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Legal Rulings Derived from Qur'anic Stories, Part 2

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Abstract

Can legal rulings be derived from Qur'anic stories? Much of the Qur'an comprises of stories on specific nations and prophets of God. Based on narrations from the Ahlul Bayt, legal verses have indeed been derived from these universal stories. To demonstrate these rulings, the first part of this article used these narrations, using topics such as the permissibility of self-praise and dissimulation (*taqiyya*), and justifying punishment for the disabled and ill wrongdoers. This second part includes the implications or inspirations drawn from the Ahlul Bayt's method of interpretation of Qur'anic stories.

2. Implications of the legal interpretation of Qur'anic Stories

"Implications" here refers to the inspirations derived from the Ahlul Bayt's legal interpretation of Qur'anic verses that make up stories. These implications stimulate our thinking and resolve some of the ambiguities in Qur'anic research. In this section, some fundamental questions on the abrogation of pervious codes of religions law and the nature of the Qur'anic stories on the one hand; and implications drawn from the process of legal interpretation of Qur'anic stories by the Ahlul Bayt on the other are addressed.

2.1. Legal interpretation of Qur'anic stories is considered a proof

According to Shi'a beliefs, the Ahlul Bayt are regarded as the scientific and religious authority, after the Qur'an and Sunnah. Their sayings and actions are considered standard in every respectBabaei, 1385 solar, 57 . Accordingly to hadiths on Qur'anic commentary, fundamental principles of commentary can be explored, and the Ahlul Bayt's method of interpretation can be discoveredTabataba'i, 1374, 64 . It is also

possible to check one's understanding of the Qur'an in terms of beliefs, moral principles, and legal rulings. The Ahlul Bayt referred to Arabic literature in understanding the Qur'anBabaei, 1385 solar, 104 , used some verses to understand othersTabataba'i, 1364, vol. 1:10 , made Sunnah the means of interpreting the Qur'anNasih, 1387 solar, 110 , used the decisive human findings to discover the aims of the versesTabataba'i, 1364, 118 and 121 , encouraged people to resort to the Qur'anFeiz, no date, vol.15 , and never prohibited people from benefiting from the outward appearance of the it. Relying on the outward appearance of verses, linguistic and rational rules, the Ahlul Bayt deduced legal rulings from Qur'anic verses on the stories and has not prevented others from doing the sameJawadi Amuli, 1384 solar, vol. 102 .

2.2. The multidimensional language of the Qur'an

Although classification and dissecting is an intellectual asset, this also suggests our mental limitationsMuzaffar, 1400 A.H., 106 & 107 . We can neither create nor recognize an unlimited product as befits it, so we classify to better understand them. Though it may be simple to classify limited human products, it is difficult to analyse the Qur'an thematicallyMisbah, 1373 solar,10 because all its propositions are united and the verses are so intertwined that each verse is inclined to and paves the way for manifestation of the others. Thus, no verse can be studied separate from other versesJawadi, no date, vol.1:15 . All those who turned to the thematic interpretation of the Qur'an have acknowledged the difficulty of thematic analysisMakarem Shirazi, 1370 solar, 30; Raja'i, 1386 solar, 20 . That may be why it has not been as voluminous as its sequential interpretation yet. Despite this fact, thematic interpretation, particularly interpretation of verses on legal rulings, has run its course, albeit with fluctuationsMakarim Shirazi, 1370 solar, 25–30 . Deducing legal rulings from Qur'anic stories, the Ahlul Bayt have shown that the Qur'an has a multi–faceted language. In other words, Qur'anic stories should not be merely considered the artistic expression of documentary and real events; rather, the necessary legal rulings can be drawn from these documented events.

2.3. The expansion and development of Qur'anic verses on legal rulings

The development of a legal approach to thematic interpretation dates back to the second century A.H. Mohammed ibn Sa'ib KalbiDate of death: 146 A.H. , who authored *The Qur'anic Rulings*Ayazi, 1380 solar, 36; Alawi Mehr, 1381, 67 . For a thousand years or so, the number of legal verses fluctuated depending on the researchers' views. Allegedly, the first person to consider legal verses to be 500 in number was Maqatil ibn Sulayman, though some have doubted this number. Muhaqqiq Ardabili thought the number to be 370, Fazil Miqdad fewer than 500, and Abdullah ibn Mubarak 900Ayazi, 1380, 122 . These differences are rooted in researchers' aptitude, legal and interpretative principles, scientific approach, and the requirements of their time and settingSee Jurjani, 1329, 203, 106. Miqdad, 1343, vol.1: 20, vol.2: 11 . The impact of researchers' social situations and scientific approaches to verses can be clearly observed in the literature of the recent decades. For example, we know that verse no. 246 and 247 of the chapter al–Baqarah tells the story of Saul and Goliath. Muntazeri searched for the

characteristics of an Islamic ruler in this storyMuntazeri, 1409 A.H.: 282, 289 , and from it Khaza'ili concluded the connection and association between political and religious leadership of societyKhaza'ili , 1358 solar, 564, 567 . Amid Zanjani deduced giving full measure from verse 88 of the chapter Yusuf and advocacy from verse 19 of the chapter al-KahfAmid Zanjani, 1388 solar, 171, 203 & 230 . In addition, Ayatollah Qurbani concluded the legal ruling of enjoining the good and forbidding the evil, along with its requirements, from verses 16-166 of the chapter al-Araf;Qurbani, 1380 solar, no.7, 132 and Hashemi Rafsanjani inferred to the necessity of evaluating how obedient the forces under command are from the verse 251 of the chapter al-Baqarah as well as the necessity of patience by the one who spends in the way of God from verse 262 of the same chapterHashemi Rafsanjani et al., 1380, vol. 2:88, 239 . As mentioned in hadiths on interpretation in the first part of the article, the Ahlul Bayt have presented a normative understanding of the stories that are statements. Thus, following the Ahlul Bayt and observing the linguistic and conversational rational rules, we can take a legal approach and deduce the necessary legal rulings from Qur'anic verses on stories, or at least we can confirm the commands and prohibitions found in the Qur'an and Sunnah. Of course, in the Qur'anic stories, legal rulings are not expressed as commands, prohibitions, and being obligatory and forbidden. Thus, in the verses on stories, there is increasing flexibility, and of course, the jurists face a far more difficult task. However, a legal approach to Qur'anic stories develops Qur'anic legal sources and gives jurists opportunities to respond to modern needsAyazi, 1380, 360 . Therefore, the researcher on Islamic jurisprudence does not have to merely search in the commands and prohibitions of the Qur'an for legal rulings and does not have to limit himself to its normative phrases. Accordingly, the legal Qur'anic verses both expand and develop.

2.4. Legal rulings beyond time

A significant part of legal rulings in the Qur'an is related to a specific time in the history and a specific region. Sacrificing one's children for idols and dividing the sacrificed animal among God and His associates in the sphere of religious and society are instances indicating the careful attention the Qur'an gives to its initial addressees. Naturally, a book that presents a new system of life cannot overlook realities. Only through addressing these matters was it possible to correct the Arabs' beliefs and behaviours as the primary audience of the Qur'an as related to Jinns, angels, God, Resurrection, worship, and trade. Therefore, the majority of Qur'anic beliefs and legal rulings are Arabic in nature. These beliefs and behaviours addressed in the Qur'an remind us of the tribal and geographical aspects of it to such an extent that the customs, habits, beliefs, teachings, and worldviews of the people in the time of revelation were included in the divine word in a deliberate manner. Therefore, if the Ptolemaic astronomy or Galen medicine is reflected in the Qur'an, they should not be denied even though this knowledge is currently outdatedKhorramshahi, 1374 solar, issue 5, 91 . The Qur'an is the language of a tribe, which means it is culture-bound. The language of each tribe reflects its culture, beliefs, theories and worldviewsJalili, issue 3, 40 . The Prophet received the revealed Qur'an in the language of the Arabian Peninsula in the seventh century A.DFarasatkhah, no date: 33 &1:29 . Of course, the theory that the Qur'an is time-bound has been criticizedAyazi, 1380 solar, 65 . As this is beyond the constraints of this paper, what is important is the consequences of this view. According to this theory, the scientific

durability and reliability of the verses on legal rulings come under question because the time-bound legal rulings do not apply to all eras; rather, they are age-specific and reflect a specific cultureFarasatkhah, no date, 129 . However, the interpretive hadiths mentioned in the first part of the article which contain legal rulings drawn from Qur'anic stories indicate that Qur'anic legal rulings go beyond time and negate the absolutism found in the theory of time-bound Qur'anic rulings. Some rulings were inferred from the verses on stories 200 years after the revelation, and considering the fact that the Ahlul Bayt's words are authoritative, it is clear that these verses go beyond time.

2.5. The legal rulings of shari'ahs before Islam are not abrogated

In Islamic principles, abrogation technically refers to elimination of a former law by a subsequent one in a way that these two laws are in a complementary distribution and cannot co-exist; the reason for this can be found in their inherent discord or scholars' consensus and explicit textMarefat, 1425 A.H., vol. 2: 277 . However, the context of some verses on stories shows that the legal rulings of previous *shari'ahs* were still in force after IslamModir Shanehchi, 1380 solar: 329 . On the basis of definition of abrogation and the rule of "no abrogation" in Islam, abrogation of any legal ruling in *shari'ah* needs a definite reasonMuzaffar, 1405 A.H., vol. 2:52 . Thus, scholars of Islamic jurisprudence refer to the rule of "no abrogation" in deducing legal rulings from Qur'anic stories. The contemporary Qur'anic scholar, Amid Zanjani wrote: *"The durability of legal rulings of previous Shari'ahs as long as they are not abrogated is considered not only a requirement of principle of istishab* (*continuity*) *but also a definite principle in Islam".* Some narrations suggesting the derivation of legal rulings from the Qur'anic verses on stories confirm that some rulings of religions prior to Islam are not abrogated. They also demonstrate that the Ahlul Bayt did not consider some rulings before Islam as abrogated.

2.6. Distinguishing fixed legal rulings from the variable ones

A requirement of Mohammedan religion is that it is not abrogated; rather, it is eternal. But how can belief in eternity of rules on the one hand and time change and constant variation in different aspects of human life on the other coexist? This is the question believers have attempted to answer because at first glance, time change and eternity of rules which imply a fixed nature are polar opposites that cannot coexistMutahhari, 1372:11 . There have been discussions on features of fixed and variable legal rulings. As a result, there appeared a new discussion on "Islam and time requirements" in which Islamic rulings are divided into two: fixed and variableMutahhari, 1383:218 . However, there are opinions about which ruling is fixed or variable, and about the criteria to distinguish them. Some believe the eternal, fixed rulings meet our permanent needs, and variable rulings depend on our changeable needs. Others believe that "value-laden principles" are eternal and originate from man's monotheistic conduct, and all rulings on family and social matters, government, judgment, punishment, and trade follow from and depend on these value-laden principlesMujtahid Shabestari, 1379 solar, 86-87, 188 . Accordingly, value-laden principles are referred to as the primordial commands, prohibitions, and regulations are the secondary onesMujtahid Shabestari, 1379 b: 105, 159, 264, 269 . Others regard fixed rulings as general

ones, believing general rulings are considered as principles and regulations; while variable ones should be regarded as minor ones inferred by experts from general rulings, depending on man's life and his situationsAyazi , 1380 solar: 285, 287 . What different views have in common is the acknowledgment of the existence of inalterable rulings and principles in Islam, but the views on what makes fixed rulings distinct from variable ones differSa'idi Roshan, 1380 solar: 354, 355 . Another group has regarded justice as the fixed principle and believes rulings follow from it, still another group have criticized this view due to changeability of the concept of justiceMisbah, 1388 solar: 147 . Finally, some scholars have considered the humanistic aspects as the eternal criterion of rulingsAyazi, 1380 solar: 138 , and as a way out of the problem posed by the concepts of fixed and variable, they have introduced this criteria as "identifying the topic of ruling", "social condition of understanding it", "the occasion and the reason for its revelation", "discovering the criterion of ruling through division" and "how conditions have changed compared to the time the ruling was issuedAyazi, 1380 solar, 297- 295 ." After the above introduction, the question is raised: many years after the prophetic mission of Prophet Muhammad, if an infallible Imam deduced a ruling from a Qur'anic story, was it fixed or variable? When Imam al-Ridha' – using the verse, ***"My covenant does not include the unjust."*** **(al-Baqarah, 2: 124)** considered justice the condition for legitimacy of a ruler, can it not be regarded as a fixed ruling? Or when Imam al-Sadiq deduced mitigation of punishment of a diseased male or female sinner from the Qur'anic verse, can't this mitigation be regarded as a ruling beyond time? No doubt, the era and circumstances of Imams also entailed some requirements, and from the Ahlul Bayt's words when deducing legal rulings from the Qur'anic verses on stories, we can conclude that a ruling is either fixed or variable. In the same way, from the Imam's conduct during 250 years, variable and invariant principles can be inferred, and variables of their conduct can be discovered as wellMutahhari, 1377: 16 .

2.7. Qur'anic stories are real

After dramatic developments in empirical sciences during the industrial revolution in the West, the sciences became the measure of truth; philosophers tuned into researching the facts and the truthMutahhari, 1373: 204 . They considered the real and authentic proposition to be the one whose veracity or falsity could be proved through experience and experimentation. The empiricism of John Locke, David Hume, and Berkeley disregarded intellectual knowledge, thus limiting it to the five sensesFa'ali, 1377 solar: 60 . However, some Muslims tried to understand the Qur'an from a positivist approach. They argued that there was no conflict between human findings and sciences and the Qur'anic revelation-based insights. One example to demonstrate the consistency of Qur'anic teachings with empirical findings is Sayyid Ahmad Khan Hindi'sDate of birth, 1232 A.H interpretations of and justifications about the angels, Jinns, the Trusted Spirit, revelation, and metaphysical issues related to the unseen world as mentioned in the Qur'anKhorramshahi, 1376 solar: 223 . Muhammad ibn Ahmad Khalaf-Allah was another figure who believed that the Qur'an does not seek to present facts and real events. He held that it is necessary to compare some Qur'anic stories with historical facts as Qur'anic stories do not aim to provide us with realities and facts; it narrates events and people in an artistic and literary manner, telling the stories prevalent in the time it was revealedKhalaf-Allah, 1999: 152 . The

functional view of Qur'anic stories deny its reality, as if they are similar to fantasy stories, with their special geometric structure that are evaluated against their specific criteria. In contrast, Qur'anic stories are believed to document actual events and are void of fiction, fantasy, and imaginationBostani, 1376 solar: 13-14 . Of course, the Qur'an does not talk about lacklustre and literal realities; rather, its language is realistic, with an artistic structure. Realism in art does not mean the denial of real-world eventsHosseini, 1377: 46 & 82 . The fact that the Ahlul Bayt as the true interpreters of Qur'anic stories and had a legal understanding of them reveals that these stories are real, that they expressed the realities of man's life which are universal. Those one who comes across Qur'anic stories discover real events within its themesBostani, 1376 solar: 14 , learns the rules of life, and adjusts his relation with God accordingly.

2.8 The single truth of the divine religions

The Qur'an considers all divine religions as one: ***"He has made plain to you of the religion what He enjoined upon Nuh and that which We have revealed to you"*** (***Shura,42: 13***), and calls this single religion Islam, ***"Ibrahim was not a Jew nor a Christian but he was*** [***an***] ***upright*** [***man***]***, a Muslim."*** (**Ale-Imran, 3: 67**). However, there are some differences in some rulings of this unified religion depending on the time and its requirements: ***"To each among you have we prescribed a law and an open way."*** (***Ma'idah, 5: 48***) Nevertheless, the differences between religions and their rules do not have any impact on the essence and nature of the single religion. They differ in the plans implemented in a country, albeit onceMutahhari, no date: 13, 20 . Therefore, there are no rulings on acts of worship such as legal purity, prayer, fasting, and the greater and the lesser Hajj as well as economic and political rulings in the Mohammedan religion that are unprecedented in previous religionsAyazi, 1380: 138, 167 . An outcome of drawing legal rulings from verses on stories by the Ahlul Bayt is, in fact, a revival of the rulings of the divine single religion, and it demonstrates the unfired truth and nature of religions and the similar and consistent forms of religious rules.

Conclusion

While interpreting the Qur'an, the Ahlul Bayt deduced legal rulings from Qur'anic stories and referred to the verses in issuing most legal rulings. In the first section, a few instances were given; for example, taking a government post in false political systems, permissibility of self- praise and drawing lots, recommending a woman who has just borne a baby to eat dates, recommending Muslims to enter Mecca in a pure state, knowledge about conditions for enjoining good and forbidding evil, a woman not needing to compensate for prayers not performed during menstruation, mitigating a diseased sinner's punishment, and the legal ruling of prayers not performed. Examining the Ahlul Bayt's method in deducing legal rulings and interpreting past peoples' events and previous prophets' lives legally, we conclude that the Ahlul Bayt considered the divine religions to entail a single truth, and according to them, some legal rulings of shariahs before Islam are not abrogated and can be used in – and referred to – in deducing legal rulings. On the basis of the Ahlul Bayt's legal interpretation of prophetic and

Qur'anic stories, not only is it proved that Qur'anic stories are real but also deducing legal rulings from such stories is valid; the legal rulings that go beyond time and last to the present. Thus, it is possible to raise and examine the issue of discovering the Ahlul Bayt's interpretation method as the standard method of understanding legal rulings from Qur'anic stories. Delineating this method, we see development and change of Qur'anic resources of legal rulings. This procedure itself indicates the multi-faceted language of the Qur'an; thus, the analysis of Qur'anic stories expands, and we can involve these verses in the legal understanding and deduction of legal rulings.

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