

Preface

'The Islamic Legislation and the Confusables of the Muslim Issuance of Rulings' is the title of a scientific encyclopedia that has been undertaken by the author of this book. So far, a number of studies of this encyclopedia have come into sight. *'The Prohibition of Recording the Hadith,'* the fifth study of this encyclopedia, has been deposited in two frames—foundational and practical.

The author has made many studies in the fields of the Hadith, the different recitals of the Holy Qur'an, the repeal of certain Qur'anic verses, and the major points of differences between the Islamic schools of law, such as Inerrancy (*'Ismah*), Analogy (*Qiyas*), Equitable Preference (*Istihsan*)¹, and the like questions.

Regarding the author's practical studies, he has written a number of volumes about *'the Holy Prophet's Ritual Ablution'* and the causes of the Muslims' disagreement in this issue. Without neglecting the methodology of the past jurists who hint at these issues, the author has also taken in consideration the modern Muslim's mentality in understanding the events and texts explaining plainly the circumstances that created such disagreements among the Muslims about the religious rulings. Thus, he has written *'Adhan Between Genuineness and Distortion'* and *'the Holy Prophet's Ritual Prayer'* as well many similar issues.

The author's methodology in investigating the Islamic jurisprudential questions and the doctrinal topics rests upon the study of the legislative and historical confusions that caused the issuance of certain rulings or religious belief. He thus acquaints the reader with the time and circumstances that surrounded a narrative or a narrator as well as the hidden themes that influence the understanding of a text.

Following this methodology, a new stage of study exceeding the limits of the fundamentals, molds, and frames that each school has had to observe in understanding the sacred texts² and deducing the religious laws. Due to such commitments, each school of law has rejected or detained any other viewpoint or concept even if it is closer to the actuality.

Such a new methodology has freed the Islamic jurisprudence from its sectarian limits and untouchable bases invented by each Muslim jurisprudential schools and has given it a new wider and more

comprehensive perspective enabling it to unify or, at least, reaches closer steps of unity after it has lived in irony and restricted concepts.

Finally, the author has briefed about some of the roots of separation after the departure of the Holy Prophet in addition to the ideas that branched out the Muslims into numerous sects and schools.

The book has been reprinted three times so far. The first edition was published by Imam `Ali Foundation – Qumm, Islamic Republic of Iran in Safar, AH 1418. The second edition was published by al-A`lamiy Foundation – Beirut, Lebanon in AH 1418/1997. The third edition, upon which the translator has depended, was published by Dar al-Ghadir – Qumm, Islamic Republic of Iran in AH 1425/2004.

1. In the Sunnite jurisprudence, istihsan is the use of one's own judgment to determine the best solution to a religious problem that cannot be solved by citing sacred texts.

2. Whenever the Sacred Texts are mentioned in the book, they stand for the Holy Qur'an and the Holy Sunnah that comprises the words, deeds, and confirmations of the Holy Prophet and the Holy Imams.

Source URL:

<https://www.al-islam.org/prohibition-recording-hadith-causes-and-effects-sayyid-ali-al-shahristani/face#comment-0>