

Narrations on Leper and Leprosy: A Critical Study

Muhammad Qasim Butt*

Muhammad Sultan Shah**

Leprosy is an infectious disease caused by a bacterium called *Mycobacterium leprae*. Its simplest form primarily affects the skin, causing swollen, reddish patches. If the body's immune system fights off the disease, these patches disappear. However, if the immune system fails to cope with, it may aggravate into three forms: the lepromatous type, or the tuberculosis type, or the borderline type, which is somewhere in between the other two types.¹

With the lepromatous type, the skin on the face and around the nose "thickens" making the face appear swollen. If it goes untreated, the cartilage of the nose can be destroyed, and the nose will look like it has caved in. It can also affect the nerves that control the sweat glands and the sebaceous glands. This can cause hair loss, especially loss of eyebrows, drying skin cracks, open sores that can become infected.²

With the tuberculoid leprosy, the skin, cutaneous and peripheral nerves and the regional lymph node are affected. The skin lesions are usually single, well defined, hypopigmented, erythematous dry, scaly and indurated, with complete or partial loss of hair in that area. The patient may have numbness and tingling, blisters or ulcers on the hand and feet, weakness and wasting of the muscles, contractures and wrist and foot drop.³

Borderline leprosy is the most unstable part of the spectrum and patients usually downgrade towards lepromatous leprosy or upgrade towards tuberculoid leprosy. There are numerous skin lesions which may be macules, papules, or plaques and vary in size, shape and distribution. Annular lesions with a broad, irregular edge and sharply defined punched-out centre are characteristic of borderline leprosy.⁴

Skin disease of this kind had been known to man since times immemorial. Archaeological evidence shows signs of leprosy in Egyptian mummies dating back to the second century BC. In the Indian and Chinese medical writings a disease like leprosy was described as early as the fifth century BC. The Indian word *Kushtha* found in the Indian writings, the Hebrew word *Tazara'ath* in the Old Testament and the Greek word *lepra* in the New Testament signify skin disease of this kind.⁵

The disease has been named in the *ahādīth* of the Holy Prophet

* Lecturer, Dept. Arabic & Islamic Studies, GC University, Lahore, Pakistan.

**Chairperson, Dept. of Arabic & Islamic Studies, GC University, Lahore, Pakistan.

32. Kirkwood, Graham, Hagen Rampes, Veronica Tuffrey, Janet Richardson, and Karen Pilkington. "Yoga for Anxiety: A Systematic Review of the Research Evidence." *British Journal of Sports Medicine* 39, no. 12 (2005): 884-91.
33. Pilkington, Karen, Graham Kirkwood, Hagen Rampes, and Janet Richardson. "Yoga for Depression: The Research Evidence." *Journal of affective disorders* 89, no. 1 (2005): 13-24.
34. Selvamurthy, W, K Sridharan, US Ray, RS Tiwary, KS Hegde, U Radhakrishnan, and KC Sinha. "A New Physiological Approach to Control Essential Hypertension." *Indian journal of physiology and pharmacology* 42 (1998): 205-13.
35. Gupta, Nidhi, Shveta Khera, RP Vempati, Ratna Sharma, and RL Bijlani. "Effect of Yoga Based Lifestyle Intervention on State and Trait Anxiety." *Indian journal of physiology and pharmacology* 50, no. 1 (2006): 41.
36. Moadel, Alyson B, Chirag Shah, Judith Wylie-Rosett, Melanie S Harris, Sapana R Patel, Charles B Hall, and Joseph A Sparano. "Randomized Controlled Trial of Yoga among a Multiethnic Sample of Breast Cancer Patients: Effects on Quality of Life." *Journal of Clinical Oncology* 25, no. 28 (2007): 4387-95.
37. Husain, Akbar. *Islamic Psychology: Emergence of a New Field*. Global Vision Pub House, 2006.
38. Husain, Akbar. "Spirituality and Holistic Health: A Psychological Perspective." (2011): 267.
39. Husain, Akbar. "Existential Rhythm, Spiritual Synergy, and Spiritual Immunity: Spiritual Approaches to Stress Management." *Stress and Work: Perspectives on Understanding and Managing Stress* (2013): 267.
40. Beekun, R. *Follow Muhammad's (s) Sunnah: Take a Power Nap to Increase Alertness and Productivity*. <http://theislamicworkplace.com/2011/05/01/follow-muhammads-s-sunnah-take-a-power-nap-to-increase-alertness-and-productivity/> (Accessed on 10 Oct. 2015).
41. Casey, K. *Should employees be allowed to nap at work?* <https://www.mint.com/blog/trends/napping-at-work-12212010/> (Accessed on 05 Oct. 2015)
42. Sarhandi, Khvajah Ahmed. *Urdu Tarjamah-Yi Kitab Maktubat Sharif*. Vol. 143: Allah vale ki qaumi dukan, 1976.

18. Rayner, Charlotte, and Helge Hoel. "A summary review of literature relating to workplace bullying." *Journal of community & applied social psychology* 7, no. 3 (1997): 181-191.
19. Cryer, Bruce, Rollin McCraty, and Doc Childre. "Pull the plug on stress." *harvard business review* 81, no. 7 (2003): 102-107.
20. American Psychological Association. *Annual Report, 2013*. <http://apa.org/pubs/info/reports/2013-report.pdf> (Accessed on 02 Oct. 2015)
21. Arnetz, Bengt B, Todd Lucas, and Judith E Arnetz. "Organizational Climate, Occupational Stress, and Employee Mental Health: Mediating Effects of Organizational Efficiency." *Journal of occupational and environmental medicine* 53, no. 1 (2011): 34-42.
22. Fabricatore, Anthony N, Paul J Handal, Doris M Rubio, and Frank H Gilner. "Research: Stress, Religion, and Mental Health: Religious Coping in Mediating and Moderating Roles." *The international journal for the psychology of religion* 14, no. 2 (2004): 91-108.
23. Myers, David G, and Ed Diener. "Who Is Happy?." *Psychological science* 6, no. 1 (1995): 10-19.
24. Arnetz, Bengt B, Matthew Ventimiglia, Pamela Beech, Valerie DeMarinis, Johan Lökk, and Judith E Arnetz. "Spiritual Values and Practices in the Workplace and Employee Stress and Mental Well-Being." *Journal of Management, Spirituality & Religion* 10, no. 3 (2013): 271-81.
25. Belding, Jennifer N, Malcolm G Howard, Anne M McGuire, Amanda C Schwartz, and Janie H Wilson. "Social Buffering by God: Prayer and Measures of Stress." *Journal of religion and health* 49, no. 2 (2010): 179-87.
26. Ferguson, Jane K, Eleanor W Willemsen, and MayLynn V Castañeto. "Centering Prayer as a Healing Response to Everyday Stress: A Psychological and Spiritual Process." *Pastoral psychology* 59, no. 3 (2010): 305-29.
27. Pargament, Kenneth I. *The Psychology of Religion and Coping: Theory, Research, Practice*. Guilford Press, 1997.
28. Flood, Gavin D. *An Introduction to Hinduism*. Cambridge University Press, 1996.
29. Sinha, Mala. "Managing Constructive and Destructive Emotions: Indian Psycho-Spiritual Perspective." *Stress and Work: Perspectives on Understanding and Managing Stress* (2013): 278.
30. Vivekananda, S. *Raja Yoga: Advaita Asrama* (India: 2007).
31. Sengupta, Pallav. "Health Impacts of Yoga and Pranayama: A State-of-the-Art Review." *International journal of preventive medicine* 3, no. 7 (2012): 444.

References

1. Zimbardo, Philip G, Robert Lee Johnson, and A Weber. "Psychology: Core Concepts." *Boston: Allyn & Bacon* (2003).
2. Krantz, David S, Neil E Grunberg, and Andrew Baum. "Health Psychology." *Annual review of psychology* 36, no. 1 (1985): 349-83.
3. Usman, and R Ismail. "Impact of Stress on Employee'S Job Performance." *A case study of banking sectorl in EJBM*, no. 2 (2010): 1.
4. European Foundation for the Improvement of Life and Working Conditions. *Work Related Stress* (2007).
5. European Foundation for the Improvement of Life and Working Conditions. *Work Related Stress* (2013).
6. Ziauddin, Initials, M Khan, F Jam, and S Hijazi. "The Impacts of Employees' Job Stress on Organizational Commitment." *European Journal of Social Sciences* 13, no. 4 (2010): 617-22.
7. Kerr, Robert, Marie McHugh, and Mark McCrory. "Hse Management Standards and Stress-Related Work Outcomes." *Occupational Medicine* 59, no. 8 (2009): 574-79.
8. Saif, ur Rehman, Aslam Khan Muhammad, Afzal Hasan, Akhter Waheed, and Ali Imran. "Stress in Banker's Life: Demands-Control Model as Predictors of Employee's Activity Participation." *African Journal of Business Management* 4, no. 9 (2010): 1679-90.
9. Colligan, Thomas W, and Eileen M Higgins. "Workplace Stress: Etiology and Consequences." *Journal of Workplace Behavioral Health* 21, no. 2 (2006): 89-97.
10. Seyle, H. "The Stress Concept Today." *Handbook on stress and anxiety* (1980): 127-43.
11. Lazarus, Judith. *Stress Relief & Relaxation Techniques*. McGraw Hill Professional, 2000.
12. Long, Bonita C. "Stress in the Work Place: Eric Digest." (1995).
13. Kolbell, Richard M. "When Relaxation Is Not Enough." (1995).
14. Murphy, Lawrence R. "Occupational Stress Management: Current Status and Future Directions." (1995).
15. Costa, Giovanni. "The Impact of Shift and Night Work on Health." *Applied ergonomics* 27, no. 1 (1996): 9-16.
16. MacDonald, Wendy. "The Impact of Job Demands and Workload on Stress and Fatigue." *Australian Psychologist* 38, no. 2 (2003): 102-17.
17. Anderson, Peggy, and Marcia Pulich. "Managing Workplace Stress in a Dynamic Environment." *The health care manager* 19, no. 3 (2001): 1&hyphen.

Prayer means to repeat the name of Allah and propagandize (37). In this way, it includes every activity ranging from '*tasbihat*' to '*namaz*'. From stress reduction point of view, '*namaz*' is most recommended. Its not only a source of direct relationship with God but also a complete exercise having tremendous scientific benefits. It is mentioned in the holy Quran:

"Oh you who believe! Seek help through patience and Salah. Truly, Allah is with those who are patient." (2:153)

Ablution is one of the ways to bring down the blood pressure as you wash specific parts of your body with water. According to Husain (2006), during prayer Muslim move each part of the body in such a way which helps in regulating proper circulation of blood in required body parts (37). He also mentioned with reference to Dr. Herbert Benson, a Harvard University Researcher, "repetition of prayers; verses of Quran or enhancing Allah's names or thoughts cause a relaxation response that leads to the lowering of BP and decreases in oxygen consumption and a reduction in heart and respiratory rates."

Conclusion:

Human is comprised of body and spirit. There are bodily strengths but one cannot deny spiritual strengths. Stress can generally be perceived as presence of negative thoughts. Spiritual/religious practices can provide sufficient energy for coping with the stress. But in order to get maximum benefits from spiritual energy for managing stress, one should perform the practices with true letter and spirit. Lack of concentration while performing religious/spiritual practices cannot provide desired results. Religious methods specified in Hindu and Islamic religion are simpler and doable for the followers and help in stress management. One can find empirical researches on the benefits of Yoga but situation is quiet unsatisfactory from Islamic practices point of view. There is a strong theological support available for Islamic practices in managing and curing workplace stress but there are no empirical researches being conducted for testing these propositions. This is somehow an unexplored area which needs to be tapped. Researches need to be conducted for finding solution of the organizational social problems with the help of spiritual practices. On the other hand, organizations should also provide awareness to the employees and encourage them to practice spiritual practices for reducing their workplace stress which ultimately increase employee's performance.

from Islamic spiritual practices, which are helpful for reducing stress, are given below.

Mid-Day Nap:

Mid-day nap is a *Sunnah* of the holy Prophet (peace be upon him) (37). It helps in reviving and refreshing tired mind. Mid-day nap is only a *Sunnah* but research proves it a very healthy tool for refreshing the mind. It is mentioned by Beekun (2011) with reference to Dr. Thomas Balkin, "in most workplaces, especially workplaces involving safety, you want your workers to be maximally alert, and napping is actually a good strategy to maintain alertness (40). So, during slow periods, scheduled naps, if you're napping in a safe place, being offline, that's the best strategy to maintain alertness". Casey (2010) has mentioned in the article with reference to Anthony, "the benefits are empirically proven; It helps your attention, persistence, and mood" (41). Therefore, mid-day nap can be used as a strong stress reliever and refresher of mind.

Tawakkul :

In simple words, *tawakkul* means trust on God. The trust that Almighty Allah is with me and nothing could happen without His order. The base of this concept is on a strong belief that no one can harm us and cannot provide benefit to us, unless desired by the Almighty Allah. It is mentioned in the holy Quran:

"Truly no one despairs of Allah's Soothing Mercy except those who have no faith. " (Qur'an, 12: 87)

"Remember Me, and I shall remember you; be grateful to Me, and deny Me not"(Quran 2:152).

"When you have taken a decision, put your trust in Allah" (Quran 3: 159).

Hence, a believer must always trust in God and in a situation of stress a feeling that Allah is with me and no one can harm me unless desired by Allah, is a great source of relaxation and calmness.

Meditation:

In one way or the other, meditation is a very strong tool for increasing concentration and relaxation. It is an intensely spiritual and personal experience. Purpose of the meditation is to channelize the awareness level in positive direction in order to transform one mind totally. Meditation means to turn inward and try to concentrate in your inner self.

Every religion has its own way of doing meditation with predefined benefits for stimulating sub-conscious through concentration. According to Husain (2006), one kind of meditation in Islamic spirituality is to concentrate on the word "Allah" by closing the eyes and imagining this deeply and with complete concentration (37). In *Naqshbandi* school of thought, practitioner is advised to concentrate on different verses of Holy Quran and image that holy lights are penetrating in his/her body, which gives a feel of internal satisfaction (42).

Prayer :

Centering Prayer is critical for effectively reducing stress. Same factor has been reported by Ferguson et al., (2010) in their study which create hurdle in reducing stress through religious prayers (26). These results are consistent with the results of Pargament (1997), in which he reported that being religious may not be effective for reducing or protecting against distress rather it is the personal mobilization of individual for religiousness and integration of their believes for coping stress (27).

Bhagavad Gita & Stress management:

According to Flood (1996), *Bhagavad Gita* considers 'Yoga' as a complementary practice for self-control and mental discipline (28). Control of consciousness can be gained through 'Yoga' which helps in overcoming dualism, inherent in the mind, body and intellect (29). According to Vivekananda (2007), 'Yoga' means union of our individual consciousness with the divine consciousness in a super-conscious state called '*Samadhi*' (30). It is an old discipline designed gaining mental, physical and spiritual health of individual and 'Yoga' related terms like *samadhi* and *pranayama* can be seen repeatedly in *Bhagavad Gita* (31). Sengupta, (2012) further elaborated about the history of 'Yoga' as, "it emerged in the later hymns of the ancient Hindu texts (*Upanishads* or *Vedanta*) (600–500 B.C.) (31). It is mentioned in the classic Indian poem *Mahabharata* (400 B.C. - 400 A.D.) and discussed in the most famous part of that poem, the *Bhagavad Gita*. Yoga was systemized by Patanjali in the *Yoga Sutras* (300–200 BC). Patanjali defined the purpose of yoga as knowledge of the true "Self" (God) and outlined eight steps for direct experience of "Self."

It is a well establish fact that Yoga provides significant cure against stress (32). Yoga based practices normalizes automatic nerve system (33) and considerably decreases heart rate and blood pressure (34). Furthermore, Yoga immediately decreases the anxiety level of the practitioner (35) and increase feeling of spiritual, social and emotional well-being (36).

Now days, Yoga may not be considered as a religious practice of Hindus only. Due to its spiritual nature, in one way or the other, Yoga/meditation becomes an integral part of many religions. Other than this, many people in the west used Yoga as a stress therapy.

Islamic methods for reducing Stress:

There are some Islamic methods which can be used for reducing workplace stress. According to Husain (2006), Islamic practices can help spiritually in a situation when people feel psychological, physiological and social or any other major physical stress (37). Spirituality is a source of tranquility and inner peace. It's a state of ultimate well-being which is quite different from ordinary experience. According to Husain (2011), human spirituality has two important ingredients: one is knowledge and other is practice, whereas, knowledge deals with both material and spiritual sciences (38). Spirituality helps in the practical implementation of new concepts and methods for the benefit of humanity (39). Some of the methods extracted

Interpersonal relationships are also one of very common and important category which can cause workplace stress. The stress basically emerged as response of problematic relationships between subordinates, coworkers and administrators. Other stressors include threat of violence, discrimination, harassment and managerial bullying. According to Rayner and Helge (1997), there are five categories of bullying behavior: 1) Threat of professional status like public humiliation, belittling opinion and blame on lack of effort, 2) threat to personal standing, like teasing, insult and name-calling, 3) isolation, like biased on providing access to training and information, 4) overwork, like impossible deadlines and unjustifiable pressure of work and 5) destabilization, like meaningless tasks and no appreciation when required/due (18).

Last category belongs to organizational structure and climate. This category focuses on management style, decision making patterns and communication structure within the organization. Participation in decision making and goal setting could have facilitated in improving work performance, decreasing psychosomatic disorder and stress reduction.

There is 10% increase in workplace stress since 2001 (19). Latest report of European Foundation for the Improvement of Life and Working Condition has reported a general increase in workplace stress in European countries due to different factors. According to American Psychological Association (2013) report, work is the second most highly ranked stressor in America (20). Arnetz et al., (2011) have revealed that modern workplace is facing most difficult challenge of dealing with occupational health due to workplace stress (21).

Religion and Stress management:

Religiosity is associated with better psychological fitness (22). Better mental or psychological fitness indicates less depression, greater reported wellbeing, less anti-social activities and suicidality (23). Similarly, Arnetz et al., (2013) suggested that spiritual practices are efficient coping mechanism for employees who are over loaded and these practices ultimately protect employees from exhausting (24). According to this research, if employees incorporate their spiritual/religious values in workplace then these can definitely help them in promoting mental well-being and attenuating workplace stress.

Although many scholars have confirmed relationship between religion/spirituality and workplace stress management but some scholars have deeply analyzed the phenomenon and revealed that this relationship depends upon certain factors. Belding et al., (2010) reported that they are surprised to find the insignificant relation between the religious practices and stress reduction (25). The reason which they found is the lack of concentration while performing prayer. In simple words, participant did not take prayer as *Praying*. It can be inferred from above discussion that

Workplace stress:

Workplace Stress is not simply a source of physiological response to a stressful situation but an interaction between source of demand and individual within their environment (12). It's a condition that arises in result of demand "exceed his or her real or perceived abilities to successfully cope with the demand, resulting in disturbance to his or her psychological equilibrium" (13). According to National Institute of Occupational Safety and Health, job stress is a mental, physical and emotional condition that emerges as a result of mismatch between employee capabilities, high work demands and insufficient available resources.

According to Murphy (1995), there are five categories of workplace stress: 1) factors unique to the job, 2) role in the organization, 3) career development, 4) interpersonal work relationships and 5) organizational structure and climate (14).

In first category, employee has to deal with hours worked, expected pace of work, level of isolation from others, physical environment and workload (9). Overnight hours usually have negative effect on the psycho-physiological condition of an employee starting from the disturbance in circadian rhythm (15). Research reported that 20% night shift employees leave their positions because of gastrointestinal dysfunction, heart disease, hypertension and chronic fatigue (15). Health complication and decreased work performance can also be a result of work load and fatigue (16). According to Anderson & Marcia (2001), "work overload is one of the most stressful tasks demands employees facing today" (16).

The second category emphasizes on employee's level of responsibility within organization) (14). There are times in organizations when employees have to perform multiple tasks and oversight by multiple supervisors. Stress can activate in such situations due to performing several tasks simultaneously which may create ambiguity (9). Role ambiguity is an outcome of inefficiently defined roles of employee. Role ambiguity can be reduced by communicating priorities and conveying the job description to the employee.

Career development is another workplace stressor. This category comprises issues like career development opportunities, job security and under/over promotion (9). In a society facing economic and financial crisis, there are less opportunities of promotion, people stuck into their position with no opportunity for growth and high insecurity because of downsizing by the organization. Managers and employees must sit together to identify remedy for such kind of stress. Managers must guide their subordinates about future career planning and opportunities (17).

Economic crisis is further fueled by energy shortage. Weak economic condition leads towards less job openings, job insecurity, less choices for workers, increase in workload and increase in unemployment as well as in inflation within the country. Ultimate result of these factors is high level of job stress.

There are number of techniques mentioned in various books and articles for reducing stress including art of breathing, meditation, massage therapy, yoga, self-hypnosis, physical exercise and Tai Chi. All these are effective and are used successfully for reducing stress. But there are few other techniques as practiced and suggested by Muslim psychologist. These techniques are extracted from Islamic teachings and can be used for reducing stress. The purpose of this study is to highlight some Islamic practices which can be used for reducing workplace stress.

Stress:

Stress is divided into two categories: eustress and distress (9). According to Seyle (1980), EU comes from a Greek roots that means “good” (10). So “Eustress” is known as a good or positive stress. Stress is a reaction of challenge given by associated stressor. One can take this challenge positively. Some examples of Eustress are winning a competition, job promotion and purchasing a new home. These Eustress can stimulate and cause an increase in work productivity.

Distress is, however, a stress which is harmful and associated with negative effects caused by stressors. When people think or talk about stress, they mostly discuss the incidents which are highly unpleasant, catastrophic or events that create frustration. Stress can play a positive or productive role in instigating someone to achieve a challenging goal. Stress can also result in the shape of physical illness, burnout and emotional turmoil because of two reasons. Distress is a result of one out of the two reasons; first and most important is person’s attitude towards stress. If someone takes stressor as a challenge for achieving the goal, it will prove to be a Eustress and vice versa. Second reason is the intensity and duration of arousal of stress. If there is a high intensity of stress and stress occurs for prolonged time, then stress will result in the shape of distress. This paper focuses on “Distress”; negative side of stress.

According to Lazarus (2000), “Stress comes from any situation or circumstance that requires behavioral adjustment (11). Any change, either good or bad, is stressful, and whether it’s a positive or negative change, the physiological response is the same.” Stress requires our body’s energy and defensive resources for coping with it and these resources keep on depleting as the period of stress increases.

Spirituality and Workplace Stress Management

Syeda Mahnaz Hassan*

Usman Riaz Mir**

Syed Salman Hassan***

Introduction:

Workplace stress is a complicated psychological phenomenon that can be addressed by understanding the meaning of word “stress”. Zimbardo et al., (2003) & Krantz et al., (1985) have defined stress as change in someone’s mental or physical condition because of situations that pose threat or challenge (1,2). Stress can encourage to achieve goals and sometimes proves to be a source of enhanced productivity. But, if stress exceeds from a certain limit of intensity, it can cause physical or mental turmoil, illness and burnout. Hence, stress can result in both ways. Workplace stress is a result of high intensity threat or challenge caused by any stressor including poor communication between employee and manager, continual and sudden change, unsympathetic organizational culture, bullying and harassment, unjustified promotions, no job security, family-work conflict, relentless demands and toxic work environment.

Stress is a key issue to be resolved within an organization. Usman & Ismail (2010) have found stress as one of most problematic and increasing issue in the organizations (3). European Foundation for the Improvement of Life and Working Condition (2007) reported that work related stress is a hot topic in research and this stress has increased in Europe (4). It is also mentioned that workplace environment has caused stress as employees feel overloaded. The latest report of European Foundation published in 2013 also signifies a continuous increase in workplace stress due to different factors (5). Ziauddin et al., (2010) reported stress as a main cause of low job commitment and job satisfaction that ultimately reduces the performance of employees as well as organization (6). Similarly, Kerr et al., (2009) mentioned in their results that high labour turnover and sick leaves are worst results of job stress (7). Saif et al., (2010) also found stress as the core reason behind reduced employee performance and poor health (8).

Pakistan is going through severe economic and political disasters. On one side, Pakistan is combating with internal militants and on other side; there is a severe political instability within the country. These factors are contributing towards consistent decrease in economic development.

*Assistant Prof, Dept. of Social Work, University of the Punjab, Lahore, Pakistan

**Lecturer, Dept. of Management Sciences, Virtual University of Pakistan

***Assistant Prof. Dept. of Management Sciences, Virtual University of Pakistan

-
- ²⁰ van Caenegem, R. C. (1995). *A Historical Introduction to Western Constitutional Law*: Cambridge University Press.
- ²¹ De Ste. Croix, G. E. M., & De Ste Croix, G. E. (1989). *The Class Struggle in the Ancient Greek World: From the Archaic Age to the Arab Conquests*: Cornell University Press.
- ²² Pfiffner, J. P. (2009). *Power Play: The Bush Presidency and the Constitution*: Brookings Institution Press.
- ²³ Gosalbo-Bono, R. (2010). THE SIGNIFICANCE OF THE RULE OF LAW AND ITS IMPLICATIONS FOR THE EUROPEAN UNION AND THE UNITED STATES. UNIVERSITY OF PITTSBURGH LAW REVIEW, 72:229.
- ²⁴ Locke, J., & Macpherson, C. B. (1980). *Second Treatise of Government*: Hackett Publishing Company.
- ²⁵ Coke, E. (1797). *The Second Part of the Institutes of the Laws of England: Containing the Exposition of Many Ancient and Other Statutes*: E. and R. Brooke.
- Gosalbo-Bono, R. (2010). THE SIGNIFICANCE OF THE RULE OF LAW AND ITS IMPLICATIONS FOR THE EUROPEAN UNION AND THE UNITED STATES. UNIVERSITY OF PITTSBURGH LAW REVIEW, 72:229.
- ²⁶ Hayek, F. A. (1944). *The Road to Serfdom*: Routledge.
- ²⁷ Conklin, W. E. (1979). *In deference of fundamental rights*: Springer Netherlands.

References

- ¹ Locke, J. (Ed.). (1980). *Second Treatise of Government*; edited, with an introduction, by C. B. Macpherson. Indianapolis. Ind: Hackett Pub. Co.
- ² Massey, I. P. (2001). *Administrative Law*. Lucknow: Eastern Book Co.
Singh, G. (2007). The Three Best Things About The Indian Legal System,. Paper presented at the IALS Conference, Learning from Each Other: Enriching the Law School Curriculum in an Interrelated World, Soochow University, Kenneth Wang School of Law, Suzhou, China.
<http://www.ialsnet.org/meetings/enriching/singh.pdf>
- ³ Wintgens, Luc J. (2007) *Legislation in Context: Essays in Legisprudence*. Burlington: Ashgate Publishing Group.
- ⁴ MATAR, N. (1991). JOHN LOCKE AND THE 'TURBANNED NATIONS'. *Journal of Islamic Studies*, 2(1), 67-77.
- ⁵ TURNER, R. V. (Ed.). (2003). *MAGNA CARTA: Through the Ages*. London: Pearson Education Limited.
- ⁶ Dicey, A. V. (1885). *The Law of the Constitution*. London: Macmillan and Co.
- ⁷ Dicey, A. V. (2009). *Introduction to the Study of the Law of the Constitution*: Lightning Source.
- ⁸ Gordon, S. C. (2005). the Rule of Law, Anonymity and Elite Incentives, New York University. Retrieved 10 March 2010
http://www.nyu.edu/gsas/dept/politics/faculty/gordon/Gordon_Rule_of_Law.pdf
- ⁹ Dickinson, J. (1927). *Administrative Justice and the Supremacy of Law in the United States*. Cambridge: Harvard University Press.
- ¹⁰ Dicey, A. V. (1885). *The Law of the Constitution*. London: Macmillan and Co.
- ¹¹ Sura IV, An-Nisa Ayat: 58. AL QURAN.
- ¹² Khadduri, M. (1984). *The Islamic Conception of Justice*. Baltimore: Johns Hopkins University Press.
- ¹³ Al-Bukhari, M. I. I. (1997, Hadiths 8.779: ;8.780: ;5.598). *Sahih al-Bukhari: The Translation of the Meanings* 9 Vol. Set. Riyadh: Dar-Us-Salam Publishers and Distributors, Saudi Arabia.
- ¹⁴ Dicey, A. V. (2009). *Introduction to the Study of the Law of the Constitution*: Lightning Source.
- ¹⁵ Sura IV An-Nisa Ayat: 135. AL QURAN.
- ¹⁶ Muslim. (Hadith no: 1839).
- ¹⁷ Muslim. (Hadith no: 1836).
- ¹⁸ Al-Jibouri, Y. T. (Ed.). (2009). *Peak of Eloquence Nahjul-Balagha* (seventh ed.). Elmhurst, New York: Tahrike Tarsile Qur'an, Inc.
- ¹⁹ Maitland, F. W., & Fisher, H. A. L. (1908). *The Constitutional History of England: A Course of Lectures*: Lawbook Exchange.

resultantly compromising the rule of law although the concept of judicial review was originated in UK in Dr. Bonham's case in 1610.(27)

However, after going through an extensive study on this concept, it seems that these two Diceyan principles are borrowed from Islamic justice system and these principles best fit in an Islamic system rather than British legal system as in Islam no immunities are granted even to the Ammer-ul-Momaneen i.e. the King and he is subject to ordinary law of the land like an ordinary man. Therefore, the Diceyan concept of rule of law is a swaddled notion of Islamic legacy. However, this research suggests further study on this issue in order to elaborate this important topic in more comprehensive way.

law as an objective empowers each person to be free, secure his life, integrity, private life and norms.(25)

In 19th century Prof. A.V. Dicey got benefit of this evolution and presented the theory of rule of law which later on developed by Friedrich von Hayek who said that,

[T]he government in all its actions is bound by rules fixed and announced beforehand—rules which may be possible to foresee with fair certainty how the authority will use its coercive powers in given circumstances and to plan one's individual affairs on the basis of this knowledge. The goals of substantive equality and distributive justice are inconsistent with the rule of law.(26)

Dicey and Hayek expounded the notion of rule of law which clearly negates the arbitrary powers of the Crown and the government officials. They defy certain immunities to the Crown and the parliamentarians. The Diceyan interpretations are rigid enough as this ideal theory as per his perception is not practically enforced in UK from the very first day. However, it is impossible to impose his notion of rule of law in the present or future coming days.

1.4 Conclusion:

The Diceyan idea of Rule of law is measured as juristic work as well as a key basis of English legal structure. Diceyan interpretation of three fundamentals of his rule of law theory is not much successful even in his own times although received a substantial prominence in England. Actually, it did not integrate in any legal system of the world except Islam as his two fundamental principles of rule of law i.e. supremacy of law and equality before law were not very much successful in British legal system although attracted a considerable attention at that time. On the one hand, Dicey interpreted first two principles of his theory as per his own perception which bounds the powers of the king under certain obligations which was practically not possible as in the UK as it is presumed that the “the King can do no wrong” which clearly provides immunity to the King from the tortious liabilities as well as civil suits which practically followed by the courts as well. Moreover, the parliamentarians, ministers and various officials enjoy certain immunities which defy the Diceyan interpretation of his rule of law theory. In addition, there is a vague concept of judicial review in Great Britain which curtails the authority of the courts to declare null and void the unlawful acts of the executive as well as the legislature

[T]he King must not be under man but under God and under the Law, because the Law makes the King . . . for there is no Rex where will rules rather than Lex . . . if he brakes the Law his punishment must be left to God . . . for the King cannot be sued or punished.(19)

Whereas another view by Ulpian in 228 A.D. was somewhat different who said that “the Prince is not bound by the law”.(20) After that a great lawyer of thirteenth century explained that it is commendable of the dignity of the monarch that the king should recognize that he is under an obligation to obey the laws of the land.(21) Therefore, the rights were granted to the people of Great Britain gradually as mentioned in the great charter Magna Carta 1215 which was given by King John who was actually hesitant to grant such rights but on the pressure of the people was forced to do that. Section 39 of the Magna Carta asserts that,

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we [the King] proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.(22)

Then for almost four centuries these primitive ideas of rule of law did not receive further development until the 17th and 18th centuries. However, in Europe the medieval thoughts take a new turn and contributed substantial philosophical contributions to the perception of the rule of law. The philosophers like John Locke, Jean-Jacques Rousseau, and Count Montesquieu, brought a different legal foundation for executive authority and the rule of law.(23) For example, Locke states that,

[A]ll the power the government has, being only for the good of society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds(24)

In 17th century, a struggle amongst Crown and Parliament steered to the elimination of “Divine Right of Kings” and to an agreement among Parliament and common lawyers. Particularly, Sir Edward Coke promoted the rule of the common law as an objective, guaranteeing the key element to independence, establishing a restraint to the authority of the ruler, and warranting the security of individual liberty and human rights. Sir Edward Coke said that the common law “is the surest sanctuary that a man can take, and the strongest fortress to protect the weakest of all,” and the common