

Why a New Muslim World View?

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God has created the humankind in a disposition of diversity. Individuals and societies are different according to the given objective environmental circumstances of a certain time and place, to the subjective motives and to the interaction between both as well. Such a diversity is obvious with regard to the inborn qualities themselves, and is naturally more strongly manifested in the developing acquirements.

The humankind has been favored by God with the free human will and the dynamic human intellect, which have enormously activated the human diversity. The Quran stresses such a diversity in the inborn qualities: “And among His wonders is the creation of the heavens and earth, and the diversity of your tongues and colors; and in this there are signs and messages for all who can appreciate and recognize” (Quran 30:22), “and We have made you into nations and tribes so that you might come to know one another [and complement one another in each’s distinctive qualities]” (49:13).

As for the human acquired diversity which is energized by the invaluable divine gifts of human free will and human intellect, the Quran clearly states: “And had your Lord so willed, He could surely have made all humankind one single community, but [He willed it otherwise, and so] they continue to hold divergent views – [all of them,] save those whom your Lord has bestowed His grace [through His guidance about dealing methodically and ethically with the divergences]” (11:118-9), “And [know that] all mankind were once but one single community, and only later did they begin to hold divergent views. And had it not been for a [divine] decree that had already gone forth from your Lord [through letting each follow his(/her) free will and intellect], all their differences would have been settled [initially in their creation, or by God’s judgment in this world life]” (10:19), “And had We so willed, We could indeed have imposed Our guidance upon every human being, but [We have not willed it thus, since following one’s free will and intellect established his(/her) account ability for judgment. . .]” (32:13).

However, such a diversity should never allow any group’s claim of superiority, since all human beings with all their diversity are equal in their human origin, “O human beings! We have created you all out of one male and one female” (49:13), “O human beings! Be conscious of your Lord, who has created you out of one living entity, and out of it has created its mate, and out of the two He has spread all over a multitude of men and women. . .” (5:1).

Religion has inherited roots, as well as continuously acquired conception, interpretation, and implementation through different circumstances in given times and places. However, the “other” inherited or acquired situation has to be appreciated and tolerated through the Islamic perspective. The religious faith cannot mean an exclusive rightness for a certain individual or group and the opposite for all “others,” since all human beings have their free will and intellect, and no human is errorless, except those individuals who were entrusted by God to convey His message to people and were protected by Him against making any error in delivering the divine message.

All humans without exception have their, and all humans without exception enjoy “the favors” that the Creator has bestowed on “all” the children of Adam (Quran 17:70), including “the spirit” whose nature is only known by the Creator (17:85), but its existence is common in all human beings (7:172-3). The believers are required to listen to whatever is said and follow the best of it (39:18), and they have been taught by the Prophet to search for wisdom and acquire it wherever it may be found [brought out by al-Turmidhi].

Thinking and rethinking, and differing in thinking among different people and in different circumstances represent an essential part of the human nature, and such differences are certainly reflected in the understanding and interpretation of the religious source. God’s messages followed one another, all emphasizing the belief in the One God and the human accountability which will be judged and requited in the eternal life to come but differing in their guidance for reforming the human practices according to the given circumstances.

A goal of the message of Jesus was “to confirm the truth of the Torah [which had been revealed] before and to make lawful unto you some of what [aforetime] was forbidden to you” (3:49). As for Islam, which has been God’s final message according to the Quran (33:40), the potential in its laws for meeting the changing circumstances of human life has been secured from within.

The Quran has mainly indicated general principles of justice in human affairs, and their permanent relevance in any society is obvious. This is clear in Quranic verses such as: “God enjoins justice, and the doing of good, and generosity toward one’s kinsfolk; and He forbids all that is shameful and all that runs counter to reason, as well as aggression” (16:90), which is considered by the distinguished jurist Izz al-Din ibn Abd al-Salam (d. 660 H./1261 C.E.) as the most comprehensive verse in the Quran which urges the securing of all that is beneficial and restrains all that is harmful and corruptive (1).

Among such verses of general principles one reads: “God wills that you shall have ease and does not will you to suffer hardship” (2:185), “God does not want to impose any hardship on you” (5:6), “God does not command any human being with more than what he/[she] is able to bear” [2:286], “and forget not [that you are to act with] grace towards one another” (2:237), “and if one is driven by necessity – neither coveting it nor exceeding his/[her] immediate need – no wrong-doing shall be upon him/[her]” (2:173), “and let not your own hands throw you into destruction” (2:195), “and neither scribe nor witness must suffer harm” (2:282), “and do not conceal what you have witnessed” (2:283), “Do not devour one another’s possessions wrongfully..., and do not destroy one another” (4:29), “keep up your bonds” (5:1). . . etc.

A very concise and comprehensive tradition of the Prophet states: “There should be no harm initially or reciprocally inflicted” [brought out by Ibn Hanbal of Ibn Majah]. The relatively detailed rules in the Quran are mostly related to the family affairs and their formulation has also allowed different interpretations.

Such a construction of the main Islamic sources: the Quran and the Sunna of the Prophet allow an enormous place for the human mind to understand, interpret and implement these sources in the light of given circumstance of time and place, a process which in Arabic is called “ijtihad,” a word that means the intellectual practice of the most possible effort to interpret and implement the diving guidance.

This includes conceiving the sources in their entirety and recognizing their structure and their inter-relations. The message of Islam has addressed the particular Arabian society in the 7th century C.E. with its given circumstances and needs in that time, and side by side the same sources have included principles which have addressed the entire humanity in all times and places.

It is essential to differentiate between the universal permanent and the local transient in these sources, such as the jurists could characterize the different levels of command in the sources whether they represent an obligation or merely an encouragement or even advice, and the different levels of forbiddance whether they represent a strict prohibition or merely a discouragement. In addition, jurists in their practice of ijtihad, have applied the general principles of the sources to the particular realities of the given circumstances in different times and places, and thus could develop continuously new rules in order to respond to emerging and changing situations.

The juristic heritage has widely and deeply discussed “the goals” of Shari’a and its general maxims as derived from the numerous Quranic verses and Prophet’s traditions. Besides, most juristic schools accepted “the common benefit” as a legitimate generator of new rules. Analogy to a particular rule in the Quran or Sunna has been widely applied by jurists through time in their different environments, and preference (“istihsan”) of what may be more beneficial to most people has been used when different analogies can be made for a certain problem. Moreover, everything is considered in Shari’a allowed whenever no restrictive divine text can be proved.

It has been wisely stated that the difference in jurisprudential rulings is almost a difference in given circumstances of the case in certain time and place, not necessarily a difference in arguments about the text itself. Ibn al-Qayyim, the distinguished jurist (d. 751H. /1350) wrote on: “The change of the juristic opinion (fatwa) according to the change in time, place, conditions, intentions, and customs,” and indicated that ignorance of this matter had led to serious errors about Shari’a which had caused such pressures and hardships and requirements of the impossible that the superb Shari’a which culminates the observance of (human) interests would never bring about. The structure and foundation of Shari’a represents the observance of human interests in this world life and in the eternal life to come. It is entirely justice, mercy, and observance of (human) interest; thus “whatever means injustice not justice, mercilessness not mercy, and impairment not benefit cannot be related to Shari’a even if a relation may be indicated through a certain interpretation” (2).

One of the well known examples in history is the discontinuation of giving “those whose hearts are to be won over” from zakat funds [Quran 9:60] when Islam stood on solid grounds, according to the opinion of Caliph Umar ibn al-Khattab (3).

A contemporary Azharite jurist, Muhammad Mustafa Shalabi, has quoted in his doctorate dissertation many precedents from the Muslim history after the death of the Prophet, stressing that the Prophet’s companions tried to recognize the “reasons” for the rules of Shari’a, and to deduce there reasons if they are not explicitly mentioned in the texts, and they relied in such deduced reasons on what should be the benefit or the purpose of the legal rule which is the achievement of good or the avoidance of harm.

As a result of their process, they may change a legal rule if what has been meant by it has changed. The author believes that the Prophet’s Companions “perceived Shari’a in its entirety, observing its general principles and comprehensive rules in the same time, while the others may look at particular texts split from the others, as if each one has brought out a permanent law which cannot be changed” (4).

Abu Hania (d. 150 H./767), and Muhammad ibn al-Hasan (d. 189 H./804), a pillar of the Hanafi school, used to walk around the markets to recognize how the dealings were conducted (5).

The prominent jurist ‘Izza al-Din ibn ‘Abd al-Salam states: “Any action that fails to achieve the purpose for which the action is meant becomes null” (6).

In the field of human practices in worldly matters (mu’amalat) the Quran has consciously indicated the general principles such as fairness and mutual consent, and the Prophet’s traditions in this field are also limited when they are compared with what come out in the fields of faith, worship and moral values. Thus, the human intellect through the practice of ijtiḥad is allowed an enormous room to respond to the human ever-changing needs and interests according to the general principles of Shari’a. Emerging transactions out to be thoroughly studied, not hastily considered forbidden on the grounds that they are chancy, speculative or ambiguous (7).

Further, a particular view of a Prophet’s Companion or a particular decision of one of the early Four Caliphs which responded to a certain interest in the given circumstances of time and place; should not be considered permanent general law for the entire Muslim umma until the Day of Resurrection – as Ibn al-Qayyim stressed. Such particular views or decisions were based on the Quran and Sunna in one way or another, but could they be considered permanent and universal laws which should never be changed by time, or mere particular responses to certain needs which observe the people’s interest in given time and place and have to be restricted to them” (8). The eminent Maliki jurists al-Qarafi (d. 684 H./1285), brilliantly categorized the Prophet’s traditions in worldly affairs to what were brought out by him as a leader and head of the Muslim state (“imam”), in which ijtiḥad might preponderate and what were brought out by him as a judge or as a deliverer of legal opinion based on God’s law Shari’a (“mufti”). The due Muslim consideration of each category is not the same (9).