

# **The Case for Teacher as a Researcher: Barriers and Benefits**

BY.

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## **ABSTRACT**

A teacher is many things. He can adopt multiple roles in view of need, situation and acquired skill. But, so far a teacher's role as a researcher in the classroom is concerned, there is difference of opinion among the educationists and researchers. This article puts forth the argumentation in favour of and against the teacher's role as a researcher in the classroom. The analysis of the situation discloses that proponents of the both views have their own logical points. Teacher's role as a researcher is encouraged on the grounds that he has the first hand knowledge and quite relevant information about the existing classroom situation. But, it is discouraged on the basis that a researcher should not be the part of the situation and research is not the basic responsibility of a teacher. If a teacher is involved in research activities in the classroom, it will not let teacher's creativity flourish.

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- 131 Shaybani, op.cit.vol.4, p.66.
- 132 Rahman, Afzallur, Mohammad Encyclopedia of Seerah, vol.3, p.582.
- 133 . Azzam, Abd-al-Rahman, The Eternal Message of Mohammad, p.142.Al-Quran (8: 58).
- 134 Khadduri, Majid, War and Peace in law of Islam, p.221.
- 135 Al-Kasani, Abu Bakr ibn Masud, Al-Bidaya-al-Sinayah fi Tartib Ushairah, vol.7, Dar-ul-Kutub-ul-Arabi, Beirut Lebanon, 1974, p.109.
- 136 Al-Shafi, Al-Umm, vol.4, p.109.
- 137 Khadurri, op.cit.p.222.
- 138 .See Al-Quran (8: 55-57).
- 139 .Al-Quran (9: 8).
- 140 Saiyadain, K.G, Islam: The Religion of Peace, Mar Anand Publications, New Delhi, 1997, p.163.
- 141 Quran (9: 10, 12-13).
- 142 Rahman, Afzallur, Mohammad as a Military Leader, p.296.

- 118 Ch:23(Treaty),H. no.139, vol.2, Islamic Book Service, New Delhi, India, 1998, p.403.
- 119 Al-Quran (16: 92).
- 120 Rehman, Afzallur, Mohammad Encyclopedia of Seerah, vol: 3, p.580.
- 121 Al-Quran (13: 25).
- 122 Bukhari, Abdullah bin Mohammad bin Ismail, Ch. Al-Jizyah.
- 123 Khadurri, Majid, War and Peace in Law of Islam, p.220.
- 124 Ibn-e- Qudama, Abu Muhammad abd Allah ibn Ahmed ibn Muhammad, Al-Mughni, ed. M.Rashid Rida, Cairo, 1376 A.H., vol: 3, p.459-60.
- 125 Azzam, Abd-al-Rahman, The Eternal Message of Mohammad, p.142-43.
- 126 Hazart Omar bin Musa (Rad).
- 127 According to Dr. Mohammad Hamidullah and Wahbit-us Zahili Muslims can enter in permanent treaty with Non Muslims to cope up with circumstances.
- 128 Qureshi, Ishtiaq Hussain, Islam:The Religion of Peace, p.131.
- 129 Shaybani, Mohammad, Al-Siyar-al-Kabir, vol.3, p.261.
- 130 Ibn-e-Qudama, Al-Mughni, vol.8, p.461-62.

- 103 Abd-al-Rahman, The Eternal Message of Muhammad, The Denin Adain Company, 1979, p.140.
- 104 Ali, A.Yousaf, The Holy Quran, Text, Translation and Commentary”, Amana Corp.Maryland, 1983, p. 430.
- 105 Al-Quran (8: 61).
- 106 Al-Razi, Tafsir Ar-Razi, vol.4, n.d., n.p. p.378.
- 107 Rehman, Afzallur, Muhammad as a Military Leader, p.283.
- 108 Al-Quran (4: 90).
- 109 Gilani, Riyaz-ul-Hassan, Reconstruction of Legal Thought in Islam, p. 181.
- 110 Ibn Hisham, ibid , p.462.
- 111 At-Tabary, At-Tarikh, vol.1, p.354.
- 112 Gilani, op. cit , p.181.
- 113 Hammidullah, Mohammad, The Muslim Conduct of State, Sh.Muhammad
- 114 Qureshi Mohammad, Siddique, Foreign Policy of Mohammad, p.105.
- 115 Hammidullah, op. cit , p.261.
- 116 Qureshi, op.cit, p.106.
- 117 Maulana Karim, Farlul, “Al-Hadis-an English Translation and Commentary of Mishkat-ul-Masbih,

- Leader, Islamic Publications Pvt Ltd, 1990, p.287.
- 89 Al-Sarakhsi, *Sharah Al-Siyar-Al-Kabir*, (Shaybani's Siyar) vol.4, Matba'h, Daira-ul-Ma'rif-un-Nazamiah, hyderabad, 1335, p. 319.
- 90 Al-Azhar, Alauddin, *The Theory and Sources of Islamic Law for Non Muslims*, p.23.
- 91 Khadduri, Majid, (ed), *Law in the Middle East*, p.363.
- 92 Poll Tax.
- Mawardi, Abu al-Hassan Ali ibn Muhammad ibn Habib, *Kitab-ul-Ahkam-al-Sultaniyah*, M.Enger Bonn, (ed.), 1853, p.137.
- 93 Al-Quran (9: 29).
- 94 The Christian of Najran were required to accept a maximum period of a month, while the Christians of Damascus were required only three days. (Hitti's translation, p.98-9).
- 95
- 96 Khadduri, op.cit, p.364.
- 97 Khadduri, op.cit, p.361.
- 98 Hans Kruse, Gottingen, *Islamic International Jurisprudence*, p.18.
- 99 Khadduri, op.cit, p.361.
- 100 Shafi, Mohammad, *Kitab-al-Umm*, p.201.
- 101 Shafi, *ibid*, p.191.
- 102 Rehman, Afzallur, *Encyclopedia of Seerah*, vol.8, p.830.

- 73 Khadurri, op.cit., p.219.
- 74 Hamidullah, op.cit., p.262.
- Iach Don, N.S. The Oxford English-Arabic
- 75 Dictionary of Current Usage, The Clarendon Press, Oxford, 1978, p.262.
- Dr. Richardson, John, Dictionary Persian Arabic
- 76 English, New Edition by Francis Johnson, Sangmeel Publications, 1984, p.1519.
- 77 Iach Don, .N.S. op.cit., p. 1150.
- 78 Dr. Richardson, John, op.cit., p.466.
- 79 Dr. Richardson, John, op.cit., p.466.
- Gilani, Riyaz-ul-Hassan, The Reconstruction of
- 80 Legal Thought in Islam, Idara Tarjuman-ul-Quran, Lahore, 1983, p.349.
- 81 Hamidullah, op.cit., p.263.
- 82 Qureshi, Mohammad Siddique, op.cit., p.107.
- 83 loc.cit.
- 84 Ibn-Hisham, ibid, p.998.
- 85 Al-Quran (48: 1).
- Bhatti, Mohammad Sohail, A Brief History of
- 86 Islam, Vol:1, Caravan Enterprise, Lahore, 1996, p.149.
- 87 Qureshi, Mohammad Siddique, Foreign Policy of Muhammad, p.162.
- 88 Rehman, Afzallur, Muhammad as a Military

- 55 Rahman, Afzallur, *ibid*, p.15.
- 56 Khadurri, Majid, *War and Peace in Law of Islam*, p.240.
- 57 *loc.cit.*
- 58 *loc.cit.*
- 59 Fahad, Obaidullah, *Principles of Diplomacy in Islam: Privileges and immunities*, *Hamdard Islamicus*, vol: XII, no.3, p.41.
- 60 Al-Haithami, *Majma' al-Zawahid*, vol. V, p.315, c.f. <sup>1</sup> Fahad, Obaidullah, *ibid*, p.42.
- 61 Fahad, Obaidullah, *ibid*, p.42.
- 62 Fahad, Obaidullah, *ibid*, p.45.
- 63 Ibne Hisham, *Seerat Rasullullah*, *op.cit.*, p.402; Ibn Sa'd, *Tabaqat*, *op.cit.*, vol.1.p. 85; Hamidullah, *op.cit.*, p. 140.
- 64 Fahad, Obaidullah, *op.cit.*, p.46.
- 65 Abu Yusuf, *op.cit.*, p.p.188-90.
- 66 Al-Quran (2:282).
- 67 Hamidullah, *op.cit.*, p.261.
- 68 Khadurri, *op.cit.*, p.218.
- 69 Qureshi, Mohammad Siddique, *Foreign Policy of Muhammad*, .116.
- 70 Khadurri, *op.cit.*, p.219.
- 71 Khadurri, *ibid.*, p.220.
- 72 Abu Yusuf, *op.cit.*, p.207-08.

- Arab, vol: 4, Dar-ul-Jail wa Dar-ul-Lisan-ul-Arab, Beirut, 1408/1988, p.1144.
- 40 American Heritage Dictionary of English Language, 3<sup>rd</sup> Edition, Houghton Muffin Company Boston, New York, London, 1992, p.1209.
- 41 International Encyclopedia of Social Sciences, vol: 11, 1973p.117.
- 42 Ibne-Manzoor, *ibid*, vol: 1, p.1144.
- 43 Al-Quran (11: 32), See further (22: 68).
- 44 Al-Quran (11: 32), See further (22: 68).
- 45 Al-Quran (3:64).
- 46 Al-Quran (3:64).
- 47 Al-Quran (3:64).
- 48 See for further detail Al-Shafi, Abu Abdullah Muhammad Idris, *Al-Umm*, vol: 4, Cairo 1321-25A.H., p. 175, Sarakhsi, Shams-ud-Din, *Kitab-Al-Mabsut*, vol: 10, Cairo, 1324 A.H., p. 6-30.
- 49 See Al-Quran (Taubah: 61), Al-Tabari, *ibid*, p.460.
- 50 Ibne Hisham, *ibid*, Vol:3, p. 202, Al-Tabari, *ibid*, vol:2, p. 600.
- 51 Iqbal, Afzal, *ibid*, p. 116.
- 52 *loc.cit.*
- 53 Iqbal, Afzal, *ibid*, p.126.
- 54 Al-Quran (16: 125).



- Muwatta, vol: 1, p.249-50.
- 26 Khadurri, Law in the Middle East, p.361.
- 27 Hanse, op.cit. p.28.
- 28 Khadurri, War and Peace in Law of Islam, The John Hopkins Press, Baltimore, n.d.p.176-177.
- 29 People who have scriptures such as Jews Christians Sabians etc.
- 30 See Khadurri, ibid, p.177-82, 193-95, 213-15.
- 31 See Al-Quran (9: 5).
- Alauddin, Al-Azhari, , The Theory and Sources of
- 32 Islamic Law for Non-Muslims, Madrasah-I-Alia, Dacca, 1962, p.24.
- Al-Tabari, Allama Abi Jafar Muhammad Jareer,
- 33 Tarikh al-Tabari, Urdu trans. Syed Muhammad Ibrahim Nadvi, Karachi Nafees Academy, 2<sup>nd</sup> Edition, 1970, Vol:2, p.17-8.
- 34 Abu Yusuf, Ya'qub ibn Ibrahim al Ansari, Kitab-al-Kharaj, Cairo, 1352 A.H.p.207.
- 35 For details on law of Fida; see Shaybani's al-Siyar al-Kabir, vol: 3, p.119, 307-39.
- 36 Khadduri Majid, The Islamic Law of Nations Shaybani's Siyar, p.217-18.
- 37 Khaduuri, Law in the Middle East, p.364.
- 38 Khadurri, War and Peace in the Law of Islam, p.203.
- 39 . Ibne-Manzoor, Mohammad Bin Mukram, Lisan-ul-

- 12 Niazi, Liaqat Ali Khan, *ibid*, p.16.
- 13 Al-Quran (5: 1).
- 14 Al-Quran (23: 8,11).  
Rehman, Afzallur, Muhammad Encyclopedia of
- 15 Seerah, vol: 8, Seerah Foundation, London, 1992,  
p.366.
- 16 Iqbal, Afzal, *Diplomacy in Early Islam*, Institute of  
Islamic Culture, Lahore, 1988, p.56.
- 17 Iqbal, Afzal, *ibid*, p.57.
- 18 Rehman, *op.cit.* p.367.
- 19 Binding Effect of Treaties.  
Hamid,A. Jamshed, *Status of Treaties in Islam; A*
- 20 *Comparison with Contemporary Practice*, p.120-  
21.
- 21 Rehman, *ibid*, vol: 3, p.580.  
Qureshi, Mohammad Siddique, *Foreign Policy of*
- 22 *Mohammad*, 2<sup>nd</sup> Ed, Islamic Publications, 1997,  
p.111.
- 23 Hanse, Kruse Gottingen, *Islamic International*  
*Jurisprudence*, n.d., n.p. p.17.
- 24 Hanse, *ibid*, p.18.  
Malik reports a case where a commander in the  
army had given an Aman to a non-Muslim and
- 25 then killed him. Caliph Umar (RAD) disliked the  
action and called the attention of commanders to  
live up to his pledge of Aman .See Malik, Al-

## References

- 1 Khadduri, Majid & Leibesny, J. Herbert (ed), Law in the Middle East, Vol:1 Origin and development of Islamic Law. The Middle East institute, Washington , D.C, 1955, p.349.
- 2 Khadduri, The Islamic Law of Nations, (Shaybani's Siyar),the Johns Hopkins Press, Baltimore, 1966, p.39.
- 3 loc.cit
- 4 Hamidullah, Muhammad, The Emergence of Islam, ed. & translated by Afzal Iqbal, Islamic Research Institute, n.d.p.114.
- 5 Islamic Studies Journal, Akhtar, Shamim, Semantics of International Agreements in Early Islam, , Vol:6, p.81.
- 6 Niazi, Liaqat Ali Khan, Islamic Law of Contract, Research Cell Dyal sing Trust Library, 1990, p.9.
- 7 Niazi, Liaqat Ali Khan, ibid, p.11.
- 8 Akhtar, Shamim, op. cit, p.82.
- 9 Al-Quran (17: 34).
- 10 Ibn-al-Athir, Abu al Sa'adat al-Mubarak, Al-Nihayah fi Gharib al-Hadith, vol: IV, Dar-ul-Ahay al-Kitab-ul-Arabia, n.d., p.205.
- 11 See Al Quran (9: 1,4,7).

attitudes towards the oppressed people.

It is, therefore, in the interest of world peace that Islamic legal system must take into consideration in the treaties to be adopted. For the establishment of lasting peace in the world it is necessary that international treaties should be based on commitment to justice, observance of optimal morals and encouragement of the international cooperation. It should ensure the international legal and moral responsibility in a manner that helps secure punishment of the aggressor, bring justice to the wronged and present the world's destitute and deprived people with their essential needs.

The Islamic State should observe the prevailing internationally acceptable practices & norms save those, if any, are obviously contradictory to the sound reason. This is a fundamental prerequisite that would ensure orderly international behavior and prevent chaos.

then rebel against the Muslim State, and Muslims are commanded to declare open war on those who ignore all rules of morality and humanity in damaging the interests of the Muslims until they repent and submit to the Islamic State.<sup>1</sup>

## **Conclusion**

Islamic International law surpasses contemporary international law in peacefulness, tolerance and fidelity to their treaty obligations Islamic principles of treaties has assumed even greater importance in recent years. Islamic states play their role in the development of the rules, which reflect Islamic values that govern inter-state relations through their concerted efforts.

Thus, it may be concluded that almost the same values, norms and principles enshrined in the existing international charters and covenants are advocated by the Islamic concept of the international relations. The Islamic concept of the international Treaties remains unique in several important aspects. It remains free of any contradiction and emphasizes more strongly on moralization and humanization of the international conduct. It is in common with the prevailing concepts of the international relations, advocates respect for the States' sovereignty and non-intervention in their internal affairs, Islam disallows the apathetic and indifferent

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<sup>1</sup> Rahman, Afzallur, Mohammad as a Military Leader, p.296.

the initiative in fighting then they are permitted to fight<sup>1</sup>.  
As it comes in Qur'an:

﴿لَا يَرْفُؤُونَ فِي مُؤْمِنٍ إِلَّا وَلَا ذِمَّةً وَأُولَئِكَ هُمُ الْمُعْتَدُونَ﴾<sup>2</sup>

﴿وَإِنْ تَكْفُرُوا أَيْمَانَهُمْ مِنْ بَعْدِ عَهْدِهِمْ وَطَعَنُوا فِي دِينِكُمْ فَقَاتِلُوا أُمَّةَ الْكُفْرِ

إِنَّهُمْ لَا أَيْمَانَ لَهُمْ لَعَلَّهُمْ يَنْتَهُونَ﴾

﴿أَلَا تُقَاتِلُونَ قَوْمًا نَكَثُوا أَيْمَانَهُمْ وَهَمُّوا بِإِخْرَاجِ الرَّسُولِ وَهُمْ بَدُّوْكُمْ

أَوَّلَ مَرَّةٍ أَتَخْشَوْنَهُمْ فَاللَّهُ أَحَقُّ أَنْ تَخْشَوْهُ إِنْ كُنْتُمْ مُؤْمِنِينَ﴾

{In a believer they respect not the ties either of kingship or of covenant! it is they who have transgressed all bounds. But if they violate their oaths after their covenant and taunt you for your faith, -fight ye the chiefs of unfaith: for their oaths are nothing to them: that thus they may be restrained. Will ye not fight people who violated their oaths, plotted to expel the apostle, and took the aggressive by being the first (to assault) you? Do ye fear them? Nay it is God whom ye should more justly fear, if ye believe.}

The Muslim must wage war against people who make treaties with the Muslims agreeing to obey their law and

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<sup>1</sup> Saiyadain, K.G, Islam: The Religion of Peace, Mar Anand Publications, New Delhi, 1997, p.163.

<sup>2</sup> Quran (9: 10, 12-13).

of Islamic government, cannot give harm and create any difficulty for them.<sup>1</sup> Thus if Dihimies failed to observe his duties he was ordinarily punished, although in theory he had the right to renounce his obligations and leave for Dar-ul-Harb.<sup>2</sup>

The people against whom Muslims must wage war are those who indulge in deceitful activities and break their treaties whenever they fell like doing so.<sup>3</sup> Muslims are enjoined to take severe action against those who repeatedly break their treaties in these words:

﴿ كَيْفَ وَإِنْ يَظْهَرُوا عَلَيْكُمْ لَا يَرْقُبُوا فِيكُمْ إِلَّا وَّلَا ذِمَّةَ يُرْضُونَكُمْ بِأَفْوَاهِهِمْ وَتَأْبَى قُلُوبُهُمْ وَأَكْثَرُهُمْ فَاسِقُونَ ﴾<sup>4</sup>

{How (can there be such league) seeing that if they get an advantage over you, they respect not in you the ties of kinship or of covenant? With (fair words from) their mouths they entice you but their hearts are averse from you, and most of them are rebellious and wicked.}

It would never be right for Muslims to break a treaty unilaterally. It is only when their enemies break their contract and try to evict them from their homes and take

<sup>1</sup> Al-Shafi, Al-Umm, vol.4, p.109.

<sup>2</sup> Khadurri, op.cit.p.222.

<sup>3</sup> See Al-Quran (8: 55-57).

<sup>4</sup> Al-Quran (9: 8).

convenient or useful.<sup>1</sup>In these types of circumstances the fulfillment of a pledges may be withheld specially when the common welfare of Muslims is betrayed by the other party whose deception and ill will are beyond doubt. It is permissible then to cast off the pledge.<sup>2</sup>

﴿وَأَمَّا تَخَافَنَّ مِنْ قَوْمٍ خِيَانَةً فَأَنْبِذْ إِلَيْهِمْ عَلَى سَوَاءٍ إِنَّ اللَّهَ لَا يُحِبُّ الْخَائِنِينَ﴾<sup>3</sup>

{If thou fearest treachery from any group, throw back (their covenant) to them. (So as to be) an equal terms, for God loveth not the treacherous}

Treaties with Dihimies, however, are by their very nature perpetual in character and could not be terminated.<sup>4</sup>And there is a unanimous agreement of jurists regarding the respect of this permanent agreement.<sup>5</sup>Even if few Dihimies violated their contractual obligation, the treaty remained in force regarding the others. As they are under the subjugation

<sup>1</sup> Rahman, Afzallur, Mohammad Encyclopedia of Seerah, vol.3, p.582.

<sup>2</sup> Azzam, Abd-al-Rahman, The Eternal Message of Mohammad, p.142.

<sup>3</sup> Al-Quran (8: 58).

<sup>4</sup> Khadduri, Majid, War and Peace in law of Islam, p.221.

<sup>5</sup> Al-Kasani, Abu Bakr ibn Masud, Al-Bidaya-al-Sinayah fi Tartib Ushairah, vol.7, Dar-ul-Kutub-ul-Arabi, Beirut Lebanon, 1974, p.109.



came back and dispersed his army.<sup>1</sup> If the treaty are regular, but the imam found that its terms are harmful to Islam he is permitted to declare its termination, provided an adequate prior notification is sent to the other party informing them of Muslim intention to terminate the treaty.<sup>2</sup>

Before termination by the end of its duration, the treaty might be declared terminated by mutual consent; the imam, however, should never agree to a treaty in which only one of the two parties was allowed to terminate the treaty, even if he were the one given the right. Mutual consent must be the underlying principle of termination in the same way as it is the underlying principle for signing a treaty.<sup>3</sup>

If the imam entered into treaty arrangements which provided terms he was incapable of fulfilling, the treaty was regarded as void.<sup>4</sup>

Every agreement and contract with the enemy must be honored and one must not be first to break it. But this policy need not to be followed in the case of those unbelievers who do not hold to their promises and agreements but break them whenever they find it

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<sup>1</sup> Qureshi, Ishtiaq Hussain, *Islam: The Religion of Peace*, p.131.

<sup>2</sup> Shaybani, Mohammad, *Al-Siyar-al-Kabir*, vol.3, p.261.

<sup>3</sup> Ibn-e-Qudama, *Al-Mughni*, vol.8, p.461-62.

<sup>4</sup> Shaybani, *op.cit.* vol.4, p.66.

imam to specify the duration in order to clearly indicate the temporary character of treaties.<sup>1</sup>

The Prophet and orthodox Caliph advised their governors and the jurists of Islam agreed that the enemy must be forewarned and served with the reasons for which pledge is to be discarded.<sup>2</sup>

As there was a treaty between Amir Mūawaiya'h and the eastern Romans, when it was about to expire, Mūawaiya'h prepared to attack the empire. While the army was proceeding he saw a horseman approached and exclaimed, "God is Great! God is Great! One should abide by ones treaties and should not break them like this". It was discovered that the horseman was a 'companion'<sup>3</sup> of the Prophet (SAW). Amir Mūawaiya'h enquired as to why he had come. He replied, " The Prophet told us not to break a treaty before its time expires. If you want to break this treaty at least informs the other party."<sup>4</sup> Mūawaiya'h was so impressed that he

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<sup>1</sup> Ibn-e- Qudama, Abu Muhammad abd Allah ibn Ahmed ibn Muhammad, Al-Mughni, ed. M.Rashid Rida, Cairo, 1376 A.H., vol: 3, p.459-60.

<sup>2</sup> Azzam, Abd-al-Rahman, The Eternal Message of Mohammad, p.142-43.

<sup>3</sup> Hazart Omar bin Musa (Rad).

<sup>4</sup> According to Dr. Mohammad Hamidullah and Wahbit-us Zahili Muslims can enter in permanent treaty with Non Muslims to cope up with circumstances.