

Islamic stud

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How Muslims legal experts used Qur'an, Sunnah, Ijma and Qiyas to interpret holy Qur'an? (30 Mks) " Invite all to the way of thy Lord with wisdom and beautiful preaching; And consult with them in ways that are best and most gracious." (Al Qur'an, 16: 125) Muslims believe the Qur'an to be the direct words of Allah, as revealed to and transmitted by the prophet (S. A. W). All sources of Islamic law must be essential agreement with the Quran, the most fundamental source of Islamic knowledge. When the Qur'an itself does not speak directly or in detail about certain subject, Muslims only then turn to alternative sources of Islamic law like ; the Sunnah, Ijma and Qiyas used by Muslims legal experts. Purpose of the Qur'an: " Had we sent down this Qur'an on a mountain, verily thou wouldst have seen it humble itself and cleave asunder for fear of Allah. Such are the similitude's which We propound to men, that they may reflect." LIX: 21 " O mankind! There hath come to you a direction from your Lord and a Healing for the (diseases) in your hearts. And a Guidance and Mercy for those who believe." X: 57 " And We reveal from the Qur'an that which is a Healing and a Mercy to the believers. And It adds only to the perdition of the unjust." XVII: 82 " And We have not revealed to you the Book except that you may make clear to them, that about which they differ, and (A. S.) a Guidance and a Mercy for a people who believe." XVI: 64 " These are ayat of the Book that make (things) clear (mubin)." XXVI: 2[9] These are only a few examples of how Allah the Exalted sees the benefits of this Munificent Book. Only from the observation of these four ayat can one realize that the Great Qur'an can subdue arrogance to humility, and can be a source of food for thought and reflection this very important point has been repeated throughout the Glorious Qur'an it is the

fountain of Blessing, Mercy and Healing for the heart, it is a Book of Guidance for all peoples and for all times, and finally, the criterion that distinguishes right from wrong. Other similarayat cast more light on the use of this Unique Book, but we should be content at this level. All these magnificent benefits are for those who wish to be guided. For those who insist on prejudice and arrogance regarding the wahy of Allah the Exalted, this Holy Book can cause nothing but perdition. Sunnah " And whatever the Messenger gives you, take it, and whatever he forbids you, leave it. And fear Allah: truly Allah is severe in punishment. " [Qur'an 59: 7] Sunnah is the traditions or known practices of the prophet Muhammad (S. A. W) many of which has been recorded in the volumes of hadith literature. The resources include many things that he said, did, or agreed to and he lived his life according to the Qur'an , putting the Qur'an into practice in his own life. During his lifetime, the prophets (s. aw) family and companions observed him and shared with others exactly what they had seen his words and behaviors - i. e. how he performed ablutions, how he prayed, and how he performed many acts of worship. People also asked the Prophet directly for ruling on various matters, and he would pronounce his judgement. All of these details were passed and recorded, to be referred to in future legal things. Many issues concerning personal conduct, community and family relations, political mattes ect, were addressed during the same time of the Prophet, decided by him and recorded. The sunnah can thus clarify details of what is stated generally in the Qur'an. In Islam, the Arabic word sunnah has come to denote the way Prophet Muhammad (s. a, w), the Messenger of Allah, lived his life. The Sunnah is the second source of Islamic jurisprudence,

the first being the Qur'an. Both sources are indispensable; one cannot practice Islam without consulting both of them. The Arabic word hadith (pl. ahadith) is very similar to Sunnah, but not identical. A hadith is a narration about the life of the Prophet (s. a. w) or what he approved - as opposed to his life itself, which is the Sunnah as already mentioned. The Sunnah of our Holy Prophet (saw) sets a perfect example for anyone who wishes to draw close to Allah " Undoubtedly, you have the best in the following of the Messenger, for him who yearns for Allah" Quran (Surah 33: Verse 21) It is for this very reason that all legitimate paths towards Allah in Sufism, embody the Sunnah of our beloved Prophet (saw). Because by following the Sunnah one eventually becomes a loved friend of Allah. " Say, If you love Allah, follow me, Allah will love you" Quran (Surah 3: Verse31) Ijma' (Consensus) The secondary sources of Shariah are Al-Ijma, Al-Qiyas, Al-Ihtihad which are derived from the legal injunctions of the holy Qur'an and the sunnah of the prophet. Al-Ijma also known as the consensus of opinions. In situation when Muslims have not been able to find a specific legal ruling in the Qur'an or sunnah , the consensus of the community is sought(or at least the consensus of the legal scholars within the community) . The prophet Muhammad once said that his community (i. e. the Muslim community) would never agree on error. One of the secondary sources of shariah is the consensus of juristic opinion of the learned ulamah of the umma after the death of the messenger of Allah. Ijma can be defined as the consensus of opinion of the companion of the prophet (Sahaba) and the agreement reached on the decisions taken by the jurist or mufti on various Islamic matters. Allah himself encouraged to seek the opinion of others of religious

matters as He said in the holy Qur'an "... and seek for the forgiveness for them and seek their opinion in the matters whenever you decide upon something..." Allah has also said: those who answered the call of the Lord and establishes regular prayer and whose affair are a matter of counsel. The practice of ijma can be traced by to the days of the companions of the prophet and can be illustrated in the following example; Allah does not state the type of punishment that should be applied to one who drinks alcohol but the agreement was reached by the consensus of opinion of the sahaba when Ali said : " He who drinks , gets drunk; he who accuses people falsely should be given 80 strokes of canes according to the injunction of the qur'an. Ijma owes its origins to the verses in surah An-Nisaa " O believers obey Allah and obey the messenger and those in authority among you , If you should quarrel on anything refer it to Allah and the messenger" The Khalifa-ul-Rashidun always consulted the sahabas whenever a noble issue arose. The caliphate of Caliph Abu Bakr was based and run on process Ijma of the sahabas. The juristic consensus was aiming at providing a practical solution in the field of inheritance, for example, it was agreed that if a person is pre deceased by his father , then the grand-father participates in the inheritance of the state with the son taking the share of the father . The consensus of the ulama must be based on the Book of Allah, the instructions of the prophet, the actions and demonstrations of the prophet. It should also be based on preaching's and speeches of the prophet. If an issue is raised and all the jurists assent to it by voicing out their approval, the consensus of opinion is regular. But if it is raised and none of them says anything then the consensus is irregular both them are valid in Islamic law system. Qiyas

(Analogy) In cases when something needs a legal ruling , but has not been clearly addressed in the other sources , judges may use analogy, reasoning, and legal precedent to decide new case law. This is often the case when a general principal can be applied to new situation. Qiyas means the extension of a shariah value from an original case to a new case because the latter has the same effective cause as the former. The original case is regulated by a given text, and Qiyas seek to extend the same textual ruling to the new case. An example is liquor has been prohibited in the Qur'an as it leads to the consumer to loose control over his faculties of perception [5: 90-91] Drugs like cocaine and heroine exercise the exact influence on the user. Therefore they are prohibited. Item | Cause | Effect | Decree | Liquor (original case) | Delirium, stupor , loss of control over faculties of perception | Negligence in divine remembrance and obedience | Prohibited | Drugs(new case) | Delirium, stupor , loss of control over faculties of perception | Negligence in divine remembrance and obedience | Prohibited | The qur'an (62: 9) forbids trade after the call for Friday prayer until the end of the prayer. By analogy , this prohibition is also extended to all kinds of other activities since the effective cause (diversion to prayer) is common to all. As analogy involves the extension of an existing law , durist do not regard it to be the establishment of a new Law. It is a way of developing or discovering the existing law. But these have to occur with the framework of the Qur'an and the sunnah. Qiyas therefore cannot be a means of changing the law of the text on grounds of personal preference. At the same time the practioner of qiyas assumes that the rules of the shariah follow some certain objectives which are in harmony with reasons. Proof for Qiyas “ If you dispute over

something, refer it to Allah and the messenger, if you could do believe in Allah and the last date. " The practionnners of qiyas reasons that an argument can only refer back to Allah and the messenger. One way of doing this is to identify the decree and apply them to disputed matters. The Sunnah provides evidence of analogical reasoning. A woman enquired the prophet if she could perform Hajj on behalf of her deceased father who had been unable to do so and the prophet replied in the affirmative. Caliph Abu Bakr drew an analogy between father and grand-father regarding their entitlement in inheritance. Caliph Ali drew parallels between the punishment for false slander and wine drinking. When a person gets drunk he raves and when he raves he accuses false.