

Part 2 Chapter 1: Learning Religious Knowledge

31. It is obligatory upon every sane, mature person to learn the practical laws of Islam and the subsidiary obligations and prohibitions after confessing faith to the religion's fundamentals and acquiring wholehearted belief in its primary principles.

32. One who has faith in the religion's fundamentals will naturally find the complete conviction (*yaqin*) that is the realm of faith. He/she is then responsible for carrying out certain practical obligations and refraining from all prohibitions. These laws are called "Mandatory Subsidiaries of the Religion" or "The Somatic Program."

33. Once a duty-bound person learns these laws and understands that God wants us to comply with them, she/he will be no longer excused to act contrarily and it will be obligatory upon him/her to exert all possible efforts in learning the laws and acting accordingly. Otherwise, he/she will be held responsible in the Hereafter and may be punished for violating them.

34. Based on the above law, it is obligatory upon every duty-bound person to be educated in religious knowledge and laws concerning all fields of life. This means that one must try one's best to deduce all laws from the Book (i.e. Holy Qur'an) and *Sunnah* (words, deeds, and confirmations of the Holy Prophet and Imams). These laws must be then kept in mind or in a book in order to refer to them whenever necessary and to teach them to others. This process is known as *ijtihad* in the terminology of Muslim jurisprudence (*fiqh*). Since this time-consuming process is conditional upon many special qualifications and is extremely exhausting, it is not practically attainable except by a few.

35. One unable to go this route must follow a religious authority. This means that one must refer to a well-qualified religious jurist (*mujtahid*) who has gone the mentioned way and become an expert in deducing religious laws from their sources. Thus, a duty-bound person has the option to either become a religious jurist or follow a religious jurist, which are two independent ways of attaining the laws of religion. It is up to him/her to choose between the two options.

36. It is said that if a duty-bound person is not a religious jurist and does not want to follow one, it is

her/his obligation to choose a third way for attaining the religious laws, which is to observe precaution (*ihhtiyat*) in action. This means that if he/she does not know the ruling of an action but thinks that it may be obligatory, she/he must act upon it, and if he/she thinks it could be forbidden, she/he must abstain from it. However, finding the method of precaution in issues needs dexterity and familiarity with Muslim jurisprudence; thus, the only way to reach a conclusion concerning religious laws is limited to either becoming a religious jurist or following one highly experienced in this field.

37. A duty-bound person may not know the rulings related to a certain case, whether that case is in language or actions, worship or business, etc. Therefore, before acting, she/he must refer to a religious jurist and identify his/her religious duty, for if she/he acts without referring to a jurist, he/she may refrain from an act while it is obligatory to do or perform an act while it is forbidden to do, thus committing a sin.

38. If in a single period there is more than one well-qualified religious jurist, it is obligatory upon one who wants to follow one of them to investigate about all of them. If all of them are equal or close in knowledge, he/she may refer to any one she/he wants. If they vary in the degree of knowledge, he/she must then refer to the most knowledgeable.

39. It is an obligation for a follower of an unqualified jurist to refer to a qualified one, whether she/he intentionally followed the unqualified jurist or by mistake, whether the jurist was unqualified to begin with or later became unqualified. This is the case even if someone later becomes preferable over the first jurist.

40. In case a jurist dies, it is obligatory upon the jurist's followers to refer to a living jurist in all affairs. This is the case if the living jurist is more knowledgeable than the deceased one. One may remain a follower of a deceased jurist if the jurist is more knowledgeable than the living one or if both are equal in knowledge. One may remain a follower of the earlier jurist or can refer to the living one, or may follow the earlier in some issues and the second in others.

41. It is collectively obligatory (*wajib kifa'i*: i.e. if enough people carry it out others will be released from responsibility, but if everyone refrains from carrying it out they will all be liable) upon an intellectually inclined, financially able group from each region to join academies of religious studies in order to study and become learned in the fundamental and subordinate laws of religion, in order to fulfill their own religious duty, educate others, and guide and warn the people.

42. It is collectively obligatory upon people to establish religious assemblies and seminaries by appointing a group to perform this mission and to attain the following three goals:

a. The first goal is to lead the ignorant people to decency; i.e. religion, its fundamental and secondary principles, virtues, sciences, and learning, which are means of spiritual perfection and motives of material welfare.

b. The second goal is to enjoin to the right and invite people to perform righteous deeds.

c. The third goal is to discourage from wrong and keep them from indecent actions.

This is a collective obligation addressed to all Muslims or all duty-bound persons. By a *group*, we mean those who work in religious centers and other fields of knowledge. It is in fact collectively obligatory upon an assembly of Muslims to choose some persons to study in seminaries and provide for their expenses from their own property. However, since every community naturally needs an authoritative leader, this leader will be automatically responsible for choosing such persons, at least because the leader has the right to allocate public property to various uses.

43. To guide ignorant individuals to the right is mandatory in the sense that it is obligatory to direct people towards the truth and teach them the religious laws—be they principles of belief, action, or introductions to these principles—to the extent possible. The fulfillment of this obligation is the most important reason for establishing seminaries (i.e. *hawzah*).

44. It is obligatory to examine the validity of any news reported by a corrupt person, be it information about a religious law, such as recounting a command, a saying of an infallible, a ruling from a religious jurist, or information about other issues, such as relating a dead person's will. This obligation is conditional upon investigation and certainty; otherwise, the news cannot be considered substantial evidence or proof.

45. Just as learning religious rulings is an obligation, so is it obligatory to learn the details of these rulings. It is thus obligatory to learn the parts, conditions, and impediments of devotional acts deemed obligatory by religious law, such as prayer (*salat*), fasting (*sawm*), poor-rate (*zakat*), pilgrimage (*hajj*), atonements (*kaffarah*), and so on.

The parts of prayer, for example, include *takbirat al-ihram* (i.e. to say *allahu-akbar* as the exordial statement of prayer), *ruku'* (bowing down), *sujud* (prostrating), and other acts. Its conditions include purity of body and dress, minor ablution (*wudhu'*), facing the qiblah direction, and other things. The nullifying matters of ritual prayers include talking (during the prayer), eating, and so on.

Similarly, the parts of ritual *hajj* (pilgrimage to the Holy House in Mecca) are *ihram* (i.e. entering into a state of consecration by putting the uniform of *hajj* and refraining from doing certain things), *wuquf* (halting on Mount 'Arafat on certain days), *tawaf* (circumambulating the Holy Ka'bah), *sa'y* (traveling fast seven times between the hills of al-Safa and al-Marwah), and other matters. Likewise, the validity of one's *hajj* is conditional upon certain matters.

It is also obligatory to learn the non-devotional laws of religion, such as the amount of *kurr*, less-than-*kurr* water, mines, spoils of war, legal distances (as they apply to prayers in journeys), shortened-form prayers, complete-form prayers, residence, homeland, materials on which *tayammum* (dry ablution) must be done, and the like. Each of these titles has its own details, laws, and rulings.

46. It is obligatory upon every duty-bound person to learn the obligations and prohibitions regarding the

issues one encounters in one's daily life, including personal, family, social, devotional, and business affairs. Just as it is obligatory to learn the laws pertaining to the beliefs and principles of the religion, so also is it obligatory to learn the secondary issues of the religion. The difference is that learning the fundamentals of the religion is purely rational obligation, while learning the secondary issues is religious obligation.

47. Innovating heretical doctrines in the religion is forbidden. This includes ascribing to religion a deed, which is not part of religion or cannot be proven so, or teaching it to others under the claim that it is part of religion, be such a deed in the field of belief, devotional acts, or any other field. Examples of heresy include believing that a certain tree or a certain place is sacred (without religious proof), cooking a stew on a certain day in a certain place in the name of a certain person, observing a continuous fast, or abstaining from talking as part of devotional acts.

48. It is forbidden (*haram*) for both jurists and ordinary persons to issue a religious verdict or explain a divine law without having full knowledge of it, or give a wrong answer to a religious question.

49. It is forbidden for religious scholars to conceal their knowledge, be it in the field of theology, jurisprudence, mysticism, ethics, exegesis of the Holy Qur'an, or traditions of the Holy Prophet. In other words, it is obligatory upon all experts in any of the fields of religious knowledge to state their views and express their knowledge by means of speech or writing on condition that there is no fear of expressing such views, the community is in need for them, or there is no one else to replace them. Thus, if such information or knowledge cannot be obtained from any other person, it is then an individual obligation upon the expert to declare it. However, this obligation will be collective if there is more than one expert.

50. If people are in urgent need for specialists in a field of knowledge, such as medicine, engineering, or any other field, it is then impermissible for the specialists to conceal their expertise. However, it is collectively obligatory upon such specialists to practice their skills as much as the public needs them. Also in accordance to the need of the public, it is collectively obligatory upon the people to practice jobs that require less specialty, such as grocery, bakery, farming, agriculture, trade, and the like.

In Muslim countries, fulfilling urgent public needs may be either a collective obligation or it may change into individual obligation when refraining from it will cause disorder in the social system, regardless of the nature of the job.

However, this does not mean that they are required to work for free; rather, the occupation itself is an obligation, whether they are paid or not.

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