

Module II:
The
Transmission of
Islam



The Bridge Between Belief and Action

What grounds our practice of Islam? Who has the right to legislate? What are the categories of Islamic legal rulings? From where do we derive our morals and understanding of what is right and wrong?

How Islam has been transmitted to us today? Who is a scholar and what defines Islamic orthodoxy? How does one determine qualified scholarship? How does one follow qualified scholarship?

What are the ranks of qualified scholarship? How do we seek sound answers to our questions that arise concerning Islamic practice?

The Bridge Between Belief and Action

The Two Foundations (*'Ilm al-Aslain*):

- 1] ***Usul al-Din*** (Theology/ *'Aqida*)
- 2] ***Usul al-Fiqh*** (The foundations of Islamic law; the 'big picture' of how Islamic law works and is how it is understood; the framework, roots, and basis for Islamic law, in matters of ritual worship, transactions, etc.

LEARNING OBJECTIVES OF MODULE II

- 1] Know what a 'legal judgement' is and appreciate that it is Allah's exclusive right to legislate.
- 2] Understand that all moral judgements are from Allah.
- 3] Understand how Islam has been preserved and transmitted by authorities.
- 4] Understand the meaning of following qualified scholarship, what the Legal Schools are and how they work, and how one benefits from them.
- 5] Know the protocols of seeking answers to questions on Islamic law.
- 6] Know the different types of legal judgments.
- 7] Understand the obligation to know the ruling of Allah about a thing before doing it.

The Relationship Between *Aqida* and Law

- 1] Allah, whose existence is Necessary, and who is without beginning or end, who is unlike anything, free of all needs, and who is One in His Essence, Attributes, and Actions, and who is described with absolute power, will, knowledge, life, hearing, sight, and speech **knows what is best for His creation.**
- 2] Allah sent Prophets and Messengers, aided with miracles establishing their truthfulness. These Prophets were infallible, truthful, and conveyed everything Allah ordered them to convey to their people.
- 3] The Prophet and Messengers conveyed knowledge about Allah that can be attained through using reason, and conveyed things that **cannot** be attained through reason independently.
- 4] **Those matters are transmitted to us, and include knowledge about unseen realities, and about morals, ethics, lawful and unlawful, and the particular ways we carry out ritual worship and engage in transactions with others.**

The Relationship Between *Aqida* and Law

SUMMARY:

Just as we believe what Allah and His Messenger (Allah bless him and give him peace) transmit to us of unseen realities like Angels, Books, and details concerning the Last Day, we also believe what Allah and His Messenger (Allah bless him and give him peace) transmit to us about morals, the lawful and unlawful, and the particular ways we carry out ritual worship and engage in transactions with others.

Judgement/*Hukm*

Proposition, claim, judgment, ascription, statement.

It is defined as '**ascription of one thing to another or negating it therefrom.**' To ascribe one thing to another or negate one thing from another.

Affirmative: X [is] Y

Negational: X [is not] Y

Types of Judgements

- 1] Rational judgement: 'The whole *is* larger than the part.'
- 2] Empirical judgement: 'The fire *is* hot.'
- 3] Legal judgement: 'Drinking alcohol *is* forbidden (*haram*).'

The Legal Judgement

‘Allah’s address as it relates to the actions of those with moral accountability (*Mukallafun*), whether it be seeking, permitting, or stipulating matters concerning them.’

The Legal Judgement

Seeking:

- 1] Seeking an action that must be done: *Wajib*/Obligatory.
- 2] Seeking an action that is encouraged: *Mustahabb*/Recommended.
- 3] Seeking abstinence from action that must not be done: *Haram*/Unlawful
- 4] Seeking abstinence from an action that is discouraged: *Makruh*/Disliked

Permitting:

- 1] *Mubah*/Neutral

The Legal Judgement

‘...or stipulating matters concerning them.’

The ‘stipulative ruling’ is not a prescriptive command of ‘Do’ or ‘Don’t’, rather it is: ‘Whenever X occurs, Allah’s ruling is Y.’

- 1] **Cause** (travel is a cause allowing one to break their fast)
- 2] **Condition** (wudu’ is a condition of prayer; two witnesses are a condition for marriage)
- 3] **Impediment** (disbelief is an impediment for marriage)

The Five Legal Judgements

- 1] Obligatory (*Wajib*)
- 2] Recommended (*Mustahabb*)
- 3] Neutral (*Mubah*)
- 4] Disliked (*Makruh*)
- 5] Unlawful (*Haram*)

Is pork *haram*?



The legal ruling establishes the status of specific human actions relative to specific things. It does not speak to the essence of things, but rather relation of human actions toward them.

When we say ‘Pork is haram,’ it is shorthand way of saying ‘Eating pork is haram.’

When we ask questions, they should be linked to actions. Instead of asking, ‘Is X haram?’ one should ask ‘Is doing X haram?’

Islamic versus Unislamic

We have five legal categories and not two. Many think in binary terms of 'Islamic' and 'Unislamic', or 'Halal' and 'Haram,' but that is inaccurate.

The Source of Morality

Allah's actions do not depend on motives grounded in accruing benefits and warding of harm. Allah alone determines morality.

What is 'good' is good because Allah ruled that it is good. What is 'bad' is bad because Allah ruled that it is bad. There is nothing innately good or bad, because that would mean it does not require a maker who regulates it and makes it good. This would entail that 'innate good' and 'innate bad' have an authority over Allah's actions, judgements, and rulings, with such innate values as the ultimate authority.

It is Allah who determines what is good and bad. Human reason alone is insufficient for determining the goodness or badness of something.

The Source of Morality

The actions we observe and determine as good or bad absent a divine legal judgement concerning them are:

- 1] Due to external factors
- 2] Natural human inclination/nature (e.g. what fits with our survival instinct)
- 3] Based on personal desires
- 4] Found to be conducive to society and one's social group.

But there is no sound appeal to morality outside of God.

Exercise: Why is Stealing Immoral?



False Appeals

1. Feelings
2. Intuition
3. Social contract
4. Utilitarianism/Consequentialism
5. Golden rule
6. Discomfort

Conclusion

The *'aql* is not independent in determining absolute good and bad; therefore, we need guidance that tells us which actions are rewardable and which incur punishment—which are moral and which are immoral.

The social, medical, mental benefits of the Shariah are true, but the mind cannot determine what is **absolute moral value** independent of revealed law.

Good without God?

Good denotes a 'moral state.' A moral state must have a standard against which behavior is judged to be good or bad. What is the standard by which an atheist judge themselves as good?

It must be either:

- 1] A moral standard which they have created for themselves.
- 2] An existing moral standard, such as Christianity or Islam.
- 3] A legal or judicial standard, which they mistake for a moral standard.
- 4] They are self-deceived into thinking they are moral ('I am good because I am good.')
- 5] They are lying about conforming to any standard.

Next Class

- 1] How Islam has been preserved and transmitted
- 2] The qualities of the transmitters
- 3] Following qualified scholarship