

Love, Law and Equilibrium

SELAHATTİN EROĞLU

Ankara Univ. Faculty of Divinity

The essence of Islam is uniquely stated in its formula of the statement of testimony: *لا اله الا الله* “There is no god but Allah,” i.e., *al-tawhīd*. This essential concept of Divine Revelation has been brought to its perfection by Islam for ever. Unity of God, unity of the process of creation of mankind in soul and in body, of life in the profane World and in the Hereafter manifests the fact that the life in the profane World and the life in the Hereafter are indissolubly integrated. This plain fact is reflected crystal clear in its epitome, that is, its legal system: Islamic Law, or Sharia, or Fiqh.

The souls of men were created first and this profane World was restricted by God for mankind to lead a certain period of life in the form of physical body carrying the soul which had all been created before and had all acknowledged the unity of God the Creator. Our souls, that is, our true essence were put into a test through life in physical forms as they were solely given the freedom of will, through which they were given the freedom either to choose Islam or otherwise, and consequently they were held responsible before God both in this World as well as in the Hereafter. It is thus clearly understood that religion of Islam treats the limited life in this World and the eternal one in the Hereafter as totally one and integrated, or in other words, indissolubly interwoven. This is the very reason alone the idea of secularism or laicism which stemmed from Christian European civilization did not have roots in Muslim societies in spite of the fact that it was officially and even by force and intimidation applied in certain Muslim societies. Thus, Islam presents itself to mankind in its totality and wholeness; and the supreme court at which man would be adjudged through their believes and deeds in such a minute details, as it is exemplified in the Qur’an as such:

”يَوْمَئِذٍ يَصُدُّرُ النَّاسُ أَسْتَاتًا لِّبُرْوَا أَعْمَالِهِمْ. فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ. وَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ.“

“...On that day will men proceed in companies sorted out, to be shown the deeds that they (had done). Then shall anyone who has done an atom’s

weight of good, see it. And anyone who has done an atom's weight of evil shall see it."¹

God has already made it clear in the Qur'an that however limited this profane World may be, the certainty about eternal life in the Hereafter emphasizes the significance of deeds in this World due to the simple fact that the life in the Hereafter is going to be determined according to the deeds that had been done before death occurred; thus the concept of death is in no way understood to be the end of worldly life; on the contrary, it marks the end of temporal life and the beginning of the eternal one; that is, the life in the Hereafter.

Furthermore, God introduces Himself to mankind through His 99 attributes, some of which have direct relations with the life in the Hereafter: al-Rahmān (The Merciful), al-Raḥīm (The Compassionate), al-Malik (The Sovereign), al-Mu'min (The Faithful), al-Ghaffār (The Much-Forgiving), al-Qahhār (The Vanquishing, Conquering), al-Ḥakam (The Arbitrator), al-Ḥakīm (The Judicious, Wise), al-Tawwāb (The Forgiving), al-ʿAfuww (The Merciful, Forgiving), al-Muqṣit (The Just, Fair).²

In short, God, as the Supreme Judge (i.e., *احكم الحاكمين*) naturally gives the believers consistent and solid confidence that eventually, though not necessarily in this world but definitely in the Hereafter, the genuine justice will prevail by God, the Supreme Judge. We should note the fact that every legal system is mainly judged according to its effectiveness in prevailing the concept of justice and equity amongst the society. In this regard Islamic Law indeed has a clear advantage as compared, particularly, to man-made legal systems that God, in whom the believers submit themselves, is the Supreme Judge of the Supreme Court in the beginning of the eternal life in the Hereafter. In other words, Muslims, individually as well as communally have consistent and sound legal systems which organize the deeds of the believers not only in its strict legal sense, but even in its broader context encompassing religious and ethical norms and values in its unique type of legal system.

The legal system of Islam experienced an outstanding process of development in early Muslim societies. It is true that every legal system should reflect and represent overall special characteristics that are prevalent in the society concerned. In this respect Islamic Law, particularly in the

¹ 99/al-Zalzala:6-9.

² See among others 59/al-Hashr:22-24.

period of its first two to three centuries, which is also known as the emergence and development of religious sciences as well as science proper in Muslim World, enjoyed a consistent yet rapid development in the hands of early jurists of the ancient schools of law under the direct auspices of the first four caliphs (al-Khulafā° al-Rāshidūn), Umayyad and particularly Abbasid Caliphs. Islam, as it asserts to be the final phase of the chain of Divine Revelation, has laid down in its Divine Message (i.e., the Qur'an) together with its explanatory practice by the Prophet Muhammad (i.e., Sunna), certain injunctions in the forms, mainly of commands and prohibitions as well as general statements that have religious and legal implications. In such a manner that engulfs all types of actions or deeds ranging from the most individual and personel ones to the most complex issues of international relations that may sometimes bring other non-Islamic parties and values as well as concepts into the very issue, pending solution. The ultimate objective of the Qur'an, the last Divine Revelation, may be stated in its simplest manner that it is to lead the believers into Divine Guidance (i.e., *hidāya*) through which they enjoy genuine prosperity (see the first part of Surat al-Baqara). Those who lead their lives in compliance with divine injunctions are highly praised in he Qur'an and they are given good tidings though not only (and indeed not necessarily) restricted to the profane World, but also and particularly in the Hereafter, where genuine prosperity and equilibrium is obtained. Likewise exactly the opposite status is set to be the ultimate destination of those who do not believe in God or those who associate other things as gods with God. However, those believers in God, and yet happen to disregard, out of various causes and reasons, God's injunctions too are categorized among those who do not deserve to be rewarded in the Hereafter. As far as the believers in God are concerned their aim is to deserve God's bounty upon themselves and try their best to avoid His wrath about themselves by sticking to God's injunctions. Furthermore; under normal circumstances one looks forward to seeing the reward behind any injunction, and at the same degree expects the harmful one to be kept away from him. Whereas, expectations as such though look to be natural, a conscious believer who has made up his mind on what to do is equally expected to be aware of the fact that the real effective factor behind the driving force that makes him do is that nothing but sheer love of God (*ḥubullāh*). It is this high concept that gives Islamic Law a salient feature of its own that makes the binding force of the law like an integral element of worship to God which transcends conventional degree of binding force of

the law in general. It is this way of comprehending the law in Islam that takes man in the process of obedience to the law a great step further that a conscientious follower of Islamic Law makes himself in congruity with the legal system; and in this process the driving force is no more the consequential reward or abstinence from any sort of punishment.

Injunctions of the Qur'an with respect to the deeds of the liable believers (i.e., *mukallafūn*) appear to have been in three categories:

- 1- The injunctions that God, the Supreme Lawgiver, likes and thus wishes the liables to do;
- 2- The injunctions that God dislikes and thus wishes the liables not to do;
- 3- The injunctions that God has laid down without any obligation that is to say the injunctions whose performance has been left to the discretion of the liables.

At the time of the Prophet Muhammad this kind of general classification of deeds was understood to be sufficient for the performance of relevant actions in the spirit of worship. At this early stage due mainly to the subtle enthusiasm and zeal of the first generation of Muslims (i.e., the Companions) it was enough to realize that certain deeds are liked by God and thus were carried out in the spirit of worship as if they were all obligatory (i.e., *wājib*); and likewise the deeds that are understood to be disliked by God and thus were put aside in strict avoidance as if they were all strictly prohibited; and the third category which constitute a greater bulk of the injunctions that fall into the category of "lawful" or "permissible". What one may easily draw a conclusion here is that the early generations of Islam, particularly the very first one (i.e., the Companions of the Prophet), because of purity and simplicity of the environment that, the Prophet himself established step by step and inch by inch throughout the process of revelation of the Qur'an over the period of a little longer than 22 years (or so) there was not any need for detailed examination of a certain deed or question throughout the process of revelation. Anything that is directly or indirectly found to have been connected with either what God likes and therefore wishes us to carry out our obligation or with what God dislikes and consequently wishes us to keep away from the actions or deeds concerned. What was important to establish here was the fact that whether the said deed or action was understood to be within the category of what God likes us to perform or within the domain of what God dislikes us to do. Once this matter was determined, the performance of the deeds concerned, as something

obligatory and therefore strictly and carefully carried out or prohibited, that is to say, strictly and carefully avoided and left aside; and the rest were naturally treated as neutral deeds or actions, that is to say, the observance of which is left entirely to the discretion of the liable individuals. Thus, evaluation of deeds in the earliest times, the period of Companions of the Prophet in particular, was treated in three main categories: The deeds whose performance were liked by God, indicated obligation of all degrees; and the deeds whose performance were disliked by God were understood to be prohibition of all degrees and the neutral ones which constituted the greater bulk of this main classification, that is, the deeds, the performance or non-performance of which was left to the discretion of the liable individuals, that is, permissible or permitted (i.e., *mubāḥ* or *ibāḥa*)

Abstract

Allah, the Omnipotent, states in the Qur'an: a) "Every soul shall taste of death; unto us you shall be returned" (29/al-Ankabūt:57); b) "...God being well-pleased with them and they well-pleased with Him. That is the mighty triumph" (5/al-Mā'ida:119); c) "Prosperous are the believers..." (23/al-Mu'minūn:5). In Islamic Law God, the Omnipotent, is the Lawmaker and the Supreme Judge; and the believers, through sheer love of God, attain His pleasure; and in consequence, they are bestowed with prosperity and equilibrium.

