

SPECIFIC EXAMPLES OF QURAN & QIYAS

- Q (a) Give two specific examples how the Qiyas (Analogy) has been used together with Quran in working out the Islamic law? [10]

PARAGRAPH # 1 (RELATIONS B/W BOTH SOURCES):

Whenever Muslims need religious guidance they consult Quran first. It is the 1st and primary source of Islamic legal thinking that is free from any corruption and beyond any doubts or challenges.

When Quran state matters in brief or be silent on any matter the hadith or Sunnah of Prophet (PBUH) takes the authority as it is next to Quran and the 2nd source of Islamic legal thinking.

In those circumstances when Quran/ hadith offer ruling but the guidance remains unclear, the third source Ijma (consensus) is used to find out the clarification and absolute ruling.

In circumstances when Quran, hadith and Ijma do not offer clear guidance then Qiyas is practiced.

It is the comparison of the known ruling with the unknown ruling to form the new ruling. It is the fourth and secondary source of Islamic legal thinking.

Since it is the secondary source it cannot work alone rather it works with any primary source either Quran or hadith.

Sometimes Qiyas is based on the primary source Quran and establishes new Islamic rulings.

Following are the couple of examples to see how Quran and ijma jointly establish Islamic laws.

PARAGRAPH # 2 (EXAMPLE # 1):

The Holy Quran in verse # 9 of Surah Jumma mentions about the sales transactions after the call to the prayers, it says: "*O ye who believe! When the call is proclaimed to prayer on Friday, hasten earnestly to the Remembrance of Allah, and leave off business (and traffic): That is best for you if ye but knew!*" (62:9) [Asal]

According to the root meanings here Quran forbids any kind of sales transactions after the first call to the Friday congregational prayer.

It is not clearly stated whether buying transactions are permissible or forbidden after this call. [Far]

Therefore, in order to find out a solution Qiyas is practiced.

Scholars compare both the matters to reach to the final decision by reasoning it. They say that sales transactions are forbidden after the call to the Friday congregational prayers because one can miss his congregational prayer. Since buying transactions may cause the same damage of missing congregational prayer [ill'a] therefore buying transactions are also forbidden after the first call to the prayers on Friday. [Hukm]

This is how new matters in question are solved by using the primal source Quran with human analogy.

In this example, the matter of buying transactions is finalized by the practice of Qiyas (analogy) after which buying is considered as forbidden likewise sales transactions after the call of prayers on Friday.

PARAGRAPH # 3 (EXAMPLE # 2):

Another example of Quran and Qiyas is about the matter of alcohol and other drugs. About alcohol the Quran says: "*O believers! Intoxicants and gambling (games of chance), dedication to stones (paying tribute to idols) and division by arrows (lottery) are the filthy works of Satan. Get away from them, so that you may prosper*" (5:90). [Asal]

In this verse it is clearly mentioned that the usage of alcohol is prohibited for believers.

It is not stated here about the usage of powder drugs like cocaine, L.S.D, Marijuana etc if they are permissible or forbidden? [Far]

To find the answer when ahadith and ijma were consulted the answer wasn't found therefore Qiyas was practiced to find the final ruling.

Scholars compared both the matters to reach the final decision. They say alcohol is prohibited as it cause intoxication and leads to lose consciousness which eventually compels one to do sinful acts. They also find out the same elements of intoxication, losing senses and getting into sinful activities in cocaine, L.S.D, Marijuana etc. [ill'a]

Therefore, on the basis of this similarity scholars reached the decision that cocaine, L.S.D, marijuana etc are also prohibited to use. [Hukm]

In this example, the joint working of Quran and Qiyas formed the new ruling of prohibition of drugs causing intoxication like cocaine, L.S.D, Marijuana etc

SPECIFIC EXAMPLES OF HADITH & QIYAS

- (a) Give two specific examples how the Qiyas (Analogy) has been used together with Hadith in working out the Islamic law? [10]

PARAGRAPH # 1 (RELATIONS B/W BOTH SOURCES) :

See Paragraph # 1 of page # 21-22 and create the same paragraph by mentioning relation between hadith and Qiyas rather than relation between Quran and Qiyas.

PARAGRAPH # 2 (EXAMPLE # 1):

- The Holy Prophet (PBUH) in his lifetime gave clear guidance about the use of any intoxicants related to alcohol. In his saying he said: **"All Intoxicants are prohibited"** (Agreed). He also showed with his Sunnah to beat the drunk with lashes. It is reported **"The Prophet beat a drunk with palm-leaf stalks and shoes (lashes)."** [Asal]
- These teachings of Ahadith state about prohibition of alcohol and the punishment of its consumption.
- Although Prophet (PBUH) taught about prohibition and punishment of the drunk but the fixed number of lashes are not stated in his sayings or actions. [Far]
- When Hazrat Umar (RZ) inquired Hazrat Ali (RZ) about the punishment of using intoxicants and the number of lashes, Hazrat Ali (RZ) solved the matter by his analogy.
- Hazrat Ali (RZ) said that intoxication cause speaking drivel and irrational which leads the drunk to falsely accuse others so the punishment of the drunk should be similar to the defamer. The punishment of defamer is 80 lashes [ill'a]. Therefore with this comparison of known and unknown the punishment for the drunk was decided 80 lashes at the time of Hazrat Umar (RZ)'s administration by the use of Qiyas. [Hukm]
- This is how new matters in question are solved by using the primal source Hadith with human analogy.
- In this example, the matter of punishing the drunk is finalized by the practice of Qiyas (analogy) after which the drunk is to be beaten 80 lashes and these orders became the part of Islamic rulings.

PARAGRAPH # 3 (EXAMPLE # 2):

- Another example of Hadith and Qiyas working together is regarding the inheritance from the estate of the murdered. The Prophet (PBUH) guided about this in the following words, He said: **"The murderer does not inherit in the estate of the murdered"** [Asal]
- In this Hadith it is clearly stated that the inheritor who murders someone from whose estate he was to inherit, would be deprived of inheritance.
- However, it does not clearly state about the person who has been bequeathed something and he murders the one who made the bequest. [Far]
- To find out the solution when believers consulted Ahadith and Ijma, they didn't find the final ruling. Thus, Qiyas was practiced.
- To apply Qiyas, Scholars contemplate upon the aforementioned Hadith. They deduced that the reason for the non-inheritance of the murderer is that he tried to facilitate his inheritance by committing murder. Scholars have applied the same rule for the murderer who is to receive his bequest from the murdered. They deduced that to receive his bequest earlier he may have killed the one who made the bequest. [ill'a]
- On the basis of this similarity Scholars finalized that Just as the inheritor is deprived of inheritance due to committing murder, so too the murderer is deprived of receiving his bequeathed item. [Hukm]
- In this example, Hadith and Qiyas established the law prohibiting the receiving of a bequeathed item for the murderer.

SPECIFIC EXAMPLES OF HADITH & IJMA

- Q (a) Give two specific examples how the Ijma (consensus) has been used together with Hadith in working out the Islamic law? [10]

PARAGRAPH # 1 (RELATIONS B/W BOTH SOURCES):

See Paragraph # 1 of page # 17 and create the same paragraph by mentioning relation between hadith and Ijma rather than relation between Quran and Ijma.

PARAGRAPH # 2 (EXAMPLE # 1):

It isn't permissible to sell an edible item for the seller before having the ownership of the goods. The Prophet (PBUH) said regarding this: "Whosoever buys edible items cannot sell it until he has taken ownership thereof". The ruling of not selling edible items before owning them is clear and apparent from this Hadith but this Hadith is narrated by one just companion (Khabar-e-Wahid) therefore based on this their remains a doubt in this ruling and at the most it is not absolute. This ambiguity is intimated by Muhaddithun that Khabr-e-Wahid are not reliable like Sahih hadith. By the consensus of believers on this problem, this possible doubt is removed and the ruling has become absolute. So the teaching in Hadith is unanimously accepted and the doubt about its sanad is removed hence selling items before having ownership has become impermissible.

PARAGRAPH # 3 (EXAMPLE # 2):

Another example of joint working of hadith and ijma is about the funeral prayer of fetus. The Prophet (PBUH) said about this: "If in a miscarried fetus life is established by its movements, a funeral prayer should be offered for it, and it is entitled to its share of inheritance." (Tirmidhi, Nisai and Ibn e Majah) According to this hadith of Prophet (PBUH) the funeral prayer of miscarried fetus will be offered if it had shown life signs before its death. As per another hadith of Prophet (PBUH) the fetus begins to show movements when it reaches the age of four month. So the hadith states the funeral prayer of miscarried fetus who died after the age of four month will be offered. But the question arises when the fetus is miscarried before the age of four months and life signs were not found in it. The question is its funeral prayer will be offered or not? When Ahadith did not provide the final ruling on this matter, the Muslim community found out the answer by consensus. All those who are worthy of making Ijma reached to the decision that the fetus who died before the age of four months its funeral will not be offered as life signs were not found in it. Rather it will be washed, wrapped and buried. So in this example Hadith and Ijma jointly formed the law of not offering funeral prayer of fetus miscarried before the age of four months is established.

EXERCISE: The following questions are not related part (b) of abovementioned part (a)'s.

- (b) Give an example to show how the Qur'an could be used with Ijma (consensus) to face a new situation. [4]
- (b) Give an example to show how the Hadith could be used with Ijma (consensus) to face a new situation. [4]

For these answers, briefly discuss the relation of Ijma with Quran or Hadith followed by an example of their joint working.

SPECIFIC EXAMPLES OF QURAN & IJMA

- (a) Give two specific examples how the Ijma (consensus) has been used together with Quran in working out the Islamic law? [10]

PARAGRAPH # 1 (RELATIONS B/W BOTH SOURCES):

Whenever Muslims need religious guidance they consult Quran first. It is the 1st and primary source of Islamic legal thinking that is free from any corruption and beyond any doubts or challenges.

When Quran state matters in brief or be silent on any matter the hadith or Sunnah of Prophet (PBUH) takes the authority as it is next to Quran and the 2nd source of Islamic legal thinking.

In those circumstances when Quran/ hadith offer ruling but the guidance remains unclear, Ijma (consensus) is used to find out the clarification and absolute ruling.

Ijma is the unanimous decision of Muslims community on Islamic matters after Prophet (PBUH) death. It is the third and secondary source of Islamic legal thinking. Since it is the secondary source it cannot work alone rather it works with any primary source either Quran or hadith.

Sometimes Ijma is based on the primary source Quran and establishes new Islamic rulings.

Following are the couple of examples to see how Quran and ijma jointly establish Islamic laws.

PARAGRAPH # 2 (EXAMPLE # 1):

The Holy Quran in verse # 23 of Surah Nisa makes it impermissible to marry ones mothers or daughters.

It says: "*Prohibited to you (For marriage) are: Your mothers, daughters.....*" (4:23) Al-Nisa

As the verse mentions the terms mothers and daughters which could be clearly understood as ones mother and step mothers or ones daughters or step daughters. So the verse clearly mentions about the prohibition to marry mothers and daughters.

But the verse does not clearly indicate about marrying grandmothers or granddaughters? ✓

For this, the consensus of believers has reached to the final decision on the basis of this verse that the terms mothers and daughters also comprise of grandmothers and granddaughters therefore marrying them is also forbidden like marrying mothers or daughters. ✓

Thus the ruling of impermissibility of marriage to ones paternal and maternal grandmother or granddaughter by the consensus of believers has become absolute where after no further discussions would be made regarding this matter and the ruling would be followed unanimously by the whole Ummah.

PARAGRAPH # 3 (EXAMPLE # 2):

Another example of joint working of Quran and Ijma is about the law of inheritance.

The Quran says in Surah Baqarah: "*It is prescribed, when death approaches any of you, if he leaves any goods that he makes a bequest to parents and next of kin, according to reasonable sage; this is due from the Allah-fearing.*" (2:180) +

According to this verse after the death of a son of the shares of his property will be given to his father.

But the questions arises what is to be done if the father is already dead? Who will get that share?

When the answer was sought from hadith it wasn't found therefore the decision was reached by the consensus (ijma) of Muslim community. All those who are worthy of making Ijma decided unanimously that grandfather holds position like a father therefore in this case the share of father will be given to the grandfather.

Thus, in this example by the joint working of Quran and Ijma the ruling of giving father's share to grandfather was established.

QUR'AN AS THE SOURCE OF GUIDANCE

(a) How has the Holy Qur'an been used as a source of guidance by Muslims.

[10]

PARAGRAPH # 1: (SIGNIFICANCE OF QURAN & ITS LAWS)

- The Quran is the major source of instruction and legal thinking.
- It is the fundamental source from which all principles and injunctions of Islam are drawn.
- We believe that as it is a word of Allah hence is the first mean or source of guidance for any law. The Quran states: *"This is the Book; in it is guidance sure without doubt for those who Fear Allah"* (2:2) Al-Baqarah.
- Moreover, it is also the primary source of Islamic legal thinking which means it can also establish Islamic laws alone without being dependant on any other source. A couple of examples of laws derived from Quran are related to inheritance and theft. For the shares of inheritance the Quran states: *"Allah instructs you concerning your children's (Inheritance): for the male, what is equal to the share of two females..."* (4:11) Al-Nisa.
- For theft the Quran establishes the following orders: *"As to the thief, Male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime."* (5:38) Al-Maidah
- It provides laws for all aspects of life.
- Unlike other religious scriptures this miraculous book of Allah doesn't provide only religious rituals, it also gives instructions on political, ethical, material, spiritual, social & economical affairs etc.
- These laws range from one's family life to his business and religious life.
- It provides religious duties for believers to offer like prayer, fasting, almsgiving and Hajj etc.
- It also offers family laws where it discusses matters about the requirements of a valid marriage, dower, divorce and multi marriages etc.
- In the economical field it stresses believers to do trade and to abstain from Riba (Interest).
- Laws of war are also included in the Holy Qur'an where they prohibit the killing of women and children, destroying residential places, killing of prisoners etc.
- Its laws are totally authentic and indestructible.
- The Quranic teachings are eternal, un-alterable and everlasting for all times. Allah Himself has promised to guard His word from any kind of corruption or alteration.
- The verse of Surah Hijr mentions this promise where Allah says: *"We have without doubt sent down the Message; and We will surely guard it (from corruption)"* (15:9) Al-Hijr
- Since the laws of Quran are authentic and unchanged so they cannot be questioned or challenged in meanings and existence.
- This Book reaches us exactly as it was revealed to Prophet Mohammad (PBUH) 1400 years ago. This means the laws mentioned in the Book are totally Divine without any addition or omission.
- As the laws of Allah are superior over any other laws like His personality is superior over all others so Quranic laws cannot be challenged in anyway nor they can be repealed or annulled by any legislature or human authority.

HADITH AS THE SOURCE OF GUIDANCE

(a) How have the Ahadith of the Prophet (PBUH) been used as a source of guidance by Muslims.

[10]

PARAGRAPH # 1: (INTRODUCTION)

- Ahadith are termed as the sayings of Prophet (PBUH). However, in a broader aspect the term Hadith also covers actions performed by him and the approvals he gave to his companions often silently.
- These Ahadith carry much value in a believer's life. They act as a source of guidance for him ranging from his religious to social and economical aspects of life.

PARAGRAPH # 2: (EXPLANATION OF QURANIC INJUNCTIONS & VERSES)

- The holy Quran itself gives hadith the status as an authority next to it. Surah Nisa states: *"He who obeys the Messenger obeys Allah"* (4:80) Al-Nisa.
- This means that Hadith can be used as a source of guidance. Not only this in the light of above stated verse it is apparent that obeying Messenger is mandatory to obey Allah.
- **Hadith also extends the Quranic laws** therefore in the cases when Quranic injunctions state matters in brief Muslims use hadith for their elaboration.
- The couple of examples of such elaborations by hadith are related to Prayers and Zakat. Quran states in Surah Baqarah *"Offer prayer and give poor tax and bow down your heads with those who bow down."* (2:43) Al-Baqarah
- Here and at many other verses Quran orders believers to offer regular prayer & Zakat in concise manner without explaining the method of prayer and timings, calculations & recipients of Zakat.
- To fill out the details Ahadith of Prophet (PBUH) explain these elements. About prayer hadith guides in the following words; The Prophet said: *"Pray as you see me praying"*. For Zakat hadith give the following guidelines *"No Zakat is payable on property until year passes over it"* and *"Neither property of different people be gathered together nor the joint property should be split for fear of Zakat"*.
- Thus, Ahadith such as these related to prayer and Zakat help Muslims to learn about how the teachings in Quran concerning Prayers & Zakat and other pillars also should be obeyed.

PARAGRAPH # 3: (HADITH AS DIRECT AUTHORITY)

- In some places Quran does not give clear guidance as mentioned above. But there are some subjects where Quran is silent; so in such circumstances the hadith of Prophet (PBUH) is taken as an authority for guidance and to derive Islamic laws, as a **Primary source of Islamic law**.
- The Prophet (PBUH)'s guidelines regarding daily life activities like eating, drinking, sleeping, wearing clothes etc are those areas where his sayings and actions are taken as direct authority.
- Wearing modest dresses, covering head, eating and drinking by sitting on the floor, to sleep turning towards the right side placing head on the right hand's palm are few examples of his guidelines regarding one's individual conduct which are taken directly from Prophet (PBUH)'s hadith/sunnah.
- A couple of examples of the laws derived from the Hadith of Prophet Mohammad (PBUH) include the laws about the flesh of animals and birds and regarding the share of inheritance for grandmother.
- For the flesh of animals and birds the Prophet (PBUH) forbade eating flesh of donkey, mule, animals with canine teeth and birds with talon. (Carnivorous Animals (Lion) and Birds (Eagle)).
- It is reported by Imam Tirmidhi: *"On the day of Khyber Prophet Mohammad (PBUH) prohibited eating domesticated donkeys, the meat of mules, every predator that possesses canine teeth and every bird that possesses talon."* (Jami Tirmidhi)
- For the share of inheritance Quran mentions the share of mother but is silent about the stance that the share should be given to grandmother or not, and the amount of share for her.
- It is narrated by Hazrat Abdullah bin Abbas (RZ): *"The Messenger of Allah (PBUH) gave a grandmother one-sixth of the inheritance."* (Sunan Ibne Majah)

PARAGRAPH # 4: (TAFSIR OF QURAN)

- Hadith of Prophet Mohammad (PBUH) is also used as an invaluable guide to understand key verses in Qur'an.
- Many Ahadith and authoritative collections of Ahadith contain Tafsir of Quran which are not clearly elaborated in Quran.
- This means that verses in Quran which are not fully explained at one or the other places can be understood by hadith of Prophet Mohammad (PBUH).
- An example of this is the term Kauthar in verse # 1 of Surah Kauthar. This term keep dual meanings; one is good in abundance and the other meaning is that it is also the river of heaven. The second

meaning is explained by Prophet Mohammad (PBUH) which was not clear by mere translation of the term.

- Other examples of verses of Quran interpreted by Ahadith are about the journey of Mairaj, the events of the Day of Judgment, the stories of Hazrat Nuh (A.S) & Hazrat Ibrahim (A.S) etc.
- **Hadith and Quran always agree to each other.**
- Since, Prophet (PBUH)'s Ahadith and Sunnah are the authentic explanations of Holy Qur'an therefore they never conflict in terms of message and meanings both.

JOINT WORKING OF THE PRIMARY SOURCES

Q (a) How are the Qur'an and Hadith used together in Islamic Legal thinking. [10]

OR

Q (a) Describe that how the two main sources of Islamic legal thinking are related. [10]

PARAGRAPH # 1 (THE HOLY QURAN)

- **The Quran is the major source of instruction and thinking.**
- It is the fundamental source from which all principles, ordinances and injunctions of Islam are drawn.
- We believe that as it is a word of Allah hence is the first mean or source of guidance consulted to gain knowledge of any law.
- Surah Baqarah mentions about its guidance in the following words *"This is the Book; in it is guidance sure without doubt for those who Fear Allah"* (2:2) Al Baqarah.
- Moreover, it is also the primary source of legal thinking which means it can also establish Islamic laws alone without being dependant on any other source.
- **It provides laws for all aspects of life.**
- Unlike other religious scriptures this miraculous book of Allah doesn't provide only religious rituals. it also gives instructions on political, ethical, material, spiritual, social and economical affairs.
- These laws range from one's family life to his business and religious life. Besides, worshipping practices the Holy Quran also offers guidance for one to become a good citizen and human being.
- **Its laws are totally authentic and indestructible.**
- The Quranic teachings are eternal, un-alterable and everlasting for all times. Allah Himself has promised to guard His word from any kind of corruption or alteration.
- The verse of Surah Hijr mentions this promise where Allah says: *"We have without doubt sent down the Message; and We will surely guard it (from corruption)"* (15:9) Al-Hijr
- Since the laws are authentic and unchanged so they cannot be questioned in meanings and existence.
- This Book reaches us exactly as it was revealed to Prophet (PBUH). This means the laws mentioned in the Book are totally divine without any addition and omission.
- Since the laws of Allah are superior over any other laws like His personality is superior over all others so Quranic laws cannot be challenged in anyway nor they can be repealed or annulled by any legislature or human authority.

PARAGRAPH # 2 (THE HADITH OF PROPHET (PBUH))

- The holy Quran itself gives hadith the status as an authority next to it. Surah Nisa states: *"He who obeys the Messenger obeys Allah"* (4:80) Al-Nisa.
- This means that Hadith can be used as a source of guidance. Not only this in the light of above stated verse it is apparent that obeying Messenger is mandatory to obey Allah.
- **Hadith also extends the Quranic laws** therefore in the cases when Quranic injunctions state matters in brief Muslims use hadith for their elaboration.

- The couple of examples of such elaborations by hadith are related to Inheritance and Theft. The Quran states: *"Allah instructs you concerning your children's (Inheritance): for the male, what is equal to the share of two females..."* (4:11) Al-Nisa. The division of inheritance for close family members is clearly explained in Quran but the share of Non-Muslim relatives is not mentioned in Quran. We find this answer in the hadith of Prophet (PBUH) where he said: *"A Muslim may not inherit from a non-Muslim, nor may a non-Muslim inherit from a Muslim."* (Sahih Muslim)
- The punishment of theft is mentioned in the following verse of Quran. The Quran states: *"As to the thief, Male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime."* (5:38) Al-Maidah. However, the minimum amount for which a thief's hand may be cut off can only be found in the Hadith of Prophet (PBUH). The Prophet (PBUH) said: *"The hand of a thief can only be cut off for (the value of) a quarter of Dinar and onwards."* (Sahih Muslim)
- In some places Quran does not give clear guidance as mentioned above. But there are some subjects where Quran is silent so in such circumstances the hadith is taken as an authority.
- Examples of these are those Ahadith/Sunnah of Prophet Mohammad (PBUH) which provide guidelines to believers for their individual and communal responsibilities.
- The Prophet (PBUH)'s guidelines regarding daily life activities like eating, drinking, sleeping, wearing clothes etc are those areas where his sayings and actions are taken as direct authority.
- **Hadith of Prophet Mohammad (PBUH) is also used as an invaluable guide to understand key verses in Qur'an.**
- Many Ahadith and authoritative collections of Ahadith contain Tafsir of Quran which are not clearly elaborated in Quran.
- This means that verses in Quran which are not fully explained at one or the other places can be understood by hadith of Prophet Mohammad (PBUH).
- An example of this is the term Kauthar in verse # 1 of Surah Kauthar. This term keep dual meanings; one is good in abundance and the other meaning is that it is also the river of heaven. The second meaning is explained by Prophet Mohammad (PBUH) which was not clear by mere translation of the term.
- Other examples of verses of Quran interpreted by Ahadith are about the journey of Mai'raj, the events of the Day of Judgment, the stories of Hazrat Nuh (A.S) & Hazrat Ibrahim (A.S) etc.
- **Hadith and Quran always agree to each other.**
- Since, Prophet (PBUH)'s Ahadith and Sunnah are the authentic explanations of Holy Quran therefore they never conflict in terms of message and meanings both.

SPECIFIC EXAMPLES OF QURAN & HADITH

- Q (a) Give two specific examples how the hadith have been used together with Quran in working out the Islamic law? [10]

PARAGRAPH # 1 (INTRODUCTION- RELATION B/W QURAN & HADITH)

- Quran and Hadith are the two primary sources of Islamic law and both of them are interlinked in establishing the laws of Islam.
- For looking upon new matters Quran is to be consulted first as it is the first and primary source of Islamic legal thinking.
- Quran is also a perfect book which is free from any sort of corruption and beyond all doubts and challenges.
- At times Quran states matters in brief without explaining them all. So in those circumstances hadith works with Quran and explain the Quranic matters.
- For this reason Hadith or Sunnah of Prophet (PBUH) is also said to be the interpretation of Holy Quran and the second source of Islamic legal thinking.

- Following are the few examples to see how Quran and hadith have been used together in working out the Islamic law.

PARAGRAPH # 2 (FIRST EXAMPLE)

- The holy Quran at numerous places repeatedly asks believers to establish prayer regularly.
- In chapter number 2 verse # 43 the Quran says: *"Establish regular prayer and give poor-tax and bow down your heads with those who bow down"*
- Although here Quran commands to establish prayer, it does not give us clear guidance or details of the manner in which it should be performed. The units of prayer, its gestures and postures, its timings its recitation etc are not stated in Quran.
- Therefore, for details we look into the sayings of Prophet (PBUH) in which he said about prayer.
- In one of the sayings the Prophet (PBUH) said about prayer: *"There is no prayer for the one who does not recite the opening chapter of the Book (the Quran)"* (Bukhari)
- This hadith elaborates the Quranic order of prayer and guides us about the recitation for prayer. It teaches to recite first chapter i.e. Surah Fatiha in every unit of prayer.
- Thus, in this example the joint working of Quran and Hadith establishes the law of obligation of reciting Surah Fatiha in every unit of prayer else without Surah Fatiha prayer will become nullified or cancelled.

PARAGRAPH # 3 (SECOND EXAMPLE)

- Another example of the relation between Quran and Sunnah is about the matter of Zakat.
- The Quran says in chapter number 2 verse # 110 *"Be steadfast in prayer and offer regular charity"* (2:110) Al- Baqarah
- In this verse Quran orders us to offer charity i.e. Zakat but it does not specify the times of Zakat that when we are supposed to pay it.
- To find out the answer we refer to the hadith of Prophet (PBUH). About this matter the hadith of Prophet (PBUH) guides us in the following way.
- The Prophet (PBUH) said: *"There is no Zakat on the one until the year passes over"*
- This hadith clearly states that Zakat is to be paid once in a year and not before that.
- Therefore, in this example Quran and hadith together establishes the law of offering the poor-tax (Zakat) once in a year.

OR

- The Quran guides us about the usage of alcohol in the following words.
- *"O believers! Intoxicants and gambling (games of chance), dedication to stones (paying tribute to idols) and division by arrows (lottery) are the filthy works of Satan. Get away from them, so that you may prosper."* (5:90) Al-Maida
- According to this verse of the Quran alcohol is prohibited for us and its usage is forbidden.
- But this verse and the rest of the Quran do not explain the punishment of the drunk.
- Therefore, to find out the answer we look into the hadith of Prophet (PBUH). Regarding this matter the sunnah of Prophet (PBUH) guides us in the following report: *"The Prophet beat a drunk with palm-leaf stalks and shoes"* (Bukhari)
- This hadith clearly highlights that the Prophet (PBUH) punished the drunk by beating him with palm leaf stalks (lashes). So here Quran and Hadith together form the law of beating the drunk with lashes.

EXERCISE:

Q (b) How are the Qur'an and Hadith employed in working out the Islamic law. [4]

- For this answer, briefly discuss the relation between Quran and Hadith followed by an example of their joint working.