

The fundamental sources of Islamic law, the Sharia.

المصادر الأصلية للشرية

Islamic scholars agreed upon four fundamental sources which are:

I. Quran

II. Sunna

III. Consensus

IV. Analogy

AL-QUR'AN

also spelled **Quran** and **Koran**

I- Introduction

II- Definition

III- Distinctive features of the Qur'an

IV- The Qur'an as a source of Islamic law

V- Rules and regulations in the Qur'an

**VI- Presentation of rules and regulations in
the Qur'an**

VII- Indication of the rules in the Qur'an

I. Introduction to the Qu’ran

II. Definition and Names

1. Definition

1.1. Literal meaning: reading or recitation.

1.2. Technical meaning:

“The book revealed to the Messenger of Allah, Muhammad (PBUH) in Arabic and transmitted to us from him through an authentic continuous narration (tawatur) without doubts.”

Another definition: The speech of Allah, sent down upon the last Prophet Muhammad, through the Angel Gabriel, transmitted to us by numerous persons (tawatur), both verbally and in writing.

2. Names of the Qu'ran

The principal names of the Holly Qu'ran are as follows:

- Qu'ran (reading)
- Furqaan (criterion)
- Tanzil (sent down)
- Dhikr (reminder)
- Kitab (scripture)

But scholars have listed numerous names of the Qu'ran such as: Nur (light), Huda (guidance), Rahma (mercy), Majid (glorious), Mubarak (blessed), Bashir (announcer), Nadhir (warner), etc. All these names reflect one of the various aspects of the revealed word of Allah.

III. Distinctive Features of the Qur'an

1. It is the word of Allah revealed to the Messenger of Allah, Muhamamad (PBUH).
2. Its wording and meaning are both from Allah.
3. It was revealed in Arabic.
4. It was transmitted from the Prophet (PBUH) to the next generation by such a large number of people and it is impossible that they would agree upon a lie.

Thus the Qur'an with respect to transmission is definitive.

5. It was revealed gradually.

The wisdom;

a- Easy for memorization.

b- The implementation of law in stage.

E.g. the prohibition of wine :

First stage: "They ask thee concerning wine and gambling. Say: In them is great sin, and some profit for men, but the sin is greater than the profit." (al-Baqarah (2): 219)

Second stage: "O ye who believe! Approach not prayer with a mind befogged until ye understand all that ye say..." (al-Nisa' (4): 43)

Final stage: "O ye who believe! Intoxicants and gambling, (dedication of) stones and (divination by) arrows are an abomination of Satan's handiwork; Eschew such (abomination), that ye may prosper." (al-Ma'idah (5): 90)

6. It was revealed in two periods of the Prophet's life: before Hijra (migration) and After Hijra.

The verses revealed before Hijra are called Makki verses and after Hijra Madani verses.

- Makki verses mainly emphasize belief and morality.
- Madani verses are relating to rules and regulations.

IV. The Qur'an as a source of Islamic law

- The Qur'an is the first and primary source of Islamic law. It is an authentic and authoritative source.
- The proof of its authenticity and authoritativeness: It is from Allah.
- The evidence that it is from Allah: 'Ijaz.
- 'Ijaz means to prove inability in other person. The Qur'an has proved the inability of the Arab individually and collectively to imitate and bring about something similar to the Qur'an.

- **I'jaz of The Qur'an**

- Firstly, the Qur'an challenged the Arab to bring something similar to the Qur'an.

“Say: if the whole of mankind and Jinns were to gather together to produce the like of this Qur’an they could not produce the like thereof, even if they backed up each other with help and support.” (al-Isra’ (17): 88)

- Secondly; to bring ten chapters (surah).

“Or they say, “He forged it.” Say, “bring ye then ten surahs forged, like unto it, and call (to your aid) whomsoever ye can, other than Allah if ye speak the truth.” (Hud (11): 13

- Finally: to produce only one chapter (surah).

“ And if ye are in doubt as to what we have revealed from time to time to our servant, then produce a surahlike thereunto; and call your witnesses or helpers (if there are any) besides Allah, if your (doubts) are true.” (al-Baqarah (2): 23)

- **Important Elements of i’jaz**

There are three important elements of i’jaz :

- a- There is a challenge.
- b- There is a serious need to respond to the challenge.
- c- There is no constraint.