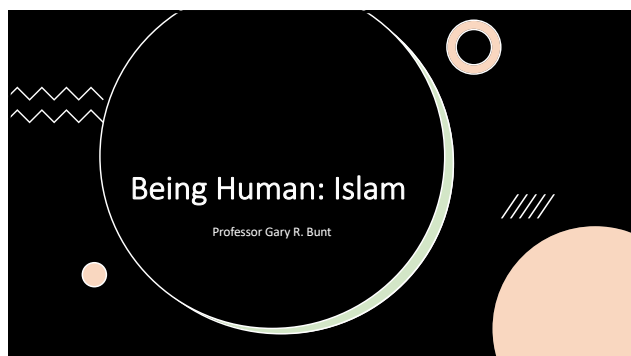
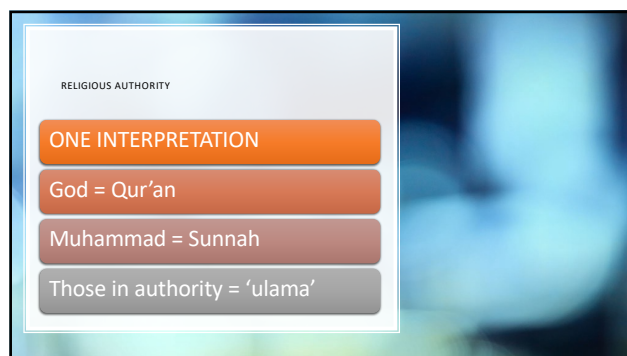
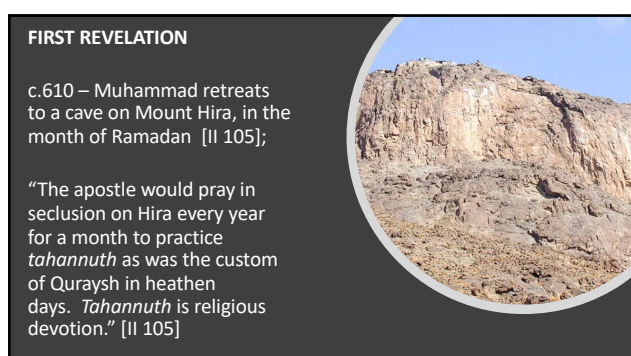




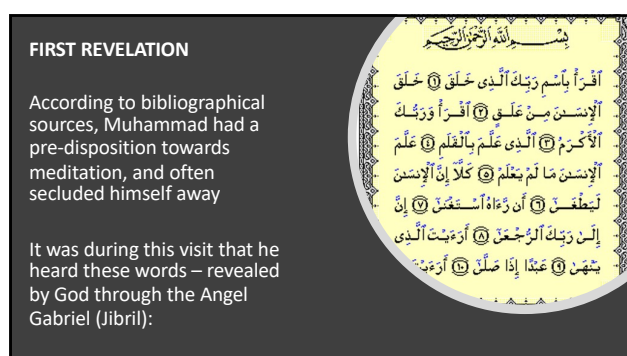
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2



3



4

"In the name of God, the Compassionate, the Merciful, Read in the name of your Lord, Who created He created man from a clot. Read, by your Most Generous Lord, Who taught by the Pen, He taught man what he did not know."

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
أَفْرَأَ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ ۝ خَلَقَ
الْإِنْسَانَ مِنْ عَلَقٍ ۝ أَفَرَأَ وَرَبُّكَ
الْأَكْرَمُ ۝ الَّذِي عَلَّمَ بِالْقَلَمِ ۝ عَلَّمَ
الْإِنْسَانَ مَا لَمْ يَعْلَمْ ۝ كَلَّا إِنَّ الْإِنْسَانَ
لَيَطْغَىٰ ۝ أَن رَّءَاهُ اسْتَغْنَىٰ ۝ إِنَّ
إِلَىٰ رَبِّكَ الْوَرُودَ ۝ أَنزَلْنَاهُ الْكِتَابَ
بِالنُّجُومِ ۝ عَذَابًا إِذَا هَلَكَ ۝ لَآ إِلَهَ إِلَّا
هُوَ ۝ أَزَعَيْتَ ۝

Arabic (Uthman, 10th Century, 650 AD)
Readings: 1st Reading (Al-Fatiha)
Readings: 2nd Reading (Al-Fatiha)
Readings: 3rd Reading (Al-Fatiha)

5

nature of revelation

According to tradition: Revelation was received in intervals; some verses abrogated during Revelation; not revealed in final order;

Muhammad lived 9 days after last Revelation + long illness.

Muhammad didn't write the Qur'an himself.

6

al-Qur'ān
القرآن

• "We have neglected nothing in the Book." [al-An'am, 6.38].

7

THE QUR'AN

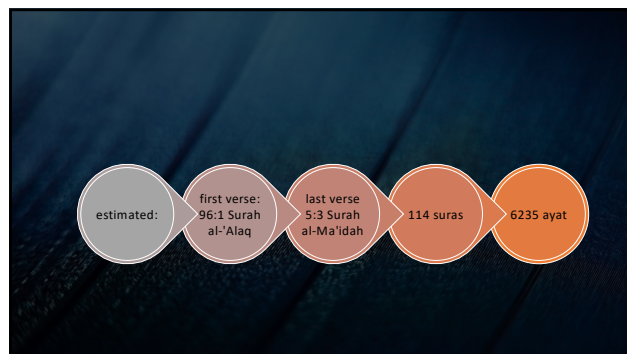
- *qara'a* - to read, to recite
- Arabic language (some non-Arabic words - of Turkish, Greek, Persian origins)
- Revealed gradually over 23 years, often in relation to specific events.

8

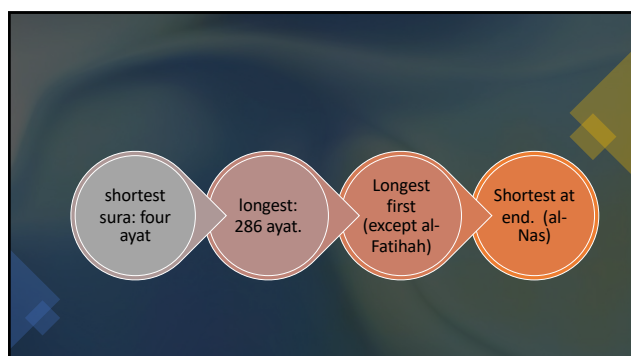
"It is a Qur'an. We have divided into parts in order that you may recite it to people at intervals: We have revealed it by stages."

THE QUR'AN 17:106

9



10

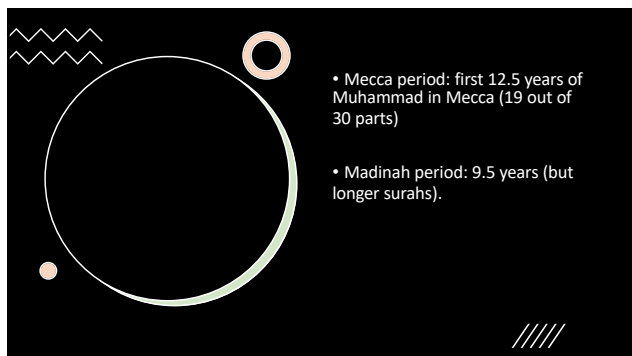


11



- Memorised during lifetime of Prophet.
- Inscribed on wood, stones, bones.
- Collected by Uthman after death of 70+ memorisers (Battle of Yamanah)
- 11-14 Hijrah: Zayd b. Thabit (Prophet's scribe) compiled texts.
- Several versions. Uthman asked Zayd to verify accuracy of text: compile into single volume.

12



- Mecca period: first 12.5 years of Muhammad in Mecca (19 out of 30 parts)
- Madinah period: 9.5 years (but longer surahs).

////

13



SUBJECTS IN QUR'AN

- **Not classified subject wise**
- i.e. alcohol:
 - 2:219
 - 4:43
 - 5:90-91

////

14



- **food:**
 - 2:168, 172-3
 - 5:1-4
 - 6:118-21, 145-6

////

15



- **Satan:**
 - 2:14
 - 7:20-22
 - 31:21
 - 4:38

////

16

Jesus:

- 19:30
- 2:88
- 4:153-8
- 5:109-117

17

FOLLOWING THE QUR'AN

- Muslims cannot be selective: have to follow all of the Qur'an.
- 350 legal ayat in Q.
- 140 devotional matters
- 30 ayat on crimes
- 30 ayat re justice
- 10 ayat re economic matters
- [disagreement on figures, etc.]

18

who is qualified to interpret hidden meanings in the qur'an?

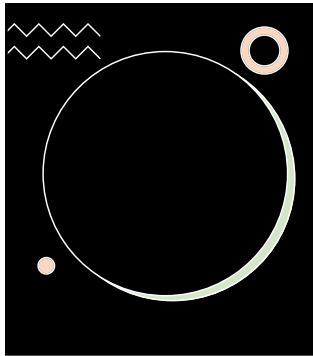
- In the Qur'an, exegesis may be necessary to interpret hidden meanings from texts; understand the context of revelation. Who is qualified?
- inspiration (Q.28:8, 16:68, 19.11, 6.112, 8.12).
- revelation: inspiration in dream (37:102) Ibrahim gets vision re. sacrifice
- speech hidden away (27:8) God speaks to Moses
- via Messenger (Gabriel to Muhammad)

19

hukm (pl. ahkam) - boundaries: judgements, decisions.

- all clearly decided verses of Q. i.e. legal rulings
- hukm (pl. ahkam) Ruling of a case (from *halama* - 'to withhold, restrain, prevent')
- "...the act of establishing a relation between one thing and other by affirmation or denial."
- as in *hukm shar'i*: law, value, or ruling of Shari'ah.
- *al-hukm al-taklifi* defining law, law which defines rights and obligation
- *al-hukm al-wad'i* declaratory law, that is, law which regulates the proper implementation of *al-hukm al-taklifi*, such as by expounding the conditions, exceptions and qualifications thereof

20

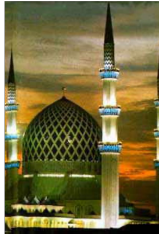


- *ahkam* (pl of *hukm*)
- General rulings (in Qur'an, Sunna).
- Legally relevant verses (500 approx) in Qur'an.
- Post hijrah, Madini verses



21

After Muhammad




22

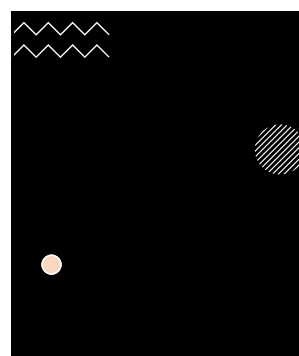
Who was to lead the Muslim community after the death of Muhammad?

Ultimate sovereign in Islam is God: Muhammad was God's vice-regent on earth (*caliph* - successor & deputy)

After the death of Muhammad, there was the problem of who was going to lead the Muslim community. Muhammad was the Final Prophet - therefore no more Prophets would come to lead the community.

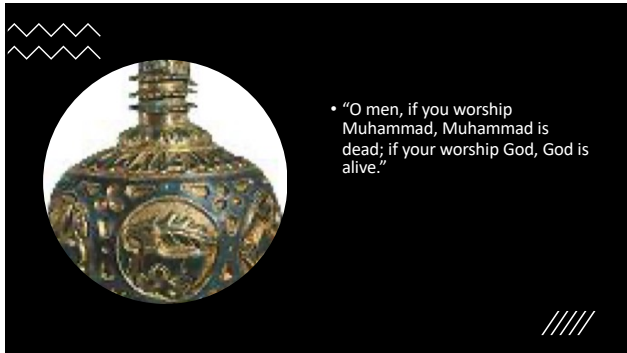
There was a need for leadership, in order that the Revelation could be preserved - and Islam could develop and spread further (keeping the momentum established by Muhammad). There was also the need for an arbiter of disputes and maker of community decisions.

23



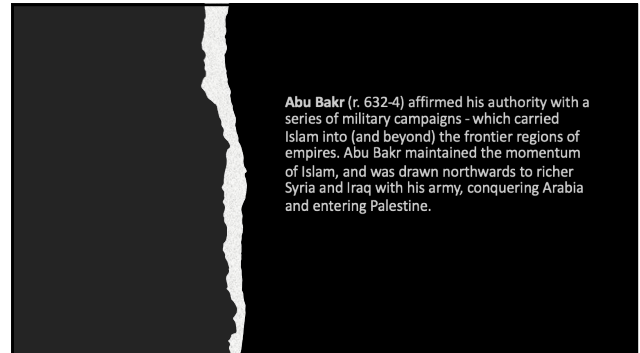
- The first caliphs - **Abu Bakr** and **'Umar** - were associated with Muhammad, through marriage and clan ties.
- There are a number of references to them within biographical sources relating to the Prophet.

24



- "O men, if you worship Muhammad, Muhammad is dead; if you worship God, God is alive."

25



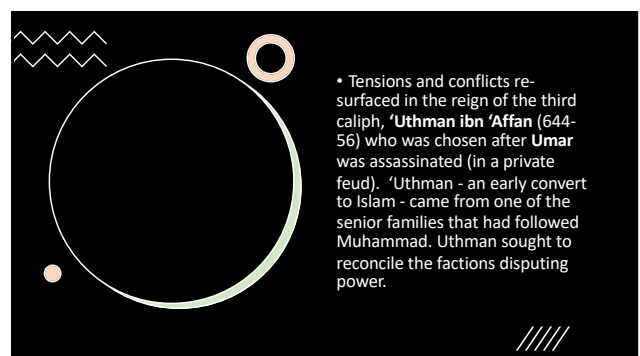
Abu Bakr (r. 632-4) affirmed his authority with a series of military campaigns - which carried Islam into (and beyond) the frontier regions of empires. Abu Bakr maintained the momentum of Islam, and was drawn northwards to richer Syria and Iraq with his army, conquering Arabia and entering Palestine.

26



These military campaigns were maintained by the second caliph **'Umar ibn al-Khattab** (r. 634-44), who conquered Damascus in 636. By the end of his reign, Islam could be found within the whole of Arabia, part of the former Sasanian Empire, and the conquered Syrian and Egyptian provinces of the Byzantine Empire.

27

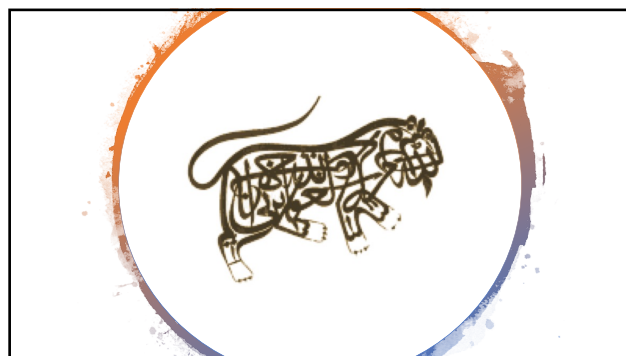


- Tensions and conflicts re-surfaced in the reign of the third caliph, **'Uthman ibn 'Affan** (644-56) who was chosen after **Umar** was assassinated (in a private feud). 'Uthman - an early convert to Islam - came from one of the senior families that had followed Muhammad. Uthman sought to reconcile the factions disputing power.

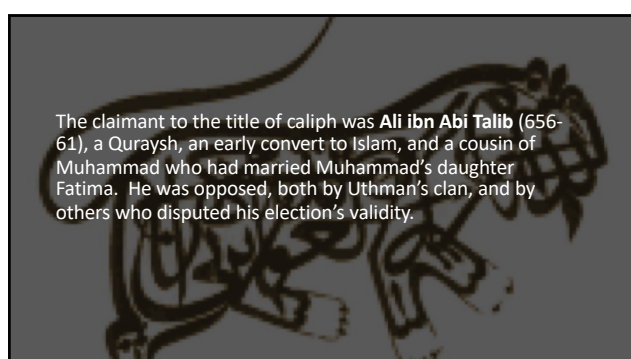
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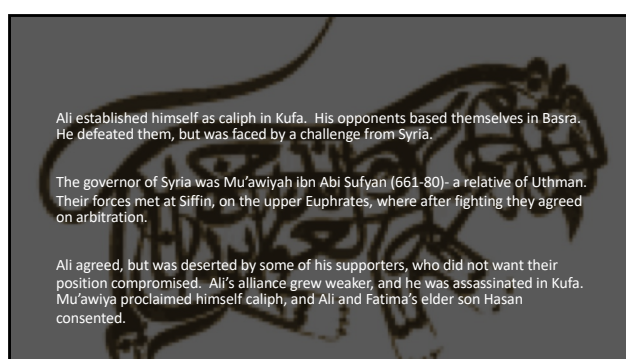
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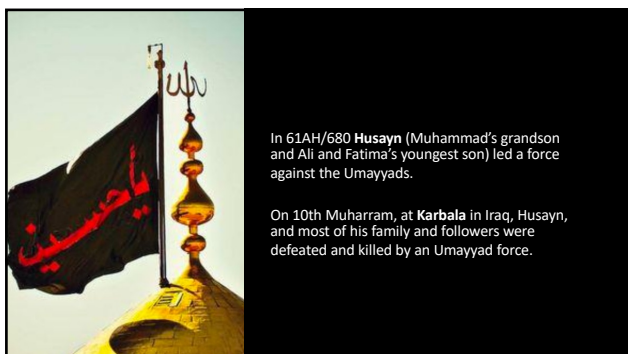
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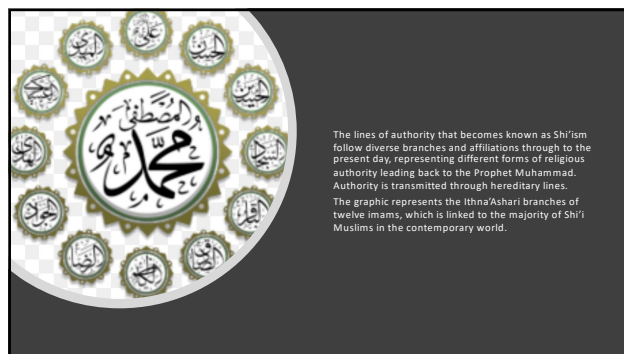
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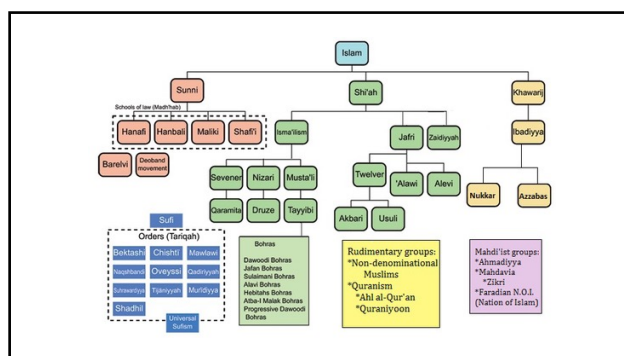
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34



35



36

Islamic Law – Concepts and Application in Sunni Islam

37

Sources:

Tastan, Osman. "Law." *Encyclopedia of Islam and the Muslim World*, edited by Richard C. Martin, vol. 1, Macmillan Reference USA, 2004, pp. 405-411. [Gale eBooks](#).

Ebrahim Moosa, 'Ethical Landscape: Laws, Norms, and Morality', in Kenney, Jeffrey Thomas, and Ebrahim Moosa. 2014. *Islam in the Modern World*. London: Routledge, Taylor & Francis Group.

Aminah Beverly McCloud, 'Muslims as minorities in the West', in McCloud, Aminah Beverly, Scott W. Hibbard, and Laith Al-Saud. 2013. *An Introduction to Islam in the 21st century*. Malden, MA: Wiley-Blackwell.

38

ISLAM & ETHICS

Define 'ethics':

Noun: "The science of morals, that branch of philosophy which is concerned with human character and conduct: a system of morals, rules of behaviour: a treatise on morals."

39

Ethics:

- (I) how to behave, what is right, good
- (II) questions as to answers given in answering (I)
- (III) questions re. words used answering I & II.

JOHN MACQUARRIE A DICTIONARY OF CHRISTIAN ETHICS

Christian-centred definition.
Problematic in context of Islam

40

ETHICS IN ISLAM

"It is important to distinguish how the term ethics was used in premodern Islam compared to its usage in the modern period. In the premodern period, ethics was chiefly concerned about the formation and disciplining of the self through the cultivation of practices that were deemed "good conduct."

"Such conduct was naturalized through education, ritual, and disciplinary practices that were intended to help the devout Muslim internalize the values that underlay an ethical life..."

"... Now ethics is conceived of as a set of abstract values, derived from sources that do not always completely resonate with the historical self, given the massive global transformations of cultures and values."

Moores, Ebrahim. "Ethics and Social Issues." *Encyclopedia of Islam and the Muslim World*, edited by Richard C. Martin, vol. 1, Macmillan Reference USA, 2004, pp. 224-231. [Cite eBooks](#).

41

Arabic: Aklaq: 'ethics'

kulq, kuluq (pl.) Innate peculiarity, natural disposition, character, temper, nature >> pl. aklaq: character (of a person); morals; morality

'ilm al-aklaq: ethics, moral science, morals

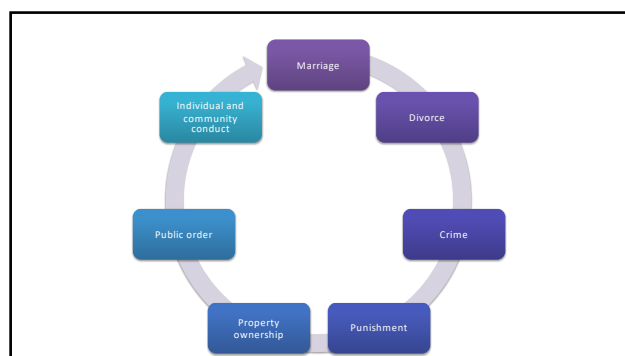
kulqi ethic(al), moral

HANS WEHR ARABIC-ENGLISH DICTIONARY

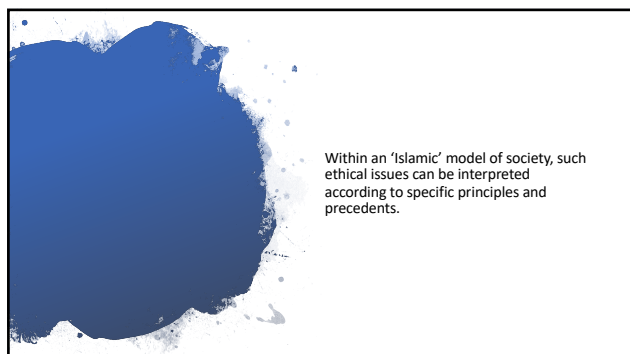
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What kinds of issues could be classified as ethical issues in Islam?

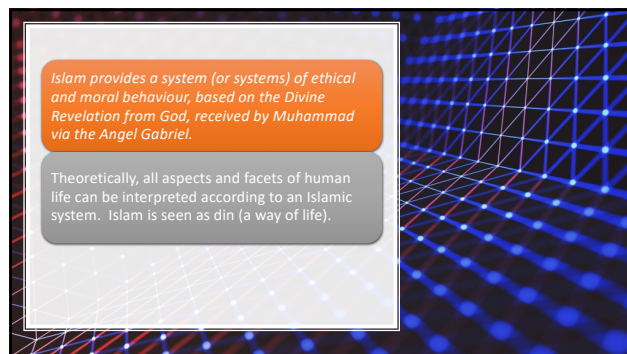
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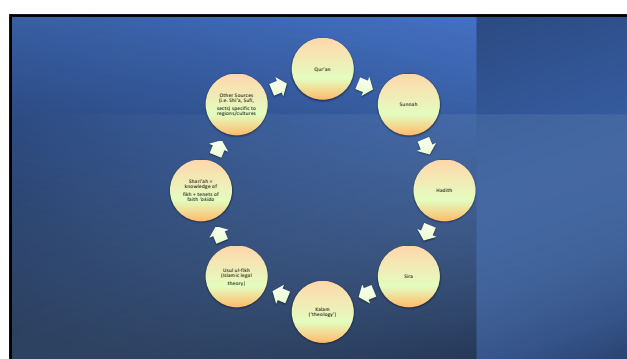
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46



47



48

Shari'a and Fikh

*Usul ul-fikh - 'Islamic legal theory' : primarily **fixed** part of law, derived through Qur'an and Sunnah. Directly, or literally: i.e. through **analogy** (qiyas). [e.g. alcohol, intoxication > drug abuse]*

Who is qualified to establish usul ul-fikh = controversy. Beyond Qur'an and Sunnah? Fuqaha (pl.) = jurist. [sing. Faqih]

(i). IM = Nyaazee, Imran Ahsan Khan: Theories of Islamic Law

49



50

«ilm - knowledge (same meaning as fikh)

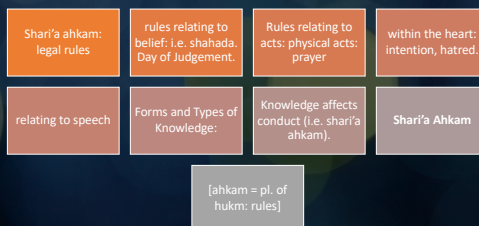
kalam = theology. Not separated from fikh until 2nd century A.H.

Shari'ah knowledge of fikh + knowledge of the tenets of faith 'akida

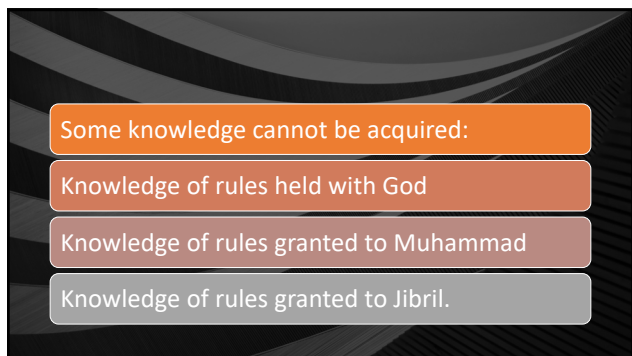
"The real distinction between shari'ah and fikh ... is that shari'ah is the law itself, while fikh is a knowledge of that law - its jurisprudence."

Knowledge + Rules

51



52



Some knowledge cannot be acquired:

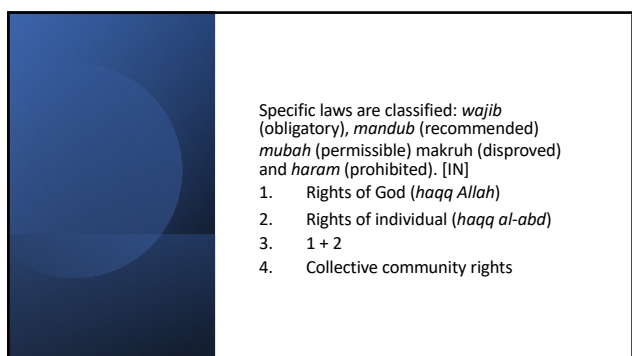
- Knowledge of rules held with God
- Knowledge of rules granted to Muhammad
- Knowledge of rules granted to Jibril.

53



- Mujtahids and other jurists have to interpret this knowledge.
- Special training required (according to some!)
- Specific sciences to determine analogy, Specialisations, Consensus (ijma). Various readings of shari'ah.

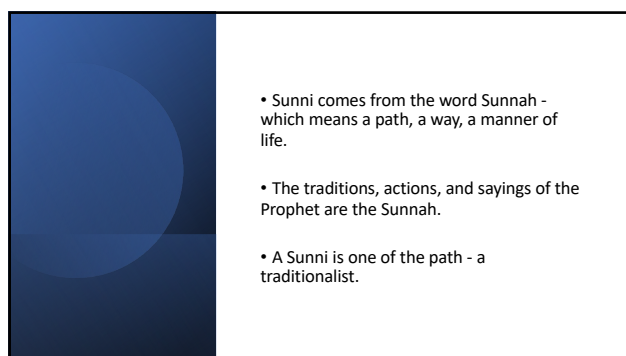
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Specific laws are classified: *wajib* (obligatory), *mandub* (recommended), *mubah* (permissible), *makruh* (disproved) and *haram* (prohibited). [IN]

1. Rights of God (*haqq Allah*)
2. Rights of individual (*haqq al-abb*)
3. 1 + 2
4. Collective community rights

55



- Sunni comes from the word Sunnah - which means a path, a way, a manner of life.
- The traditions, actions, and sayings of the Prophet are the Sunnah.
- A Sunni is one of the path - a traditionalist.

56

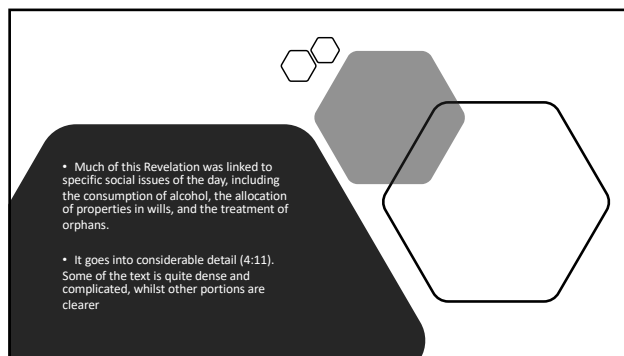


Some instructions in the Qur'an are very clear: for example the following of the five pillars of Islam - al-arkan al-Islam.

If you look at a copy of the Meaning of the Qur'an, you'll find that the Revelation is quite specific on how Muslims should behave in certain situations.

For example, Surah Al-Nisa' (Women) (Surah 4). This lays down many details on family life, including the relationships between women and men, and the rights of children.

57



- Much of this Revelation was linked to specific social issues of the day, including the consumption of alcohol, the allocation of properties in wills, and the treatment of orphans.
- It goes into considerable detail (4:11). Some of the text is quite dense and complicated, whilst other portions are clearer

58



Expertise was necessary to interpret the intricacies of the Qur'an (including the ambiguous verses)

It also was needed to interpret other sources i.e. Hadith.

The development of expertise led to specific bodies of law and shari'ah developing.

59

There is no single body of Islamic law, which comes under the general banner of Shariah. There are diverse interpretations, as different techniques were established to try and understand every nuance of the Qur'an and the Sunnah - the roots of Islamic law or *usul al-fiqh*.

Trying to pragmatically understand these roots is known as *ijtihad* (in Sunni contexts).

As Islam developed, four main schools (*madhahib*) of Islamic law emerged.

60



61

HĀNĀFĪ SCHOOL
founder: Abu Hanifa al-Numan (700-767)

- based in Kufa
- interpreted Islam according to the needs of the day,
- ideals of the community of the Muslims
- unity, sunnah, middle road (avoid extremes)
- scriptural rather than rational proofs
- authenticity of tradition

Followers in most of Islamic world.

- Grew from Kufa/Basra ancient schools: school went eastwards (Afghanistan, Khurasan): favoured by first Abbasids, well represented in Iraq, Syria: Maghrib, Sicily, Seljuk/Ottoman doctrine.

62

MALIKI MADHHAB
Founder Malik ibn Anas (c90-97-179 AH (708-716-796 CE))

MADINAH HIJAZ

- viewed Muhammad and his Companions as the ideal source of understanding. Tradition was of greatest importance (after the Qur'an)
- He collected rules, opinions and hadith in al-Muwatta
- Followers: Egypt, Hijaz, North Africa, Andalus, (now: W Africa, W Sudan)
- - Centrality of hadith
- - exercises al-masalih al-mursala (public welfare)
- - pragmatic

63

مالكي

- Kitab al-Muwatta' earliest surviving Muslim law book - muwatta = a smoothed path: different texts, because Malik did not write a book (different riwayas - recensions)
- Kitab al-Muwatta': "...a code of legislation according to a description of law, statute and dogma as practised according to the consensus and the tradition (amal) of Madinah, augmented by personal remarks of Malik."

64



SHAFI'I MADHHAB

Founder: Muhammad ibn Idris ash-Shafi (767-820)

- b Palestine, raised Makkah; lived Baghdad > Egypt
- Personal student of Malik, disciple of Abu Hanifa & disciples; authority on Arabic language, clear principles and methods: tradition preferred (WOULDN'T REJECT AUTHENTIC HADITH), wrote *al-Risala* (The Epistle)
- Shafi: Sunna, Quran & Ijma
- consensus over-rides single authority rule

65

شافعي

"...TO HIM **UMA** MEANT THE CONSENSUS OF THE ENTIRE COMMUNITY (ALL CENTRES OF JURISTIC RESEARCH)." [O]

"...first lawyer to define sunna as the model behaviour of the Prophet, in contrast with his predecessors for whom it was not necessarily connected with the Prophet, but represented the traditional, albeit ideal, usage of the community, forming their 'living tradition' on an equal footing with customary or generally agreed practice."*

Shafi'ite: Egypt, Iraq, Syria, East Africa, Sudan, parts of Asia.

66



HANBALI MADHHAB

- founder: Ahmad ibn Hanbal al-Shaybani (780-855/241/241 AH)
- - Qur'an and Sunna only
- - compiles *Masa'il* Questions: anti-codification
- *Musnad*: *hadith classified according to guarantor* (edited by son Abd Allah):
- hierarchical order of sources
- - rigid ritually - element of personal judgement
- - God's attributes central, renounces kalam: Qur'an - uncreated word of God
- - revised by Muhammad ibn Abdul Wahhab (used in Saudi Arabia);
- - Baghdad centre: conflict with Shi'i, but acknowledges Ali
- - Sunni reconquest = golden age
- - Decline until Wahhabism. Ottomans

67

The principles articulated in these four schools (and others from diverse traditions) have influenced generations of Muslim lives.

Their interpretations of Qur'an and Sunnah have been guides for people, who have sought to understand Islam.

They have affected all levels of society. There are a number of different interpretations of Islamic law in different communities today.

The principles have been incorporated into different ideologies, under the banner of 'Islamic law'. They are influenced by culture, politics, history, and diversity of interpretation.

68

Suggested Reading - Power & Authority Systems in Islam

All these items are located electronically in the UWTSO library:
[Encyclopedia of Islam and the Muslim World](#) (editor: Richard C. Martin). This features a good collection of articles associated with law and beliefs.

[Bunt, Gary B. 'The Fatwa Machine', chapter in Hashtag Islam: How Cyber-Islamic Environments Are Transforming Religious Authority \(University of North Carolina Press\).](#)

Moosa, Ebrahim 'Ethical Landscape: Laws, Norms, and Morality', in [Khan, Jeffrey Thomas, and Ebrahim Moosa. 2014. Islam in the Modern World. London: Routledge. Taylor & Francis Group.](#)

[McCloud, Aminah Beverly. 'Muslims as minorities in the West', in McCloud, Aminah Beverly, Scott W. Hibbard, and Laith Al-Saud. 2013. An introduction to Islam in the 21st century. Malden, MA: Wiley-Blackwell.](#)

If you are looking for something more detailed, then there are many articles on different aspects of law and interpretation in the (searchable) [Encyclopaedia of Islam: Third Edition](#). The link below takes you to an article about dietary law, from which you can also search for other aspects of law and interpretation:

[Francesca, Ersilia, "Dietary law" in: Encyclopaedia of Islam, THREE, Edited by: Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, Everett Rowson.](#)

Website
[Virtually Islamic](#) - Gary R. Bunt's research website and blog, containing links on digital Islam issues and other publication information.