

Ustad Yahya Jahangir

SUMMARIZED BY: MOHAMMED REZA DODHIYA

Topic of Discussion: Methodology of Political Jurisprudence

Before getting into the discussion it is important to know a few terms and their equivalents.

School (مکتب)

Method (روش)

Currents/ movements (جریان)

Approaches (گرایش ها)

An example to understand the above classification

Sunni theory of Determinism leads to the method of Unjust Ruler, because in accordance to the theory everything has been previously determined. So even if there is an unjust ruler we do not have the right to oppose him as its pre-destined.

Shia theory of Free-will leads to the method of 'takhata'a' meaning that if a person is considered a free agent, it is possible for him to make mistakes. Therefore, if a person makes a sincere effort to understand himself, His God, His commandments etc., he will be rewarded even though he might have reached a wrong conclusion.

Sunni school of divine guidance stopped immediately after the martyrdom/demise of the holy prophet in the year 10 ah. This event is known as 'Insidad bab al-ilm' literally meaning 'the closure of door of knowledge'. This meant that the Sunnite school, in order to live their lives in accordance to Islam had to come up with a divine solution. This theory is known as the theory of 'Insidad bab al-Ilm.' This theory formed the bases for methods like,

1- As expressed by Allamah Iqbal, the method named 'Khatm e-Nubuwat' 'the sealing/ending of prophet hood'. The method of this theory is that of 'human evolution', and that our intellect is capable enough to find its way through the help of the Quran and the Sunnah in order to life an Islamic life.

2- Justice of all companions. Since the ummah fell short of divine guidance in the form of Quran and the Sunnah of the prophet, they resorted to the method of Justice of all Companions. This method encompasses the immediate followers of the prophet, the followers of the immediate followers of the prophet and some have also included the ones who lived in Madina.

3- 'Ijma'a' literally meaning 'consensus'. This formed the basis of a ruling wherein it is implied from the prophetic saying that 'my Ummah can never have a consensus on incorrect.' Meaning that it the Ummah decides on something then it has to be true and correct.

4- 'Taswib' literally meaning 'hitting the target' implied as 'being correct'. Taswib means that when the ummah or the mufti decides upon something to be correct it has to be correct in actuality. Therefore, if the actual ruling of the subject is different God will have to change it for the sake of the consensus or the understanding of the Mufti. And if in case there is no ruling from God for the particular subject, He will now have to make a ruling for it.

Shia school however believe that after the era of Prophet hood we have the era of 'Nas' meaning 'explicit' in which the Imams who are infallibles had the divine authority to guide the people in order for them to live their lives in accordance to Islam. Therefore, the theory of 'insidad', in shia began at 329 Ah, after the occultation of the 12th Imam. Since the period of direct divine revelation among the Shias is considerably more than the sunni the method used by the shia in order to organize their daily life included,

1- Referring back to the 'Nas'. Three centuries of direct divine guidance have all what is required in order to live an Islamic life.

2- 'Khabar Wahid' and 'Mutawatir' literally meaning 'single report and abundant reports'. The Shias believe that one of the factors in determining the authenticity of the 'Nas' goes back to the number of times it has been narrated, the attributes of the narrator/s and also the chain of narrator/s.