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REVELATION AND REASON: EXTENDING DIVINE INJUNCTIONS TO ACCOMMODATE CHALLENGING SITUATIONS

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Introduction

Among the salient features of the Quran is the fact that its injunctions are not opposed to human reason but rather appeal to it by providing the ration d'être behind the legislation of the divine commands. The Quran gives numerous examples to demonstrate the significance of giving the reason behind legislation of the divine commands. In a number of verses, the Quran mentions the cause (حَكَمَةٌ) and wisdom (حَكَمَةٌ) of legislation. The concept of rationciation (言い) reveals the benefit or harm that accrues from the legislation. For instance, Almighty Allah (the Most Exalted) commands us to implement the law of retaliation (قصاصز):

يا لَيْهَا الْبَيْتُ ِأَمْلِيْلَ مَنّا كَثَبَ عَليْكُمْ الْقُصُصُ فِي الْقُلُوبِ الْحَرْجٌ وَالْغَشَّاءُ وَالْغَفَرُ وَالْأَنْثَى وَالْأَلْسِنَ رَبُّكُمْ، مَنْ غُفِّيَ لَهُ مِنْ أَخِيهِ شَيْءًا فَتَأْيِبَ بِالْخَيْرِ وَأَنْبِئَهُ إِلَيْهِ بِالْحَسَنِ
ذلك خُفِيَتْ مِنْ رَيْبِكُمْ وَرَحْمَةٌ فَمَنْ غَفَّيْتُ بَعْدَ ذَلِكَ فَهَذَهُ عَذَابٌ أَيِّمٌ


The International Quran Symposium on Quran and Contemporary Issues 2010 245
“O you who believe! Al-Qisas (the Law of Equality in punishment) is prescribed for you in case of murder: the free for the free, the slave for the slave, and the female for the female. But if the killer is forgiven by the brother (or the relatives, etc.) of the killed against blood money, then adhering to it with fairness and payment of the blood money, to the heir should be made in fairness. This is an alleviation and a mercy from your Lord. So after this whoever transgresses the limits (i.e. kills the killer after taking the blood money), he shall have a painful torment”.

Surah Al-Baqarah (2:178)

In the subsequent verse 179 of surat al-Baqarah, Almighty Allah (the Most Exalted) mentions the benefit of the law of retaliation in the punishment of the offender saves lives of several persons:

وَلَكِنَّ فِي الْقِسْمَاتِ حَيَاةٌ يَا أُولُوا الْأَلْبَابِ إِلَّا الَّذِينَ تُتَّقُونَ

“And there is (a saving of) life for you in Al-Qisas (the Law of Equality in punishment), O men of understanding, that you may become Al-Muttaqun (the pious)

Similarly, when Almighty Allah (the Most Exalted) commanded Prophet Muhammad (peace of Allah be upon Him) to take alms giving (زکاة) from the able person and give it to the needy one, the Quran provides the reason behind this command which is the purification of wealth of the rich persons from the hatred of the poor ones:

لَدَى مِنْ أُمَوالِهِمْ صَنَدُقَةٌ لَتُظْهِرُهُمْ وَلَا تَرْكُوهُمْ بِأَيْضَائِهَا وَيُصْلِّيِّنَّ عَلَيْهِمْ إِنْ صَنَفَتِهَا

“Take Sadaqah (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allah for them. Verily! Your invocations are a source of security for them, and Allah is All-Hearer, All-Knower”. Surah At-Taubah (9:103).

In another instance, Almighty Allah (the Most Exalted) has commanded the distribution of booty (فیحیه) to several categories of the needy so as to prevent concentration of wealth in the hands of the wealthy ones. The Quran states:
“What Allah gave as booty (Fai’) to His Messenger (Muhammad) from the people of the townships, it is for Allah, His Messenger (Muhammad), the kindred (of Messenger Muhammad), the orphans, Al-Masakin (the poor), and the wayfarer, in order that it may not become a fortune used by the rich among you. And whatsoever the Messenger (Muhammad) gives you, take it, and whatsoever he forbids you, abstain (from it), and fear Allah. Verily, Allah is Severe in punishment.” Surah Al-Hashr (59:7).

The Quran also explains the reason behind the prohibition of wine drinking and gambling by stating the rationale of preventing hostility among the believers and interference with the remembrance of Almighty Allah (the Most Exalted):

“O you who believe! Intoxicants (all kinds of alcoholic drinks), gambling, Al-Ansab, and Al-Azlam (arrows for seeking luck or decision) are an abomination of Shaitan’s (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful. Shaitan (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allah and from As-Salat (the prayer). So, will you not then abstain? Surah Al-Ma’idah (5:90-91).

Hence, the divine revelation speaks to the mind and the heart of the persons addressed by these sacred teachings. In the battle of Badr the Prophet (peace of Allah be upon Him) was asked by the companion
Al-Khābbab ibn Al-Mundhir “This place where we have been stationed, is it Allah’s ordained selection (by revelation) or is it your plan?”. The Prophet (peace be upon Him) replied: “It is my plan”. Then the companion Al-Khābbab said “This does not seem to be the proper stationing”. And he suggested some other place for reasons which he explained. The Prophet was convinced by Al-Khābbab’s reasoning and ordered the Muslim army to change station.

The renowned compiler of Hadith, Imam Muslim, records that on the arrival of Prophet Muhammad (peace of Allah be upon Him) at Medinah, He observed that people were pollinating their palm-trees. He made the remark “Perhaps it would be better if you do not do it”. The people concerned took his remark as an order, and the result was not what they had expected. This being reported to him he said: “I am but a human being. Only when I order you something of your religious duties you will have to abide by it. If I issue an instruction upon my personal opinion, then it is a mere guess and I am only a human being. Rather, you may better know your worldly affairs”.2

The Quran and interpretation

Muslim jurists have classified the Quranic text into various categories in order to meet the changing needs of time and place. Among the categories of the Quranic text are the definitive (فتني) and the speculative (ظني) which are accountable for flexibility and change in the Shari’ah. While the definitive text of the Quran is deemed to be permanent in its nature, the speculative text of the Quran which is flexible in nature incorporates the potentialities of meeting the ever-increasing requirements of every time and age.3 The definitive texts of the Quran are decisive in nature and leave little room for ijtihad (اجتهاد). On the other hand, the speculative portions of the Quran, which account for the larger part of its text, are open to interpretation.

An example of a definitive text in the Quran is the verses related to Islamic law of inheritance. For instance, in Surah Al-Nisāa verse 4:12 states:

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\text{وَلَكَمْ مَنْ يُصْفَحُ بِمَا تُولَّكُمْ مِنَ الرِّبَاعَينَ مِنَ الْبَنْيَانِ وَلَدَمَّ آخَرَانَ.}
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3 Masud, p. 56
“In that which your wives leave, your share is a half if they have no child; but if they leave a child, you get a fourth of that which they leave after payment of legacies that they may have bequeathed or debts”.

Another example of a speculative text is in Surah al-Maidah verse 6 which provides:

ِّيَا ِزَيْنُبَا الْمُهَيْدِينَ ُءاَلْوَا ؤُبْعُسِيَا وَُهُوَوُهُمْ وِيَؤُثُّكُمُ إِلَى ِالْمَرَافِقَ

وِهِمْ يَلْهُوُنَا وَأَنْسَعُكُمْ إِلَى ِالْكُشْرِينَ

“O you who believe! When you intend to offer As-Salat (the prayer), wash your faces and your hands (forearms) up to the elbows, rub (by passing wet hands over) your heads, and (wash) your feet up to ankles”.

Although the verse is definitive on the requirement of wiping of the head, the extent of wiping the head remains speculative and depends on the jurist’s interpretation on the Arabic word رأس (head).

Most of the Quranic legislation consists of an exposition of general principles (مجلّ), although in certain areas the Quran also provides specific detail (فَصِّل). Specific details in the Quran relate to fundamentals of the faith (اعتقاد), the basic devotional matters (عبادات) of Islam, and its clear injunctions on the permitted (حل) and the prohibited (زَيْنُبَا) are on the whole permanent and unchangeable. On the other hand, the general principles in the Quran which include civil transactions, fiscal matters, and the prohibition of usury, are all conveyed in broad general terms and are subject interpretation. An example of the general principles laid by the Quran is the concept of consultation (الشرعي):

وَأَذِينِ أَبْدِلُوا لِرَيْبِهِمْ وَأَقْنِسُوا الصَّلَاةُ وَأَمْرُهُمْ شَرُّهُمْ وَبَيْنَهُمْ وَبَيْنَ رَابِطَاهُمْ

“And those who answer the Call of their Lord i.e. to believe that He is the only One Lord (Allah), and to worship none but Him Alone, and perform As-Salat (Iqamat-as-Salat), and who (conduct) their affairs by mutual consultation, and who spend of what We have bestowed on them” Surah Ash-Shurah (42:38)
The above verse refers to the upholding of consultation among Muslims as a general principle and it leaves to the Muslim community and its leadership to implement the concept in the light of their prevailing conditions and exigencies of their time.

Other linguistic terms of the Quran such the general (عَامُ) and the specific (خَاصُ), the absolute (مُطلِقُ) and the limited (مُقيَمُ), the manifest (ظاهر) and the text (نص) provide a room for interpretation to the Muslim jurists in the light of their own experiences and concerns.4

The Quran and Sunnah essentially deal with the basic principles of law and give only general rulings without details. Detailed instructions are given by the Quran in cases which are both universal and eternal. Examples of detailed instructions are to be found in areas such as rituals of worship (عبادات), regulations regarding marriage, divorce, and inheritance. Details are given in these areas to avoid innovation, while family issues ensure social stability by helping to avoid potential conflicts within the family unit. In other areas, the Quran and Sunnah are general and flexible to avoid complication that may arise when a detailed system of law is imposed upon people.5

Ijihad

Literally, ijihad means to put the maximum effort in performing a task and technically it signifies “maximum effort to ascertain, in a given problem or issue, the injunction of Islam and its real intent”.6 Ijihad therefore implies the exercising of the intellectual effort of a jurist in seeking to arrive at rules from the sources of law. Prophet Muhammad (peace of Allah be upon Him) encouraged some of his companions to exercise their intellectual abilities by interpreting the texts. A case in point is the Prophet’s approval of His companion Muadh Ibn Jabal to use ijihad. Muadh was appointed by the Prophet (peace of Allah be upon Him) as a Judge in Yemen. On the eve of his departure to assume his office there, the Prophet (peace of Allah be upon Him) asked him “According to what will you judge?”. He replied: “According to the Book of God”. The Prophet asked “And if you find do not find therein?” Muadh replied “According to the Sunnah of the Prophet of God”. The Prophet asked again “And if you do not find therein?” Muadh replied “Then I will exert myself to form

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5 Yusuf Qaradawi, Islamic law in the modern world, translated by Al-Hadi A. Khalifa, Riyadh: King Faisal Centre for Research and Islamic Studies, 1997, p.81
6 Abul Ala Maududi, The Islamic law and constitution, translated and edited by Khurshid Ahmad, Lahore: Islamic Publications Ltd., 1977, p.72
my own judgment”. And thereupon the Prophet said: “Praise be to God who has guided the Messenger of His prophet to that which pleases His prophet.” This paved the way for later Muslim jurists to interpret the Quran and Sunnah which, in turn, explains the emergence of the various schools and trends in Islamic jurisprudence.

In another incident, Prophet Muhammad (peace of Allah be upon Him) asked the Muslim army not to perform the afternoon prayers (noon prayer) until they reached the place of Bani Quraydah in Medina. Some of the companions followed the literal meaning of the command and delayed the prayer until they reached Bani Quraydha while others interpreted the command which they understood to mean that they should hurry to reach there early and therefore performed the prayer at their usual place. When the Prophet (peace of Allah be upon Him) was informed of the two incidents, he approved both of them.

A number of companions of Prophet Muhammad (peace of Allah be upon Him) exercised ijtihad such as Umar ibn al-Khattab and Abdullah ibn Masud. However, there were some companions like Abdullah ibn Abbas, Zubayr ibn al-Awwam and Abdullah ibn Umar who hesitated to interpret the divine texts and preferred to stick to the literal meanings of the Quran and Sunnah. Among the major reasons for differences among the companions in interpreting the divine texts was their understanding of the Quran text or the Hadith tradition and their standard in accepting Hadith.

Sanctioning of the use of ijtihad has also been provided by the Ottoman Majalah which states in Article 16 that “one (legal) interpretation does not destroy another”. The maxim implies that if a jurist through his own interpretation gives a ruling in a case, and he later realizes that he had committed an error, and subscribes to different interpretation, such change does not annul the first ruling.

After the death of Prophet Muhammad (peace of Allah be upon Him), the responsibility for deciding matters not mentioned either in the Quran or Sunna fell upon the Muslim jurists to search for solutions based on ijtihad. Muslim jurists uphold that the teachings of the Qurana and Sunna encompass a comprehensive law which is wider in scope and unrestricted by considerations of time and circumstance. The Shariah contains provisions and devices, which accommodate temporary conditions as well as exceptional circumstances and emergency situations.8

In elaborating the spirit of Shariah, Ibn al-Qayyim noted in his

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7 Ibrahimi, 1965, p.25

8 Riaz ul Hassan Gilani, The Reconstruction of legal thought in Islam, Delhi: Markaz maktuban islam, 1994, p.6
celebrated treatise 'Ilal al muwaqqi'in:

"the shariah is founded, in roots and branch, on wisdom and realization of maslaha for the people both in this world and the next. It is justice, mercy and benefit in every part. Any ruling that abandons justice in favour of tyranny, mercy for its opposite, benefit (maslaha) for corruption (mafsadah) and wisdom for futility - would have nothing to do with the shariah, even if it is shown, by some remote interpretation, to be part of it.”

Ibn Qayyim al-Jawziyyah further expressed his concern over those who misunderstood the Shariah by saying “those who have held views, out of ignorance, which inflict hardship, rigidity though laying down conditions which are unjustified and unsustainable, the Shariah is founded, in roots and in branches, on wisdom and realization of benefit (maslaha) for the people both in this world and the next. It is justice, mercy and benefit in every part. Any ruling that abandons justice in favour of tyranny, mercy for its opposite, maslakah (benefit) for mafsadah (corruption), and wisdom for abath (futility) - would have nothing to do with the Shariah, even if its it shown, by some remote al-tawil (interpretation) to be a part of it”. The Shafi'i jurist 'Izz al-Din 'Abd al-Salaam also mentioned that “the Shari‘ah is premised on securing benefit for the servants of God (maslahah al-abad) and none of the ‘ulamaa has opposed it.”

Evolution of the rational sources of Shariah

Efforts of Muslim jurists in searching for solutions to cater for emerging situations led to the introduction of the rational sources of Islamic law which were derived from the revealed sources; the Quran and Sunnah. Kamali rightly noted that “the rational sources of Shari‘ah ... are all designed in their respective capacities, to relate the Shari‘ah to special reality, to serve as instruments of adaptation, and provide formulae for finding solutions to problems as they arise”.

The rational sources of Shariah can be classified as follows:
1) Analogical reasoning (Qiyas) (قياس)

Qiyas literally means comparison between two things with a view of

9 Kamali, Shariah Law: An Introduction, p.53
10 Quoted from Kamali, Shariah as understood, p.62
suggesting equality or similarity between them. Technically, qiyas is the extension of a Shariah rule from an original case to a new case. The original case is regulated by a given text, and qiyas seeks to extend the same textual ruling to the new case. It is by virtue of commonality of the unifying effective cause, between the original case and the new case that the application of qiyas is justified. 12

Qiyas plays a significant role in the development of Islamic jurisprudence. Imam Isma’il bin Yahya al-Muzni (d.264/878) said “Nobody should reject analogy for it amounts to drawing comparisons between like things”. The four madhhabsh (schools of jurisprudence) have applied analogical reasoning although some Hanbali scholars and other schools such as the Shia and the Dhahiri do not subscribe to it.13 Schools which subscribe to the use of qiyas argue that the rules of Shariah are based on the objectives of Shariah (مقاصد الشريعة) which are essentially in harmony with reason. On the other hand, the ones opposing the use of qiyas argue that Shariah rules must be based on certainty, whereas qiyas is largely speculative.

An example of qiyas in the Quran is found in Surat al-Jumuah chapter 62 verse 9 which states:

يا أيها الذين آمنوا إذا نودي للصلاة من يوم الجمعة
فاستعزوا إلى دُرَّة الله وذَرُوا البِنَاء ذَلِكُم خَير أَنْ تُعْلَمُونَ

O you who believe (Muslims)! When the call is proclaimed for the Salat (prayer) on the day of Friday (Jumu’ah prayer), come to the remembrance of Allah (Jumu’ah religious talk (Khutbah) and Salat (prayer)) and leave off business (and every other thing), that is better for you if you did but know!

The above verse forbids selling or buying goods after the last call for Friday prayer until the end of the prayer. By analogy this prohibition is extended to all kinds of transactions, since the effective cause, that is, diversion from prayer is common to all.

The proponents of qiyas also referred to the Hadith of Prophet Muhammad (peace of Allah be upon Him) who said “The killer shall not inherit [from his victim].” By analogy this ruling is extended to bequests.

12 Kamali, Principles, 97
13 Qaraduhawi, 1997, p.67
which would mean that the killer cannot benefit from the will of his victim either. Another proof is the case of a woman known as al-Khath‘amiyyah came to the Prophet and said that her father had died without performing the Hajj. Would it benefit him if she performed the hajj on her father’s behalf? The Prophet asked her: “Supposing your father had a debt to pay and you paid it on his behalf, would this benefit him? To this her reply was in the affirmative, and the Prophet said, “The debt owed to God merits even greater consideration.”

2) Juristic preference (إمتثال)

The excessive use of analogy sometimes may clash with objectives of shariah (القياس الشرعی). When this occurs, jurists employ istihsan which means applying the stronger of two available proofs. If a general rule becomes burdensome or an analogy becomes rigid, then the general rule should be made specific. In its juristic sense, istihsan is a method of exercising personal opinion in order to avoid any rigidity and unfairness that might result from the literal enforcement of the existing law.

The logic behind juristic preference is to find an alternative solution to a given problem when the jurist is convinced that applying the existing law is likely to lead to rigidity and unfairness. The basic idea of istihsan is that a literal application of Shariah must not be allowed to defeat its higher objectives of justice and fair play. For instance, contracts for manufacture (إمتثال) have no formal basis in Sharia, but nevertheless, the use of such contracts is customary and legally valid. Istihsan is an important branch of ijtihad, and has played a prominent role in the adaptation of Islamic law to the changing needs of society. It has provided Islamic law with the necessary means with which to encourage flexibility and growth.

An example of the application of istihsan is the ruling of Khalifa Umar b. al-Khattab to suspend the punishment of the amputation of the hand for theft during a widespread famine (انقطاع الريمة). Caliph Umar also suspended the share of the persons who embraced Islam and stated “Allah has exalted Islam and it is no longer in need of their support”. An example of interpreting the Sunnah by the pious caliph is the case of ‘Umar ibn ’Abd al- Aziz who is reported by al-Bukhari to have said, “A gift in the days of the Prophet was a gift; nowadays it is a bribe”. Some of these regulations were suspended because the rationale and benefit

14 Ibid, p.68
15 Kamali, 246
16 Quoted from, Kamali, Sharia as understood, p.62.

254 The International Quran Symposium on Quran and Contemporary Issues 2010
Another example of istihsan is the acceptance of a lower standard of witnesses to testify in court in cases where people of good character are not available. When change is for worse, scholars may refer to it as the trials of the times (عوم الیلیوی). Muslim jurists recognize this and admit that legal rulings should be revised to take account of changing social conditions. Article 39 of the Ottoman Majallah recognizes the changing nature of Shariah rules to meet changing times and problems by stating that “It is undeniable that rules of law vary with the change in times and places and circumstances.”

Jurists who support the use of istihsan base their arguments on the tradition of Prophet Muhammad (peace of Allah be upon Him) which says “لا ضرر ولا ضرار في الإسلام” and the saying of the companion Abdullah ibn Masud who mentioned that “ما رأى المسلمون حسن فهو عند الله حسن” “What the Muslims deem to be good is good in the sight of God”

3) Presumption of continuity (استصحاب)

Istishab means that the past accompanies the present without any interruption or change. Istishab is similar to the Roman rule of upholding the status quo. By applying istishab, the jurist presumes the continuation of a rule until the contrary is established by evidence. For instance, a contract which is concluded will be presumed to remain in force until the contrary is proved. Similarly, the marital status of the spouses will be presumed to continue until dissolution of marriage is established by evidence. A mere possibility that the marriage might have been dissolved is not enough to rebut the presumption of continuity.

Istishab declares permissibility to be the basic norm in Shariah and that people are deemed to be free from any liability unless the law has determined otherwise. The legal norm concerning foods, drinks, and clothes, is permissibility (الباحة). When a question arises as to the legality of a particular kind of beverage or food, and there is no other evidence to determine its value, recourse may be had to istishab, which will presume that it is permissible. But when the norm in regard to something is prohibition, such as cohabitation between members of the opposite sex, the presumption will be one of prohibition, unless there is evidence to prove its legality.

Istishab is validated by the Shafi’i school, the Hanbalis, the Zahiris and

18 Qaradawi, 1997, p.37
19 Kamali, 298
the Shi'ah Imamiyyah, but the Hanafis, the Malikis do not consider it a proof in its own right. The opponents of istishab are of the view that establishing the existence of a fact in the past is no proof of its continued existence.

4) Custom (urf)

Urf is defined as recurring practices which are acceptable to people of sound nature. Customs may only be considered as evidence if they do not conflict with a divine text or consensus of Muslim scholars (ijma'). Ibn Khaldun in his Muqaddimah (prolegomena) says:

"The conditions, customs and sects of the world and nations do not continue according to any specific pattern or stable program. There is always change from time to time and from one condition to another. In as much as this applies to persons, times, and provinces, it applies likewise to countries, ages and states. Such is God's order amongst his creatures".

Hence, it is both necessary and reasonable that Shariah rules need to be flexible in order to address changing circumstances.

Ibn Qayyim al-Jawziyyah noted that "legal interpretation should change in times, places, conditions, intentions and customs and ignorance of this fact has resulted in grievous injustices to the shariah, and has caused many difficulties, hardships, and sheer impossibilities, although it is known that the noble shariah, which serves the highest interests of mankind, would not sanction such results".10

Good customs prevalent during the lifetime of Prophet Muhammad (peace of Allah be upon Him) were held to be valid. Islam has retained a number of pre-Islamic Arabian customs while it has at the same time overruled the oppressive and corrupt practices of that society. Imam Malik relied on the practice of the people of Madina (عمل أهل المدينة) as a source of law. An example of the use of the term 'urf is found in Surah al-Baqarah chapter 2 verse 241:

والمعطيات مناع بالمغزوف خلافًا على الشافعين

"And for divorced women, maintenance (should be provided) on reasonable (scale). This is a duty on Al-Muttaqun (the pious)".
The Ottoman Majallah has adopted custom by stating that what is proven by common usage (urf) is like an express provision by proof. Examples ‘urf in the Quran is the determining the precise amount of maintenance that a husband must provide for his wife.

"Let the rich man spend according to his means, and the man whose resources are restricted, let him spend according to what Allah has given him. Allah puts no burden on any person beyond what He has given him. Allah will grant after hardship, ease". Sura al-Talaq 65:7.

In the above verse, the Quran does not specify the exact amount of maintenance, which is to be determined by reference to custom.

Similarly, in regard to the maintenance of children, the Quran only specifies that this is the duty of the father, but leaves the quantum of maintenance to be determined by reference to custom in Surah al-Baqarah chapter 2 verse 233:

"The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling, but the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis. No person shall have a burden laid on him greater than he can bear. No mother shall be treated unfairly on account of her child, nor father on account of his child. And on the (father's) heir is incumbent the like of that (which was incumbent on the father). If they both decide on weaning, by mutual consent, and after due consultation, there is no sin on them. And if you decide on a foster suckling-mother for your children, there is no sin on you, provided you pay (the mother) what you agreed (to give her) on reasonable basis. And fear Allah and know that Allah is All-Seer of what you do."

The International Quran Symposium on Quran and Contemporary Issues 2010 257
Conclusion

The divine revelation reflected in the two main sources of Islamic law: the Quran and Sunnah provided detailed provisions in issues related to the basic fundamentals of faith ( ), and the law of personal status such as inheritance ( ). Besides these areas, the Quran and Sunnah are silent, hence paving the way for Muslim jurists to exercise their intellectual thinking through ijtihad ( ). Efforts of Muslim jurists have, in turn, led to the emergence of a number of rational sources which were aimed at securing benefit and avoiding harm to the people. Muslim jurists who subscribed to the concept of rationcia ( ) sought to reveal the reasons behind the divine provisions and informed the people on the rationale of the commands and prohibitions prescribed in the divine texts. By doing so, efforts of the Muslim jurists were geared towards linking between the divine revelation and human reasoning and extending provisions of the divine texts to accommodate emerging challenges.

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