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Chapter 1: The Way of the Primordial Human Nature [Fitrah]

Question

Is it reasonable to believe that Islam can manage the affairs of humankind and accommodate its needs despite the staggering improvements and advancements of the modern age? Shouldn't the modern human being, who anticipates traveling to the depths of the universe and conquering other galaxies by means of science, dispose of such antiquated religious beliefs in favor of a new way of life more befitting his achievements—a way of life that would enable him to concentrate the power of his mind and will more fully on adding to his praiseworthy achievements?

Answer

Before engaging in the answer to the above question, it should be noted that although we by nature cherish newness and prefer what is new over what is old, there are exceptions to this inclination. It cannot, for instance, be claimed that since "2 + 2 = 4" has been cited by people for thousands of years it is now outdated and must be dispensed with. Or, it would be absurd to contend that the social structure of human life, which has to date preserved the human species, is now too old and that from now on humans must live individually.

Obedience to civil law, which curtails individual freedoms to a great extent, cannot be abolished with the excuse that it is old and annoying. It would be unacceptable if someone claimed that since in the modern age the human being has embarked on conquering the universe by sailing out to new galaxies in spaceships, a new route must be pursued in human life that would free the individual from the burden of law, legislation, and governments.

The hollowness and absurdity of such assumptions are clear enough. The question of new and old is meaningful where there is room for evolution, where the object at issue allows of evolution and

change—one day fresh and new but in time and after encountering the vicissitudes of life turning to frailty and decline. Thus, in discussions conducted for the purpose of shedding light on the truth (as opposed to vain polemics)—when debating natural phenomena, questions relating to the world of creation, and the laws of nature—such as the discussion at hand, poetic utterances of the fable of the new and the old have no place: "Every word behooves a certain place, every point a certain location."1

Let us now turn to our question: can Islam manage human society, considering the circumstances of the modern age? Of course, this question would seem superfluous once the reality of Islam and the message of the Qur'an are understood.

For, Islam denotes the path to which human nature and cosmic order point. Islam conforms to the nature of the human being. As such, it provides for and satisfies the true human needs, not the illusory desires or what one's sentiments dictate. Obviously, so long as the human being is what he is, his nature will remain the same. Regardless of the passing of time, the difference in habitat, and the varying circumstances, human beings share the same nature. This nature calls for a specific way of life, whether human beings be willing to pursue it or not.

In this light, the above question can thus be rephrased: would one attain to happiness and satisfy one's natural wishes, should he follow the path that human nature points to? This is similar to asking: would a tree reach its natural destination, should it grow in its natural manner with its needs provided for through its inherent natural structure? The answer to such a question is obvious.

Islam is the path of the primordial human nature. As such, it is always the correct path for the human being; it remains unchanged in the face of varying circumstances; it is the solution to our genuine needs. It is the natural and inherent needs—not the sentimental wishes and delusional desires—that are one's true needs. It is the fulfillment of these inherent needs that begets felicity and happiness. In His Book, God says:

"So set your heart on the religion as a people of pure faith, the origination of God2 according to which He originated mankind—there is no altering God's creation..."3

Let us explicate—albeit briefly—this subject. As is evident, each of the multitudinous types of creatures that exist in the world of creation pursues a specific way of life and subsistence and follows a unique path to its individual destination. 4 Each creature can attain to felicity by traversing the path to its distinct destination and avoiding the obstacles that it may encounter. In other words, felicity is reached by navigating the path of life and avoiding the potential obstacles with the help of the innate apparatus with which every creature is equipped.

The grain of wheat, for instance, possesses a unique path. In its natural structure is embedded a specific mechanism, which is activated when the conducive circumstances are present. When activated, the inherent mechanism absorbs the necessary elements and nutrients in specific proportions needed for the growth and subsistence of the plant and consumes them so as to steer the plant toward its specific destination.

The wheat plant cannot alter the internal and external elements involved in its growth. It cannot, for instance, change its course, all of a sudden, to transform into an apple tree by growing a trunk, branches, and leaves and blossoming or turning into a sparrow, growing a beak and wings. This law holds true for all species, including the human being.

The human being, likewise, has a natural and inherent path for the pursuance of life, through which he may reach his destination, perfection, and felicity. Human nature is equipped with the special apparatus that can direct one on the natural and innate path to fulfilling one's true interests; God's Book affirms this:

"By the soul and Him who fashioned it, and inspired it with discernment between its virtues and vices: one who purifies it is certainly felicitous, and one who betrays it certainly fails." 5

Based on what has so far been said, it becomes clear that the true path of humanity leading to felicity is that which the primordial human nature guides to, that which secures the true interests of the human being, in accordance with the requirements of the human constitution and the natural world, irrespective of whether we find it palatable or not, for it is the emotions that must follow the requirements of human nature, not vice versa. Thus, humankind should build its life upon the foundation of realism, not on the trembling columns of superstition and the delusional ideals feigned by human sentiment.

In this truth lies the distinction between Islamic law and other laws. The prevalent laws governing human societies follow the wishes of the majority (i.e., 51% of the population), whereas Islamic law conforms to the guidance of the primordial human nature, which reflects the will of God, the Exalted. It is for this reason that the Noble Qur'an declares the enactment of laws as the prerogative of God:

"...Judgment belongs only to God..."6

وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ

"... But who is better than God in judgment for a people who have certainty." 7

The legal systems that dominate secular societies are established either by the majority or by a dictator, regardless of whether they conform to the truth and fulfill the collective interests of human society. In the true Islamic society, however, it is the truth that rules; the wishes of the individuals defer to it.

Thus, the answer to another criticism—namely, that Islam is in conflict with the natural trend of modern societies, that today's societies, which enjoy absolute freedom and satisfy their every desire, would not succumb to the numerous restrictions imposed by Islam—is also clarified.

Undoubtedly, in comparing the dark state of the modern human being—with depravation, wantonness, and oppression pervading all aspects of human life, threatening its very existence—with the luminous Islam, one would find absolute disharmony between the two. But when one compares the Divine primordial human nature with Islam—the primordial religion—one realizes their perfect harmony. Is it even conceivable that human nature should be at variance with the path it guides to? Unfortunately, however, corruption and illusion have defiled the primordial nature of the modern human being so that he no longer recognizes the path his nature inherently points to.

The rational solution to this predicament is to struggle to bring about the desirable state not to despair and succumb. Islam must come to the forefront and take the place of the other contending ideologies and worldviews. This will definitely be a strenuous process and would require much sacrifice.

History testifies that new methods and regimes invariably face fierce opposition from the status quo. They prevail only after winning innumerable battles—most of which are bloody. Still when they prevail, it takes time for effacing the name of the old opponent.

Democracy—which according to its advocates is the method of government most favorable to human needs—was established only after such bloody events as the French Revolution and similar incidents in other countries. Likewise, Communism (which according to its proponents is the synthesis of humanity's progressive efforts and history's most glorious blessing), in its fledgling state, underwent much bloodletting that cost of millions of lives in Russia, Asia, Europe, and Latin America until it finally took root. In this light, the argument that people may find Islamic strictures unpalatable is not sufficient to prove Islam's incompatibility with modern society. Like the other systems, it would obviously need time to firmly establish itself.

Islam and the True Needs of Every Age

Without doubt, the importance and true value of a given scientific problem introduced for discussion and examination depends on the importance and value of the truth that is embedded within it and the results that it affects in its practical application and utilization in the ebb and flow of human life. A simple a matter as drinking water and consuming food is equal in value to human life, the most valuable blessing.

The notion of social life ingrained in the human mind, although a seemingly simple and mundane concept, is an invaluable one, for it is the cause of the magnificent world of humanity, in the context of which millions of actions interact every second to produce innumerable results, some of which are praiseworthy, appropriate, and beneficial while others are not.

It should go without saying, then, that the solutions provided in the pure faith of Islam to satisfy all the needs of people of all ages must be ranked most significant, for they are equal in value to the very existence of humankind, the greatest conceivable blessing. Any Muslim, aware of even the basics of Islam, would acknowledge this truth. This topic, however (like many other articles of faith established by Islam and ingrained in the minds of its adherents, being passed down quietly generation after generation), has not been duly explored, remaining buried in the believers' minds without being taken advantage of.

As far back as we, Easterners, can recount of the history of our ancestors, which goes back thousands of years, the dominant social institutions governing our affairs have never allowed us freedom of thought, especially in social matters.

The brief opportunity that was provided us in the beginning years of Islam and like the bright morning portended a promising future, did not last long. It was cut short by the dark incidents and turbulence fomented by a group of egotistic opportunists. Once again, we fell into captivity and slavery; once again we had to face the force of whips, swords, and the gallows and the solitude of prison cells—those infernal tortures and lethal environments—once again we were forced to revert to the ancient duty of "Yes Sir."

Under such circumstances, the best a believer could do was to retain his faith intact. As a matter of fact, that was exactly what the rulers and governors of the time favored so as to destroy the opportunity for free discussion. What they desired was that people occupy themselves with their own personal matters and not interfere with social issues.

Matters of society and politics were confined to the governments and the governors. The rulers had no fear of the people's innocuous conviction to the relatively simple matters of faith. Their concern was that people should not engage in free and inquisitive discussion, and for the accomplishment of this end they imposed themselves on the masses as the collective mind of the society.

For, they had correctly realized that the most effectual factor in social life was the individual will of the people controlled by their thoughts. So, by subduing the minds of the masses, the rulers fettered their wills. Hence, the statesmen's foremost concern was to control the minds of their people, which they did by placing themselves as the collective mind of the society. These are truths that anyone can verify beyond doubt by studying the annals of history with even the slightest attention.

And now European "liberty," after fully satiating the West, has turned to us Easterners in all its attractiveness. At first, it was portrayed as a dear guest. In time, however, it turned on its host, imposing

itself as a stalwart landlord. Hailing liberty, Western imperialism uprooted the system that stifled free thought—providing the best means and most favorable circumstances for reclaiming that lost treasure and forging a new life illumined by knowledge—but only to replace it as the new collective mind of the society.

At first, we failed to realize what was happening. When we did wake up from our slumber, we noticed that the days we had to yield to the orders of the old rulers were up—we no longer had to submit to the feudal lords, to the commands of the all-powerful masters, the "kings of all universe"—but instead we now had to live as our European benefactors instructed and follow the path they paved for us.

A thousand years have elapsed since Avicenna treaded this earth; his philosophic and medical books permeate our libraries and his thoughts our scholarly conversations—a blessing we have always taken for granted. We have been living for 700 years with the mathematic books of Khwajah Nasir al–Din al–Tusi before us. Our only acknowledgment of these great figures has been the recent conferences held in their 1000th and 700th anniversaries, and even in that we're mimicking European scholars.

The philosophic legacy of Mulla Sadra has been with us Iranians for the past 300 years, serving as a great source of illumination. The University of Tehran was founded many years ago. Philosophy has been taught there, with all the accounterments of academia, since its very beginning. Our philosophic heritage, however, has only received perfunctory treatment. But this suddenly changed a few years ago when a European orientalist speaking at a conference at Tehran University praised Mulla Sadra and his school of philosophy. His acknowledgement brought unprecedented interest to the study of Mulla Sadra's personality and philosophy.

These and other similar instances serve to illustrate our social and global status, shedding light on the debased state of the intellectual identity of our learned men. Those, on the other hand, who have succeeded in retaining a certain degree of intellectual independence, securing some of their intellectual heritage from being lost altogether, are gripped by a dual personality: they are infatuated with Western concepts but are also fond of their own Eastern heritage.

They try in vain to force a marriage between these two mutually exclusive cultures. One certain learned writer struggles to apply Islam to the concept of democracy in his book: "Islamic Democracy"; another, under such titles as "Islamic Communism" and "Islamic Socialism," construes Islam in the light of Communism and the abolition of class differences.

What a strange story. If Islamic realism is truly manifested only when it conforms itself to democracy or Communism (which have walked into our lives with their most captivating attractions), why should we not just dispose of Islam and spare ourselves the trouble of reconciling a bunch of outdated concepts from 1400 years ago with these "lively" concepts? However, if Islam is possessed of a distinct and independent identity—which it is—and offers a living and valuable truth, then what need is there to shroud its Divine beauty in a borrowed garment and advertise it in a false appearance?

In recent years—particularly, since the close of World War II—Western scholars have enthusiastically engaged in discussions and examinations regarding religion, publishing their studies at an ever-increasing rate. When taking on a problem, the curious scholar first attempts to construe it in accordance with the principles he adheres to. Then, he passes judgment as to the solution of the problem. In this light, Western scholars view religion as a merely social phenomenon that is the product, as is the case regarding society itself, of certain natural factors.

All religions, including Islam, from the point of view of Western scholars—those of them who hold an optimistic view of religion—are the fruits of the minds of geniuses who by purity of soul, profundity of insight, and an indomitable will succeed in formulating regulations for the purpose of reforming the values and behavior of their societies, thereby guiding them in the path to felicity.

These regulations, then, evolve in the course of the gradual progress of societies. Empirical evidence confirms, they contend, that human civilization is gradually navigating toward perfection, every day taking a fresh step toward progress.

This conclusion is corroborated by psychological, legal, social, and even philosophic arguments, especially in reference to dialectical materialism, which asserts that societies do not remain stagnant, and that, consequently, social regulations must of necessity change. Regulations those were able to secure the happiness of prehistoric human beings, who subsisted on fruit they plucked from trees and resided in caves, cannot satisfy the innumerous needs of modern society. The age of nuclear warheads cannot be governed according to regulations of the days when weaponry consisted of clubs and axes.

The regulations of the days when horses and donkeys were the sole means of transportation are no longer effective in an age when jets and nuclear submarines are means of transportation. In one word, the modern age does not—and should not be expected to—yield to the regulations of previous ages. The binding regulations of human societies are inevitably subject to constant alteration in conforming to the developments of human society. Alteration of laws governing social conduct in turn leads to change of values, for values are nothing more than habits and ingrained psychological states, which result from repeated practice.

The simple life of ancient times did not call for the sensitive measures required to steer life in the tortuous course of modern age. How could the social women of today practice the chastity of the women of ancient times?

The laborer and farmer of today's oppressed classes should not be expected to show the tolerance that was so characteristic of the oppressed classes of ancient times. Such threats as solar and lunar eclipses are no longer effective: the revolutionary minds that have conquered the outer space cannot be intimidated into believing such superstitions as trust in God and submission to His will. These examples illustrate, the proponents of this point of view claim, how societies of every age require regulations and morals appropriate to the ambiance of that particular age.

In line with that sense of imitation and submission present in Eastern intellectual circles, as mentioned above, Muslim thinkers have followed in the footsteps of their Western peers by applying the same curiosity to questions relating to the sacred religion of Islam.

The "enlightened" Muslim thinker contends that Islam is in essence the body of regulations that most effectively guarantees the felicity of human society. As such, the manifestations of Islam vary depending on the circumstances of each age. The way of life preached by Prophet Muhammad was only one of these manifestations. In this light, Islam applies to the most effective and godly regulations conducive to human felicity in each age. This is how the Westernized modern thinker interprets Islam's timelessness based on the "definitive scientific" criteria he boasts of.

But now let us turn to the Noble Qur'an—the heavenly book of Islam and the best speaker for this pure faith—to see what it has to say on this question. Does it concur with the above point of view or does it set forth certain doctrines, moral principles, and regulations as immutable and require humankind to follow them?

If the latter is correct, how does it solve the dilemma of being applicable to the ever-changing needs of various ages? Does Islam promote stasis in human society, shutting the door on the progress of civilizations and putting a stop to the progressive human activity? How can Islam refuse to conform to the inherent flux of the natural order, to which the human society is no exception?

The indubitable truth is that the Noble Qur'an, with its profound language, expounds religious concepts—Islam's derivation from the Unseen and relation with the order of creation and the visible and changing world, the mutability and immutability of religious doctrines, human virtues, and individual and social felicity—in a manner that is fundamentally different from the Western mentality. The Noble Qur'an views these subjects from a perspective that is beyond the purview of materialistic examination.

The Qur'an describes Islam as the set of doctrines and regulations to which the order of creation and specifically the evolving and progressive nature of the human being—as a member of the natural world which is in constant flux—guide. In other words, Islam, according to the Qur'anic depiction, comprises a set of regulations that are necessary requirements of the order of creation. Like their source [i.e., the order of creation], the regulations of Islamic law [shari'ah] are immutable, not subject to human caprice.

Islam is the embodiment of truth; it does not change to appease the whims of tyrants (as is the case in authoritarian states) or to satisfy the wishes of the majority (as is the case in socialistic and democratic states). Its regulations follow solely the decrees of the order of creation, that is, the will of God.

In what way does Islam provide for the needs of every age?

In discussions on the subject of society, it has time and again been reiterated that the human being, due to the critical needs that surround him and which he cannot individually satisfy, has no choice but to

choose social life, thus becoming inured to a social existence. Moreover, in discussions of jurisprudence, as we may have all heard many times, it is elaborated that a society, in order to satisfy the critical needs of the individuals, must be governed by a set of regulations appropriate to the needs of the individuals, by means of which each individual could protect his veritable rights, enjoy the benefits of social life, and profit from the fruits of social interaction.

As can be deduced from the above two points, the principal and prime factor in instituting laws for a society is the fulfillment of the critical human needs, without which life would not endure. The direct result of forming a society and implementing the established regulations therein is the fulfillment of the critical human needs.

As such, the term *society* cannot correctly be applied to a crowd of people who have no meaningful interaction. Furthermore, regulations whose formulation or implementation does not positively affect the fulfillment of people's needs and the procurement of their happiness and felicity are not true regulations; a regulation is that which fulfills the needs and protects the rights of the people.

The presence of regulations which, at least partially and imperfectly, fulfill a society's needs and are generally consented to by the individuals is inevitable, even in the most uncivilized and primitive of societies. However, in uncivilized societies regulations are maintained in the form of tribal habits and customs, which are the outcome of desultory interactions materialized over a period of time or of the coercion of the more powerful elements of the society.

Even in our age, there are tribal communities in various corners of the globe that continue to prosper by maintaining their habits and customs. There must, nevertheless, exist regulations, conformed to by all or most individuals, to serve as the foundation for the society. In a civilized society, if it be religious, Divine Dispensation would rule, but if not religious, it would be governed in accordance with regulations born of the majority will, whether directly or indirectly. The main point, however, is that there cannot be a society whose people are not bound by a set of duties and regulations.

The Means for Determining the Social and Human Needs of the Individual

Now that it has been clarified that the principal factor in the formulation of regulations is the fulfillment of the needs of the individuals in a society, we must turn to other related questions: how may one determine the individual's social and human needs (of course they must be, whether immediately or not, recognizable at least to some extent)? Could the human being err in determining his individual and social duties, or is whatever he determines conducive to his felicity and should be endorsed without hesitation (which is to say that one's desires are sufficient to legitimize the obligations they point to)?

The majority of the "modern world" acknowledges the will of the populace as the source of law. However, due to the fact that the concurrence of the entirety of a nation's population on an issue is either impossible or very rare compared to the areas where they disagree, the will of the absolute majority—51 percent—is granted legitimacy and that of the minority—49 percent—is rejected, thereby depriving the minority of its liberty.

Without doubt, there is a direct relation between a population's wishes and their living circumstances. An affluent man, who has procured all the necessities of life, fancies plans that would never occur to someone destitute. If starving, one would crave for any type of food, whether delicious or not, without the least concern for scruples (such as if it belonged to someone else); but when satiated, he only reaches out for the most delicious of foods.

In times of comfort, the human being cherishes thoughts he would never consider in times of distress. Based on this reality, the evolution of human society, satisfying many of the older needs and replacing them with newer ones, has rendered certain ancient regulations irrelevant, prompting the human society to replace them with new laws or to modify them.

Hence, in thriving nations, old laws and regulations are constantly replaced with new ones. The reason for this process, as mentioned above, is that the basis of a people's laws is the collective will of the majority; it is this element that gives credibility to the laws and regulations of a nation (even if it be at odds with what is truly in the interests of that nation).

Nevertheless, we should consider with greater attention the fundamental factor responsible for the development of social laws: does social progress bring change to all spheres of human concern? Are there not common qualities shared by all societies of all ages? Does human nature (which is necessarily the basis of a portion of human needs, even as some other needs depend upon varying circumstances, situations, and environments) evolve? Aren't the body parts and organs we have the same as the first humans', with the same functions?

Were war and peace different from what they are now—killing human beings and the stop to such bloodshed? Did intoxication feel any different in Jamshid's time? Was the pleasure of listening to the music of Nakisa and Barbad fundamentally different from the pleasure that today's music produces? Did the natural structure of the ancient human being differ from today's human being? Did the internal and external functions and reactions of the ancient human being differ in any way from those of the modern human being?

Of course, the answer to all the above questions is clear. It would not be plausible to claim that humanness has gradually disappeared, being replaced by something else. Nor is it plausible to hold that the essence of humanity has faded and been replaced by a different essence. It would be equally implausible to argue that human nature, that which all human beings—black and white, old and young, intelligent and ignorant, of the Polar Regions and the tropical regions, of the past, present and future—share in common, does not require common needs or that human beings do not wish to satisfy those essential needs.

Such essential needs do exist, and they necessitate a set of immutable regulations, not subject to change of any type. When faced with an enemy that threatens their very existence, nations of all ages would unquestionably embrace war, if possible, as a means of defense, and if such an enemy would not be repelled except by bloodletting, they would consider it justified to employ such an extreme measure. No society may legitimately prohibit consumption of food, for it is one of the life–sustaining factors; nor may it prevent the satisfaction of sexual desire. There are numerous examples of such cases that require immutable regulations.

The above explanation clarifies the following points:

- The principal factor responsible for the existence of social laws and regulations is the satisfaction of the individuals' needs.
- All nations, including the primitive ones, follow laws and regulations they have established.
- The criterion for determining the true needs of life, according to the modern world, is the will of the majority.
- The will of the majority does not always concur with reality.
- A portion of human laws and regulations change with the passing of time and in the course of social progress. These are the ones related to specific circumstances. However, there are also other human laws and regulations that pertain to the essence of humanity, which is shared in common by all human beings of all ages, irrespective of the varying circumstances and environments.

Let us now see what the Islamic viewpoint is in this regard.

The Basis of Islamic Doctrine

Islam is a universal and timeless religion. It aims, in its distinct educational program, at the "natural human being" that is, the object of its laws is simply the human being, irrespective of all distinctions. It embraces Arab and non-Arab, white and black, poor and wealthy, strong and weak, man and woman, young and old, knowledgeable and ignorant alike. The natural human being is he who has retained the Divine primordial nature, whose mind and will are pure and unsullied by falsehood and superstition.

There is no room for doubt in that the distinctive feature of the human being is his equipment with intellect and the faculty of contemplation, a Divine blessing of which other animals are deprived. The intelligence and will of all animals (excepting the human being), which control animal activity, are subject to their instincts. It is the provocation of those instincts that propels the animal to make a decision and to take an action. With this instinctual system, they proceed with their life–sustaining activities, seeking water, food, and other necessities of life.

The human being is the only animal that along with his various instincts and emotions—affection and

antipathy, friendship and animosity, fear and hope, and all the other emotions of attraction and repulsion—is endowed with a judgmental mechanism responsible for reviewing the conflicting demands of his emotions and faculties, judging what is truly in his interests. In some cases, it judges against a certain action despite the strong appeal of the emotions; at other times, it deems the action necessary, though it be repulsive to the emotions; and in cases where the true interests of the individual agree with his emotions, it gives its consent.

Based on the reality of human nature and the fact that the education and training of any species consists in cultivating the respective distinctions and peculiarities of that species, Islam has founded its educational program on intellection not sentiment. In this vein, Islam invites humanity to a body of pure doctrines, virtues, and practical laws, which the untainted and divine human nature would verify and vindicate of any possibility of falsehood and superstition.

The Cognitions of the Natural Human Being

In the purity of his nature, the natural human being comprehends that the vast cosmos—its tiniest particles as well as its most gargantuan galaxies, which journey toward the Unique God by the amazing cosmic order with the most accurate rules and numberless activities—is His handiwork. The natural human being understands that the multifarious parts of the cosmos together form a boundless unit, whose parts are intricately interconnected and bound by a perfect cohesion.

The various parts of the cosmos went hand in hand in order to bring forth the world of the human being—this small part of the cosmic body, an insignificant drop in the shoreless ocean of existence. The human being is the creation of the entire cosmos, the will of God. As a child of the world of creation, trained under its guidance, he has been fashioned into the human form—equipped with various internal and external faculties—through the operation of innumerable elements. His various faculties, emotions, intellect, and will constitute the apparatus by which the order of creation guides him to true felicity.

It is true that the faculties of intellect and free will enable the human being to distinguish good from evil, benefit from harm, thus being a free agent. Nevertheless, it must be borne in mind that it is the order of creation—the will of God—that has furnished his inward and outward with the faculties that render him a free agent.

Using the intellect with which he has been endowed, the natural human being realizes beyond doubt that felicity—his true goal in life—can be achieved only by attaining to the end that the order of creation has determined for him and toward which it guides him by means of the various faculties it has equipped him with. That end is what the Unique God, the Creator, the Trainer of the human being and the universe, has willed.

On these premises, the natural human being, then, resolves that the only path to felicity is to constantly monitor his existential orientation; reminding himself that he is an inseparable part of the order of

creation and is governed by it, that he has been created by God, and as such must, by reading the book of creation, decipher his duties vis-à-vis the various situations he encounters. The content of this book, put in a nutshell, is that one must not demean himself except before the Unique God and that the demands of one's emotions and one's needs, when approved by the intellect, must be met.

Mutable and Immutable Regulations

The demands and needs of the human being are commonly incorporated into bodies of law. Such laws can be distinguished into two categories. One category comprises those laws which guarantee the wellbeing of the human being; that is, those laws which pertain to him as a human being living a social life, regardless of such peculiarities as the particular time and place he occupies. They include the set of doctrines and regulations that shape the relationship of humility and servility between the human being and his Lord (who is beyond change) and the general principles of human life regarding the need for food, shelter, marriage, and defense of one's right to life and social participation.

The second category of laws is those that are transient, regional, or delimited in some way by particular qualifications, thus being liable to alteration. Social progress, urbanization, alterations in the forms of societies, and the dissolution of old ways are among the factors that may lead to change in laws of this type.

For instance, the days when people traveled on foot, on horseback, or on other draft animals, rudimentary roads were sufficient, but with the development of the new baffling means of transportation, thousands of ground, maritime, and aerial regulations are required to secure safe transportation.

The primitive human being would satisfy his needs for food, clothing, shelter, and sex in ways which his primitive means allowed and which called only for the simplest of regulations, spending most of his time in trivial toils. Today, he pursues life with a bewildering speed, but due to the sophistication of vocations, every aspect of life has developed a technical sphere, demanding specialized fields of knowledge accompanied by thousands of complicating regulations.

Islam, which aims at the primordial nature of the human being, guides humanity to the unadulterated natural society, the unadulterated natural doctrines, the unadulterated natural practices, and finally the unadulterated natural destination. The pure intellectual conceptions of the natural human being in doctrine and action constitute the plan that Islam offers for humankind.

In this light, Islamic regulations are of two types: mutable and immutable. The latter—consisting of those regulations based on human nature and his essential qualities—is referred to as the *shari'ah* (Divine dispensation), the avenue to human felicity:

فَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا ۚ فِطْرَتَ النَّهِ الَّتِي فَطَرَ النَّاسَ عَلَيْهَا ۚ لَا تَبْدِيلَ لِخَلْقِ اللَّهِ ۚ ذَٰلِكَ الدِّينُ الْقَيِّمُ وَلَٰكِنَّ أَكْثَرَ النَّاس لَا يَعْلَمُونَ "So set your heart on the religion as a people of pure faith, the origination of God according to which He originated mankind; there is no altering God's creation; that is the upright religion..."10

The mutable regulations, which may change due to varying circumstances of time and place, are left to the discretion of the Prophet, his successors, and those whom they appoint. These authorities may alter the mutable regulations in light of the immutable principles and in response to the differing circumstances of time and place. These regulations are not technically considered part of the *shari'ah*:

"O you who have faith! Obey God and obey the Apostle and those vested with authority among you..."11

This is, in summary, Islam's solution to the varying needs of different ages. However, the topic calls for a more thorough examination, which we will subsequently take up.

The Mutable and Immutable Regulations of Islam

In previous chapters, we learned that Islamic law distinguishes between two types of regulations: immutable and mutable. We will now elaborate further on this topic.

Immutable Regulations

The immutable regulations are those that have been established on the basis of the reality of human nature, which subsumes the urban as well as the rural, the white as well as the black, the strong as well as the weak, and individuals of all times and places. As soon as two or more individuals come together in a community, pledging to cooperate and support one another, they will inevitably encounter certain needs, which they have to endeavor to fulfill.

As the essence of their human constitution is identical, being endowed with similar inward and outward faculties, undoubtedly their needs will be of the same nature and as such would require a consistent set of regulations.

All human beings share the same intellectual cognitions. Rational judgment, unhampered by illusion and superstition, would generate identical conclusions in every individual. The cognitive faculties of all human beings alike achieve satisfaction through judgment and belief. Likewise, the various emotions—affection and antipathy, hope and fear—and instincts—sexual desire, the inclination to dress, to take shelter, etc.—are common to all human beings, and thus their dictates in all individuals must be treated similarly.

Due to the common human nature, it would be unreasonable to claim that satisfaction of hunger should be permissible in respect to one individual but impermissible in respect to another, or that one individual should heed the demands of his conscience but another should ignore them.

It would be equally absurd (bearing in mind the common human nature which has endured with the same faculties, emotions, and intellect for millennia) to assume that some ages require that the human being be persuaded by those truths which he deems self-evident whereas other ages require that he disavow them; that in some eras he should lead a social life but in other eras he should live in isolation; that at times he should defend his sacred beliefs but at other times he should relinquish his very existence to the enemy; that during some periods he should pursue a vocation in order to provide for his life whereas in other periods he should remain idle and jobless. These examples should suffice to illustrate that the natural human being, regardless of the changing times, requires certain immutable regulations.

This is exactly what Islam directs to in its primordial invitation. It proclaims that only the immutable regulations that derive from the order of creation, in general, and human nature, in particular, can guarantee human prosperity. Islam exhorts humankind to heed their Divine intelligence and conscience; to refrain from licentiousness, foolishness, and wantonness; and to abide by those principles they deem right.

To label submission to truths as blind imitation is wrong just as it is wrong to invoke the pretense of "national pride" or "custom" to stubbornly adhere to the ways of our ancestors. To attack theism as outdated while bowing to lustful rulers is not progress.

Islam literally signifies the exclusive worship of God, the Creator of the awesome order of creation, in line with the true human nature; it is this truth that it invites humanity to embrace. It is in this vein that Islam offers a set of doctrines, morals, and practices to humankind, declaring them truths that must be obeyed, as they constitute the primordial, unchanging, and heavenly religion. Islam presents its system of doctrine, morality, and practical law as a coherent unit in harmony with the system of creation. Of course, the limitations of this work do not allow us to elaborate on this system. We mainly intend to affirm that Islam incorporates a set of immutable regulations.

Mutable Regulations

In addition to the immutable regulations, which correspond to the immutable and natural needs of the human being, human society requires a set of changeable and mutable regulations, without which it would disintegrate. The reason for this is clear; despite the human being's immutable nature, the passing of time and regional discrepancies confront him with changing circumstances to which he must adjust. These varying circumstances call for disparate regulations. In response to the need for such transient regulations there exists in Islamic law a principle to which we will in this discussion refer as the 'authority of the ruler', which accommodates the differing needs of people of various times and regions without nullifying the immutable laws of Islam.

Further Elaboration

In an Islamic society, religious law confers certain rights and freedoms on the individual in the framework of which he can conduct his affairs in the family domain as he wishes (of course, observing Islamic law). He may spend his money to the extent he deems prudent in providing the best foods, apparel, and furnishings for his family, or he may decide to the contrary; in the event of an incursion on his rights, he may legitimately decide to defend his dignity, or, as expedience should dictate, to concede and compromise on some of his rights; he may work day and night to accumulate wealth, or he may decide to cease work so as to attend to other duties.

The powers invested in the Muslim ruler (appointed according to Islamic law to yield general authority and to function as the intellectual fountainhead and the center of the collective thought and will of the Muslim society) for governing the Islamic state are similar in nature to those of the individual in the family domain.

Observing piety and the immutable laws, the Muslim ruler is authorized to establish regulations for managing the affairs of the Muslim society (e.g., maintaining order on roads, in residential neighborhoods, in the marketplace regarding business transactions, and in the interaction of the different entities within the society). In case of an attack, he may order the army to defend the Islamic state (having prepared the army with the necessary equipment and armaments), or to withhold retaliation and settle for a ceasefire, in accordance with what he finds expedient.

In facilitating progress in the fields of spirituality and public welfare, he may enact certain measures to accomplish major reforms. He may promote certain fields of knowledge and downplay others in accordance with the interests of the Islamic state. In other words, the Muslim ruler is empowered to enact any regulation conducive to the progress of the Islamic society and in the interests of Islam and the Muslim nation. There are no legal limitations to his power to enact and enforce such regulations [other than the immutable Islamic law and morals].

Although such regulations are binding according to Islamic law and the Muslim ruler—whom Muslims are obliged to obey—is duty-bound to enforce them, they are not considered part of the *shariʻah* (the Divine Dispensation). The legality of such regulations is naturally contingent on the particular circumstances that necessitate them, and hence as soon as the circumstances change, the regulations would expire, at which time the Muslim ruler must inform the public of the expiration and set forth new regulations to accommodate the new circumstances. However, unlike the regulations enacted by the Muslim ruler, the contents of the *shariʻah* are eternal and immutable. No one, including the Muslim ruler, has the authority to alter or annul them.

Clarifying a Misconception

The summary explanation provided above should suffice to prove the invalidity of the criticism leveled against Islam in this regard. Those who claim that social life has so greatly evolved that there are no

common qualities that today's societies and those of 14 centuries ago share in; that modern life necessitates numberless regulations which were unimaginable to the people of the early Islamic era (just the regulations pertaining to the transportation sector of today's societies are far greater than all the regulations of Prophet's time put together); that because Islamic law does not include such regulations it is not fit to govern modern societies—those who make such arguments lack an accurate understanding of Islam and its mutable regulations. They presume that Islam only incorporates a set of rigid and inflexible regulations and that consequently the only way Islam could flourish would be by Muslims' wielding swords and obstructing the progress of human civilization—such ignorance.

Another group of critics, on the other hand, contend that the inevitable evolution of social life will, no doubt, result in the gradual alteration of all social regulations. Hence, the immutable Islamic law, if ever valid, was only relevant to the Prophet's era, with its peculiar circumstances and thus is not indefinitely applicable.

These detractors have not paid sufficient attention to jurisprudential discussions, hence missing the fact that all civil laws prevalent in the various countries around the globe include certain unalterable elements. Without doubt, the laws of modern times are not entirely different from those of ancient times and those of future ages. There are certain common elements which passing of time never outdates (some examples were provided above).

Islam's methodology in establishing regulations (including both the immutable Divine law, which derives from the wellspring of Revelation, and the mutable regulations that are based on the 'authority of the ruler', in accordance with which regulations are enacted through council and enforced by the Muslim ruler), although founded on rationality and not on the capricious wishes of the majority, is to some extent similar to modern states.

Most modern states have a constitution, the alteration of which is beyond the authority of their governments and even parliaments. Their laws, however, also incorporate other regulations that are enacted mainly by the parliaments and occasionally by the governments; the latter are susceptible to alteration in the course of a country's development.

To expect Divine Dispensation to include the particulars relating to the believers' lives is similar to the expectation that state constitutions should incorporate the details regarding traffic regulations. The incorporation of such minute details would subject them to the need for frequent revision, an unreasonable measure (this is in reference to the first criticism, which assumes that Islamic law is a set of inflexible regulations whose date of expiration has passed).

Furthermore, the detractors' criticism that the *shari'ah* (Divine Dispensation), which resembles a constitution in the framework of Islamic law, should be open to alteration is unacceptable for the same reason that a modern state's constitution (which outlines the fundamental issues, such as the country's independence, the need for a president, and the like) may not be altered (this is in reference to the

second criticism). Thus, both the first criticism and the second one are ill-founded.

There is, however, one other question (an offshoot of the second criticism) that merits mention: It is true that there are legal elements not prone to change, however, this does not in itself prove that the regulations of the *shari'ah* can guarantee the felicity of humankind for all time. Can modern civilization continue its progress with such rituals as the canonical prayer, fast, *hajj*, *zakat*12, and the like? Can Islamic regulations concerning slavery, women, marriage, commerce, usury, etc., continue to be relevant in the modern world? These and other related questions call for extensive discussions.

The Question of the Termination of Prophethood

Question

What would be the appropriate reply if someone claimed that the Prophet's declaration that he was the last in the line of Divine prophets means that humanity's need to be guided by the wisdom that transcends human intelligence has been fully satisfied by the Greek, Roman, Christian, and Islamic civilizations, by the Torah, the Bible, and the Qur'an. The Prophet's term was the inauguration of a new age in which, building on the Divine heritage of God's prophets, humanity can continue life and advance toward perfection without the help of new revelation from God, hence the termination of prophethood?

Those who are of this persuasion maintain that humankind have achieved the sufficient level of intelligence to be able to manage their affairs, establish peace, and pursue their felicity on their own. Human beings are self-sufficient now, mature enough to endure without Divine guidance. Human intelligence has now superseded Divine revelation. What should be our stance vis-à-vis such a conception?

Answer

Let us first rephrase the above argument in order to better understand it. The human being, like all other creatures, is traversing the path to perfection. The passing of time and the evolving existential states effect in the human society new circumstances accompanied by an increased need for new modes of guidance.

Each new phase of human progress demands a new way of life, a new set of obligations and regulations appropriate to the special guidance needed for that particular phase. In this light, no religion or way of life may legitimately be considered eternal, the *shariʻah* of Islam being no exception. Therefore, when the Prophet announced that he was the "Seal of the Prophets" [*khatam al-nabiyyin*], he meant, these "modernists" contend, that up to his time, due to the deficiency of human intelligence, humankind was in need to be guided by Divine wisdom, which transcends human intelligence.

However, humanity's maturation facilitated by the advent of Greek, Roman, and Islamic civilizations and

the revelation of the Divine books—Torah, Bible, Qur'an—(i.e., supra-human guidance) has elevated them to a new intellectual height, liberating them from the need for revelatory guidance and enabling them to stand on their own feet. This is the essence of the argument in question.

There are several flaws in this argument. First, although it is true that both the human individual and the human society are advancing toward perfection, nevertheless, the scope of human perfection is finite in terms of both quality and quantity, for he is a finite creature. Human perfection, however vast and profound, has its limits, and thus there must perforce be a stage when the way of life and its regulations would cease to progress. So, contrary to the abovementioned assumption, human progress actually indicates that there must be a final and unchanging religion (as any finite motion has a terminus).

Second, to consider the Greek and Roman civilizations (which were in fact products of a pluralistic and idolatrous worldview) as Divine and super-human is to neglect the Qur'an's explicit condemnation of heathen civilizations as deviations that entail damnation. The Qur'an asserts that their ways, though they might appear virtuous, were profane, and obviously profane methods do not lead to felicity (Qur'anic verses in this regard are so numerous that there is no need to cite any particular ones here).

Third, the inauguration of a new religion in the 7th century C.E. through the ministry of the Noble Prophet itself testifies against the claim that the post–Islam human being is not in need of Divine Dispensation, especially considering Qur'an's assertion that Islam subsumes the essence of all previous Divine revelations:

"Noah and which We have also revealed to you, and which We had enjoined upon Abraham, Moses and Jesus..."13

God, the Exalted, underscores this truth further by referring to the final religion in His Book as *submission*, explaining that this was also the religion of Abraham and that it is the only acceptable faith, which no one may reject:

"Indeed the only religion before God is Islam [Submission]..."14

"Should anyone follow a religion other than Islam, it shall never be accepted from him..." 15

"He has...not burdened you with any hardship in the religion, the faith of your father, Abraham..."16

"A faithful man or woman may not, when God and His Apostle have decided on a matter, have an option in their matter..."17

To say that all such exhortations were specifically addressed to the Prophet and as such do not concern us is to overlook such addresses as "O people!" "O you who have faith," which explicitly address humanity or the community of the faithful at large. Accepting the argument that the post–Islam human being is not in need of a revealed religion would render meaningless all the Qur'anic encouragements to the believers and threats to those who disobey God's commands.

Could one reasonably contend that the Noble Prophet's guidance to the religion he introduced was merely a recommendation and argue that by the verse,

"Muhammad... is the Apostle of God and the Seal of the Prophets..."18,

God intended that people were henceforth relieved from the onus of obedience to Divine Dispensation and free to proceed toward human perfection in accordance with the judgments of their intellect and that obedience to Islam was merely an optional matter?

To make such arguments would be to concede to the notion of democracy, on which basis social regulations derive from the majority will. However, did the Prophet ever seek to secure the consent of a majority of the Muslims prior to instituting any of the Islamic rituals—such as, the canonical prayer, fast, *zakat*, *hajj*, or *jihad*?

There is no evidence in books of history and hagiographies to support such a point of view. He did request Muslims' counsel in deciding some social issues (such as the council he convoked preceding the Uhud Battle to decide on whether the Muslim army should remain in and defend the city or leave the city to fight the enemy at a remote location), but that was only in deciding on what route to take in performing a Divine duty, not in establishing the duty itself. Obviously, consultation as to how to perform a duty is not the same as consultation as to whether the duty should be performed in the first place.

Another possible interpretation of the verse,

مَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِنْ رِجَالِكُمْ وَلَٰكِنْ رَسُولَ اللَّهِ وَخَاتَمَ النَّبِيّينَ

"Muhammad...is the Apostle of Allah and the Seal of the Prophets..."19

is that Islam is truly a Divine religion, but since the line of prophethood came to an end with the Prophet's ministry, it would be permissible, after the Prophet's time, to modify or supersede, in accordance with the judgments of "reason," any article of faith recognized as inexpedient considering the circumstances. The substance of this interpretation is that Divine Dispensation that is Islam is, like any other social law, liable to alteration with the passing of time and the changing of circumstances.

The early caliphs were of this opinion and actually put it to practice. They forbade and altered a number of religious practices that had been established by the Prophet and practiced during his lifetime. It was for this reason that writing and transmitting the Prophetic sayings was strictly forbidden in the first century A.H., while writing the Qur'an was encouraged, with the pretext of securing the honor of the Qur'an.

This point of view (i.e., the changeability of the articles of Islamic law), although favored by many scholars especially within the Sunni school of thought, is in stark contrast to the Qur'an's unequivocal assertion that the sacred religion of Islam never allows such alteration. The Qur'an lays emphasis, in agreement with the dictates of the primordial human nature, on the necessity of abiding by the Truth, warning that disobedience to the Truth will lead to nothing but perversion:

"So what is there after the truth except error..."20

In the same vein, the Qur'an avers that Truth is in essence the end to which Islam guides and as such is inviolable:

"Indeed it is an august Book: falsehood cannot approach it, from before it nor from behind it, a gradually sent down revelation from the All-wise, the All-laudable."21

There is no possibility of alteration in a book whose contents are immune from error and nullification. Furthermore, the Qur'an explicitly reserves for God the authority to decree law, categorically shunning the possibility of anyone else sharing in His authority:

"What ever thing you may differ about, its judgment is with God..."23

Obviously, when no one other than God has the authority to decree law, it would be unreasonable to presume that human beings could rely exclusively on human reason to enact laws, independent of Divine Dispensation.

It should once again be pointed out that there are regulations in Islamic law that may be altered. These regulations fall under the authority of the Islamic ruler. The Islamic ruler may enact regulations to meet the needs of various circumstances, but only within the framework of the *shari'ah*.

The relation of the Islamic ruler with the Muslim society is similar to that of a legal guardian with the miniature society that is the family. The guardian may do whatever he deems necessary to secure the interests of the family. He may issue commands to the members of the family, if they be to the family's advantage. If family rights be encroached on, the guardian may defend the rights of the family, or, if prudence demands, remain silent. Of course, all his actions and commands must conform to the Islamic law. He may not perform an action or issue a command which conflicts with Islam.

The same holds true regarding the Islamic ruler. He is empowered by Islamic law to call *jihad* to defend the safety of the Muslim nation. He may sign treaties with other states to ensure peace. Should the circumstances necessitate, whether due to war or other issues during peace, he may impose taxes. All such decisions, however, must be in the framework of Islam and in response to the needs of the times. As soon as the needs have been satisfied, the respective regulations expire.

To conclude, Islamic law incorporates two types of regulations: mutable and immutable, the latter constituting the *shari'ah*:

{إِنَّهُمْ لَنْ يُغْنُوا عَنْكَ مِنَ اللَّهِ شَيْئًا ؟ وَإِنَّ الظَّالِمِينَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضِ ۞ وَاللَّهُ وَلِيُّ الْمُتَّقِينَ {19

"Certainly We gave the Children of Israel the Book, judgment and prophethood and We provided them with all the good things, and We gave them an advantage over all the nations, and We gave them manifest precepts. But they did not differ except after knowledge had come to them, out of envy among themselves. Indeed your Lord will judge between them on the Day of Resurrection concerning that about which they used to differ. Then We set you on a clear course of the Law; so follow it, and do not follow the desires of those who do not know. Indeed they will not avail you in any way against God. Indeed the wrongdoers are allies of one another, but God is the Guardian of the Godwary."24

The mutable regulations, which the Islamic ruler enacts to secure the interests of the Muslim nation, expire when the circumstances that had necessitated them change.

- 1. A Farsi proverb underlining the imprudence of making irrelevant remarks. [trans.]
- 2. Please note that grammatically "the origination of God" is the appositive for "the religion". That is, the true religion is that which derives from God's creation; it is not a superimposed law. [trans.]
- 3. Surah al-Rum 30:30.
- 4. The following verse attests to this truth: "Our Lord is He who gave everything its creation and then guided it." (Surah Ta Ha 20:50)
- 5. Surah al-Shams 91:7-10.
- 6. Surah Yusuf 12:40.
- 7. Surah al-Ma'idah 5:50.
- 8. In Persian mythology, the inventor of wine. [trans.]
- 9. Two pre-Islamic musicians who flourished during the Sassanid Dynasty. [trans.]
- 10. Surah al-Rum 30:30.
- 11. Surah al-Nisa' 4:59.
- 12. A certain religious tax. [trans.]
- 13. Surah al-Shawra 42:13.
- 14. Surah Al 'Imran 3:19.
- 15. Surah Al 'Imran 3:85.
- 16. Surah al-Hajj 22:78.
- 17. Surah al-Ahzab 33:36.
- 18. Surah al-Ahzab 33:40.
- 19. Surah al-Ahzab 33:40.
- 20. Surah Yunus 10:32.
- 21. Surah Fussilat 41:41–42.
- 22. Surah Yusuf 12:40.
- 23. Surah al-Shawra 42:10.
- 24. Surah al-Jathiyah 45: 16-19.

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-1-way-primordial-human-nature#comment-0