

Lesson 16: Who are Those Capable of Interpreting Divine Law?

The laws that scholars have laboriously elaborated and compiled over the ages to meet the needs of different societies have always stood in need of intelligent and alert interpreters when it came to implementation. The laws of Islam, although they rest on revealed norms and divine guidance, are no exception to this rule.

Certain verses of the Qur'an, which is the fundamental and primary source for deducing anything related to Islam, are not entirely clear in their purport and signification for they do not yield a single, categorical sense. Recourse to exegesis in order to clarify points of ambiguity is therefore necessary.

Furthermore, the Noble Qur'an sets forth the main lines and general principles of the programs of action Islam proposes in various spheres; it does not go into the details of every law and prescript. If therefore someone wishes to obtain comprehensive knowledge of those programs in their entirety, he cannot content himself simply with the text of the Qur'an.

The differences of opinion and approach that have arisen with respect to the meaning of certain verses, as well as traditions of the Prophet, peace and blessings be upon him and his family, have played a large part in the distortion and transformation of some of the original concepts of Islam. Interested parties and people tied to the ruling establishment have succeeded in putting forward interpretations that correspond to the interests of the rulers, a phenomenon that happened repeatedly during the Umayyad and 'Abbasid caliphates.

In such a whirlpool of confusion, what needs to be done to prevent the truth from remaining unknown? Does it not appear necessary that recourse should be had to a single learned authority on jurisprudence, one divinely protected against sin, a man of independent opinion, having a comprehensive knowledge of the Book, the heir to the knowledge of the Prophet, in order for him to acquaint us with the original meaning and purpose of the Qur'an?

An authority who implements the various commands of the Qur'an in a practical and visible way and who

serves as an indisputable marker of the right and the wrong? The clarifications he makes and the deductions he draws, being based on the principles of the Qur'an and inspired by revealed law, will be decisive for all followers of Islam and capable of ending all differences of opinion: he will be like a compass in the hand of a distraught captain.

If we do not have recourse to such qualified interpreters of the Qur'an, we will fall prey to doubt and confusion, or, by following incorrect interpretations, stray far from the true teachings of the Qur'an.

Imam Ja'far al-Sadiq, peace be upon him, established the greatest center for the teaching of Islam, training a multitude of scholars whose task it was to instruct the people and draw their attention to the dangers posed by the fabricators of *hadith*. His scientific and intellectual activity served to offset the waves of corruption that were unfurling at the time, as well as the erroneous concepts and biased theories the ground for which had been prepared by the political situation of the day.

One day, a group of the companions and students of the Imam, men who bequeathed to the *ummah* a great legacy of knowledge that they derived from him, were gathered in his presence. The Imam addressed Hisham b. Hakam who was present among them: "Will you not tell us something about the conversation you had with 'Amr b. 'Ubayd?" He replied: "I would be embarrassed to say anything in your presence." But the Imam insisted, and so Hisham b. Hakam spoke as follows:

"I learned that Amr b. 'Ubayd had begun to assume some religious responsibilities, establishing a teaching circle in the mosque at Basrah. This news disturbed me, and so I set out for the mosque, where I found him sitting, answering people's questions. I approached him and said: 'O scholar, I am a stranger here; will you permit me to ask a question?' He replied that I might, so I asked him: 'Do you have eyes?'

'Amr responded: 'Young man, what kind of a question is this? Why ask about something you can see to be true?' But I persisted, asking him to answer my question. He consented, so I repeated the question. When he answered in the affirmative, I next asked him; 'What do you do with eyes?' 'I see colors and people.' Then I asked; 'Do you have a nose?' 'Yes.' 'What do you do with your nose?' 'I smell things.' 'Do you have a mouth?' 'Yes.' 'What do you do with it?' 'I taste the food that I eat.' 'Do you have ears?' 'Yes.' 'What do you do with them?' 'I hear sounds.'

"Now, do you have a heart?' 'Yes.' 'What do you do with it?' 'My heart is an instrument of weighing and measuring; by means of it I assess the truth or falsehood of whatever knowledge comes to my senses and limbs.'

"Then I asked: 'Can any limb or member dispense with the heart (*qalb*)?' "No.'

"Even if all limbs and members are completely healthy?'

"Young man, whenever any bodily sense is mistaken in its perceptions or doubts their accuracy, it has recourse to the heart in order to resolve its doubts and gain some measure of confidence and certainty.'

"So the role of the heart with respect to the members and limbs is, in accordance with divine command, to remove error, confusion, and bewilderment?" "Yes."

"So the existence of the heart in man is a necessity without which his members and limbs lose their sense of direction?"

"Yes."

"O Abu Marwan, God has not left your senses and limbs without a guide to rectify their errors and doubts. Is it then possible that He should leave human society, despite all the dissension and ignorance that beset it, to its own devices, without any leader to guide it? A fitting leader who will remove all confusion and error?"

"Amr remained silent for a while, and then he said:

"Are you not Hisham b. Hakam?"

"No."

"Are you one of his companions?"

"No."

"Where do you come from?"

"I come from Kufah."

"Then he said, 'Indeed you are Hisham,' stood up, caused me to sit where he had been sitting, and remained silent until I got up to leave."

The Imam smiled and said: "From whom did you learn this mode of argumentation?" Hisham replied: "From you." Then the Imam said: "I swear by God that this same argument is to be found in the pages revealed to Ibrahim and Musa."¹

Men may therefore gain access to the commands and prescriptions of God only when, after the Prophet, peace and blessings be upon him and his family, the leadership of the Islamic *ummah* is in the hands of a person who is enabled by his proven erudition and spiritual qualities to expound those detailed injunctions which have not been explicitly included in revelation but are nonetheless a matter of practical necessity for human society. In the absence of such leadership, the *ummah* will tend to deviate from the principles of Islam and fail to reach the goal of happiness and the purposes for which it has been created.

After the Prophet, the Immaculate Imams, committed as they were to leadership and guidance, did everything possible to disseminate the teachings of the Qur'an, for years on end and in the midst of

swiftly changing circumstances, and to show the Muslims how to apply those teachings; they guided and instructed the people in word and indeed. As a result, the aggregate of their teachings came of form a precious treasure of learning that was bequeathed to the *ummah*. Because of its evidential force, this treasure was uniquely authoritative, and because of its scope, it offered the means for solving every new problem that might occur.

Everyone knows that the caliphs who succeeded the Messenger of God, peace and blessings be upon him and his family, knew very little concerning the ordinances of Islam and the religious needs of the people. Abu Bakr, the first caliph, is known, for example, to have transmitted only eighty *hadith*.²

al-Nawawi says the following in his *Tahdhib*: "Abu Bakr transmitted 142 *hadith* from the Prophet, peace and blessings be upon him and his family, 104 of which are cited by al-Suyuti in his *Tarikh al-Khulafa'* and 22 of which are included by al-Bukhari in his collection."³

The religious leader of the *ummah* who is meant in every respect to aid and assist his community and to solve their complex religious problems has so little Islamic consciousness that he finds himself consulting al-Mughirah b. Shu'bah, an extremely corrupt individual, in order to learn God's ruling concerning the portion of an estate that goes to his grandmother!⁴

He even confesses himself, with the utmost frankness, that his religious knowledge is not superior to that of anyone else, and declares to the people that if they see him committing an error they should correct him and instruct him in the proper course of action. For this is what he says:

"I hold in my hands the reins of your affairs even though I am not the best among you. If you see that I am treading the right path, then support me, and if you see me embarking on the wrong course, then guide me back to the right path."⁵

As for 'Umar, he transmitted no more than fifty authentic *hadith* from the Prophet.⁶

In connection with the religious knowledge of the second caliph, it is reported that someone once went to consult him on a problem that he faced. He said: "I need to make a total ablution (*ghusl*), but I have no access to water; what is my religious duty under these circumstances?" The caliph answered: "You are relieved of your duty to pray."⁷ The real duty of such a person is, however, spelled out in the Qur'an.⁸

Five *hadith* are narrated on the authority of 'Uthman in the *Sahih* of Muslim, and nine in the *Sahih* of al-Bukhari.⁹

Facts such as these serve to demonstrate the degree of religious learning possessed by those persons who assumed the leadership of Islamic society. How then could it be expected that the framework of divine law should remain immune to change and distortion and that Islamic society should advance toward its lofty goals? Whoever carries the burden of leading the *ummah* must possess extensive religious awareness and knowledge in order to answer whatever questions and problems arise, whereas

the knowledge that the caliphs had of the authentic law of Islam was extremely limited.

One day, while preaching from the pulpit, the second caliph was criticizing a rise in the amount of dowries customarily given and declared that this increase ought to be prevented. When he descended from the pulpit, a woman objected to what he had said: "Why is it necessary to restrict the amount of dowries? Does God not say in the Qur'an,

'If you have given one of your wives great wealth by way of a dowry, you must not take back any of it?' (4:20)

The caliph realized his mistake and begged God to forgive him. Then he remarked: "Everyone is better acquainted with God's commands than is 'Umar." Then he mounted the pulpit again and retracted what he had said.¹⁰

As for the religious knowledge of the third caliph, it is enough that we should refer to the following event:

"During the time of his caliphate an unbeliever was killed by a Muslim. The caliph ordered the murderer to be put to death. But a group of the Companions of the Prophet, peace and blessings be upon him and his family, who were present at the time informed the caliph of his mistake and reminded him that in such cases the murderer should be condemned to the payment of blood money, as a result of which the caliph rescinded his order."¹¹

Is it fitting that the leadership of Islamic society should be in the hands of people who by their own admission are so ignorant of the laws of God's religion, a religion the ordinances of which they are supposed to expound and to implement? Is it at all conceivable that God should entrust all the affairs in fact, the destiny of a community that had been nurtured on revelation and established by the most noble of creation to people who were not only unable to propel the Islamic *ummah* forward and to remove the veil of ambiguity from complex and difficult questions, but could not even expound the most elementary concerns of religion or implement the *shari'ah*?

We leave it those whose intelligences are not fettered by fanaticism or prejudice to judge the matter.

1. al-Kulayni, al-Kafi, Vol. I, p. 170.

2. Ahmad b. Hanbal, al-Musnad, Vol. I, pp. 2, 14.

3. Cited in al-Nawawi, Adwa' 'ala al-Sunnat al-Muhammadiyah, p. 224.

4. Malik, al-Muwatta', p.335.

5. Ibn Sa'd, al-Tabaqat, Vol. III, p. 151.

6. al-Nawawi, Adwa' p.204

7. Ibn Majah, al-Sunan, Vol. I, p.200.

8. 4:43 and 5:6.

9. al-Nawawi, Adwa', p.204.

10. al-Amini, al-Ghadir, Vol. VI, p. 87.

11. al-Bayhaqi, al-Sunan (al-Kubra), Vol. VIII, p. 33.

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