

KİTAP İNCELEMESİ / BOOK REVIEW

SHARİ‘AT IN THE CONTEXT OF SOCIAL CHANGE, HISTORICITY AND NASKH

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SOSYAL DEĞİŞİM, TARİHSELLİK VE NESH BAĞLAMINDA ŞERİAT

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ABSTRACT

The number of qualified academic studies on what sharī‘at is and its relationship with social change, historicity and naskh has been increasing in recent years. In this context, the discussions and writings on social change, Qur‘an, Sunnah, sharī‘at, historicity and naskh on the axis of Westernization and Islam continue to form a part of the agenda. One of these works is Prof. Dr. Talip Özdeş's "Sharī‘at in the Context of Social Change, Historicity and Naskh". With this study, it is aimed to eliminate the confusion around the concept of sharī‘at, to contribute to social reconciliation by eliminating the grounds for abuse. The subject has been handled and processed with a purely supra-political scientific approach. This study first focuses on the issues of social change, historicity and naskh with an analytical approach in order to understand the concept of sharī‘at correctly and to place it on its axis. Then, based on the same ground, the concept of sharī‘at is focused on.

The concept in question examined lexically and semantically, and the essential information and evaluations are made on what it expresses in the Qur‘an and its dimensions based on the integrity of the Qur‘an. Again, the meaning relationship of the concept of sharī‘at with the concepts of shir‘at and shar‘ī from the same root is emphasized, and some information and evaluations are made. In this study, which has been prepared with a rich literature by using the basic sources in the field, the subjects are handled concisely and examined in various aspects from an academic and scientific perspective.

Keywords: Sharī‘at, Islam, Social Change, Historicity, Naskh.

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ÖZET

Şeriatın ne olduğu, şeriatın “sosyal değişim”, “tarihsellik” ve “nesh” ile olan ilişkisi üzerine yapılan nitelikli akademik çalışmaların sayısı son yıllarda giderek artmaktadır. Bu bağlamda Batıcılık ve İslâm ekseninde sosyal değişim, Kur’an, sünnet, şeriat, tarihsellik ve nesh konuları üzerinde yapılan tartışmalar ve yazılan eserler gündemin bir parçasını oluşturmaya devam etmektedir. Bu eserlerden biri de Prof. Dr. Talip Özdeş’in kaleme almış olduğu “Sosyal Değişim, Tarihsellik ve Nesh Bağlamında Şeriat” başlıklı çalışmadır. Bu çalışma ile “şeriat” kavramı etrafındaki kavram kargaşasının giderilmesi, istismar zeminlerinin ortadan kaldırılarak toplumsal uzlaşmaya katkı yapılması amaçlanmıştır, konu tamamen siyaset üstü bilimsel bir yaklaşımla ele alınıp işlenmiştir. Çalışmada “şeriat” kavramının doğru anlaşılması ve mihrine oturtulması noktasında önce analitik bir yaklaşımla sosyal değişim, tarihsellik ve nesh konuları üzerinde odaklanılmıştır. Daha sonra aynı zeminden hareketle “şeriat” kavramına yoğunlaşmıştır. Söz konusu kavram lügavî ve semantik yönden incelenmiş, Kur’an bütünlüğünden hareketle Kur’an’da ne ifade ettiği ve boyutları üzerine bilgi verilip değerlendirmeler yapılmıştır. Yine “şeriat” kavramının aynı kökten gelen “şir‘at” ve “şer‘î” kavramlarıyla olan anlam ilişkisi üzerinde de durulmuş, bilgilendirme ve değerlendirmeler yapılmıştır. Alanında konuyla ilgili temel kaynaklar kullanılarak zengin bir literatürle hazırlanmış olan bu çalışmada; konular özli bir şekilde ele alınmış, akademik ve bilimsel bir perspektiften çeşitli yönleriyle incelenmiştir.

Anahtar Kelimeler: Şeriat, İslâm, Sosyal Değişim, Tarihsellik, Nesh.

Islam, the last religion sent by Allah, is a religion that comprehends life as a whole with its dimensions of continuity and change, contains general principles that are continuous for human beings and society, and guides and targets human reason and contemplation on what is changing. This religion imposes certain responsibilities on man and society in renewing and developing themselves towards the positive.

The mission of the prophets, each of whom was sent to different societies and geographies on Islam, is to transform and change the society from shirk to tawheed, from falsehood to truth, from wrong to right, from oppression to justice, from darkness to light, from misguidance to guidance. It is to realize a deep-rooted revolution based on free will, not imposing faith and ideology, passing from the individual to the society, penetrating into thoughts and souls, and reflected in faith, morals, and deeds. While performing this mission, the prophets sent by Allah are actually in a position to direct social change in the light of divine revelation. At this point, the mission of the Prophet (p.b.u.h.), who was sent as the last of the prophets, is not to surrender to the social structure, which was in the vortex of wrongness and distortions with its customs, traditions and institutions; but to give it direction and content in line with the principles and provisions of the Qur'an revealed to him.

This social change, which took place under the example and guidance of the Prophet Muhammad (p.b.u.h.), was not carried out by ignoring the socio-cultural realities of the society; but by transforming the contents of the concepts, customs and traditions related to the world of belief, religion and culture of the society in line with the principles of divine revelation.

The fact that the Qur'an was revealed to the Prophet Muhammad in approximately twenty-three years in connection with the situations and phenomena that were being experienced is related to the fact that divine revelation encompasses and directs social change.

The work that we will analyse consists of an introduction, two chapters, and a conclusion. In the introduction (pp. 13-24), the issue of what social change is, the position of Islam in the face of social change, and the fact that Islam, the last and true religion, is in favour of social change. In doing so, it transforms and changes the society from shirk to tawheed, from falsehood to truth, from wrong to right, from oppression to justice, from darkness to light, from misguidance to guidance are treated with. In this context, it is also mentioned that the social change that took place under the example and guidance of the Prophet (p.b.u.h.) is not realized by ignoring the socio-cultural realities of the society to which the message was addressed; but it is realized by transforming the contents of the concepts, customs and traditions related to the belief, religion and culture of the society in line with the principles of divine revelation.

In the first chapter (pp. 25-59), the issue of whether the Qur'an is historical or not and the issue of naskh are discussed. It is emphasized that the Qur'anic provisions are universal in nature and cannot be limited to a certain historical period in terms of bindingness, because Allah's address to human beings, the provisions and principles laid down for them are based on their nature. The theory of naskh is also discussed in the same context, and it is emphasised that there cannot be any contradiction between the verses and provisions of the Qur'an, which has been made perfect in every aspect, which cannot be preceded or followed by falsehood, and which humans are incapable of creating a similar one.

In the second chapter (pp. 61-89), the relationship between Islam and social change is discussed through the relationship between religion and sharī'at, and it is emphasised that the subject of religion cannot be reduced only to faith while sharī'at cannot be reduced only to practice independent of faith. In this context, three key concepts sharī'at, shir'at and shar'ī are examined in terms of lexical and terminological aspects.

It is stated that those who approach the Qur'ān in a historicist manner tend to reduce the religion (al-Dīn), which Allah sent to humanity through all prophets, only to the faith and morality, and to allocate the sharī'at only to worship, treatment and practice within the framework of law. However, it is emphasised that a holistic evaluation based on the Qur'an and the authentic Sunnah would suffice to show that religion (al-Dīn) and sharī'at (al-Sharī'at) are not disconnected from each other, that what is included in the religion is also included in sharī'at, and what is included in sharī'at is also included in the religion. It is pointed out that, according to the Qur'an, what God ordained for Prophet Noah, Prophet Abraham, Prophet Moses and Prophet Jesus, is also made sharī'at (al-Sharī'at) for Prophet Muhammad. In this context, sharī'at (al-Sharī'at) includes the original provisions and principles that have not changed throughout all times and have been confirmed by the divine revelation revealed to all prophets.

It is also stated that in this sense the religion (al-Dīn) in the sight of Allah is Islam. It is emphasised that these principles and provisions in the fields of belief, worship, morality, conduct and law are the signposts of the main street that leads people to guidance, regardless of the historical period and sociological environment in which they live.

It is stated that this sharī'at (al-sharī'at), which does not change with its original lines, enters into a certain form with the introduction of socio-cultural, political, economic, historical, geographical, legal and other factors that societies live in while being transferred to life through the communication and modelling of the prophets who are the recipients of divine revelation; that is, in a sense, it turns into a kind of sharī'at, which is essentially named by the concept of shir'at in the Qur'an. In this context, it is stated that shir'ats/sharī'ats revealed by Allah to each prophet without deviating from the main principles and provisions of the al-Sharī'at are one in essence, but have different aspects and characteristics in detail. In the meantime, it is pointed out that it is wrong to call the regimes, management styles, political and social systems created by people and societies, even if they have a Muslim identity, as "Sharī'at". It is also stated that it would be more accurate to express people's religious interpretations, jurisprudence and systems even they are based on the principles of al-Sharī'at with the concept of shar'ī. It is also emphasized that the measure of being shar'ī of the jurisprudence, interpretations and systems created by human beings is directly proportional to the legitimacy of these jurisprudence, interpretations and systems.

In the conclusion (pp. 91-100), the book ends with a general evaluation of the study. As a result, this work is an important reference for academicians and researchers who are interested in the subject because it is one of the important studies in its field. It has been prepared using a rich academic literature; it deals with the subjects in a holistic and systematic manner. With its author's mastery of the subject and his original evaluations, it offers a serious literature contribution to future academic researches in its field.