His Apostle ﷺ) and a really practicing Muslim (implementing the teachings on every moment of his/her life). It concludes that Prophet Muhammad ﷺ is the sole and the ultimate leader to follow and is the sole referent and charismatic leader whose life is the true parameters for a person to be a leader. Thus Prophet's personality provides us the standard and yards stick to evaluate the leadership and define a leader to be an Islamic or not.

"An empirical assessment of Islamic leadership principles" by "Khaliq Ahmad (author of this chapter) and Ogunsola" (2011)

This study investigated the basic principles of Islamic leadership and management. It further attempts to provide the empirical evidence to support the premise by investigating the leadership styles of administrators in IIUM (International Islamic University Malaysia). It also defines an excellent leadership while looking at the Islamic teachings of leadership and management. It uses two main sources of defining and investigating leadership from Islamic perspective, where at first instance it uses the teachings of Qur'ān and *Sunnah* to draw the premises of Islamic leadership, and at second instance it uses a questionnaire based survey to find the existing status about Islamic leadership. The findings of the study revealed that servant leadership was the most widely used leadership style, and Islamic values were given the preferable importance.

"Islamic perspectives on leadership: a model" by "Abbas J. Ali" (2009)

This study covers the significance of culture in determining the leadership style in Muslim world. It concludes that the culture influences the adoption of leadership style which may fall under Prophetic or Caliphate leadership model's category (using the life spans of Prophet ﷺ and four rightly guided Caliphs). It investigates political and socio-economic forces that facilitate the emergence of Islamic leadership style and moves further towards development of Islamic leadership model. This study offers a genuine reflection of leadership theories known so far from an Islamic perspective and these are briefly discussed in the forthcoming section of leadership theories. This study also highlights the significance of culture which has largely been overlooked in past. It argues that culture shapes personality which influences the contextual and relational aspects of prophetic leadership styles.

Conclusion

Organizational behavior related researches linking religion and management including corporate leadership is developed by mainly business schools in the Western countries so far has been Christian-centric.[30] Religious ethics derive from a specific religion's norms and values guides for human in general and leadership behavior in particular. Contemporary Muslims market size constitute more than one fifth of global market. It offers great market potentials in West Asia, Africa, South and South East Asia as many Muslim majority countries are located in these regions. But Muslims are everywhere as sizeable minorities. Thus religions and its role is being studied intensely under a topic of spirituality in business domains, arguably have the potential to emphasize certain values that conventional markets tend or used to downplay in the past, while some problems have been associated with this perspective,[31] religion remains important for a sizable cross-section of the world-population. This is evidently a good case for Muslim societies where religion is a force that impacts daily behavior.[32] Relating to its potential impact on modern-day commercial transactions in about 57 Muslim majority countries, thus Islamic values and ethics based on Islamic thought has been explored in prior research as a system of ethics and values that impact Muslims' buying behavior noticed by many multinational business organizations (MNCs) such as Citi bank in Islamic banking and finance, Nestle etc; in halal brands products in Muslim contexts.

Therefore Prophetic model or an alternative Islamic leadership for organizational studies by even non-Muslims comes handy that aims to gain from Islamic sources, to guide business and corporate leadership behavior since the Prophet himself was once a successful trader in *Makkah*.

Earlier researches have asserted that Islamic management and leadership studies could potentially have significant positive implications for sound business policies crafted by responsible leadership based on the prophetic model- both from a pragmatic and from a moral sense.[33] Sidani et.al. [34] add to the sources that could enrich Islamic leadership behaviour and business ethics. In addition to the Qur'ān and *Sunnah*, the contribution of works by Islamic philosophers on top of the above could be of great help, as such works could expand the realm and understanding and reach of genuine search of literature on prophetic model of administration and leadership behavior in today's corporate world.

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Testimony as a Method of Proof in Islamic Law & Legal System of Pakistan

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ABSTRACT

There are several methods of proof in Islamic Law to prove or disapprove the disputes and controversies such as confession, testimony, circumstantial and documentary evidences. After admission, testimony is considered the authentic mode of proving or disproving the facts in matters for administration of justice in the controversies arising amongst the people and brought before the courts of law. The judge has to rely on the testimony in deciding the cases of every nature; civil, criminal, family and financial matters. The general rule of Islamic Law is that the plaintiff is to prove the facts in the case because he alleges, and the defendant has to take an oath because he denies the facts and claims made by the plaintiff. Testimony is an absolute proof and its basic objective is to prove what is contrary to the apparent fact. The testimony of witnesses has a pivotal and paramount importance in Islamic Law as well as in the legal system of Pakistan to resolve the disputes and controversies for administration of justice and peace in the society. The current paper denotes the definition of testimony as discussed by the Muslim Jurists and describes its importance in the light of Islamic Law. It also manifests the legitimacy of testimony from the primary sources of Islamic Law such as Qur'ān, Sunnah, Consensus and Rational. The main focus of the present paper is on the testimony as an authentic proof of Islamic Law and the legal system of Pakistan.

Keywords: *Testimony, Method of Proof, Shahādah, Sharī'ah, Evidence.*

Introduction

Man is a social being. Though, he is a free to spend his life according to his desires but he has to be in some certain communal limitations, wherein he lives his everyday life in a particular organized framework. The objective of live is to be that he has to do good stuff for himself and others too; nonetheless, he is to be restricted from ill practices either to others or himself. He must live according to societal norms and set standards of goodness and freedom without disturbing others. Man is a social human being naturally and loves to live collectively and it's impossible to spend his life lonely. When a man lives with others in a social organizational framework, naturally all the issues are not handled unanimously without any diverse opinions. Sometimes such different views results a big controversy and dispute not only with friends even with close relatives. Such disputes sometimes are not serious in nature and sometimes are extremely severe. For the administration of a justice and maintaining peace, laws has been enacted and implemented by the law enforcement agencies.

Testimony is regarded as primary collection of evidence for particular case of any nature. In judicial system testimony is significantly important to investigate litigations. When the case comes before the court of law, one claims and other denies; the person who files a suite and claims his right, he has to come with evidences to prove such claims, called plaintiff. The person, who do not confess about the claim of plaintiff but he refutes, called defendant. When plaintiff cannot prove with evidences his claim then defendant has to take an oath as Messenger of Allah ﷺ has stated:

الْبَيِّنَةُ عَلَى الْمُدَّعِي وَالْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ¹

> *"The responsibility of the plaintiff is to provide the evidence and the*
> *person who denies, has to swear an oath."*

To maintain peace and order in the society and for administration a justice in the state or a country; law enforcements authorities have to play the role. In the judicial system a culprit must be punished after the commission of a crime otherwise law and legal system becomes ineffective. For justice, peace and harmony in the country, laws have to be made for protection of citizen's rights and must be implemented in the strong judicial system. In our judicial system, courts have to decide the cases on the basis of modes of proof as mentioned in law and Islamic law and such evidences be presented before the court to resolve the matter in dispute.

After confession, testimony is one of the authentic modes of proof in Islamic law and the legal system of Islamic republic of Pakistan. Many verses of the Holy

Qur'ān and *Aḥādīth* of the Holy Prophet ﷺ endorse the magnitude of testimony. In our judicial system, courts heavily rely on testimony of witnesses in all matters. If we observe, all types of contracts and business transaction such as buying selling, leasing and even the marriage contract could not be validated without witnesses in Islamic law as well as the legal system of Pakistan.

Definition of Testimony

The term *Shahādah* is from root word *Shuhūd*, its mean presence (*Huḍūr*) and *Shāhid* (witness) is that person who was present on the sight of happening an event or incident and he prescribes what he knows.[2]

Al-Jawharī denotes the literal meaning of *Shahādah* as irrefutable, definite and decisive proof.[3]

Testimony also indicates that a witness is to be present at a certain incident or event and such specific sense of witnessing and being present is also manifested in the Holy Qur'ān as Almighty Allah sates:

<div dir="rtl">فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ</div>

   "So whoever of you sights (the crescent on the first night of) the month (of
   Ramadan i.e. is present at his home), he must observe Saum (fasts) that month."[4]

Thus, Testimony means in literal sense any information that has witnessed by someone or seen by someone or observed by someone with his own eyes and he declares decisive information on the basis of his observation.

There are several literal meanings prescribed in *Encyclopedia of Islam* as under:

 a. To be present somewhere as opposed to be absent;
 b. See with one's own eyes, be witness of an event;
 c. Bear witness to what one has seen.[5]

Technically the meaning of testimony is to provide or pronounce the true and correct information of what someone has seen or observed to prove or disapprove the claim, right or any matter in dispute before the judge in the court. The *Encyclopedia of Islam* states the meaning of testimony as:

   "Testimony is a statement in courts based on observation, introduced by the
   words, I testify (Ashhadū), concerning the right of others."[6]

The term *Shahādah* has been defined by the Muslim Jurists in several ways. All the schools have manifested according to their schools but there is a slight difference in the definitions of classical Jurists that some of them have made condition by using the word *Shahādah* and other not. All the Muslim Jurists unanimously agreed that testimony is giving true information for proving someone's right before the court of law in front of a judge. *Shahādah* is defined by Imām Ibn-e-'Abdīn as:

*"Testimony is telling the truth to prove the right in the court of judge
with the word of Shahādah (testimony)."*[7]

Al-Dusūqī states that:

*"Testimony of witnesses is an official statement pertaining to the core of
litigation for the purpose of a legal adjudication and the termination of
dispute."*[8]

Ḥanbalī Jurists generally states that:

*"Testimony of witnesses is legal evidence that denotes the due right, but it
does not decide it. However, the judge should rule and adjudicate this
manifested right when the required legal conditions are fulfilled."*[9]

In *Majallah Al-Aḥkām Al-ʿAdliyyah* the definition of *Shahādah* is as:

*"Giving an information by anyone in the court of law, when the parties are
present by using the word "Shahādah" or "Ashhadū" (I bear testimony)"*,
*for proving a right of someone who seeks to be established against someone
else*.[10]

Thus, it is concluded that the above mentioned definitions of Jurists regarding
testimony of witnesses are very similar, for they expressly manifested that giving
true information with the phrase "*Ashhadū*" to a certain incident or fact before
the court of law with the explicit purpose of attaining a judicial decision.

On the other hand, there are diverse opinions regarding the term "*Bayyinah*" that
equal to testimony and frequently used for *Shahādah* interchangeably and they
often use the term *Bayyinah* as synonymous with "testimony of witnesses" as
stated in one of the *Ḥadīth*:

<div dir="rtl">

الْبَيِّنَةَ وَإِلاَّ حَدٌّ فِي ظَهْرِكَ

</div>

*"Produce a proof or else you would get the legal punishment (by being
lashed) on your back."*[11]

Some of the Muslim Jurists maintain that *Bayyinah* is broader than the testimony
of witnesses because it semantically and technically comprehends whatever
reveals, manifests and indicates the truth, whether this means is the testimony of
witnesses or something else.[12]

Thus, *Bayyinah* is considered a mode of proof and used for testimony and
documentary proofs because it is not restricted the testimony of witnesses but
extends the realms of testimony of witnesses over a wide arena of rights and it
has widest possible dimensions. The similarities between *Bayyinah* and *Shahādah*
are that both of them involve a great number of different litigations and disputes
whether criminal, civil or family matters. Technical definition of *Bayyinah* is also
prescribed in *Encyclopedia of Islam* as under:

> *"Bayyinah is a singular and its plural is Bayyināt, etymologically the feminine adjective "clear evident", was already in use as a substantive with the meaning of "manifest proof". In legal terminology the word denotes the proof per excellentam – that is established by oral testimony, although from the classical era the term came to be applied not only to the fact of giving testimony at law but also to the witnesses themselves."[13]*

In *Majallah*, *Bayyinah* consists of any reliable and authentic testimony.[14]

Imām Ibn-e-Qayyim explains what *Bayyinah* means as:

> *"The word "Bayyinah" in the language of the Qur'ān, of the Prophet ﷺ and of his Companions is the name of everything by which the truth becomes evident. Hence contrary to its connotations in the terminology of the jurists, it has a wider meaning because they only use it for two witnesses or an oath and a witness."[15]*

Imām Ibn-e-Qayyim further denotes that *Bayyinah* includes all type of evidences and modes of proof such as confession, oath, testimony of eye witnesses, all type of documentary evidences as well as circumstantial evidences. He further elaborated that one from all such evidences is equal to one witness generally and in any case witnesses are not available or quantum is less than any type of reliable *Bayyinah* should be provided and decision has to be made by the court on the basis of such evidence.[16]

Thus, the term *Bayyinah* is a broader than testimony that consists of all type of oral and written documentary evidences. In the legal system of Pakistan, definition of the term testimony or Bayyinah is not properly mentioned in *Qānūn-e-Shahādat* Order, 1984, however, the term evidence is defined that is equal to *Bayyinah* of Islamic Law.

Testimony in Pakistani Law

In Pakistani Law of Evidence, there is no explicit provision for the definition of testimony; however, the term evidence includes the statements of the witnesses as testimony. Article 2 (c) of *Qānūn-e-Shahādat* Order, 1984 defines evidence as**:**

> *"Evidence includes; i) All statements which the Court permits or requires to be made before it by witnesses, in relation to matters of fact under inquiry; such statements are called oral evidence; and ii) All documents produced for the inspection of the Court; such documents are called documentary evidence."[17]*

The term *evidence* is defined in Pakistani Law of evidence as stated in article 2 (1) (c) of the *Qānūn-e-Shahādat Order, 1984* that:

> *"All statements that a court may permit or require to be made before it by*

*witnesses in relation to matters of fact under inquiry and the documents
produced for inspection of court*".[18]

In a case, the court of law has interpreted and explained that evidence connotes
all oral or written statements made before the court or submitted, demanded by
the court or the parties have provided on their own in any matters of fact.[19]

In another case, the court observed that evidence is broader and comprehensive
term that consists of testimony of witnesses, parties' statements and other
relevant documents produced to the court of law for proving or disapproving
facts of the case.[20]

Thus, the definition mentioned in *Qānūn-e-Shahādat* Order, 1981 is not
comprehensive. It denotes any statement plain or apparent and consists of oral
and documentary evidences. The statements made by the witnesses or parties in
front of a judge is considered an evidence unless such person is dead or cannot
be presented before the court for statements regarding the case as mentioned in
Article.46 of *Qanūn-e-Shahādat* Order,1984.[21]

The term evidence in legal system is deemed for all methods of proof such as
oath, confession, testimony and all other documentary evidences provided and
recorded in the court for proving or disapproving facts of the dispute.[22]

The definition covers the evidence of witnesses and documentary evidence,
evidence can be both oral and documentary and also the electronic record can be
produced as evidence. In one of the case, the court interpreted the word evidence
signifies electronic records including audio and video evidences.[23]

The word "evidence" is defined in Black's Law dictionary as:

> "*any species of proof or probative matter, legally presented at the trial of an
> issue by the act of the parties and through the medium of witnesses, records,
> documents, concrete objects etc., for the purpose of including belief in the
> minds of the court or jury as to their contention.*"[24]

Encyclopedia of Britannica defines "evidence" as "a term which may be defined
briefly as denoted the facts presented to the mind of a person for the purpose of
enabling him to decide a disputed question. Evidence in the widest sense
includes all such facts. In the narrower sense employed in English law, however,
it includes only such facts, testimony and documents as may be received in legal
proceedings in proof or disproof of the fact under inquiry." [25]

Legitimacy of Testimony in Islamic Law

Testimony is one of the modes of proof and legitimised from the authentic
sources of Islamic Law from the Holy Qur'ān, *Sunnah*, *Ijma'* and *Qiyās*.

Glimpses from the Holy Qur'ān and Sunnah

Various verses of the Holy Qur'ān denote the legitimacy of the testimony; some

of them are: 2:282, 4:15, 24:4, 2:282, 2:283, 65:2.

The Holy Qur'ān signifies the importance of testimony as Allah Almighty states:

<div dir="rtl">وَاَشْهِدُوْا اِذَا تَبَايَعْتُمْ وَلَا يُضَاَرَّ كَاتِبٌ وَّلَا شَهِيْدٌ</div>

"But take witnesses whenever you make a commercial contract and let neither scriber nor witness suffer harm."[26]

Significance and magnitude of the testimony has denoted by Imām Al-Nawavī as:

"The testimony would be with knowledge based on the verse of the Holy Qur'ān, "And pursue not that of which thou hast no knowledge; for every act of hearing, or of seeing or of (feeling in) will be enquired into (on the Day of Reckoning without knowledge giving testimony is inadmissible). He also quoted a narration which has been narrated by Ibn-e-Abbas that when the Holy Prophet ﷺ was asked about Shahādah, he replied, are you seeing the sun? The questioner said yes then the Holy Prophet ﷺ said to him, when you have seen something like this then give testimony otherwise leave it."[27]

He further states that:

"Bearing out the testimony is a right, if that is not the right of Allah almighty but it is the right of man, and is an individual's duty. If someone gives testimony, done by others too, but if no one does the same, then the person available is liable to give testimony."[28]

In this regard, Allah Almighty states in the Holy Qur'ān:

<div dir="rtl">وَ لَا يَأْبَ الشُّهَدَآءُ اِذَا مَا دُعُوْا[29]</div>

"The witnesses should not refuse when they are called on (for evidence)."

Also there are several *Aḥādīth* of the Holy Prophet ﷺ that manifest the legitimacy of testimony. [30]

The Opinion of the Companions

Muslim Jurists have discussed the very famous letter of Caliph 'Umar to Abū Mūsā Al-Ash'arī, in which he instructed about the fundamental infrastructure and principles of the judicial proceedings. One of the essential principles that *Bayyinah* (evidence or testimony) is to be provided by the Plaintiff and oath from the defendant as explicitly quoted in the letter of Caliph 'Umar.[31]

Ijma' (Consensus)

All the Muslim Jurists unanimously agreed on the legality of testimony of witnesses. Their testimony is admissible in all nature of disputes and unanimously accepted by the Muslim Jurists from the era of the Holy Prophet ﷺ till today. There is no disagreement on the issue in the era of the companions as well as Muslim jurists from all schools. This is a fact that testimony was the universally admitted by the Prophet's companions and those who came later on.[32]

Qiyās (Legal Reasoning)

Imām Al-Sarakhsī and Imām Ibn Qudāmah argue that testimony of witnesses is rationally necessary in law due to the frequent and occurrence of disputes (and crimes) where witnesses are the only available means of proof, besides, witnesses are indispensable in attesting and documenting the rights of others in numerous transactions.[33]

Importance of Testimony

Testimony is authentic and accurate information that is recorded by a witness before the court to prove or disapprove the facts of the case.[34]

Bearing a testimony is a collective duty of a witness generally and he should not deny when called for it. Concealing the testimony is an enormous sin and giving it becomes individual duty when there is no witness except he. As Almighty Allah states in the Holy Qur'ān as:

وَمَنْ اَظْلَمُ مِمَّنْ كَتَمَ شَهَادَةً عِنْدَه مِنَ اللهِ وَمَا اللهُ بِغَافِلٍ عَمَّا تَعْمَلُوْنَ[35]

"Ah! Who is more unjust than those who conceal the testimony they have from Allah? But Allah is not unmindful of what ye do!"

In another *ayah* concealing testimony is considered a big sin as Allah Almighty states in the Holy Qur'ān:

وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَنْ يَّكْتُمْهَا فَاِنَّه اٰثِمٌ قَلْبُه [36]

"Conceal not evidence; for whoever conceals it his heart is tainted with sin."

Imām Ibn-e-Qudāmah has interpreted this verse in a way that:

"Almighty Allah has mentioned the heart with sin in this ayah. Heart is a place of knowledge from that we give testimony and testimony is considered as amānah (trust) trustfully. So, it is mandatory to be delivered like other trusts."[37]

In Islamic Law, concealing the testimony is prohibited and giving testimony becomes the responsibility of a witness. Witness is to be ready for giving the testimony before the court when called. Testimony has become an evident part of judicial system and a considered a collective duty as explained by Imām Ibn Qudāmah:

"Bearing out the testimony and giving it before a court is Farḍ e kifāyah based on these two verses as Allah has said "The witness should not refuse when they are called on for evidence" and "Conceal not evidence; for whoever conceals it his heart is tainted with sin" and sin has specified to the heart because that is a place of knowledge. Bearing out the testimony is a right, and to protect is like other rights. When someone has testimony in marriage or debt or in other matters and called to bear it, it is necessary to

> *give it. If someone gives testimony, done by others too, but if they all denied then all of them are sinful."*[38]

In this regard, Dr. S.M. Haider states as:

> *"Generally a witness cannot refuse to give evidence when he is called upon to do so, but he should go to the court when he is called by the party that wants to produce him as a witness. If it is apprehended due to the absence of a witness, right of party will be destroyed. Then it is obligatory for him to go to the court voluntarily and to give evidence to indicate the right of aggrieved party."*[39]

Witnesses have to bear the testimony before the court when plaintiff calls them, because plaintiff has a right to call witnesses and this right is like other rights of plaintiff.[40]

Giving incorrect information by the witness before the court or concealing it destroys the right of the parties and it also be the cause of injustice.[41]

Testimony should be for the sake of Almighty alone as the Holy Qur'ān states:

<div dir="rtl">وَأَقِيْمُوا الشَّهَادَةَ لِلّٰهِ[42]</div>

"And keep your testimony upright for Allah"

Allah Almighty commands that testimony is to be given for the sake of Allah only even if it could be against him, his parents or all other his close relatives.

The general ruling as prescribed in the Holy Qur'ān that testimony must be according to the accurate and correct knowledge of the witness and certainty of the evidence must also be checked and investigated.

Islām is the only religion that guides about all aspects of life of a human being. Directions of *Islām* are comprehensive and perfect for all. It also provides tremendous moral contemplation and any act that disgraces to such ethical deliberation is considered as extremely obnoxious and strictly condemned. Therefore, false testimony is condemned and forbidden according to Qur'ān.[43]

Thus, *Sharī'ah* has not restricted to some specific modes of proof. Muslim jurists have to identify and adopt methods of proof for proving or disapproving the disputes. All the methods universally accepted and endorsed by legal reasoning including confession, testimony, oaths, finger prints, circumstantial evidences, medical check-ups, post mortem reports, documentary evidences, videos, and other modes and means of proof would be accepted by Islamic Law.

Testimony as a Method of Proof

Testimony (*Shahādah*) is bearing information before the court of law on what one has witnessed or seen or beheld with his eyes and such information is to be regarded as definite and decisive because it is perceived by eyesight.[44]

Any authentic and true information bearded or submitted in the judicial proceedings establishing someone's right by using the word *Shahādah* is considered testimony in Islamic Law.[45]

All the Muslim Jurists agreed that testimony is one of the methods and means of proof in Islamic law. The basis of this method is explicitly expressed in the Holy Qur'ān and *Aḥādīth* of the Holy Prophet Muhammad ﷺ. As Almighty Allah states in the Holy Qur'ān:

وَاسْتَشْهِدُوْا شَهِيْدَيْنِ مِنْ رِّجَالِكُم فَاِنْ لَّمْ يَكُوْنَا رَجُلَيْنِ فَرَجُلٌ وَّامْرَاَتٰنِ مِمَّنْ تَرْضَوْنَ مِنَ الشُّهَدَآءِ
اَنْ تَضِلَّ اِحْدٰهُمَا فَتُذَكِّرَ اِحْدٰهُمَا الْاُخْرٰى[46]

"And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her."

In another verse the Holy Qur'ān states as:

وَاَشْهِدُوْا ذَوَیْ عَدْلٍ مِّنْكُمْ وَاَقِيْمُوا الشَّهَادَةَ لِلّٰهِ[47]

"And take as witness two just persons from among you (Muslims). And establish the testimony for Allah."

The above mentioned two verses of the Holy Qur'ān indicate that the term *Shahādah* implies testimony and the *shāhid* is a person who observes something by his eyes and bears testimony before the court of law.

There are also some *Aḥādīth* of the Holy Prophet ﷺ that clearly express the testimony is one of the basic modes of proof as narrated by Ibn Abbās:

عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ النَّبِيَّ قَالَ لِرَجُلٍ: تَرَى الشَّمْسَ قَالَ: نَعَمْ. قَالَ: عَلَى مِثْلِهَا فَاشْهَدْ, أَوْ دَعْ.

"This Ḥadīth is narrated by Ibn-e-'Abbās that the Holy Prophet ﷺ said to a man: Do you see the sun? He replied: Yes. Then the Holy Prophet said: If you see like that (the sun) be witnessed of it, if not, leave it, (don't give testimony if you are not decisive)."[48]

Another Ḥadīth on another occasion is narrated by Zaid ibn Khālid Al-Juhnī that the Holy Prophet ﷺ said:

عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ أَلَا أُخْبِرُكُمْ بِخَيْرِالشُّهَدَاءِ الَّذِي يَأْتِي بِالشَّهَادَةِ قَبْلَ أَنْ يُسْأَلَهَ

"This ḥadīth is narrated by Zaid bin Khalid Al-Juhanī that the Holy Prophet ﷺ said: Shall l not inform you of the best of witnesses? The one who comes with his testimony before being asked for it."[49]

The above mentioned verse and *ḥadīth* expressly denoted that testimony is

regarded as an authentic mode of proof. Beside the above mentioned verses of the Holy Qur'ān and *Ahadīth* of the Holy Prophet ﷺ there are numerous places in which it is considered that *Shahādah* is sanctioned as a method and source of proof.

Conclusion

This study has concluded that testimony is a true statement of a witness before a court of law. It is one of the methods of proof that easily directs the judge to decide the matter of controversy. It has been argued that testimony is to be given on the basis of correct information and decisive knowledge. In practice, the courts heavily rely on the testimony of witnesses because this is a best method that leads the judges to establish a case in favour or against anyone. Without testimony matter in dispute cannot approve or disapprove the facts and Allah Almighty has stated in the Holy Qur'ān that concealment of the testimony is a sin so we have to be ready to testify in the courts of law and to encourage others as well to record their testimonies for the protection of rights to aggrieved parties. It can be concluded that without testimony no offence can be established and no fact can be approved or disapproved in all disputed matters. Thus, testimony is considered as prerequisite to maintain order in the society and plays important role in judicial system of *Islām* as well as the legal system of Pakistan.

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