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Religious Variety: The Case of Convergence

Ayatullah Muhammad 'Ali Taskhiri¹

Abstract

Islam has many features common to all its schools of thought, some of which consist of Islamic realism (in the positive sense), innateness, balance, lenience, moderateness, comprehensiveness, and universality. These features have enabled Islamic planning for true, practical unification while at the same time accepting differences of opinion that fall within reasonable parameters inasmuch as the emergence of all the extant and bygone Islamic schools seems natural. In order to prevent religious differences from causing stagnation, the Movement for Proximity of Islamic Schools must proceed in keeping with the five fundamentals identified in this paper.

Moreover, advocates of proximity (henceforth proximitists) must adhere to the following principles and values: cooperate in cases of unanimity; exempt one another in cases of difference; refrain from charges of apostasy, iniquity, and heresy; abstain from criticism of the consequences of opposing opinions; observe due respect in the course of dialogues; avoid reviling the sanctities of others; and allow freedom in choosing one's school. In addition, the role of scholars and thinkers must not be disregarded in the process of achieving proximity. This paper succinctly discusses twelve important points in this regard.

Keywords: Religious variety, Islamic realism, Movement for Proximity of Islamic Schools, doctrinal differences, emergence of Islamic schools, dedication to fundamentals of proximity.

Islamic Realism

Among one of the most general characteristics of Islam is realism in the positive sense; that is, acknowledging the [limitative] realities of the human world and developing practical plans for their improvement by drawing upon the divine guidance that pertains to humanity at large, in particular human needs and difficulties—all the while guaranteeing justice in their actualization. The negative sense of realism, on the other hand, consists of surrendering oneself to extant “realities”—acquiescing and concurring with them initially and eventually surrendering to fantasy and idealism—concepts that are completely disparate from reality.

Islam, as the religion that concludes and perfects all other divine religions and incorporates an ultimately comprehensive life plan for people until the Day of Judgement, naturally subsumes qualities such as innateness, balance, lenience, moderateness, comprehensiveness, and universality. From these stems the Islamic plan to regulate the relationship between theory and practice among the individuals of the Ummah.

Though the theoretical aspects of the Islamic schools of thought do not fit in well with the ideal of unity—except in cases where reference is made to the general framework of the *fitrah* (primordial human nature), its definite principles, and its indisputable requisites and consequences—the practical position of the Ummah with regards to its main challenges and predicaments can brook no division, discord, disagreement, or weakness.

On this account, Islamic planning for true, practical unity has been proposed as a factor in the realization of the following principal elements:

1. Doctrinal consensus on basic overarching principles;
2. Substantial agreement on Qur’anic and prophetic injunctions between all individuals of the Ummah in a manner completely free of bias;
3. Agreement regarding common Muslim responsibilities as well as the Ummah’s general administrative structure;
4. Uniformisation of critical laws and regulations in addition to comprehensive planning to demonstrate the Ummah’s unity in not only its orientation and religious bent but also by virtue of its coordination and solidarity in social, economic, legal, and other matters;
5. Emotional communion in regards to moral human behaviour entailing mutual cordiality, purge of rancour, and development of mutual trust and commitment to mutual rights which would ultimately lead to the prevalence of brotherhood and sisterhood in faith as well as the cooperation, self-sacrifice, and devotion necessitated by such fellowship;

6. Awareness of the opportunistic enemies lying in wait to unscrupulously expunge the Ummah's identity and obviate its very existence. It must be impressed upon all Muslims that this enemy has set aside all its internal differences, uniting against the Ummah in order to overcome and destroy it. Unless the Ummah takes necessary measures, it shall be faced with major sedition and corruption.

Islam does not consider differences of opinion to be a problem or setback; rather, it sees them as a natural state such that the Holy Qur'an even speaks of differences among prophets ('a):

وَدَاوُدَ وَسُلَيْمَانَ إِذْ يَحْكُمَانِ فِي الْحَرْثِ إِذْ نَفَشَتْ فِيهِ غَنَمُ الْقَوْمِ وَكُنَّا لِحُكْمِهِمْ شَاهِدِينَ

“And [remember] David and Solomon when they gave judgement concerning the tillage when the sheep of some people strayed into it by night, and We were witness to their judgement.” (21:78).

فَفَهَّمْنَاهَا سُلَيْمَانَ ۖ وَكُلًّا آتَيْنَا حُكْمًا وَعِلْمًا

“We gave its understanding to Solomon, and to each We gave judgement and knowledge...” (21:79).

The process of the acquisition of greater knowledge and a higher understanding itself may give rise to such differences, just as in the story of Moses ('a) and the pious servant of God.^{[2](#)}

Nevertheless, the acceptability of differences of opinion is bound by certain restrictions and guidelines, some of which are noted as follows:

- a) They must not compromise the unquestionable principles of human nature or definite Islamic fundamentals the doubting of which results in doubting the verity of Islam itself. In essence, such doubt signifies egress from the sphere of Islam's influence.
- b) They must be based upon reasonable arguments and rationales. Unreasoned and irrational statements must be avoided. Unfortunately, nowadays we are witness to an abundance of inferences and readings that interpret the religion in accordance with personal desires, interests, and tastes. These are interpretations that misuse the religion.
- c) Dialogues must be held in a peaceful manner and must incorporate a logical atmosphere free of any kind of intimidation or deception. The parties involved must be competent and enter into debate with sufficient knowledge of the subject matter. Discussions must proceed with mutual respect and in the most fitting manner possible.
- d) Before all else, every endeavour must be made to discover areas of common ground, to expand on them, and to work together towards their fulfilment. In areas of difference, the parties of the dialogue

must absolve one another.

Accordingly, the following must be avoided:

- a. Discussion with persons who lack necessary competence;
- b. Deceit, demagoguery, and pointless arguments;
- c. Intimidation, political intrigue, incrimination, insult, and accusation of heresy or apostasy;
- d. Allowing disputes to escalate into physical strife;
- e. Attributing to another party something not claimed by them and also reproaching others when they do not hold to the consequences of their claims;
- f. Entering into futile lines of enquiry that are irrelevant to practical and tangible realities.

It must be noted that these items may be extended beyond the scope of Islam to encompass other religions and even other cultures and civilisations.

Doctrinal Differences

When we adopt the foregoing perspective regarding doctrinal differences between the various Islamic schools, the existence of difference is discerned to be a completely natural phenomenon. Many researchers have comprehensively dealt with this issue in elaborate scholarly treatises; by way of example, various scholars have expatiated on the necessity of *ijtihad* (literally endeavour, but specifically signifying jurisprudential interpretation by means of the Qur'an and hadith), a concept that has continually found deeper roots as the result of the following items:

1. The main source of *ijtihad* is the Qur'an and the traditions of the noble Prophet (S). It is evident that the *shari'ah* [3](#) and, in general, all Islamic beliefs have not been presented in the form of universally understandable statements and formulas; rather, the totality of the corpora pertaining to the *shari'ah* has been presented in such a manner that exhaustive and fundamental collation and inference is called for, necessitating a comprehensive body of preliminary knowledge and extensive scholarly investigation.
2. The more we are distanced from the historic periods in which these texts were originated, the more we have need for such endeavours, i.e. *ijtihad*, not only in magnitude but also in variety. The reasons for this are that a great deal of hadiths, not to mention the contexts, co-texts, and related texts that must be considered with them in tandem, have been lost; the circumstances surrounding the presentation of various Islamic texts (both the Qur'an and hadith) have been forgotten; changes have been introduced in the manner of their expression; mistakes and blunders may have been made; and finally, the detrimental role of maleficent individuals must also be considered.

3. Significant changes in lifestyle, complexities in desiderata, varieties of bonds and relations, and modern issues which are not explicitly dealt with in religious texts all necessitate that corresponding rules be derived from general laws, subordinate principles, or practical truths—all of which are subsumed within *ijtihad* and serve the function of resolving doubt and irresolution.

4. Humanity is in need of specialists that specifically enquire into various branches of Islamic studies and guide the process of coordinating Islam and its rulings with the various aspects of life by integrating the doctrinal, emotional, and behavioural positions of Islam into an integrated whole. This is a *sine qua non* for conclusive arbitration in matters of controversy which are requisite for total effectuation of Islamic decrees. Thus, the issue of *ijtihad* was introduced and emphasized by the *ulama'* (i.e. Islamic scholars) while, on the other hand, the opponents of Islam, who fully understand the role of *ijtihad* in the flexibility of Islam and the preservation of the Ummah have mounted a crusade against *ijtihad* under the pretext of denying the *ulama'* domination over society.

Harm Of Subjectivity In Ijtihad And Techniques Of Caution

Naturally, *ijtihad* can also involve harm brought about by the subjectivity of the *mujtahid* (i.e. Islamic jurisprudent). This subjectivity is inherent in the process of *ijtihad* as a result of the *mujtahid's* background, perspectives, predilections, and beliefs. Thus, the procedures (and hence the results) can differ for any two individuals that perform *ijtihad* on a particular topic using the same text. In other words, despite the fact that all the texts represent a singular truth and unique decree in accordance to Divine Knowledge, subjectivity affects the process and results of *ijtihad*. Even so, it is incumbent upon each *mujtahid* and their respective followers to act in accordance with the results of the jurist's *ijtihad*.

It is for this reason that in Islamic thought the results of this process cannot be considered actual Islam in an absolute sense, so as to deny the possibility of having any further say in the matter. However, under no circumstances does this issue pertain to cases where the text possesses conclusive credentials and indisputable signification since in these cases no *ijtihad* occurs. *Ijtihad* is only germane to instances of doubt where the matter in question deviates from the path of certainty.

The damage of subjectivity escalates when the procedure of *ijtihad* goes beyond personal decrees and enters into the area of general Islamic beliefs and doctrine. Shahid Muhammad Baqir Sadr (*r*) considered this phenomenon to stem from several pitfalls the most important of which are:

- a. Uninformed interpretation of existing circumstances and prevailing truths by the *mujtahid*;
- b. Confining the text to a particular framework;
- c. Abstraction of canonical rationales from their conditions and contexts;
- d. Prejudgement about the text (Sadr, 1990:382).

The point on which doubters of Islamic thought and gainsayers of *ijtihad* support their refutations and on which they advocate its abolishment from human life is that it delves into the domain of the profane and fallible. As has been previously indicated, some sacred areas of Islamic study are immune to the contravention of transgressors and those with inimical intentions. Moreover, in areas of doubt there are cases where incontrovertible rationales—such as *hujjiyat al-zuhur*⁴ (effectivity of the manifest)—lead the way to truth. On the whole, vast expanses of Islamic study are thus made secure against encroachment from all possible angles. This can be seen in the fact that in many cases of doubt—in view of the ineluctable nature of the exercise of *ijtihad* as a natural system for interpreting law or religious texts—the *ulama*’ pursue the method of caution so as to mitigate as much as possible any harm that might be caused by their subjectivity.

As a result, the science of *Usul al-Fiqh* (jurisprudential fundamentals) has been developed comprising meticulously detailed instructions and parameters. This science systematises the *ijtihad* procedure using the following mechanisms:

- a. Discourses on conclusive rationales in matters of *shari’ah*. These include verbal rationale such as comprehensive discourses on origin, verbal expression, signification, *hujjiyat al-zuhur*, and the real-world instances of each, as well as logical rationale such as the relations between decrees, the relations between decrees and their real-world instances, and the preludes and results of each.
- b. Canonical principles with the purpose of solving problems in cases where there are no conclusive rationales including “Sufficiency of Cursory Knowledge” or “*Istishab*”⁵.
- c. Comprehensive discourses regarding contradictions among rationales.

After discourses in jurisprudential fundamentals, diverse highly methodical juristic discourses are considered. Because of their potential effect on the process of inferring religious commandments, some of the *ulama*’ fittingly appended the necessity to consider goals defined by the *shari’ah* to the aforementioned items. Equally, a series of general, incontrovertible Islamic principles such as realism, innateness, balance, comprehensiveness, eternality, finality, moderateness, coherence of decrees as a whole, and universality may also be included among these items.

Emergence Of Divergent Islamic Schools

It is self-evident that at the time of the holy Prophet (S), since he directly received the religious concepts and commandments from God, there was little need for *ijtihad*, though some of the *Sahabah* (Companions of the Prophet (S)) advanced various *ijtihads* which the Prophet (S) corroborated.⁶

In that period, differences were simple. However, after expansion of the Islamic territory, the Verse of *Nafr* (emigration; cited bellow) was revealed which formulated the basis of *ijtihad* and the credibility of *khabar al-wahid* (i.e. singular narrations). God Almighty declares:

وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً ۚ فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

Yet it is not for the faithful to go forth en masse. But why should not there go forth a group from each of their sections to become learned in religion, and to warn their people when they return to them, so that they may beware? (9: 122).

It was, however, natural for the trend of *ijtihad* to increase after the passing of the holy Prophet (S). In the era of the *Tabi'in*⁷ this trend escalated to such heights that various Islamic schools with distinctive characteristics emerged.

Sais (n.d.:94) ventured the opinion that in the period from the start of the second century to the middle of the fourth century of the Hijra (lunar reckoning) the world of Islam was witness to 134 jurisprudential schools such that many cities possessed their own distinct school. Asad Haydar (1990:160), however, considered the number of these schools to have been in excess of fifty.

In the opinion of some of the *ulama'*, the schools that were introduced after the *Tabi'in* stage were individual 'schools' that had no following among the master's disciples and thus were lost with the death of the master. Other schools had many adherents and gradually developed after their views were compiled into comprehensive anthologies (Subhani, 1997:58).

The following are some of the schools that have not survived the ravages of time: the Hasan BaSari School (AD 643–728 [23–110 AH]), the Ibn Abi Layli School (AD 693–765 [74–148 AH]), the Uza'i School (AD 706–774 [88–158 AH]), the Sufiyan Thuri School (AD 715–777 [97–161 AH]), the Layth ibn Sa'd School (deceased AD 794 [178 AH]), the Ibrahim ibn Khalid Kalbi School (deceased AD 854 [240 AH]), the Ibn Hazm Dawud ibn 'Ali Isbahani Zahiri School (AD 817–883 [202–270 AH]), the Muhammad ibn Jurayr Tabari School (AD 838–922 [224–310 AH]), the Sulayman ibn Mihran A'mash School (deceased AD 765 [148 AH]), and the 'Amir ibn Sharahbil Sha'bi School (deceased AD 723 [105 AH]).

The schools that have withstood the scrutiny of time and still endure are as follows: the Ithna 'Ashar Imami (Twelve Imam) School which was developed and promoted by Imam Muhammad Baqir ('a) and Imam Ja'far Sadiq ('a); the Zaydi School; the Hanafi School, the Shafi'i School, the Maliki School, the Hanbali School, and the Ibadhi School.

This paper does not aim at discussing the grounds for the emergence, development, or disappearance of these schools as these have been discussed by other scholars dealing with the causes for differences among schools. Regarding such causes, in the introduction to his book, *Bidayat ul-Mujtahid wa Nihayat ul-Muqtasid*, Ibn Rushd (1991) adverted to several points in reviewing the premises of *hujjiyat al-zuhur* and *hujjiyat al-qiyas*⁸ (effectivity of analogy). Additionally, Hakim (1979:18–19) discussed the differences in the fundamentals of inference. Finally, differences between methods and stages of reasoning may also be considered a factor for such differences among schools.

In addition to the preceding objective factors, individual features such as erudition (e.g. level of knowledge) and mental features (e.g. analytic aptitude) may be considered effective in this regard, as well as the role of political, historical, expediential, and social factors.

To return to the crux of the matter, issues which hold prime importance in this paper consist of the following:

First, the emergence of various schools indicates the evolution of Islamic erudition in reaction to three broad circumstances: the absence of the holy Prophet (S) and the Ummah's severance from divine revelation; the broadening of needs, the plethora of events, and the complexity of societies; and also the accumulation of juristic knowledge and the introduction of new Islamic disciplines. Thus, the origination of diverse schools was a natural and proper occurrence—a result of civilisational influences.

Second, these schools compose a treasury of precious intellectual wealth for the Islamic civilisation. Their existence enables the Islamic leadership and Muslim individuals alike to make better choices in the practical assimilation of the *shari'ah* into individual (especially where following the most learned *mujtahid* has not been specified as a requirement) and societal life. This rises from the fact that opinions and views that originate from Islamic processes such as *ijtihad* may be attributed to Islam and considered Islamic. In this way, vast expanses open up, empowering the religious authority to select the best option among many to achieve the interests of the Ummah (even if this religious authority does not personally agree with any given *ijtihad*). The religious authority may amalgamate various perspectives and opinions to attain a superior social theory or school. This is a particularly tangible sign of the flexibility of Islam.

Third, as previously pointed out, these schools result in the productivity of Islamic life. Although due to aforesaid reasons the formation of these schools could be predicted, what transformed this positive and constructive phenomenon into a negative one in the process of Islamic development is what can be called sectarian detriment. Sectarianism diverges from the dialogical path enjoined by the Holy Qur'an, disregards the lenience and moderateness of Islam, and descends to unproductive and reprehensible moral altercation. To paraphrase Shaykh Yusuf Qardhawi (n.d.:210), we are witness to horrible times and un-Islamic methods of imputing others with disbelief, iniquity, and heresy, which on their own have led to numerous confrontations, produced streams of blood and tears, and divided the Ummah, distancing it from its proper civilized stature.⁹

Consequently, we urgently entreat that religious schools return to their natural state by developing the spirit of constructive Islamic dialogue, shared empathy, and discovery of common grounds; that is, what we view as the "Movement for Proximity of Islamic Schools".

The Movement For Proximity Of Islamic Schools

That which in recent decades has come to be named the Movement for Proximity of Islamic Schools obtains its roots from the most ancient of Islamic periods. To explain, this movement has derived its very

authenticity and versatility from the lofty principles of the Islamic *shari'ah* to say nothing of the fact that, with the expansion of the Ummah's responsibilities, its necessity has become manifest in the shaping of, or at the very least in the active participation in, the Islamic civilisation.

In recent times, this movement has been successful in becoming an active Islamic approach. The *ulama'* and Islamic personages laid the foundations of this grand movement at the close of the 1940s. They made great efforts to delineate its principles, prompting them to write many articles with the aim of justifying and consolidating the movement and establishing its authenticity, its religious origins, and its ever-increasing necessity in the Islamic society.

Now, we are proudly witness to the flourishing of this seed and its subsequent growth into a great tree of purity which in the locution of the Qur'an enjoys firm roots, possesses branches reaching up into the sky, and continually gives forth prolific fruits.

Common Fundamentals

It is our belief that if the fundamentals that all Islamic schools commonly agree on are considered, general advocacy of the concept of proximity will logically ensue. These fundamentals are as follows:

First is belief in the basic tenets of faith; namely, divine unity (in the essence, attributes, actions, and worship of God), the prophethood of Muhammad (S), the Holy Qur'an, and the Resurrection.

Second, total adherence to the fact that the Holy Qur'an and the noble Sunnah or Tradition of the Prophet (S) are the main sources of understanding the views of Islam in all things and affairs including existence in its entirety, life, and the past, present, and future of humans in both worlds as well as the commandments of the *shari'ah* that organize human life and personal and social behaviour. Other principles and sources such as reason, syllogism, and consensus are only credible if they are supported on or derived from one of these main sources.

All of the personages of the Islamic schools plainly acknowledge the fact that they present their views by means of these two sources.

In this regard, many narrations from the Imams ('a) have been documented. For instance, it is cited that Imam Sadiq ('a) stated:

Everything returns (or refers) to the Book and Tradition (Hurr 'Amuli, 1412a:111).

Malik ibn Anas has stated:

I am a child of Adam who might be either right or wrong; thus, collate my statements with the Book and Tradition (Ibn Alusi, 1401:199).

Shafi'i also has made statements with the same purport.

Third is the acceptance that Islam has endorsed *ijtihad* as an augments of the scope of canonical inference since it functions as a tool for understanding Islam and emphasizes the flexibility of the *shari'ah* and its capacity for alignment with critical developments under specific criteria and guidelines. This reading of *ijtihad* necessarily signifies the potential for forging a bond between the manifold products of *ijtihad* as well as Islam as a whole—in cases of dissimilarity or even contradiction of various *ijtihads*, which stem from differences in insight, understanding, beliefs, and perspectives. Such differences are called *asbab al-khilaf* in the Islamic sciences.

Aside from the fact that it is a realistic and natural religion, another reason that Islam endorses *ijtihad* is that after so many centuries from its emergence, lacking support from divine revelation and the Infallibles, in order to become well versed in the *shari'ah* there is no other way but that of *ijtihad*—even though it is susceptible to harm caused by subjectivity and involves divergent or even contradictory opinions, many of which may be incongruous with the true aims of Islam in the form intended in the Divine Knowledge.

As can be seen, this logical method (i.e. *ijtihad*) has the ability to make inferences in all areas including beliefs, concepts, decrees, and even the position of Islam in regard to natural laws.

Fourth, the principle of Islamic unity is one of the characteristic features of the Islamic Ummah, without which it can have no justifiable claim to perfection. Islam has presented a comprehensive plan for the realization of unity which is accomplished by seizing the 'Secure Cable of God' (which consists of the immutable ties that link humans to God) and emphasis on unity of origin, creation, *shari'ah*, means, and destination. Islam enjoins the Ummah to collectively enter the province of total surrender to God and refutation of the actions of Satan. It points out the effects of unity and spreads the seeds of morality, self-sacrifice, and relinquishment of narrow-sighted interests in favour of the greater goal. Setting aside all separatist pretexts such as language, nationality, clan, tribe, colour, and ethnicity, Islam has highlighted, among other things, humane criteria such as knowledge, *taqwa* (God-consciousness), and the perennial struggle or *jihad* against evil as well as the necessity to seek common grounds, employ logic and good sense, and engage in calm, cogent dialogues.

Belief in this principle, which is considered one of the chief fundamentals of the Proximity Movement, encompasses requisites that will be discussed in later paragraphs.

The **fifth** and last but not least of these fundamentals is Islamic brotherhood. Though this is embodied within the previous fundamental, it is emphasised here independently since it is considered the most important component and regulator of all social relations in Islam. In our opinion, its effects not only cover morality but aspects of the *shari'ah* as well. In addition, it has a primary influence on the process of *ijtihad* itself—in the event that no decrees emerge to repudiate it.

This fivefold backbone consists of the central fundamentals on which the Proximity Movement is based such that their acceptance or acknowledgement shall logically and automatically entail belief in this

movement.

For this reason, we believe that proximity is not restricted to dialogic or moral aspects just as it is not limited to particulars of the *shari'ah*; rather, it also embodies various intellectual and civilisational aspects. It is appropriate that all of the jurisprudential and intellectual elite take part in this movement. More importantly, these elite must go among the Muslim masses to familiarize them with the culture of proximity and Muslim unity.

This is necessary because, though Islam endorses natural and non-detrimental intellectual differences, under no circumstances does it permit even the slightest disagreement in its theoretical position regarding critical internal and external matters of Islam and the Ummah. Hence, Islam considers standing in opposition to the religious authority (an individual who, as a rule, must integrate the functional positions of the Ummah into a united whole) tantamount to standing in opposition to God, considering that the Qur'an has beforehand proclaimed compliance with the religious authority to be commensurate with obeying God and His Messenger.

Value System Of Proximitists

On the basis of the above fundamentals and also the assertions of the *ulama'* and exponents of proximity, we invite the people to hold to the following values, which we regard as the central policies to be pursued by proximitists in attaining the specified goals:

1. Cooperation In Matters Of Agreement

There are many issues in which there is common agreement among the schools. The Islamic schools of thought possess extensive common grounds in the domains of both doctrine and *shari'ah* (which according to some *ulama'* comprise up to 90% of all the general subject matter of Islam). In the domain of ethics, there is almost total consensus. Moreover, there is close correspondence in the areas of Islamic concepts, customs, and even in matters of Islamic history and its civilisation—excepting differences of opinion in the assessment of some specific cases. Finally, all Islamic schools of thought have consensus regarding the necessity for unity through common social alignment and societal solidarity.

Doubtless, cooperation on common intellectual ground is tantamount to cooperating to foster a common ground within the minds of the people, avoiding matters that may weaken it, and reinforcing a common ground in the process of the Islamic society's development. The necessity for cooperation in areas of individual, social, and civilisational behaviour is also beyond doubt and covers critical lines such as implementation of the Islamic *shari'ah*; veneration of Islamic sanctities including the ceremonies of *hajj* and Friday prayer; and realization of the true features of an Islamic Ummah, namely unity.

The proximity movement must do its utmost to discover common ground, raise public awareness, and

extend the scope of common areas.

2. Exculpation Of One Another In Matters Of Dispute

If we believe that *ijtihad* is a correct and natural method that cannot be invalidated by any single decision, since the procedure of *ijtihad* inherently subsumes differences of opinion, we have performed accepted dissimilarity of opinions and *fatwas*. It must be noted that in Islam, difference of opinion has not been prohibited. What has in fact been prohibited and regarded as improper is debilitating infighting and strife as well as religious dispersion and sectarianism. This is a clear indicator of the rationality of Islam and its acceptance of logic.

Consequently, every Muslim individual, whether Islamic scholar, *mujtahid*, or *muqalid* (i.e. follower of a *mujtahid*), must be able to tolerate opposing opinions and refrain from intimidating, threatening, or insulting those with different views.

Many hadiths enjoin the *mu'minin* (i.e. the Faithful) to patience, moderateness, and open-mindedness which may be considered directly pertinent to the current state of affairs.

By way of example, after a certain group was mentioned in the presence of Imam Sadiq (‘a) the narrator of the hadith stated to the Imam, “We exonerate ourselves from them since what we say, they do not.” The Imam said, “They have accepted our *wilayah* (leadership) but they do not say what you say and for this reason you exonerate yourselves from them?” The narrator answered, “Yes.” The Imam declared, “This is something that we have but you do not. Thus, it is fitting that we exonerate ourselves from you. [...] So, you also must extend the hand of friendship to them and withhold exoneration. Many are the Muslims that hold one share and others that hold two. It is not fitting that the Muslim with one share imposes anything on the owner of two shares...” (Hurr ‘Amuli, 1412b: 160–161).

The attitudes of the personages of various schools toward each other are interesting examples of this truth. These personages never denied anyone leave to perform *ijtihad* nor considered it *haram* (i.e. forbidden) for someone who had reasons contradicting their own *ijtihad*s to follow other jurisprudential interpretations. The following are some examples:

It has been narrated from Imam Malik ibn Anas that:

I am a child of Adam who might be either right or wrong; thus, collate my statements with the Book and Tradition (Ibn Alusi, 1401: 199).

Imam Shafi'i has said:

If there is a correct hadith in opposition to my statements, put aside my statements (ibid).

Abu Hanifah has declared:

This is my opinion and I think it is the best but if someone has a different opinion, I accept that and for someone that does not know my reasons, citing *fatwas* from me is *haram* (ibid).

Imam Ahmad ibn Hanbal had stated:

It is due to the scarcity of people's knowledge that they follow others (ibid).

This concept is exactly what the great scholars who came later underscored.

3. Refraining from Accusations of Unbelief, Iniquity, and Heresy:

We consider *takfir* (i.e. to regard others as unbelievers or accuse them of unbelief) to be among the tragedies of our history. Despite the existence of lofty texts that not only present a definite description of what a Muslim is but also proscribe the *takfir* of Muslims,¹⁰ we are nonetheless witness to this affliction and its consequences, namely intellectual stagnation along with prevention of creativity and self-assertion. Incredibly, this goes so far that some authors consider opposition to even one word of their books to entail unbelief!¹¹

Hence, we believe that the equation of “faith or unbelief” must be substituted with one of “correctness or mistakenness”. For this we must seek support in the Qur'an which, even in dialogues with true unbelievers, advises the holy Prophet (S) to observe reason and say:

وَأِنَّا أَوْ إِبَّاكُمْ لَعَلَىٰ هُدًى أَوْ فِي ضَلَالٍ مُّبِينٍ

Indeed, either we or you are rightly guided or in manifest error (34:24).

4. Refraining From Animadversion Against The Consequences Of An Opinion

It is completely logical for people to be evaluated, criticised, and controverted due to their opinions. However, we have also become accustomed to sparking off disputes regarding the consequences of an opinion. In such disputes matters of unbelief and heresy are raised concerning the consequences of the opinion in question, whereas the advocate of the opinion may not hold to such consequences.

For example, some advocates of intellectual *tahsin* (inclination) and *taqbih* (aversion) accuse their opposition of disbelieving in the honourableness and truthfulness of the Prophet (S) on the basis that what negates the mendacity of a prophet working miracles is solely that humans are intellectually (as opposed to emotionally) averse to the concept of a liar performing miracles. On this basis they conclude that by refuting the existence of intellectual aversion we are in fact refuting the very belief in prophethood. They hold to the same belief regarding compliance with the will of Almighty God, whereas that which compels us to obey God is reason to the exclusion of all else.

Also, others consider those who support *tawassul* (seeking help), *shafa'ah* (absolution from sin), or

making oaths in any name but God's as polytheists.

Calm, scientific dialogues are what we seek. We do not endorse discontinuation of *kalam* discourses. Logic necessitates such debates and discourses. That which we champion is logical debate and forgoing attribution of issues to opposing parties that do not acquiesce the imputed views. In this way we may obstruct the path to many detrimental and divisionary accusations.

5. Adopting Respectful Attitudes In Dialogues

Dialogue is the logical, correct, and humane method of transferring ideas. The Holy Qur'an advances fascinating, transcendent views regarding the preliminaries, conditions, aims, and style of dialogues. Among these is listening to the views of others and following the best among them and also refraining from accusation and calumny. The following holy verse deals with the orientation of the Prophet's (S) discussions with non-Muslims warning him away from inciting prior resentments and allowing two-sided accusations, and inspiring him to observe logic in discussions:

قُلْ لَا تُسْأَلُونَ عَمَّا أَجْرَمْنَا وَلَا نُسْأَلُ عَمَّا تَعْمَلُونَ

Say, 'You will not be questioned about our guilt, nor shall we be questioned about what you do' (34:25).

In this verse, the method of expression has been meticulously chosen such that, with respect to the other party, it does not say, "...nor shall we be questioned about your *guilt*" though the style of the sentence would seem to possess more coherence if stated in this manner.

6. Avoiding Disrespect To The Sanctities Of Others

Though this item is subordinate to the previous principle, its mention may be even more important since such disrespect creates a negative emotional atmosphere and disrupts the proper equilibrium in dialogues. In repudiation of such disrespect the Qur'an states:

وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِنْ دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ ۚ كَذَلِكَ زَيْنًا لِكُلِّ أُمَّةٍ عَمَلُهُمْ ثُمَّ إِلَىٰ رَبِّهِمْ مَرْجِعُهُمْ فَيُنَبِّئُهُمْ بِمَا كَانُوا يَعْمَلُونَ

Do not abuse those whom they invoke besides Allah, lest they should abuse Allah out of hostility, without any knowledge. That is how to every people We have made their conduct seem decorous. Then their return will be to their Lord and He will inform them concerning what they used to do (6: 108).

Along with explaining the instructive responsibilities of the Faithful and that they should not impose their

views on others—even polytheists—God Almighty invites them to conduct themselves with a humane spirit:

وَلَوْ شَاءَ اللَّهُ مَا أَشْرَكُوا ۚ وَمَا جَعَلْنَاكَ عَلَيْهِمْ حَفِظًا ۚ وَمَا أَنْتَ عَلَيْهِمْ بِوَكِيلٍ

Had Allah wished they would not have ascribed partners [to Him]. We have not made you a caretaker for them, nor is it your duty to watch over them (6: 107).

There are many Islamic hadiths and narrations that proscribe cursing and using profane language. When such instructions are given in regard to confronting polytheists, it is of even greater import to observe this principle in socialising with Muslims who are brothers to one another, who all have the same goals, and whose pains, adversities, hopes, and desires are the pains, adversities, hopes, and desires of each and every Muslim. In this situation, no offence can be justified especially in cases where the other party truly believes their opinions to be sacred.

7. Freedom In Choosing One's School Of Thought

When we accept the existence of the various Islamic schools to be a result of the variety of *ijtihad* endorsed by Islam, we must consider each to be a different path in attaining the satisfaction of Almighty God. When there is difference among schools, it is natural for Muslim individuals to research them until satisfied that they have performed their duty before God and choose in accordance with the criteria in which they believe. Naturally, no one may reproach others for their choices, though such choices may not be to their liking. It is also wrong to force someone to choose a specific school since selection of a school of thought is intertwined with matters of faith and cannot occur but through one's own reason and judgement.

Each school has the right to explain and advocate its views without encroaching on the rights of others or resorting to accusation, calumny, or demagoguery. We do not seek to debar sound, rational debates on matters of belief, jurisprudence, or history. However, wrongful exploitation, debilitation, futile quarrelling, or imposition of views can never be accepted.

We believe that the violations committed throughout the vicissitudes of our history have risen from noncompliance with the rules and principles of proper dialogue and neglect of the truth that all schools of thought serve to exalt the word of Islam and, needless to say, act in accordance with their own conception of this word.

Functions Of The Ulama' And Intellectuals In Proximity

There is no doubt that the main load of the Proximity Movement is borne by the *ulama'* and Islamic intellectuals since they are heirs to the prophets—and thus inviters to the divine message and builders of

future generations—besides being the most familiar with the principle foundations of proximity and the most effective in unifying Muslims as well as actualizing the characteristic features of a true Islamic Ummah.

Along these lines, the following twelve functions are concisely proposed:

First, strengthening the notion of moderation in interpreting the *shari'ah*.

Second, ingraining the Islamic method of dialogue among Muslims.

Third, restoring an active role to the science of *Usul al-Fiqh* in the inference of canonical laws.

Fourth, taking into consideration the aims of the *shari'ah* and the characteristic features of Islam in the course of this movement and during the implementation of Islamic *fiqh* (i.e. jurisprudence) into practical laws and regulations.

Fifth, endeavouring to revive the discipline of Comparative Jurisprudence.

Sixth, paying assiduous attention to centres of collective *ijtihad* such as the Islamic Jurisprudence Forum (*Majma' al-Fiqh al-Islami*).

Seventh, devoting attention to Theoretical Jurisprudence (*Fiqh al-Nazariyat*) which discovers various elements of Islam in the diverse areas of human life including society, economy, and law. This discipline differs to some extent with jurisprudential inference. Theoretical Jurisprudence brings to light the differences between Islamic views and the views of profane schools. In addition, it offers diverse practical solutions to the Islamic administration so that the authority may choose the best among several solutions.

Eighth, striving to systematise referral to religious experts and eliminate eclecticism (*iltiqat*), liberal interpretations, new [heterodoxical] interpretations, etc.

Ninth, contemplating the fundamentals and values of the Proximity Movement; reflecting them in research, reviews, debates, and writings; considering them in intellectual and jurisprudential inferences as important guidelines and expediencies unexpressed in the *shari'ah* which are preferred over less important decrees as per the rule of *tazahum* [12](#) (contrariety) in *Usul al-Fiqh*.

From this, stems our support for Jurisprudential Proximity and our emphasis on the closeness of jurisprudential schools to one another in some international conferences. In explanation, after more careful consideration of some juristic disputes it is commonly observed that dissimilarities are mostly linguistic in nature, stemming from difference of perspectives or definitions.

This is also the case in many discussions of principles including *qiyas* (analogy), *istihsan*, [13](#) and *sadd al-dharayi'* (obstruction of means). Such tendencies exist in some books dealing in principles such as

the *Usul al-Fiqh* of Muzaffar and also Sayyid Muhammad Taqi Hakim's book of jurisprudence.

It must be noted that there are many books suffused with divisionary incitations which magnify differences and contort them into abominable untruths. They insinuate for the reader the impossibility of attaining any kind of common ground and represent matters such that it would seem differences dominate all areas and that no proximity of views and perspectives is viable. These writings disregard the truth and turn a blind eye to the unicity of sources, methods, criteria, and aims.

Tenth, cooperating in enlightenment of the Ummah and transfer of the proximity culture to the masses such that they feel deep camaraderie, seek to cooperate despite their religious differences, prepare themselves for proximitist activities, and become receptive to the multiplicity of religious voices. This is because differences in inference of canonical decrees and assessment of historical situations, not to mention behavioural differences, are all tolerable and justifiable as long as they remain within the general framework of Islam and stem from differences of *ijtihad*. However, if a practice is considered to be beyond the framework of Islam by all *mujtahids* measures must be taken to disprove it in the best possible manner.

Eleventh, collaboratively and unremittingly endeavouring to implement the mentioned unitary attitudes in all critical areas including implementation of the Islamic *shari'ah*; realization of a religious republican system; confronting the enemies of Islam and challenging their plans to harm the identity and the very existence of the Islamic Ummah; preservation of the Ummah's unity and avoidance of division; and finally, preference of public interests over personal or sectarian interests.

Twelfth, encouraging the establishment of proximity-oriented organizations such as centres for contrastive proximity research; social clubs common to followers of all schools; proximity-oriented camps; and proximity assemblies in all territories in which Muslims live.

Islamic organizations and governments may also take part in proximity by supporting the movement, holding relevant conferences, organizing various proximity projects and programmes, utilizing committed parties in the media, rejecting divisionary elements and manifestations, and disseminating the culture of religious moderation.

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The Holy Qur'an.

- [1.](#) Director of the World Forum for Proximity of Islamic Schools of Thought
- [2.](#) For more information on this story, refer to the Qur'an 18:65-82.
- [3.](#) According to Allamah Tabataba'i, shari'ah is the incontrovertible canonical law of Islam as opposed to provisional laws formulated due to temporal or spatial expedience. Also, in a broader manner, it is the Qur'an and hadith, i.e. the Islamic source texts, as pertaining to the realm of jurisprudence. [tr.]
- [4.](#) Hujjiyat al-zuhur is a jurisprudential principle denoting that the apparent meaning of a religious statement is religiously effective and binding. For example, since the Qur'an states, "...and perform Salat..." (29:45) carrying out Salat (i.e. ritual prayer) is obligatory. [tr.]
- [5.](#) Istishab is a rule denoting a previous state's continued efficacy in the absence of a negating reason. For instance, if this rule is accepted, it follows that one that has made wudhu and cannot remember performing any act that invalidates it retains the state of wudhu. [tr.]
- [6.](#) For instance, in the hadith of Ma'adh it is narrated that before sending Ma'adh to Yemen the holy Prophet (S) asked him, "If you do not find an issue in the Book of God and the Traditions of the Prophet, how will you make ruling?" Ma'adh answered, "I will state my own ijtihad and shall withhold nothing." However, some of the ulama' have differing interpretations regarding this (See: Usul ul-Muzaffar, vol. 3, pp. 195-196).
- [7.](#) The Tabi'in were those who did not meet face to face with the Prophet (S) himself but rather with his Sahabah and cited narrations through them. [tr.]
- [8.](#) Hujjiyat al-qiyas is a principle denoting that decrees can be made on the basis of the resemblance of an issue that has not been explicated in the shari'ah to an issue pertaining to an existing religious text. By way of illustration, solely taking this principle into consideration and no other, if a hadith from the Prophet (S) exists stating that wine is najis (i.e. unclean) because it causes intoxication, anything that causes intoxication would be considered najis. [tr.]
- [9.](#) See also Ansari (n.d.), p. 155 onward.
- [10.](#) For more information refer to Jami' ul-Usul by Ibn Athir Jazri, part one, pp. 245-250, 259, and 261; see also the hadiths

of the book, Al-Iman.

[11.](#) There is so much evidence to this fact that we will forgo citing them.

[12.](#) According to the rule of tazahum in an instance of contrariety of two decrees, the most important one must be implemented. [tr.]

[13.](#) According to the Loghatnameh-ye Dehkhoda (The Dictionary of Dehkhoda), in logic, istihsan is a type of logical rationale that opposes simple syllogisms and is usually stronger. Also, in jurisprudence, it is abandonment of syllogism in favour of something that is easier for the people to accept. [tr.]

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