Chapter VII
Islamic Law and Theology

Sharī'a (religious law) is a familiar term commonly used now in the literature about Islam. In the earliest period after the Prophet Muhammad, *sharī'a* came from a combination of sources such as the Qur'ān, the *hadīth*(s) (written version of "the spoken and acted example of the Prophet") which became its principles (*usūl*). *Sharī'a* derives from an Arabic root meaning road. It is the path of ethical conduct approved by God that guides Muslims in this physical world in order to reach happiness in the hereafter.

For the majority of Muslims, religious law (*sharī'a*) is considered more important than theology (*kalām*). The central connection that unites Muslims is not so much based on a testimony of faith but rather on a common way of life, a shared ideal of society. Although Abū Hanīfa, Mālik ibn Anas, al-Shāfi'ī, and Ibn Hanbal were regarded as the founders of four schools of law, the final compilation of *hadith*(s) was only accessible to later generations of scholars. The Sunnī *'ulamā'* (religious scholars) were adherents of one of these schools (*madhhab*(s)). After the late IIIrd century of Islam, we find that hardly any scholars adhered to any other methodology. But within each *madhhab*, leading scholars continued to improve and refine their methodology. This formative stage continued for two centuries, until the schools reached their maturity in the IVth and V[th] centuries of *Hijra*. The central objective of the law is to follow the *sunna*. A Sunnī needs to adhere to one of these schools which are all recognized as implementing the *sunna* ("the spoken and acted example of the Prophet"). A Sunnī Muslim must imitate Prophet Muhammad whose life represents the perfect way of living according to the Will of God.

The development of all religious sciences including theology has been intimately influenced by the development of Islamic law. Islamic theology is concerned with determining what Muslims should believe and do after the revelation has ceased. The majority of Muslim theologians agree that knowledge (*'ilm*) and correct individual reasoning (*ijtihād*) are necessary for the validity of understanding faith. Many theologians such as al-Ash'arī, al-Bāqillānī, al-Juwaynī, and Ibn al-Qassār quoted a *hadīth* from

Mālik confirming this view. The purpose of this chapter is therefore to cover the essential concepts used in Islamic law and theology.

Islamic Law

All Muslims believe that God is the source of all values and norms. Ethics in Islam is understood as obeying the Divine Commands and living by the s*harī'a* (religious law). The Qur'ān very often recommends to "enjoin the good and forbid the evil." *Ma'rūf* (good) derives from the root meaning: to know, be aware and approve. It implies what is known and considered acceptable. The term *Ma'rīfa* (*Gnosis*, saving knowledge, enlightenment), a central concept in Sufism, derived from the same root. *Munkar* (evil, the wrong) comes from the root meaning: not to know, to deny, to renege. *Sharī'a*, embracing both law and religion, means "way" or following the right path of action. It is the wider path, which leads to God, intended for all Muslims, while the *tarīqa* of Sufis is the narrower path, meant for those who deserve to be called believers (*mu'minūn*). *Sharī'a* is also defined as what God commands, an all-embracing sacred law (determining all facets of life) to guide humanity to its fulfillment. The Commandments of God in Islam (see Qur'ān XVII: 22-39) are essentially in continuity with Judaism and Christianity, and the same as found in the Decalogue (without the Sabbath requirement). *Fiqh* (jurisprudence) is the science of law which means "understanding." The scholars of law are called *fuqahā'*.

In Madīna, Prophet Muhammad was a ruler and lawgiver of a new religious society meant to replace Arabian tribal society. Muhammad was called upon to act as an arbitrator for solving disputes in his community, but he rejected the pagan Arab way of practicing arbitration. His objective was not to establish a new legal order, but to instruct men what to do in order to reach their salvation. This explains why Islamic law is a system of ritual, legal, and moral duties. It is concerned with laying down ethical rules for the behavior of the community's members. The Arab customary law continued under the first four Caliphs (Abū Bakr, 'Umar, 'Uthmān, and 'Alī). The Caliphs, as rulers and administrators, acted as lawgivers. The administrative and legislative functions were not separated. During the first two centuries of *Hijra*, there were many converts from other cultures who introduced some elements originating from their religious law (Roman and

Byzantine law, the canon law of the Eastern Churches, Talmudic and rabbinic law, Sasanian law) into Islamic law.

During the Umayyad period (41/661-132/750), the governors appointed Islamic judges (*qādī*(s)). The arbitrator was replaced by the *qādī* who became the delegate of the governor. The governor, under the Caliph, ruled with complete authority (administrative, legislative, and judicial) over his province. He often entrusted his judicial authority to the *qādī*. The first *qādī*(s), through their verdicts, did lay the foundation of Islamic law. They gave judgments derived from their own opinion (*ra'y*) based on Qur'ānic regulations, Islamic religious norms, and customary practice. Their reasoning was expressed in their own individual opinions. The *qādī* was extending his jurisdiction only over the Muslims. The non-Muslims were subjected to their own religious legal system.

In the first decades of the IInd/VIIIth century, ancient schools of law emerged: those of Kūfa and of Basra in ʿIraq, of Madīna and of Makka in the Hijāz, and of Syria. The differences between these schools were mainly due to social and geographical conditions, customary law and practice. Nevertheless they did not disagree on principles and methods. The schools of ʿIraq (important intellectual centers) were more dynamic and advanced in the development of Islamic law than those of Hijāz. All the ancient schools advocated the consensus of the scholars, giving importance to the function of *'ulamā'*. The movement of traditionalists developed in opposition to the ancient schools of law. For them, formal traditions of the Prophet superseded the living tradition of the schools.

When the ʿAbbāsids replaced the Umayyads in 132/750, Islamic law was still in its formative stage, but it had already acquired its fundamental characteristics. The function of *qādī* was changed; he was no longer the legal secretary of the governor but the appointee of the Caliph. The *qādī* was no longer in charge of criminal justice; these responsibilities were assumed by the police. Courts of complaints that were not controlled by the *qādī*(s) were established. The "inspector of the market," called *muhtasib*, had the task of enforcing Islamic morals by bringing transgressors to justice and imposing the appropriate punishments (flogging of the drunk and unchaste, the amputation of the hands of thieves). But sometimes the *muhtasib* did not follow the legal procedure. The Caliph became a religious scholar and lawyer who could exercise his

personal opinions. He kept the judicial power, but he could not legislate; he made administrative regulations within the limits of religious law.

Between the VIIIth and the IXth centuries, four Sunnī schools of law (Hanafī, Mālikī, Shāfiʿī, Hanbalī) emerged differing greatly in the details of their rites. The strictest school is the Hanbalī school found today in Saudi Arabia and Qatar. The Mālikī school is prominent in the Arab West and West Africa. The Hanafī school is present in India and in most countries which were previously part of the Ottoman Empire. The Shāfiʿī school is dominant in Indonesia, Malaya, the Philippines, and Egypt where the Hanafī and Mālikī schools are also present. Muhammad Ibn Idrīs al-Shāfiʿī (d. 205/820), who had a fundamental role in shaping the Sunnī legal theory, succeeded in having the thesis of traditionalists prevail in Islamic law. His understanding of the *sunna* was not the idealized practice as conceived by the scholars of the ancient schools, but it was identical to the contents of traditions going back to the Prophet. Therefore, for al-Shāfiʿī, the formal Prophetic traditions superseded the living tradition of the ancient schools. Al-Shāfiʿī limited the use of personal opinion and reasoning by making inferences and drawing conclusions uniquely from traditions. Even the Qurʾān had to be interpreted in the light of these traditions. The Hanafites and Mālikites, who continued the ancient schools of Kūfa and Madīna, adopted in the IIIrd/IXth century the legal theory inspired from the traditionalists. During the early ʿAbbāsid period, Islamic law reached it maturity. The Ashʿarite theologian al-Ghazzālī (d. 505/1111) deplored the pre-eminence of legalism in the mentality of Muslims which threatened to destroy the religious life.

In order to have a comprehensive view of Muslim *umma*, it is necessary to briefly cover the Shīʿites. The Twelver Shīʿites have two schools: the most dominant school is the *usūlī* which gives more power to the *mujtahid*(s) while the *akhbārī* school relies more on traditions attributed to the Shīʿī Imāms. The Zaydī Shīʿites and the Mustaʿlī-Ismāʿīlī(s) have their own school (*madhhab*) of law. Shīʿī Islam (see chapter 8), in contrast to Sunnī Islam, puts more emphasis on beliefs and ideal concepts rather than on practice. The formation of Shīʿī law goes back to the sixth Imām Jaʿfar al-Sādiq (d. 147/765). The Shīʿites believe that the direct descendants of Muhammad, the Imāms, are the Interpreters of the law, therefore their sayings are added in the *hadīth* literature along with the sayings attributed to Muhammad. Since the beginning of the occultation of the

Twelfth Imām Muhammad al-Mahdī in 260/874, the Twelver Shīʿites have relied on the *mujtahid*(s) (those who can exercise their individual thought (*ijtihād*)). The *mujtahid*(s) have become the interpreters of the law in the absence of the Imām whereas the Nizārī Ismāʿīlīs follow the guidance of their living Imām (Āgā Khān IV).

The way the Muslims understand *sharīʿa*, as sanctifying every facet of human life, is in continuity with Judaism. It differs from the Christian view based on the saying attributed to Christ: "Render therefore unto Caesar the things which are Caesar's". This last saying is commonly interpreted as leaving all worldly things to the secular political authority represented by Caesar. On the contrary, the majority of Muslims integrate the domain of Caesar (the political, social, and economic life) into their religious view. Christians understand the law as something human which can be elaborated and revised according to the time, while many Muslims consider the law as something Divine to which they must conform.

Some modern Muslims are casting doubts on this way of understanding the *sharīʿa*. Change is inevitable in human society, therefore can religious law remain unchanged? Does Divine mean something static? The creation of Allāh is constantly changing, why not His *sharīʿa*? Does the Qurʾān reject the concept of change overall? These modern Muslims explain that the *sharīʿa* includes both a Divine and a human aspect. The Divine aspect of the *sharīʿa* concerns the spiritual life, the eternal truths, and is therefore immutable. The human aspect involves the material life which should evolve over time as new circumstances emerge. The institution of slavery, which was tolerated for a transient period of time, can be given as a good example of the human aspect of *sharīʿa*. The Qurʾān strongly encouraged the emancipation of slaves, therefore change is recommended to improve the conditions of men. The Qurʾān supported this practice in order to respect these eternal truths: the principle of justice and the dignity of all humans. The principles of jurisprudence (*usūl al-fiqh*) are immutable and constitute the ideal toward which humanity should move, but men need a certain period of time to achieve this goal. Therefore its application is subjected to change.

Islamic law guides man in evaluating the quality of his actions by placing them in five categories:

1) *Wājib* or *fard* (obligatory) refers to acts that are absolutely required such as the five pillars of Islam. God will reward the Muslims who perform these acts and punish those who omit them.

2) *Mandūb* (recommended), for instance doing extra prayers beyond the required prayers. Not doing these acts entails no punishment while doing these acts will be rewarded.

3) *Mubāh* (permissible) qualifies any act that does not entail disobeying God.

4) *Makrūh* (disliked) are acts that do not bring censure or punishment. For instance, not to perform recommended acts is considered *makrūh*.

5) *Harām* (forbidden) refers to acts that are prohibited, such as murder, adultery, theft, drinking alcohol, and eating pork. Interestingly, *harām* can also mean sanctuary; from the same root, the word *hurma* (sacred, inviolate, holy) often applies to women who must be respected and kept inviolate.

Islamic law, as presented in the Qur'ān, refers to questions of personal status and matters of marriage, divorce and inheritance. (See the section concerning women in chapter 5.)

Islamic doctrine and law are based upon four fundamental principles (*usūl*) placed in order of excellence: (1) the Qur'ān, (2) the *sunna*, (3) *ijmā'* ("consensus"), and (4) *ijtihād* ("individual thought"). Muslims must rely first on the Qur'ān, regarded as the Word of God, to resolve their problems. The Qur'ān is divided into 114 *sūra*(s) (chapters). The *sūra*(s) revealed in Makka during the beginning of Muhammad's calling are concerned with ethical and spiritual teachings and the Day of Judgment. The *sūra*(s) revealed later in Madīna are related to social legislation and the politico-moral principles for establishing and ordering the community. If Muslims cannot find a solution to their problems in the Qur'ān; they look in the *sunna*. Sunna ("a well-trodden path") was used by pre-Islamic Arabs to refer to their tribal law; later it came to mean the example of the Prophet: his words and deeds as recorded in the written compilations called *hadīth*(s). Six of these collections, compiled in the IIIrd/IXth century came to be regarded as reliable by the Sunnīs. The Shī'ites have their own compilation of *hadīth*(s). A *hadīth* is composed of two parts: the chain of transmitters (*isnād*) and the content of the text (*matn*). For instance a sound *hadīth* has a chain of known and accepted authorities going back to a companion of Muhammad, followed by a text corroborated by other *hadīth*(s). Muslim

scholars have classified *hadīth*(s) in different categories: sound (*sahīh*), fair (*hasan*), weak (*da'īf*), dropping the first link (*mursal*), omitting one link (*munqati'*), omitting two links (*mu'dal*), peculiar (*shadhdh*), and odd (*gharīb*).

Again, if Muslims could not find a solution to their difficulties, they would rely on the concept of *ijmā'*. The doctrine of *ijmā'*, or consensus of scholars, was introduced in the IInd/VIIIth century in order to homogenize legal practice and to overcome regional differences of opinion. It was founded on this *hadīth*: "My community shall never agree in error." In the beginning, *ijmā'* was a fundamental operative factor. From the IXth century Muslims stop using *ijmā'* for the following generation of scholars; points on which consensus was reached in practice were considered closed. Shī'ites did not recognize this last *hadīth* as authentic therefore they rejected the concept of *ijmā'* and relied only on the infallible teaching of Shī'ī Imāms.

If Muslims could not find the legal solution to their problem by referring to the consensus of scholars of previous generations, they would rely on *ijtihād*, from the same root as *jihād*, meaning "to exert effort." In the beginning, *ijtihād* took the form of individual opinion (*ra'y*). These opinions held by different Muslims often were in conflict. This explains why in the VIIIth century *ijtihād* was replaced by *qiyās* (reasoning by strict analogy), deduction based on the Qur'ān and the *hadīth*(s). Here is an example of *qiyās*: in the Qur'ān, wine is not permitted therefore by extension the *'ulamā'* (scholars of law) deduce that any alcoholic beverage is not authorized. All legal schools of law recognized the first two principles of law (Qur'ān, hadīth) as being fundamental while the other two (*ijmā'*, *qiyās*) are considered to be less important and sometime are even rejected by some schools. Only the *'ulamā'*, those who have studied the law, are considered competent to arrive at *ijmā'* and deduce *qiyās*.

Following the *ijmā'* of previous generations of scholars led to the adoption of conservative solutions not necessarily adapted to modern conditions. The acceptance of a definitive body of *hadīth*(s) and the replacement of *ijtihād* by *qiyās* almost closed the "gate of *ijtihād*." On the other hand, certain exceptional Muslim thinkers in the Middle Ages, such as al-Ghazzālī (d. 505/1111), continued to claim the necessity of new *ijtihād* for themselves, and reformers of the XVIIIth and XIXth centuries have encouraged the use of individual thought (*ijtihād*) to solve modern problems.

The law is usually divided in two sections: one regarding the relation of man towards God (acts of worship (*ʿibādāt*)) and another concerns the relation of man with other men (transactions (*muʿāmalāt*)). The fundamental part of the *sharīʿa* is concerned with obligatory acts of worship. The first pillar is the profession of faith: "There is no God but Allāh, and Muhammad is the Prophet of Allāh"; anyone who wants to convert to Islam is required to affirm this statement.

The second pillar is the five daily congregational prayers (*salāt*) performed at sunrise, at noon, in the afternoon, at sunset, and at night. These prayers, at different moments of the day, serve as a reminder of the presence of God. Exceptional believers are able to be in a state of perpetual prayer and to be awake at all times. Before a prayer, the ritual of ablutions (*ghusl*), including the washing of hands, face, and feet, is performed. The cleansing of the body must be accompanied by the purification of the heart; a Muslim must pray with good intentions. When prayer starts, the *imām* (leader of the prayer), stands in the front facing in the direction of Makka, and the congregation stands behind him and imitates his gestures. Each prayer consists of two to four genuflection units (*rakaʿāt*); each unit consists of a standing posture as well as a genuflection and two prostrations (*sujūd*). At every change in posture, "God is the Greatest" (*Allāh Akbar*) is recited.

Tradition has fixed the materials to be recited in each posture. Each unit is composed by the recitation of the first chapter of the Qur'ān (*sūrat al-fātiha*) which constitutes the heart of the prayers (I: 1-7):

In the name of God the Beneficent, the Merciful, praise be to God, the Lord of the Worlds; the Beneficent, the Merciful; Master of the Day of Judgment. You (alone) we worship and from You (alone) we seek help. Keep us (O Lord) on the right path. The path of those upon whom You have bestowed Your bounties not (the path) of those inflicted with Your wrath, nor (of those) who have gone astray.

Another Qur'ānic *sūra* on the Unity (*sūrat al-ikhlās*) is often chosen to be recited (CXII : 1-4):

Say: "He is Allāh the one. Allāh is independent. He does not beget nor is He begotten. There is no one like Him."

Prayers are a way to purify Muslims, to obtain forgiveness for their sins, to give them the strength to fulfill their duty (II: 45) and to make them steadfast in trials (II: 153).

The third pillar is fasting during the month of Ramadān considered particularly holy because the Qur'ān was revealed during one night of this holy month, called the Night of Destiny. This night is better than a thousand months; those who worship God that night may benefit because angels descend on earth bringing Divine inspiration (XCVII: 1-5). During each day, from first light to darkness, all eating and drinking are forbidden. Those who are sick or on a journey may postpone their fast. One major festival begins at the termination of the fast and lasts several days. The Qur'ān is divided into thirty sections which are recited every day during this month, celebrating the memory of the Qur'ān. Ramadān is also the month in which hunger reminds the rich of the existence of the poor and almsgiving is especially recommended. This month is a month of self-mastery and the exercising of the will in order to control one's passion, resist hunger and thirst. It is not only abstention from food but also from all evil thoughts and deeds. For the Sufis, it is a privileged period to abstain from worldly thoughts and focus on the spiritual life. For many Muslims, it is the occasion to return to practice of their religion. A *hadīth* confirms that those who practice their fast become as pure again as a newborn.

The *hajj*, "pilgrimage," is an annual Muslim rite that all Muslims are expected to do if they can afford the cost of the trip. From the seventh to the tenth day in *Dhū al-Hijja*, the last month of the Islamic calendar, thousands of Muslims converge on the city of Makka in Saudi Arabia to visit the holy shrine of the Kaʿba which symbolizes the House of God. Tradition has it that the shrine was built by Adam and Eve and afterwards it was restored by Abraham, who is recognized by Jews, Christians, and Muslims as the founder of the faith. Some traditions describe how Hagar, the mother of Ishmael (the ancestor of Muhammad), was on the point of dying of thirst with her child (cf. Genesis 21: 14-19) when an angel appeared and showed her the well of Zamzam close to the Kaʿba. Hagar and Ishmael settled in Makka and Abraham came to visit them at regular intervals. Muslims believe that it is Ishmael, not Isaac, who was sacrificed symbolically by Abraham. The pilgrimage is also intended to reenact the *Hijra*, the flight of Muhammad from Makka to Madīna in 622. Hence most pilgrims will visit both cities.

The pilgrimage culminates with another major festival: the feast of sacrifice. The ritual clothing, called *ihrām*, is obligatory only for males. The same ritual clothing for all men gives a sense of equality between rich and poor in the presence of God. The pilgrimage secures the remission of all former sins. It is an immense gathering which makes those who take part in it aware of the unity of Muslims in spite of their diversity. By doing the *hajj*, the pilgrim journeys to the House of God, asking repentance for all his sins, hence when he returns to his homeland he can bring the purity and grace (*baraka*) of God with him.

Islamic Theology

'Ilm al-kalām (literally "the science of debate") refers to a discipline of Islamic thought which evolved over religious disagreements and Muslim theologians often defended their understanding with discursive arguments. The rise of *'ilm al-kalām* was the result of the many controversies that had divided the Muslim community in its early years. For instance, there were debates with the polytheists, the people of the Book, and within the Muslim community. Belief (*imān*) was traditionally one of the most important concepts in Islam, and it raised a number of problems of real significance. The origin of rigorous inquiry can be traced back as early as the time of the rightly guided Caliphs (*rashidūn*). Islamic theology emerged in the second half of the VIIth century at the same time as many other disciplines such as jurisprudence, Qur'ānic interpretation, the collection of *hadīth*, and historiography. The introduction of Hellenistic philosophy into Muslim lands led to heated discord. Islamic theology is concerned with what Muslims should believe.

During the first half of the VIIIth century, a discipline called *kalām* (speech) became known. The theologians of that time addressed a number of questions related to God's Unity, Justice, and other attributes in relation to man's freedom, actions, and destiny. A fundamental theological question was raised: are human acts the result of a free human choice, or are they predetermined by God? Other questions were raised regarding the true nature of the Qur'ān. The Muʿtazilites (those who stand apart) called themselves the men of Unity and Justice because they wanted to defend the Unity of God above everything. For them, God is one and righteous, therefore He rewards good and

punishes evil. The Muʿtazilites sought to introduce philosophical principles from Greek rationalism into Islamic thought. They rejected the doctrine that the Qurʾān was eternal because this would compromise the Unity of God, by asserting that something else besides Allāh existed eternally. Therefore they affirmed that the Qurʾān was created by God. This doctrine was rejected by Sunnīs. The ʿAbbāsid Caliph al-Maʾmūn (d. 218/833) made the doctrine of the Muʿtazilites official. In 833, an inquisition (*mihna*) forced Muslims to accept the dogma of the created Qurʾān. Ahmad Ibn Hanbal, the Sunnī founder of the Hanbalī School of law, refused to adhere to this doctrine, maintaining that the Qurʾān is eternal even in its outward manifestation. He was therefore flogged by the authorities. The following Caliph, Mutawakkil, made the Sunnī doctrine official and afterwards, the Muʿtazilites and the Sufis were persecuted.

The Muʿtazilites believed that man was free to choose and act and was, therefore, responsible for his actions. Since God is just, He cannot be the author of evil, thus it must be the work of humans, who are responsible for their acts. In order to do the good, a man must be free to choose between good and evil. Divine predestination of human acts, they maintained, was irreconcilable with God's Justice. The Muʿtazilites recognized God as the Creator in the realm of nature and the universe, while man is an actor in the domain of moral human action. They interpreted the pre-deterministic verses of the Qurʾān as being metaphors. They asserted that human reason, without the help of revelation, was capable of distinguishing between good and evil. If there was no revelation, man would be under moral obligation to do the right. Revelation has to be interpreted to concord with the dictates of rational ethics. Revelation helps man in choosing the right because sometimes man does not use his rational judgment properly. Since God is just and merciful, He must send Prophets for the welfare of men. Revelation serves to explain the obligations of religion—e.g., prayers and fasting—which cannot be discovered by human reason.

The Muʿtazilites were called the strippers (*muʾattila*), those who deprived God of His attributes. They affirmed that God was alive, wise, powerful, etc.; they denied that these attributes had a separate existence of their own. They described God by negative statements. The attributes are identical to His Essence; He knows by a Knowledge which is His Essence, but His Knowledge is not His Power. For them, the Divine attributes are

in fact aspects of God because God's activities manifest themselves in different ways. God is perceived by the Muʿtazilites as pure Essence, without eternal attributes, because the affirmation of eternal attributes together with Essence will lead to belief in multiple co-eternals and affect the Unity of God. God knows, wills, and acts by virtue of His Essence and not owing to attributes of Knowledge, Will, and Power. God does not have an eternal attribute of speech; the Qurʾān was, consequently, created in time and was not eternal. For them, everything will happen as God said in the Qurʾān; He will reward righteous people and punish evildoers on the Judgment Day.

Al-Ashʿarī (d. 324/935) was initially a Muʿtazilite who converted to Sunnism, but later he became the enemy of the Muʿtazilites. On the other extreme, the logic of the Sunnī theologian, al-Ashʿarī, unfolds this way: God is not bound by reason so nothing compels him to accept the repentance of the penitent; He can torment believers and take unbelievers into heaven. He is Lord and can do what He likes with His creation; should He send all men to hell, it is not injustice; should He take them all to heaven, it is not wrong. Al-Ashʿarī affirmed:

> The proof that God is free to do whatever He does is that He is the supreme Lord, subject to no one, with no one superior over Him who can permit, command, chide, forbid, or prescribe what He shall do and fix bounds for Him. This being so, nothing can be evil on the part of God. For a thing is evil on our part only because we transgress the limit and bound set for us and do what we have no right to do. But since the Creator is subject to no one and bound by no command, nothing can be evil on His part. (Al-Ashʿarī, 100)

Since God is above the law, what is just or unjust from a human perspective does not apply to God, who is not bound by anything.

In contrast to the Muʿtazilites, the Sunnī theologians put more emphasis on Divine Omnipotence rather than on Divine Justice. The Ashʿarite theologians found inacceptable the fact that the Muʿtazilites held that man was an actor in the real sense, acting completely outside the sphere of Divine Omnipotence. Motive, power and the acts of men happen by the Power of God. Al-Ashʿarī taught that human acts were created by God and acquired by man and that human responsibility relied on this acquisition. Since man is not completely aware and conscious of all that is involved in his actions, he is not

a real actor. He is not the original creator of his actions. Through his will man produces acquisition, not creation. Man has a capacity to produce a good or a bad act. Acquisition is the appropriate word to use for describing an act performed by a man.

As opposed to the Muʿtazilite view, al-Ashʿarī and his school affirmed that human reason was incapable of distinguishing between good and evil. Man has a tendency to regard his own self-interest as good and that which hinders his interests as bad; human reason is therefore unreliable. The Ashʿarite School became dominant, particularly after the XIth century, because of the influential activity of the theologian al-Ghazzālī. The theologians of this school tended to over-emphasize on Divine omnipotence at the expense of human freedom and they were later criticized by the Sunnī theologian Ibn Taymiyya (d. 728/1328), who sought to restore human freedom and responsibility. He would have a strong influence on the reform movements that began in the XVIIIth century.

For al-Ashʿarī, there are three classes of Divine attributes: i) essential, those which indicate His Essence, they are He; ii) active, those like Creator, which indicate action, they are not He; iii) predicative, (e.g., face, hand, eye). Regarding the essential attributes, God knows by Knowledge, lives by Life, and so on. The attributes inhere in His Essence and are not He and not other than He. You have to adhere to his view without asking how (*bilā kayfa*).

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The Ashʿarites believe that human reason is incapable of discovering good and evil. Human acts were created by God and acquired by man. The essential attributes of God are eternal. The Qurʾān is therefore eternal while the expression or reading is created. God is not bound by reason because He is Omnipotent. God is not obliged to send Prophets. The Muʿtazilites, on the contrary, hold that human reason is capable of discovering good and evil. Man is the real author of his actions. The attributes of God are not eternal, consequently the Qurʾān is created. God is bound by reason because He is just; He must necessarily send Prophets for the welfare of humanity. God has revealed the *sharīʿa* for man to improve himself and his society. The laws of Islam are in

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conformity with the laws of human nature: if man follows the principles of Islam, he is also fulfilling the laws of his own nature, and therefore he will reach happiness and success in this world. If he chooses to disobey the Islamic laws, he will go against himself and become weak.

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