

Basis of Constant and changeable Laws of Islam

The previous discussion leads us to an important conclusion. When in the light of the Qur'an we look at the elements constituting society and the periods through which these social elements have passed, and study the two lines of social relations, namely that of the mutual relations of men and that of men's relation with nature, we discover an important analytical theory.

Our analysis shows that although these two lines are relatively independent, yet in a way they affect each other reciprocally. These views which have been deduced from the Qur'an through the analysis of social elements and study of the social relations, explain the basis of the legislation and law-giving in Islam.

The relative independence of the two lines, namely the social relations of men with each other and men's relations with nature constitutes the basis of the stipulated rules of Islamic law which have a permanent character, whereas the reciprocal effect of these two lines of relationship is the basis of the Islamic laws which are not stipulated and therefore are changeable.

Those elements of the Islamic law which are not permanently fixed are a legal reaction of the reciprocal effect of these two lines in the same way as the permanently fixed elements of the Islamic law are a legal reaction of the relative independence of these two lines.

That is why we believe that all procedures of Islamic law consist of two sections: firm elements and changeable elements. The elements not permanently fixed leave a gap to be filled in by the Muslim authorities on the basis of the standard guidance provided by Islam.

A detailed study of this subject requires further explanation, and Allah willing, we shall deal with it fully with a view to coordinate the legal aspects of Islam in the light of the view expressed by the Qur'an in respect of the social elements.

There is another question that concerns Islamic views about the man's historical periods on the earth. The Qur'an divides man's life on the earth into three stages:

(i) Nursing stage,

(ii) Stage of Unity,

(iii) Stage of Disunity and Disintegration

Each one of these stages, about which the Qur'an has talked, has its own special characteristics and signs. Only a detailed study of these characteristics and signs can enable us to have a complete view of the stages of man's life on the earth.

As this discussion cannot be completed in one day or at one meeting it is better to postpone it to some other occasion (It is a matter of great regret that owing to the heinous attack on his life by the Iraqi Ba'ath party executioners of the despotic regime of accursed Saddam, the late Ayatullah Sayyid Mohammad Baqir Sadr could not get the time to which he had postponed his research work).

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