

A Brief Analysis of Imam Ghazali's Work

Samia Maqbool Niazi

Faculty of Shariah and Law, International Islamic University Islamabad,
PAKISTAN.

ABSTRACT

Numerous studies have been done on al-ghazali, in almost all major languages of the world, because he has been regarded as a highly respected thinker, and his thoughts have been appreciated by Muslims and non-Muslims alike. Here is a brief description of his great juristic work, an analysis of few major rules he described at great length in his great work compiled as Al- Mahsul and Al- Mustasfa.

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WHEN THERE IS NO MUJTAHID IN A CERTAIN AGE

This issue is discussed in *al-Mahsul* where Imam al-Razi discusses the issue whether it is permissible for a layman to issue a *fatwa* on the basis of what he transmits from a *mujtahid* who is dead. He says: "If he is transmitting from a dead jurist, it is not permitted to accept his statement, because it is the statement of a dead man." The evidence (*dalil*) he says is that consensus (*ijma*) is not possible while he is alive if he is opposing other opinions, but it does take place if he is dead. This indicates, he says, that after his death he has no opinion.

In response to this, he raises the question: "Why then have you written books on *fiqh* when the owners of the views are dead?" To this he gives two answers: (1) Benefiting from their method of *ijtihad* through their decisions in cases and seeing how one issue is linked to another. (2) Gaining knowledge about opinions that are agreed upon and those that are prohibited.

He then raises a question: If the transmitter possesses *adalah*, is reliable and able to understand the statements of the *mujtahids* who are dead, and then transmits these to the layman, the layman acquires persuasive truthful knowledge. Such knowledge can tell the layman that what this transmitter has said is the statement of a dead *mujtahid*, and acting upon such knowledge is obligatory.

In addition to this, he adds, that a consensus (*ijma*) has taken place in our times about the permissibility of acting upon this type of *fatwa*, for there is no *mujtahid* in our times, and consensus is a binding proof.

IS EACH MUJTAHID RIGHT OR ONLY ONE IS RIGHT?

Each layman follows the opinion of some *mujtahid* in his daily acts. On many issues, the opinions of the schools differ. The question arises as to who is following the correct view? If a view is not correct and people are following the *mujtahid* is it sinful, has the *mujtahid* committed a sin? Are all *mujtahids* correct? How is this possible?

The issue is discussed by Imam al-Ghazali in *al-Mustasfa* on page 347 and it is discussed by Imam al-Razi in *al-Mahsul* in vol. 6 on page 29. The opinion is attributed by al-Razi to al-Jahiz and al-Anbari.

Imam al-Ghazali makes the statement that if a qualified *mujtahid* undertakes proper *ijtihad*, then "the fruit of this *ijtihad* is the truth and correct, and all sin on the part of the *mujtahid* is repelled." He then goes on to explain the meaning of this issue.

He says that sin and mistake are interdependent, thus, each person who makes a mistake is sinful, and each person making a mistake has committed an error. A person from whom commission of sin is removed is protected from making a mistake.

All things subject to examination are either *zanni* or *qat'i*. There is no sin in *zanniyat* as there is no mistake in them, but a person making a mistake in the *qat'iyyat* has sinned. *Qat'iyyat* are of three types: *kalamiyyah*, *usuliyyah* and *fiqhiyyah*. *Kalamiyyat* are purely rational and the truth in these is one, and anyone who makes an error in these is liable to sin.

As for the *usuliyyah*, by these is meant, for example, that *ijma'* is a *hujjah*, *qiyas* is a *hujjah*, *khabar wahid* is a *hujjah*. In such cases the truth is one and one who makes an error is committing a sin.

As for *fiqh*, the *qat'iyyat* in these are like the obligation of five prayers, *hajj*, *zakat* and so on. All issues that are *qat'i*, in these there is a single truth and one making an error has sinned. Of these, if the things known by necessity are denied like the obligation of prayer and fasting, then he is a *kafir*. If the issues are not known by necessity, but by investigation then the person denying is not a *kafir*, but has sinned. The same is the position of *fiqhiyyat* that are known through *ijma'*.

All the other *fiqhiyyat* that are *zanni*, for which there is no *qat'i* *dalil* and that are subject to *ijtihad*, in these says al-Ghazali there is no determined truth, and there is no sin for the qualified *mujtahid* when his complete and thorough *ijtihad* leads him to a particular conclusion.

The conclusion then is that in matters that are subject to examination there are two types: *qat'i* and *zanni*. In *qat'i* matters there is mistake and sin, while in *zanni* matters there is no sin according to all views: those that say that the correct view is one and those that say that all are correct. This is the view of the majority.

After this Imam al-Ghazali says that Bishr al-Marisi and associated the *furu* with the *usul* and said that the truth in all these is one and the person making a mistake is sinful. As compared to this al-Jahiz and al-'Anbari associated the *usul* with the *furu'* and said that each *mujtahid* is correct in *usul* as well. 'Anbari said that there is no fixed truth in them and each *mujtahid* is correct. Al-Jahiz said that there is a determined truth in them, but the one making a mistake is handicapped, therefore, there is no sin in *usul* as well as the *furu*. Imam al-Ghazali then argues with all three views in detail and rejects them.

SHOWING GRATITUDE TO THE BENEFACTOR

This issue is discussed by Imam al-Ghazali in *al-Mustasfa* on page 49, and by Imām al-Razi in *al-Mahsul* in vol. 1, on page 147. The summary of what the two Imams say is as follows:

Gratitude to the Benefactor is not obligatory by reason, and this is opposed by the Mu'tazilites. The proof for this is that there is no meaning for obligation except in what Allah has obliged, commanded, and threatened punishment for its abandonment. So if the Divine address did not come, then what meaning would obligation have? Furthermore, to confirm this position, reason only makes it obligatory either with a benefit or without a benefit. But it is impossible to oblige without benefit. Yet if it was for a benefit, this would be either for the worshipped One—which is absurd, since He is Exalted and free from wants—or for the worshipper, either in this world or in the Hereafter. But there is no benefit for him in this world. In fact, he exerts himself by thinking, speculating, and being grateful to Allah and, because of this, is deprived of desires and pleasures.

Moreover, there is no benefit for him in the Hereafter because reward is grace from Allah confirmed by His promise and His message. So, if he was not informed about them, from where then would a person know he will be rewarded for this. If it is said: It occurs to him that if he was to disbelieve and deny [faith], he may be punished, and that reason invites to follow the way of safety? Imam al-Ghazali says: No. Rather, reason knows the way of safety, and then human nature impels to follow that path since every person is naturally disposed to love himself and hate pain. So you have made a mistake in saying that reason is a cause. Rather, it is a guide, while the incentives and motives that emanate from human nature follow the command of reason. You are also mistaken in saying that he is rewarded for gratitude and knowledge in particular; for this notion is based on imagining a want out of gratitude that distinguishes it from unbelief, while they are equal with regard to the greatness of Allah. Indeed, if the door of illusions is opened, then it may occur to him that Allah may punish him even if he is grateful to Him. So he reflects on this because He has provided him with means of obtaining blessings. Perhaps He has created him to live comfortably and pleasantly. Thus, his exerting himself to be grateful may be manipulation in His kingdom without His permission.

The Mu'tazilites have two obscure arguments: The first of them is their saying that the unanimity of rational beings on the good of gratitude and bad of ingratitude has no way of being denied. Al-Ghazali says: This we concede, but only with regard to them because they are excited and comforted with gratitude and are grieved by ingratitude. But with respect to the Lord, both are equal. So, for example, obedience and disobedience are equal with respect to Him.

The second obscurity is their statement that confining the sources of obligation to the *Shari'ah* would result in silencing the Messengers' arguments. For when they present miracles, those whom they invite say, "We are not obliged to consider your miracles except on the basis of the *Shari'ah*. And the *Shari'ah* is not established by our consideration of your miracles. So establish for us the necessity of considering the miracles in order for us to consider them. But we cannot do this as long as we do not think." Thus, this leads to a vicious circle. This can be answered in two ways: One of them, precisely speaking, is that you are mistaken with regard to us in assuming that we say that the establishment of the *Shari'ah* is dependent upon the reasoning of those who speculate. Rather, if a messenger is sent and supported by his miracle in such a manner that the possibility of knowing were to accrue by it when a sane person examines it, then the *Shari'ah* is established and the revelation of the divine address is fixed, obliging thinking.

For there is no meaning for the obligatory except that it's doing preponderates over its neglect by repelling a known or imagined harm. Thus, the meaning of the obligatory then is the preponderance of doing over neglecting. The necessitating factor is the preponderator—and Allah is the Preponderator. He is the one who informed his Messenger—and commanded him to inform people—that disbelief is fatal poison, that disobedience is disease, and that obedience is cure. So the preponderator, then, is Allah and the Messenger is the reporter.

The second reply concerns an encounter with the Mu'tazilite view, since they have determined that reason is the necessitating factor. But it does not by its essence mandate a necessary obligation from which no one can be released. For if it were so, no rational person's reason would be devoid of knowing the obligation. Yet there must be contemplation and thought. If he does not think, he will not know the necessity of thinking. If he does not know the necessity of thinking, then he will not think. This also leads to a vicious circle, as has been indicated before.

Indeed, the truth, in which there is no figurative expression, is that Allah is the cause; that is, He preponderates doing over benefitting, whereas the Prophet is the reporter, reason is the indicator, human nature incites, and the miracle facilitates knowing. And Allah knows best.

THE STATUS OF ACTS BEFORE THE COMING OF THE SHARI'AH

This issue is discussed by Imam al-Ghazali in *al-Mustasfa* on page 51, and by Imām al-Razi in *al-Mahsul* in vol. 1, on page 158. The summary of what the two Imams say is as follows:

A group among the Mu'tazilites hold that acts before the arrival of the Shari'ah were considered permissible. But some have said that they were prohibited. Still others have said that they were in suspension. Perhaps what they meant by this is that upon which reason did not rule with regard to its being good or bad on the basis of necessity or speculation. All of these positions, however, are false.

As for the refutation of the position regarding acts as permissible, we shall say that what is permissible presupposes a permitter, as knowledge and remembrance presuppose a knower and recaller. But Allah, is, the permitter whenever, through His address, He gives a choice between doing and not doing. So when there is no address, there is no choice; and, therefore, nothing is permissible.

But if they meant by being permissible that there is no harm in doing or in not doing, then they are correct with regard to the meaning, but wrong concerning the expression. For the action of an animal, a minor, or an insane person cannot be qualified as being permissible, even though there is no harm in their doing or not doing.

Acts, with respect to Allah, namely what emanates from Allah, are not described as being permissible, though there is nothing restraining Him from abandoning them. But when choice is removed, then permissibility is removed. So, if someone dares to apply the term permissible upon the acts of Allah, and meaning by this nothing less than the nullification of restraints, then he is right in meaning even though his expression is reprehensible. If it is said: Reason is the permitter because it offered a choice between doing and not doing, since it prohibited what is bad and obliged what is good, and offered a choice with regard to what is neither good nor bad.

Al-Ghazali responds: We have refuted pronouncing good and bad by reason, and this is based on it and is therefore refuted. Furthermore, to call reason a permitter is figurative, as is calling it the cause of obligation, for reason recognizes either the preponderance or the non-preponderance of doing. The meaning of its obligatoriness is the preponderance of doing over abandoning, and reason recognizes this. But the meaning of being permissible is the nullification of the preponderance. Reason is, then, an indicator, not a permitter. For it is neither a preponderator nor an equiponderator. Rather, it is an indicator of preponderance and equiponderance. Furthermore, we ask, on what basis do you object to those [holding the position] of suspension when they deny the equiponderance of doing and not doing? For they say that of all the acts that reason pronounces good or bad, there is none but it is possible for the Shari'ah to come with its obligation, and therefore indicating that it is distinguishable by an essential characteristic based upon which it becomes a divine grace that forbids obscenities and calls to worship. This is why Allah, has obliged it. But reason cannot independently apprehend this. It is also possible for the Shari'ah to come with its an act's prohibition, indicating that it is distinguishable by an essential characteristic and, thereby, calls to obscenities—nor can reason independently obtain this, for Allah exclusively possesses its knowledge. This is their position.

As for the position of those who hold that it is prohibited, its falsity is more manifest since its prohibition is neither known necessarily through reason nor through a rational proof. Furthermore, prohibition means that the aspect of abandoning preponderates over the aspect of doing because of the harm associated with the aspect of doing. So, from where is this known while no revealed authority has come and reason cannot determine it? Rather, one may be harmed immediately by abandoning pleasurable things. So how can abandoning them become better than doing them? Also, their statement that it is manipulation of someone's possession without his permission is corrupt because we do not concede to its evil if it were not for its forbiddance and prohibition by the Shari'ah. Also, if it were subject to customary norms, it would then be bad with respect to whoever has been harmed by manipulating his ownership. Yet what is bad is preventing that which has no harm in it. Moreover, we have explained that the essence of recognizing bad is reducible to the thwarting of one's interests, and this is senseless.

As for the position of suspension, if they meant by it that ruling is suspended pending the arrival of revealed authority and that there is no rule at present, this then is correct. For the meaning of rule is the divine address. And there is no rule before the coming of revealed authority. But if they meant by it, "We suspend judgment; for we do not know whether they are prohibited or allowed," this is incorrect because we do know that there is no prohibition. For its meaning is when Allah, says, "Do not do it." However, there is no permission, since the meaning of permission is when He says, "If you will, do it; if you will, leave it." But nothing of this has come from Allah.

THE OBLIGATION TO DO SOMETHING NON-EXISTENT

This issue is discussed by Imam al-Ghazali in *al-Mustasfa* on page 68, and by Imām al-Razi in *al-Mahsul* in vol. 2, on page 255. The summary of what the two Imams say is as follows:

According to al-Razi: Our jurists said that it is possible for the non-existent to be commanded, but this does not mean that it is commanded while it is in a state of non-existence, but in the meaning that the command be in existence today and the subject may be faced with the act after some time.

Imam al-Ghazali says: If one were to say that, according to you, command does not require that the commanded be existent. For you have determined that Allah commanded his servants in eternity before their creation. So, how could you require that the subject under obligation be hearing and sane, while the intoxicated, the oblivious, and the insane are closer to taklif than the nonexistent? We shall say: It is necessary to understand the meaning of our statement, "Allah is commanding...and the nonexistent is commanded." For we mean by this that he is commanded upon his existence, not that he is commanded in the state of nonexistence—for this is impossible. However, those who assert that speech inheres in the mind have demonstrated that it is not unlikely that bidding the ascertaining of knowledge could exist in the mind of a father concerning a son who will exist. Therefore, if this bidding were to continue until the son comes to be, he would be liable to this bidding and commanded thereby. Similarly, the meaning inherent in the mind of Allah which requires obedience from people, is eternal and relates to his servants upon their existence. So when they exist, they become commanded with this requirement. The same applies to the minor and the insane because awaiting sanity is no different than awaiting existence.

Yet this meaning is not called, in eternity, an address, and only becomes an address when the commanded exists and is made to hear. Whether it should be termed "amr" (command) or not, there is a dispute concerning this. But properly speaking, it is so termed because it is appropriate to say, with regard to a person who charged his children to give his wealth in

charity, “So and so has commanded his children with such and such,” even though one of his children is hidden in the womb, or nonexistent. But it is not appropriate to say, “He addressed his children,” except if they were present and heard. Then if he charges them and they execute his will, it is said, “They have obeyed his command,” although the commander is now nonexistent and the commanded was nonexistent at the time of the commander’s existence. Similarly, we now, because of our obedience, are complying with the command of Messenger of Allah, while he is nonexistent in our immediate realm, even though he is alive with Allah. Therefore, if the existence of the commander is not conditional for the commanded to be obedient and complying, the existence of the commanded is not required because a command is a command.

THE OBLIGATION TO DO SOMETHING WITHOUT THE ABILITY TO DO SO

This issue is discussed by Imam al-Ghazali in *al-Mustasfa* on page 74, and by Imām al-Razi in *al-Mahsul* in vol. 2, on page 215. The summary of what the two Imams say is as follows:

According to al-Razi it is possible that a command be issued for an act that it is not possible for the mukallif to perform. This he says is the view of the Shafi‘is, but the Mu‘tazillah as well as Imam al-Ghazali, who was Shafi‘i maintain that such a command cannot be issued.

Among the arguments given are that Allah has commanded the kufaar to have faith when this is not possible for them. Another argument is that Allah can make a thing to disappear and come back again. If Allāh issues a command about it, then Allah knows about its existence or non-existence and we do not know. According to al-Ghazali, the jurists have differed with regard to that which is required by taklif. The opinion of most theologians is that what is required is proceeding or refraining, and each is attainable by man. Therefore, commanding fasting is a command to refrain; and refraining is an act for which one is rewarded. Furthermore, what is required in the prohibition of fornication and drinking alcohol is involvement with one of its opposites, which is abstention. Therefore, one is rewarded for abstaining, which is his act. Some Mu‘tazilites said that one may be required to refrain. Thus, it becomes like an act. Or he may be required not to act but not intend to involve with its opposite. The above opponents, however, denied this and stated that whoever stops or refrains because of prohibition is rewarded; and he will not be rewarded except for something, while not acting is nonexistence and not a “thing.” Furthermore, power does not adhere to it, since power adheres only to something. Therefore, nonexistence cannot be considered a fact of power. Also, if nothing issues from a person, how could he be rewarded for nothing? The truth of the matter is that command, here, is divisible: On one hand, refraining while fasting is deliberate. This is why intention is required for it. As for fornication and drinking alcohol, one is forbidden from doing them. So, those doing either of them are punished. But those who do not do them are neither punished nor rewarded, except when one controls his desires for them in spite of being able to commit them. He is then rewarded for his act. As for those who do not commit the prohibited acts, they are not punished for it nor rewarded because nothing has issued from them. Still it is not unlikely that the *Slrari’ah* intent is that one should not commit obscenities, yet not intending that he involves its opposite. He then discusses the issues about the person under duress as distinguished from the act of an insane person or an animal. Another issue is about the fulfillment of the condition of an act before it is commanded. Imam al-Razi goes into detailed philosophical arguments and discusses the verses that Allah does not ask someone to do something that is beyond his power and that Allah does not create injury though his *ahkam*.

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