

*Discover Islam*

# THE SHARIAH AND ITS APPLICATION

MAULANA WAHIDUDDIN KHAN



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Maulana Wahiduddin Khan

**First Published 1984**  
**Reprinted 2022**

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*Islam Rediscovered* by Maulana Wahiduddin Khan

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1, Nizamuddin West Market, New Delhi-110013, India

e-mail: [info@cpsglobal.org](mailto:info@cpsglobal.org)

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**Center for Peace and Spirituality USA**

2665 Byberry Road, Bensalem, PA 19020, USA

e-mail: [kkaleemuddin@gmail.com](mailto:kkaleemuddin@gmail.com)

Printed in India

## The Shariah and Its Application

After going through some articles on *da'wah* by this author on the Internet, one reader sent his strong reaction by e-mail. He rejected the point of view expressed in a hard-hitting manner. By citing certain instances from the article, he wrote that the point of view advocated by the author was quite contradictory to the Quran. The following is a part of what he had to say:

Maulana Wahiduddin says: Muslims should exercise patience against atrocities committed by other nations and engage themselves in *da'wah* work. Whereas in the Quran, in sharp contrast to this point of view, God Almighty says:

And fight them until there is no more *fitnah*, and religion becomes Allah's, in its entirety (8:39)

Then, whom we are to pay heed to, Allah or Maulana Wahiduddin?

This appears to be quite damning. But in reality, it is a total misapprehension. The error can be made

plain if we may suppose for a while that if a complete Quran had been in people's possession in Makkah, as it is in the possession of the person mentioned above, there might have arisen the same confusion in Makkah.

We find from traditions that in the early phase of Islam in Makkah, when the Makkan pagans had begun their cruel persecution of the Muslims, certain of the faithful, reacting to this grievous injustice, asked the Prophet's permission to do battle with their persecutors. But the Prophet went on exhorting them to exercise patience, saying: "I have been commanded only to perform *da'wah*, communication of the message of God. I have not been given permission to do battle." If the complete Quran in bound form had existed at that time, someone might have stood up and said: "See, Muhammad ﷺ is asking us to exercise patience, while in the Quran God asks us to do battle with our opponents." But no such thing took place in Makkah, for the simple reason that people did not possess the complete Quran as they do today.

This example shows wherein, those who raise such objections, have gone wrong. The actual error lies in their taking something out of context by misquoting the verses of the Quran. At a time when Muslims are

in the stage of *da'wah* and as such are might have required to perform their *da'wah* responsibilities by exercising patience, they have been mistakingly referring to the verses revealed to discharge the responsibilities at the stage of defense. In this way they have fallen into the error of wrong application of the verses. They are citing the verses applicable to such circumstances as prevailed in Madinah, while they find themselves in the situation that prevailed in Makkah.

History shows that the Prophet of Islam and his companions were faced with all the problems and hardships in Makkah, as the Muslims of modern times have allegedly been, facing. Yet when the Prophet of Islam asked his companions to follow the path of patience and avoidance, no one stood up to question why they must exercise patience, when the Quran enjoins them to do battle, simply because the complete Quran was not available. The truth is that the Quran was not revealed all at once in the form of a bound book, the one we have in our possession today. The Quran was revealed on different occasions over a period of 23 years, but in installments. Only those commands were revealed to the Prophet as were required by the circumstances. For instance, in the initial stage, the Prophet was given the command to perform *da'wah* by observing patience (74:2-7).

Later on, as circumstances warranted, the command to migrate was revealed (16:41). Subsequently, when circumstances further changed, the command to do battle was revealed (2:190), etc.

This shows that in the initial stage of Islam when the Quran was being revealed, the order of revelation tallied with the order of events. For this reason people did not find any difficulty in understanding their role as soon as a command was revealed. But afterwards, all the verses revealed over a period of 23 years, relating to different sets of circumstances, were collected together in the form of a bound volume. It is this complete book, which has remained in the hands of later Muslim generations till today.

By the very law of nature, circumstances keep changing, and this fact must be borne in mind that the divine book we possess comprised of revelations made at different times and collected together in the form of the Quran. These scriptures contain various commands, injunctions pertaining to all kinds of situations — all collected together in one book. Then how are Muslims of later times supposed to receive guidance from the Quran?

The answer is that the study of Quranic verses should be done in the light of the causes of revelation (*asbabal-nuzul*). That is, first of all, those in search

of guidance should determine objectively the state of affairs in a given situation, then strive to find the verse or verses revealed in a similar situation in the first phase of Islam. And when that injunction is found, it should be applied to the present situation. That is, the purpose served by the immediate revelation in the first phase, will now be served by pin-pointing *similarity* between the past and the present situations.

For a better understanding of this, one should take into account the four different stages of the period of prophethood of the Prophet of Islam:

- (a) The first half of the Makkan period;
- (b) The second half of the Makkan period;
- (c) The first half of the Madinan period;
- (d) The second half of the Madinan period.

Basically these four periods keep repeating themselves throughout human history. By studying the Quran in depth, the parallels to present-day circumstances can easily be discovered: it is very necessary if guidance is to be received from the Quran in later periods of history.

As mentioned above, the Quran that exists with us today in its complete form was not available to the



Muslims during the lifetime of the Prophet. Instead it was revealed in parts (installments). At that time only those passages of the Quran were revealed which were relevant to the circumstances, that is, whatever command was required pertaining to the actual situation only that was given to the believers. This way the believers had no problem in understanding their tasks and subsequently devoted themselves to performing them without any questioning.

For instance, when circumstances required full attention to be paid to the task of *da'wah*, this verse was revealed:

Lead all men to the path of your Lord with wisdom and mild exhortation. (16:25)

Therefore all the followers of the Prophet adopted *da'wah* as a single point formula and became engaged in this task with complete dedication. Similarly, when the circumstances required patience and fortitude, this verse was revealed:

Bear up then with patience, as did the steadfast Apostles before you. (46:35)

Subsequently, the believers adopted an attitude of patience with total devotion and concentration. Similarly when, in the wake of aggression by the other party, the problem of defense arose, this verse

was revealed in the Quran:

Fight for the sake of God those that fight against you.  
(2:190)

On receiving this command, all the believers engaged themselves wholeheartedly in the field of battle.

This same pattern continued throughout the prophetic period lasting 23 years. Each time only that part of the Quran was revealed which was required in regard to the circumstances. The believers of this first phase were solely concerned with carrying out the particular commandment relevant to given situation.

They were not required to decide as to which of the various and different commandments were applicable. But, in later times, the state of affairs changed. Now, all the parts of the Quran revealed on different occasions were collected and bound in the form of one book. That is to say, the commands and their background had been separated from one another. Afterwards the responsibility devolved upon the Muslims themselves, by means of deep reflection and study, to strive to ascertain which of the injunctions was applicable to them in particular situations. Thus by discovering the relevant verse

of the Quran, they should follow with unstinting devotion and dedication. Believers are urged “to listen to the Quran with attention, holding their peace.” (7:204)

That is, they must pay full heed to the passage of the Quran revealed to the Prophet and then wholeheartedly carry out the command. The latter day Muslims have been charged with the added responsibility of inference (see the Quran, 4:83) and *ijtihad* (striving) as mentioned in the *Hadith*. That is, to reflect with the utmost honesty, sincerity and God-fearingness as to pinpoint which divine command is addressed to them in relation to the state of affairs in which they find themselves at that point in time, and then to strive to carry out that command without showing any reluctance.

That is to say, in the first phase of Islam, the injunction of *da'wah* was revealed at the time when the performance of *da'wah* was required, the injunction of patience was revealed when patience was required and the injunction to do battle was revealed at the time when battle was required. Thus people were not faced with any confusion in understanding the injunctions as well as their application. But later-day Muslims find out the injunctions—of patience, *da'wah* and war—all together in one single book.

It was now left to Muslims to find, on their own, which of the varied injunctions is relevant to their particular sets of circumstances. That is to say, earlier the circumstances and the injunctions tallied with one another, whereas now the injunctions are many and varied, while the state of affairs in any one particular given situation demands, (in practice), the application of only one injunction.

As mentioned above, the present Quran does not follow the order of revelation, that is, the chronological order of revelations has not been followed in the compilation of the Quran.

The arrangement of the present order of the Quran not being based on the order of revelation is probably a matter of testing the faithful. This test requires Muslims to exercise their reason objectively in order to find out which one of the commands it is desirable for them to carry out in a particular situation. This test in its nature is like that given to the people of the first phase. In their case it involved the discovery of the true claimant to Truth out of many claimants. Similarly, the test of the Muslims of later times involved the discovery of that particular injunction applicable to their circumstances and desirable by God. The emergence of the Prophet was a test for his contemporaries to see if they could recognize

the true guide, while the arrangement of the Quran based on a non-revelationary order serves to test people, on whether they can discover true guidance or not. Later-day Muslims have to pass this test in exactly the same way as the people of the first phase passed a test of the same nature.

The Prophet and the believers of his time lived in Makkah in the early stage of his prophethood. At that time the idolatrous leaders of Makkah enjoyed the dominant position. They used to persecute the Prophet and the other Muslims. Now the question was as to what the believers should resort to in those circumstances. In that situation they were guided by God to say: “We will endure your persecution patiently. In Allah, let all the faithful put their trust.” (14:12)

That is, they had to adhere to the way of patience and forbearance regardless of the injustice and oppression of their opponents.

In this way, by timely guidance, the believers learnt what their policy should be in whatever circumstances they found themselves in. They understood fully that even if the other party was guilty of injustice, they had unilaterally to maintain an attitude of patience.

Then the time came when the Prophet and his companions migrated to Madinah, leaving their hometown. The circumstances changed. The injunctions too changed according to the new circumstances. Earlier the guidance given was to exercise patience on being persecuted, now the guidance to deal with persecution changed. The command given in the Quran on this occasion was: "Permission (to take up arms) is hereby given to those who are attacked." (22:39)

This shows that at times defense is required to deal with persecution. Whereas at other times no counter move is desirable except for patience. Now the question arises as to how to find out in which circumstance the way of patience and tolerance has to be adopted and in which circumstance doing battle in self-defense is to be resorted to.

The believers of the first phase did not need to take any decision regarding the answer to these questions. For the answers according to the prevailing state of affairs continued to be revealed by God. But this situation no longer prevailed for later-day Muslims. For them the questions exist in relation to the circumstances, but the answers have to be found by their own questing.

Herein lies the test of the believers of later times. If the test of the people of the Prophet's day consisted of recognizing the Prophet, the test of the later-day Muslims lies in recognizing the command of the Prophet. The Quran enshrines verses on both kinds of injunctions together in the same volume. Now it is the responsibility of the believers themselves to reflect deeply, objectively, without any bias, to find which of the commands is to be applied to any given situation and which of the commands is to be considered abrogated for the time being. This nature of the command was earlier determined directly by revelation, while now this has to be determined by the exercise of *ijtihad*.

Let's take up another aspect of this subject. The idolaters were there in Makkah when the Prophet and his companions lived in the city, and it was the same idolaters who lived in Makkah after the migration of the Prophet up until the conquest of Madinah.

But the policy for dealing with them changed in the second of these two phases. History shows that the command given in regard to these idolaters in the first phase was simply to warn them by adopting peaceful means: "Arise and warn, call them to the path of their Lord with wisdom." According to this

injunction, the Prophet and his companions used to visit those people in Makkah and recite to them the verses of *da'wah* from the Quran. They used to address their gatherings in these words: "Say there is no God but God and you will earn salvation."

But after the migration and the conquest of Makkah, the situation changed. Now chapter nine of the Quran, titled 'Repentance', was revealed which conveyed a "declaration of immunity by Allah and His Messenger to the idolaters with whom you have made agreements."

After the revelation of this chapter, when the time of Hajj (pilgrimage) came, the Prophet sent a delegation of his companions to Makkah to make a public pronouncement of this declaration from God.

From this example we find that when the *da'wah* or the communication of the message was required in regard to the idolaters, the verses dealing with *da'wah* were revealed. In this way, the knowledge of the very order of revelation sufficed to indicate what had to be done and when.

But the position of later-day Muslims is different. Now the state of affairs is that the entire Quran is in our hands in the form of one collected volume,



containing both kinds of verses together. Muslims have, therefore, to discover from their own *ijtihad* which of the injunctions are addressed to them in the particular set of circumstances in which they find themselves.

This is the test of the later-day Muslims. Their success lies in their ability to discover that particular injunction which is desirable by God in terms of their circumstances. Their failure lies in their inability to discover this injunction desirable in their changed sets of circumstances. For instance, in terms of their actual state of affairs, the verses of patience and *da'wah* are applicable to them, yet they are waging war with other nations by referring to the verses on fighting in the Quran. Such an act on their part amounts to their having failed in the divine test.

This failure is very grave in nature. This can be likened to a Prophet's contemporary failing to recognize him as the true Prophet of God. The deprivation resulting from this failure is very serious while the gain resulting from success in recognizing is very great.

### **The Secret of Guidance and Ignorance**

The Quran states, "By it (the Quran) God causes many to stray and many He leads into the Right Path." (2:26)

The Quran is, without doubt, a Truth from God. Then why is it that some find guidance from it, while others are lead astray? The chief reason for this difference lies in the difference in reference. If the Quran is studied with reference to the correct context, the reader will receive guidance. On the contrary, if the reference is changed, the same Quran will become the cause of people going astray.

Studying the different parts of Quran in the correct perspective is to study them in the light of the traditions of the causes of revelation i.e. to understand the background of the verses. A number of traditions have been recorded in the books of *Hadith* and *Tafsir* that tell us which verse or verses of the Quran were revealed on which particular occasions. These traditions providing the background are not only conducive to understanding the initial message, but also serve as a reliable guide as regards their correct application in later times in similar situations.

Studying the Quran with reference to the traditions of the causes of revelation does not imply that the Quran was a book of an ephemeral nature. What is meant is that the initial nature of a command should be properly understood in order to discover its vaster application, so that it may be correctly applied at a later date.

Most of the injunctions in the Quran are brief in nature. For instance, the Quran states:

Believers, if an evil-doer brings you a piece of news, inquire first into its truth, lest you should wrong others unwittingly and repent of what you have done (49:6).

According to the traditions of the causes of revelation this verse was revealed following a particular incident. But the verse neither mentions that incident nor the people involved in it. In order, therefore, to understand the actual meaning and message of the verse, it is essential to study it in the light of that particular incident—the cause of the revelation.

In this way, that incident mentioned in detail in traditions gives us the knowledge of the background in the light of which we can properly understand the real nature of the injunction revealed in the concerned verses. When the original context of an injunction is properly understood, the application of the same to similar incidents taking place in later times is greatly facilitated. We are then able to understand what the Quranic injunction would be in a situation which is similar to the one referred to in the Quran.

The verse of the Quran mentioned earlier tells us that just as the Quran is a source of guidance to people, so also does it become a source of leading them astray. Who are these people who are led astray? These are the people who do not study the Quran in its proper context. Studying of the Quran in this way means to study it in the light of one's own whims and desires, instead of in the light of the causes of revelation.

If we study the verses of the Quran in reference to the causes of revelation, the reality dawns upon us that the target of Islam is not to exterminate the opponents of Islam, but rather to help them enter the fold of Islam by our performing da'wah. This verse of the Quran gives us a clear guideline in this regard:

“And who is better in speech than one who calls men to Allah, works righteously, and says, ‘I am of those who surrender to Him.’ Good and evil deeds are not alike. Requite evil with good, and he, between whom and you is enmity, will become your dearest friend. But none will attain this save those who endure with fortitude and are of the greatest good fortune. And if a malicious attempt is made by the devil to tempt you, seek refuge in Allah. He hears all and knows all.” (41:33-36)

Understanding the background to the revelations is, therefore, extremely important in order to receive guidance from the Quran. If the verses of the Quran are studied without the help of those traditions, each verse will appear to be giving an absolute command (an injunction in the absolute sense). But when we study the Quran in the light of those traditions that give us the background of revelations, we come to know that they had specific application. Whenever any difficult situation arose, during the life time of the Prophet, a revelation would come in relation to it.

In such a state of affairs it is not proper to take any given verse of the Quran in an absolute sense and apply it to latter-day situations. It is therefore essential to study the verses of the Quran in the light of the causes of revelation. After learning the background we can apply them to any similar situation produced in later times. According to this principle, taking the verses of the Quran in their proper context is a source of guidance, while doing the reverse is a source of transgression.

In short, the Quran is a compendium of various and varied kinds of injunctions. For instance, at one place we find this injunction in the Quran: "Avoid the polytheists" (15:94). At another place we will

find this injunction: “Fight against the idolaters as they fight against you.” (9:16)

Both these injunctions are apparently contradictory to one another. So the question arises as to which command should be followed by a reader of today.

The background to the revelation provides the answer. All the injunctions in the Quran have been revealed on specific occasions. The traditions dealing with the background of the verses tell us which injunction was revealed on which occasion. In this way, by a study of the background of the verses, we can discover the first application of the Quranic injunctions. And when the first application is properly understood, having an exact knowledge of the second application is greatly facilitated. A proper understanding of the first application paves the way for total correctness in the second application.

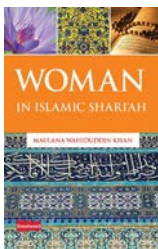
Now what we have to do is, whenever we find ourselves in any set of circumstances calling for Quranic solutions, we must make a thorough study of the traditions dealing with the background of the verses. This will enable us to discover which of the verses were revealed in the Quran (that is, which injunction was given to them on that occasion) when the companions of the Prophet were faced

with the same set of circumstances. In this way it is the element of *similarity* between the two situations that guides us as to which verse or verses are addressed to us in the circumstances we are faced with. That is, in the light of the first application we must determine the second application.

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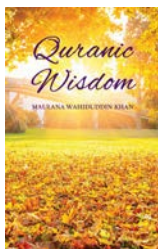
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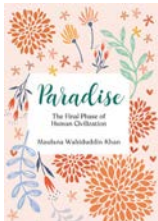


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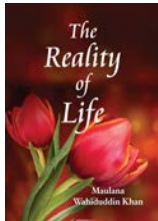
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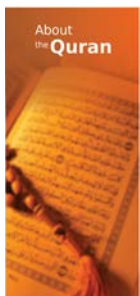


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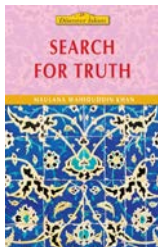
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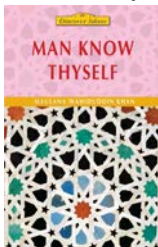
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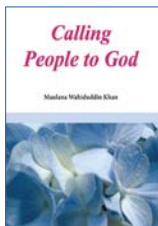


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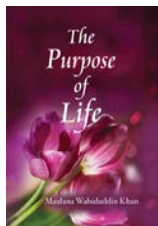
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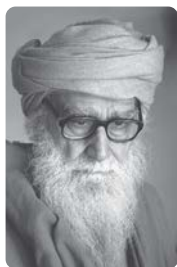
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## Discover Islam

In this series, Maulana Wahiduddin Khan presents the fundamental teachings of Islam in a simple way. The series provides the general reader with an accurate and comprehensive picture of Islam—the true religion of submission to God.



Maulana Wahiduddin Khan (1925-2021) was an Islamic scholar, spiritual guide, and an Ambassador of Peace. He authored over 200 books and recorded thousands of lectures giving the rational interpretation of Islamic concepts, prophetic wisdom, and the spiritual meaning of the Quran in the contemporary style. His English translation, *The Quran*, is widely appreciated as simple, clear and in contemporary style. He founded Centre for Peace and Spirituality (CPS) International in 2001 to re-engineer minds towards God-oriented living and present Islam as it is, based

on the principles of peace, spirituality, and co-existence. Maulana breathed his last on 21 April, 2021 in New Delhi, India. His legacy is being carried forward through the CPS International Network.

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