

SUMMER IMMERSION

LEGACY: LIVES OF THE FOUR IMAMS



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SESSION 1

Introduction

The Difference Between Shariah and Fiqh

- Shariah:
 - Consists of divinely revealed laws that transcend time and place.
 - It is the eternal framework of Aqidah (fundamental beliefs) to uphold and practical actions to implement, both of which are rooted in the direct commandments of Allah.
- Fiqh:
 - Focuses exclusively on practical actions and daily implementation.
 - It is the practical understanding of Allah's Shariah, guiding how Muslims apply these laws in their everyday lives.

The Virtues of Fiqh

- 1. Comprehensive Guidance
 - Allah has provided divine guidance for every dimension of human life. From birth to death, virtually every human action falls into a specific legal category — ranging from permissible to mandatory to forbidden.

- For those seeking direction, this complete structure offers relief and clarity. Ultimately, the system of fiqh serves as a vital framework for reforming both individuals and society.
- 2. Absolute Certainty
 - When individuals recognize that their primary purpose is to worship Allah, and that He, as the Creator, knows what is best, they develop absolute trust in Him.
 - As a result, obeying divine commands becomes second nature. There is no room for hesitation, even if the specific wisdom behind a particular ruling isn't fully understood.

The Consequences of Rejecting Fiqh

- Rejecting the framework of fiqh and ignoring Allah's commands led Bani Israel to two destructive outcomes:
 - 1. Absolute corruption:
 - They abandoned moral laws and engaged in widespread wrongdoing.
 - 2. Failure to correct society:
 - They stopped enjoining good and forbidding evil, allowing societal mistakes to go unchecked.
- The Prophet (ﷺ) warned that Muslims would imitate the exact actions and errors of preceding nations, specifically the Jews and Christians.
 - Narrated Abu Sa`id Al-Khudri: The Prophet (ﷺ) said, "لَتَتَّبِعُنَّ سَنَنَ مَنْ كَانَ قَبْلَكُمْ شِبْرًا شِبْرًا وَدِرَاعًا بِدِرَاعٍ، حَتَّىٰ لَوْ دَخَلُوا جُحْرَ ضَبٍّ تَبِغْتُمُوهُمْ." فُلْنَا يَا رَسُولَ اللَّهِ الْيَهُودَ وَالنَّصَارَى قَالَ "فَمَنْ".

"You will follow the ways of those nations who were before you, span by span and cubit by cubit (i.e., inch by inch) so much so that even if they entered a hole of a mastigure, you would follow them." We said, "O Allah's Messenger (ﷺ)! (Do you mean) the Jews and the Christians?" He said, "Whom else?" (Sahih al-Bukhari)

- The two pitfalls of fiqh:
 - 1. Distorting the religion and selling it out
 - 2. Devaluing the legal system in its entirety
- As we observe our society increasingly susceptible to these traps, we must remain vigilant to protect ourselves from them.

The Aspects of Rulings in Islam

- Fuqaha (jurists) divide religious rulings into two distinct dimensions:
 - 1. Fatwa (The legal baseline)
 - Focuses on technical legalities.
 - Establishes the bare minimum requirements.
 - Answers: "What is strictly permissible?"
 - Outlines exactly what the law dictates.
 - 2. Taqwa (The higher spiritual tier)
 - Transcends basic legal technicalities.
 - Focuses on what is spiritually rewarding.
 - Answers: "What pleases Allah most?"
 - Prioritizes the ultimate intent of the divine.
- We must carefully harmonize fatwa with taqwa. Understanding the tarbiyah of fiqh is crucial to avoid confusion and to guide others gently, ensuring they do not become overwhelmed and turn away from the Deen.

The Phases of Fiqh

- Islam does not strictly require following one of the four imams:
 - The concept is not a part of the religion, even though their emergence was part of Allah's divine plan.
 - It was shaped through the continuous evolution of fiqh, which developed in phases starting during the era of the Prophet (ﷺ).

The Prophetic Era

- The Qur'an — Wahy (Revelation)
 - The Qur'an provided core principles, while the Prophet (ﷺ) instructed the Sahabah on specific applications.
 - Types of Commands
 - The Qur'an outlines fundamental injunctions but rarely focuses on granular, day-to-day procedural details.
 - The Prophet (ﷺ) taught the Sahabah exactly how to implement these commands. His clarifications served as the practical execution of the text.
 - The Qur'an utilizes various linguistic styles that function as commands but can be interpreted differently depending on the context.
 - Not every imperative verb in the Qur'an indicates an absolute obligation.
 - Depending on the phrasing, context, and the Prophet's implementation, these commands can range from strict requirements (fard) to mere recommendations.
 - Example: The command to eat (suhoor) before fasting is not mandatory.
 - Allah said:

وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ

And eat and drink until the white thread of dawn becomes distinct to you from the black thread [of night]. (2:187)

- Interpretive scope of the Arabic language — Determines which type of command.
 - In fiqh, the linguistic scope of an Arabic word directly dictates the final legal conclusion.
 - When a scholar derives a ruling or constructs an opinion from the Qur'an, their interpretation must be fundamentally grounded in linguistics.

- Example: Prior to deriving any ruling or meaning from the Qur'an, an individual must always confirm: Does the Arabic language genuinely support this meaning?
 - If the proposed understanding is not linguistically viable or cannot be naturally accommodated by the text, the conclusion is fundamentally flawed and must be rejected.
 - Comprehending the interpretive scope of the text requires a firm grasp of the linguistic nuances of Arabic.
- Types of Prohibitions
 - Very few legal rulings are explicitly detailed in the Qur'an, with specific exceptions like the inheritance laws. The same principle applies to the various prohibitions in the Qur'an; not all of them are stated in full detail, just like the commands.
- The Sunnah
 - It represents the lifestyle of the Prophet (ﷺ), serving as the secondary source of Islamic law directly after the Qur'an.
 - Components:
 - Verbal: The sayings, statements, and explicit rulings of the Prophet (ﷺ).
 - Actions: The physical actions, habits, and daily practices demonstrated by the Prophet (ﷺ).
- Ijtihad of the Prophet (ﷺ)
 - The Sahabah learned how to emulate the Prophet (ﷺ) by witnessing his actions, which included his use of ijtihad (independent reasoning). However, their interpretations of his actions could vary.
 - Example: The incident after the Battle of Khandaq.
 - The Prophet (ﷺ) gave a specific directive: "None of you should offer the Asr prayer except at the place of Banu Quraydha." The Sahabah split into two distinct interpretations of this command.

- Group A: Understood the instruction literally. They delayed their prayer until they reached Banu Quraydha, even though the sun began to set.
- Group B: Interpreted the Prophet's words as an emphasis to hasten to the destination, not as a literal command to miss the prayer time. They stopped on the roadside and performed the Asr prayer before reaching their destination.
 - The Prophet's Resolution: When the incident was reported to the Prophet (ﷺ), he did not rebuke or criticize either group. Meaning, he approved both their actions.
- Scholars of fiqh use this event as a major proof that differing interpretations of a text. It is a foundational example of valid differences of opinion within Islam, establishing that sincere, reasoned interpretations of guidance are both permissible and acceptable.
- While giving advice, rather than giving a "one-size-fits-all" answer, the Prophet (ﷺ) purposefully tailored his words to the specific spiritual, emotional, or practical needs of the individual in front of him.
 - Example: Drinking while standing
 - The Prophet (ﷺ) frequently commanded followers to drink while seated, describing it as the better and healthier manner of consumption.
 - There are several authentic narrations where the Prophet (ﷺ) himself drank water while standing.
 - There is no outright prohibition of drinking while standing. Instead, the act of drinking while sitting is highly recommended (mustahabb).

- The Prophet's own act of drinking while standing simply demonstrated that it was permissible and not a sin, providing "room to maneuver" for various practical situations.

Fuqaha of the Sahabah

- The differences in interpretations occurred during the Prophet's lifetime and extended even more after his passing.
- Among the fuqaha were:
 - 'Umar ibn al-Khattab
 - Ali ibn Abi Talib
 - Abdullah ibn Mas'ud
 - Aisha bint Abi Bakr
 - Zaid ibn Thabit
 - Abdullah Ibn 'Abbas
 - Abdullah ibn 'Umar
- The expansion of Islam and the dispersion of the Sahabah naturally led to the rise of ijtihad. As they settled in new territories, they encountered unique societal realities (e.g., different cultures, languages etc.).
- To address these unique societal contexts, they derived religious rulings by relying on their comprehension of the teachings of the Prophet (ﷺ).
- Example: The variation in prayer
 - Abdullah ibn Mas'ud in Iraq, Abdullah ibn 'Abbas in Makkah, and Abdullah ibn 'Umar in Madinah, all educated their students on how to pray by passing down exactly what they had observed the Prophet (ﷺ) do.
 - Imam Abu Hanifa (Iraq): Abdullah ibn Mas'ud's direct students in Iraq taught Imam Abu Hanifa.

- Imam As-Shafi'i (Makkah): The students of the students of Abdullah ibn 'Abbas in Makkah eventually taught Imam As-Shafi'i.
- Imam Malik (Madinah): The direct students of Abdullah ibn 'Umar in Madinah taught Imam Malik.
- The Prophet (ﷺ) performed certain acts in different ways, which naturally led the Sahabah to form varying interpretations. He did this deliberately to allow for a degree of flexibility in practice.
- Islam is not a rigid system. While its core boundaries are fixed, they are defined by the interpretative scope of the Arabic language and the physical precedents set by the Prophet (ﷺ).
- Although all the jurists among the Sahabah were well-versed in prophetic traditions, several specialized in specific legal areas. They respected each other's unique knowledge and frequently consulted one another for guidance.
 - For example, the Prophet (ﷺ) recognized Zaid ibn Thabit as an expert on inheritance laws.

The Seven Fuqaha of Madinah

- Following the era of the Sahabah arose the generation of the Tabi'in, who emerged as prominent jurists.
- Among this generation were the Seven Fuqaha of Madinah, many of whom were the children and direct descendants of the Sahabah.
- Among the fuqaha were:
 - Ubaidullah ibn Abdullah ibn Utbah ibn Mas'ud (The brother of Abdullah ibn Mas'ud) — He is the grand-nephew (nephew of the son) of the famous Abdullah ibn Mas'ud.
 - Urwah ibn Zubair — The nephew of Aisha and the son of Zubair ibn Al-Awwam and Asma bint Abu Bakr.

- Qasim ibn Muhammad — The grandson of Abu Bakr.
- Sa'id ibn Musayyab — The son of Al-Musayyab ibn Hazn.
- Abu Salama ibn Abdulrahman — The son of Abdulrahman ibn Awf.
- Suleiman ibn Yasar — The freed slave of Maymunah bint al-Harith, the wife of the Prophet (ﷺ).
- Kharijah ibn Zaid — The son of Zaid ibn Thabit.
- The system of passing down the teachings, judgments, and legal interpretations of the Sahabah was characterized by rigorous preservation. It was consistent, from the time of Sahabah to the time of Tabi'in.
- None of the pious predecessors including the four Imams of the madhhabs formulate religious rulings based on personal interpretation. They possessed profound taqwa (God-consciousness), viewing the act of certifying matters as lawful or prohibited as a heavy responsibility, akin to "signing off" on behalf of Allah.
- The Qur'an explicitly addresses the grave sin of making claims about Allah and speaking about His Deen (religion) without knowledge. It is a massive sin, which Allah ranks alongside or worse than shirk.
 - Allah said:

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

"Say: 'The things that my Lord has indeed forbidden are al-Fawahish (great evil sins) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners with Allah for which He has given no authority, and saying things about Allah of which you have no knowledge.'" (7:33)

Reasons the Fuqaha Differed

- Understanding the differences among the fuqaha is the hallmark of a true student of knowledge.
- Tunnel vision and a lack of exposure to the valid differences of opinion among the fuqaha often lead to rigidity, harshness, extremist tendencies and communal discord.
- Example: The Khawarij
 - Because they possessed zealous devotion but lacked contextual understanding of the religion, they adopted an unyielding, black-and-white worldview.
 - This directly led to the targeted assassinations of prominent Sahabah, including Caliphs Uthman ibn Affan and Ali ibn Abi Talib and others among the Ashara Mubashara (the ten promised paradise).
- Among the reasons fuqaha differed in interpretations:
 - Understanding of the Qur'an/Hadith
 - Word having multiple meanings
 - Qiraat
 - Irab of Hadith
 - Not being aware of certain narrations
 - Error in narrations
 - Believing a narration is weak
 - Differing based on the actions of the Prophet (ﷺ)
 - Different ways of combining between conflicting reports
 - Differing in what is an accepted evidence
 - Abrogation