

The Essence of Religion

The Essence of Religion

Reason, Revelation, and Human Nature

Sayyid Muhammad Baqir al-Sistani

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Series Foreword

The World Federation through its research institute ICAIR is honoured to publish two books authored by renowned scholar at the Najaf Seminary, Sayyid Muhammad Baqir al-Sistani namely this book *The Path to Certainty* and *The Essence of Religion*.

In an age defined by relentless noise, fleeting digital interactions, and a marketplace of competing ideologies, the quest for authentic, grounded belief has never been more urgent—nor more challenging. We are surrounded by noise, quick opinions, and competing ideas, leaving many—especially young people—feeling unsure and searching for solid ground. It is into this world of doubt and longing that these two books arrive, not as a set of commands, but as a guide and a companion for the journey.

These pages contain the work of Sayyid Muhammad Baqir al-Sistani, a scholar from the renowned Najaf Seminary primarily addressing university students. He brings a unique perspective. As the son of His Eminence Ayatollah Sayyid Ali al-Sistani, he is deeply rooted in Islamic tradition. Yet, he speaks directly to the questions and struggles of the modern mind. This combination of ancient wisdom and contemporary understanding makes his work especially powerful today. His work also demonstrates that the Hawza in Najaf is not just about jurisprudence and theology, it understands and works on the challenges we face today.

His books are an invitation. It invites you to ask the biggest questions: is there a Creator? Who created the creator? Is it possible for the universe to come into existence from nothing? What is our purpose in life? What happens after this life? These are not just philosophical puzzles. The answers shape everything about how we live—our choices, our values, and our peace of mind. To ignore them is to navigate life without a map.

Many think that faith and reason are opposites. This book shows they are not. It argues that true belief is not about blind acceptance. It

is the result of using the very intellect and curiosity that make us human. The universe, with its incredible order and beauty, is presented as evidence to be pondered. The book provides clear tools for this search: how to think honestly, set aside biases, and weigh ideas carefully. It meets common doubts—about science, suffering, or the complexity of belief—head-on, with respect and logical discussion.

In essence, *The Essence of Religion* and *The Path to Certainty* together represent a powerful intellectual defence and exposition of Islam for the contemporary mind. They speak to the university student grappling with scientism, the professional questioning inherited norms, and any individual who feels that profound questions deserve profound answers. They argue that the Islamic tradition, at its core, is not a relic of the past but a living, rational, and deeply satisfying answer to the perennial human quest for meaning. They do not simply ask for belief; they provide a roadmap for conviction.

In these pages, the legacy of a supreme religious authority is lovingly translated into a language of hope and reason for a new generation. This is not a passive inheritance, but an active gift—one that has the potential to illuminate minds, fortify hearts, and reconnect the seekers of today with the eternal truths that have always guided humanity toward light, purpose, and its Creator.

For the young Muslim seeking to build a strong, personal faith, this book is an essential guide. For the sincere sceptic with honest questions, it is an open door to a tradition of deep thought they may not have encountered. For anyone feeling lost in a fragmented world, it offers anchors of wisdom that are both timeless and urgently needed.

It is with great hope and conviction that I commend this vital work to you, the reader. May your journey through it be one of discovery, resolution, and ultimately, profound peace (*sukūn*) and certainty (*yaqīn*).

Safder Jaffer

President of The World Federation of KSIMC

15th Jan 2025

Transliteration, Conventions, and Abbreviations

Arabic and Persian words, names, and titles have been transliterated according to the following key:

ء	’	ض	ḍ
ا	a	ط	ṭ
ب	b	ظ	ẓ
ت	t	ع	‘
ث	th	غ	gh
ج	j	ف	f
ح	ḥ	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	ه	h
س	s	و	w
ش	sh	ي	y
ص	ṣ	ة	a; at in <i>idāfah</i>

Vowels and Diphthongs

آ	ā	آو	aw
أُو	ū	أَي	ay
إِي	ī		
اَ	a		
أُ	u		
إِ	i		

In this book, all dates are given according to both the Hijri lunar and Gregorian calendars, in the following format: 61/680. The first number refers to the Hijri year and the second to the Gregorian year. To maintain consistency and brevity, the abbreviations “AH” and “CE” are omitted throughout. Dates based on the Solar Hijri calendar are marked with “Sh.”

In this book, “a.s.” is an abbreviation of *‘alayhi/‘alayhā/‘alayhim al-salām* (“peace be upon him/her/them”), used by the author as a respectful invocation after the names of the Imams and other holy Shī‘ī figures; and “s.a.w.” stands for *ṣallā Allāh ‘alayhi wa-ālihī wa-sallam* (“may God bless him and his family and grant them peace”), used after the name of the Prophet Muḥammad.

Translator's Preface

In presenting this translation of *The Essence of Religion* by Sayyid Muhammad Baqir al-Sistani, I feel both honoured and deeply responsible for introducing this work to an English-speaking audience. This project has been the most ambitious one I have undertaken, requiring a delicate balance between fidelity to the original text and clarity for readers unfamiliar with the Arabic language and its cultural nuances. This preface serves to explain the purpose of this translation, the challenges encountered, and the strategies employed to convey the essence of this book.

1. Purpose of the Translation

The translation of this work arose from the pressing need for a comprehensive resource in the West that explores the epistemic foundations of religion, whilst simultaneously addressing its multifaceted dimensions with depth and nuance. In an era characterised by a wide spectrum of opinions on religion, ranging from fervent advocacy to vehement critique, this book serves as a unique and powerful primer. It encourages readers to engage with the foundational aspects of religion, particularly its relationship with human cognition, morality, and their ultimate purpose. Furthermore, it seeks to rekindle an understanding of the dynamic and reciprocal relationship between human beings and God.

The goal of this work is to bridge the gap between scholarship and the youth, making the insights of Sayyid Muhammad Baqir al-Sistani's available to both academic audiences and reflective general readers. The undertaking of this translation into English aims to foster a deeper appreciation and understanding of religion, particularly Islam, and its relevance to each and every person.

2. Approach to Translation: Semantic Fidelity over Literal Accuracy

In approaching this translation, a key decision has been to adopt an approach that is less literal and more faithful to semantics. This choice has been made after a degree of consideration, recognising the significant differences between Arabic and English in their linguistic structures and stylistic conventions. Arabic prose often employs intricate sentence structures, rich intertextual references, and a cadence deeply rooted in its cultural and linguistic milieu. Translating these elements word-for-word into English frequently results in awkward, convoluted, or overly rigid sentences.

Instead, clarity and accessibility has been prioritised, striving to retain the original meaning and essence of the text. This has involved the rephrasing of certain passages, restructuring of sentences and, rarely, the reordering of ideas to align with English norms. If one decides to compare between the two, one will frequently find, for example, the use of a technique called *hysteron-proteron*, the reversing of the order of words or clauses. Arabic often presents ideas in a sequence prioritising emphasis or rhythm; most of the time, it is simply forced to do so because of the nature of the grammar, which, when translated literally, can appear unnatural in English. Reversing this order ensures coherence and readability for English-speaking audiences.

Additionally, Arabic prose often allows sentences to flow without punctuation for extended lengths, relying on conjunctions and context for coherence. In English, shorter sentences are generally more effective in maintaining the reader's attention and ensuring understanding. As such, this translation frequently divides long Arabic sentences into smaller units, preserving their interconnectedness while improving readability.

3. Challenges and Methodologies

The translation of Qur'ānic verses presented a unique challenge. These verses are central to the author's arguments and carry layers of meaning that require careful handling. To ensure both accuracy and

resonance, established translations by M.A.S. Abdel Haleem, Dr. Mustafa Khattab, and Sahih International have been drawn on. Each of these translators offers a distinct angle and style, and their works have served as invaluable references. However, these translations have not been adopted verbatim; instead, they have been edited and adapted to suit the context in which the verses appear in the text, ensuring they have complemented the narrative and the arguments advanced by Sayyid al-Sistani, whilst also trying to remain faithful to the original Arabic of the verses.

Some of the concepts or jargon discussed in *The Essence of Religion* are deeply rooted in the Islamic context of the writer and can be challenging to convey in English. Terms such as “*fitra*,” for example, carry charged connotations in Arabic that lack precise equivalents in English. In such cases, a rough translation has been used combined with a transliteration of the term, since it is assumed that the vast majority, if not entirety, of the audience are Muslims. It is hoped that this will allow readers to understand these terms without overcomplication or distortion.

In addition, overly ornate language that might alienate contemporary readers has been avoided, whilst simultaneously attempting to maintain the dignity and gravitas of the original work; as mentioned prior, the aim is to produce a translation that resonates with both specialists and general readers.

At its heart, *The Essence of Religion* is a wholehearted meditation on the human condition and its relationship with the Divine. The author invites readers to reflect on the foundational questions of existence: what is the purpose of life? How do human beings understand and engage with God? How does God engage with humans? How do the various dimensions of religion, ritual, ethics, and theology, coalesce to form a coherent worldview? These questions are as relevant today as they were centuries ago, transcending any social, political, or cultural boundaries.

In a world increasingly marked by division and misunderstanding, this book offers a counter-narrative rooted in nuance, depth, and intellectual rigour. It challenges simplistic dichotomies between faith

and reason, tradition and modernity, and the individual and the collective. By exploring the epistemic foundations of religion, it equips readers with tools for engaging with religious thought both critically and respectfully.

This translation would not have been possible without the support and contributions of many individuals. I am deeply indebted to the works of previous translators and scholars whose efforts in making Islamic texts accessible to English-speaking audiences paved the way for this project. I would like to express particular thanks to Alaa al-Muradi, who recommended the book be translated and helped in setting up this project. Otherwise, the list of those to thank would be incredibly long.

Lastly, I pray for the health and divine success of Sayyid Muhammad Baqir al-Sistani, who, despite his relatively young age as a scholar, has written many works of great depth that address the up-and-coming generation. His work can be described as a contribution towards answering the timeless questions of humanity in a straightforward manner.

May this book illuminate the minds and hearts of its readers, sparking reflection and dialogue on the questions it raises and the answers it provides.

Salim Salhab

7th of Rajab 1446 AH

8th of January 2024

Author's Preface

There is an important and self-evident question that occupies the mind of every mature person, and that is the question about the truth of religion (*dīn*). What is meant by religion is not every spiritual and moral orientation of the human being, but specifically that which includes two matters.

The first: the news of the existence of a God who is the creator of the universe and all creatures, including this human being, and who is concerned with the human being and has sent messengers to him to inform him of the horizons of existence and life, to stimulate in him the meanings of innate nature (*fiṭra*) and to complete them with appropriate legislation.

The second: the news that the human being's continuation after this life depends on what he has known and acquired in it.

This question is indeed an extremely important and serious question—in fact, it is the most important question that faces the human being, because these two pieces of news are capable of changing the meaning of this life for the human being. They transform it from an available opportunity for pleasure into an opportunity for the human being to provision himself for what comes after this life: “That He may recompense those who do evil with what they have done and recompense those who do good with goodness.” For the human being has no tomorrow after this life except what he has striven for and acquired in it—from penetrating knowledge, virtuous qualities, and righteous conduct.

The search for religion is not a leisurely pursuit for the human being, nor is it merely an increase in his information, or a satisfaction of his cognitive curiosity and love of knowledge, such that he would place it on the margins of his concerns. Rather, it is at the core of the human being's purposes, because it determines for him the broad and expansive horizon in which the human being lives, the direction toward

which he turns, and with which he must align his concerns, qualities, and conduct.

The likeness of the human being and the news of religion is like a group of people who found themselves concerned only with living their lives in continuous comfort, when suddenly they are surprised by an astonishing piece of news: that they have been placed in this location temporarily, and that all their actions and conduct are under observation and surveillance, so that what corresponds to them—whether happiness or misery—may be discovered in the next final stage to which they are driven. This news means that everything they do in this place is a seed whose harvest they will reap—if good, then good, and if evil, then evil, and if neglect and waste of time, then he has squandered his capital. So he wants to verify this news. Such is the condition of the mature person with the news of religion.

Therefore, it is incumbent upon every mature person to make his most important concern and the quest from which he finds no rest in this life the search for the truth regarding religion, until he arrives at a reliable basis for affirmation or denial. He should not make this a marginal matter, nor a means to other purposes, such as pride in ancestors, tribal partisanship, or the pursuit of status and wealth.

However, it is essential that the person seeking truth in his investigation of religion verify it according to a method appropriate for verifying religion. For the method of verifying information is necessary in arriving at it. Whoever follows an inappropriate method in pursuing the verification of the information he seeks to verify has taken a path other than the one leading to his goal and has failed in his endeavour.

This writer, the least among ordinary people, has striven to ascertain these pieces of news for himself, so that he might know what he must do and observe. Then he became concerned with describing this to the rest of his fellow human beings who live with him, for the path is one, the goal is shared, and the destiny is the same.

Thus, this series on religion came into being to assist the researcher in conducting a methodical investigation of religion, to be an aid to him in his practical endeavour toward reliable and appropriate

verification regarding it, so that it may lead to choosing the correct path and mature conduct in this life.

Since religion has been obscured by accumulations and ambiguities from many aspects, these studies have come in the form of episodes, each episode addressing one of these aspects, with order, calmness, patience, and deliberation, so that the researcher may arrive at a close and reliable conclusion. Thus, the mature person can make it the basis for understanding the reality of the vast, obscure, and extended scene in which he lives, its horizons and outcomes—a scene of which the human being perceives with his senses only an extremely limited portion, and then departs from it through death. He has no way to comprehend its horizons and outcomes except through contemplation and reflection in light of the promptings and news of religion, and ascertaining the evidence of its truthfulness and validity according to the innate capacities (*fitra*) with which the human being has been equipped.

Below is a list of the titles of the episodes and parts of this series:

1. *The Essence of Religion*: this episode seeks to clarify the essence of religion and its foundations, and to purify it from the details and impurities that have attached to it.

2. *The Direction of Religion in the Various Aspects of Life*: this part is an extension of the first part, with elaboration and detail. It clarifies the position of religion regarding principles that the human being finds to be matters upon which he is innately disposed (*fuṭira 'alayhā*), and through this he expects religion to be compatible with them, such as general rationality, knowledge, wisdom, ethics, justice, the spiritual dimensions of the human being, happiness, personal freedom, law, politics, and then dealing with contemporary developments in the fields of rationality, knowledge, law, and ethics.

3. *The Necessity of Religious Knowledge*: this part means that religious knowledge seeks to be at the top of the list of the human being's cognitive priorities, due to the gravity and importance of the news of religion. The human being's cognitive priorities are determined according to what the human being is innately disposed toward, in accordance with the importance of subjects and their impact on his life.

4. *The General Innate Principles of Human and Religious Knowledge*: this part includes clarification of the innate capacities (*fiṭra*) with which the human being has been equipped to acquire sound knowledge according to his needs for it. It also includes clarification that religion relies on these same capacities, and religion is not distinguished by establishing new principles for knowledge.

5. *The Three Major Propositions of Religion*: the news of the existence of God and His attributes; the news of the human being's survival after death (*al-ma'ād*); the news of God's message to the human being. This part verifies the truthfulness of religion regarding these three major propositions, according to the general innate epistemic principles.

This series may appear lengthy and require effort to study, especially for the contemporary person who has become accustomed to quickly obtaining his personal cognitive needs, as well as his other needs in life.

However, rational deliberation (*muwāzana 'uqalā'iyya*) requires that a person bear effort and hardship when what is at stake is a grave, sensitive, and fateful matter, because the consequences of proceeding without knowledge and its complications may be many times greater than the effort and hardship he bears. Life moves swiftly toward its ends, and the period of each person's sojourn in it is a short span that may end suddenly, and there is no remedy for one who did not give the matter its due consideration out of incapacity and negligence until he departed from it.

Moreover, we find that the contemporary person—despite his habit of quickly obtaining what he finds he needs in many, though not all, contemporary human societies—shows a great deal of patience and deliberation in searching, testing, and investigating many of his needs that relate to securing his life and future, such as searching for a partner in married life or in work, and scientific subjects through whose study he obtains a degree and recognition.

It is known to anyone who reflects somewhat on matters in life that precision in performance and patience in follow-through are instrumental in reaching a sound, correct, and mature result in many matters, just as reliance on rumours, general social inclinations, and a kind

of preliminary dismissals often leads a person to pitfalls that he will not be able to remedy or treat, and the feeling of regret and the pang of conscience toward them later will be of no benefit.

This series relies in its method of research and investigation on the method of the divine messages represented most clearly in the Qur'ān, which stimulates the general principles of rationality (*mabādi' al-'uqalā'īyya al-'amma*) with which every human being has been endowed in his inner intellect, activates the meanings of sound judgment, wisdom, and conscience within him, and reminds the human being of what he was created upon, so that this knowledge remains connected to its source and derived from it. Through this, a person finds tranquillity, serenity, and harmony.

This is because the human being is equipped in the settings of his existence with an innate cognitive system (*nizām ma'rifi fiṭri*), and this is a witnessed matter that every person finds within himself. This system is what the human being employs in knowing things and discovering what is hidden from him, and through it he manages his affairs in what concerns him of his personal, family, and social life matters in all their aspects, to the extent of his concern with proceeding upon truth, investigating reality, not being influenced by desires and obstructive emotions, and avoiding causes of error.

According to the texts of religion such as the Qur'ān, becoming acquainted with the truth of religion requires nothing more than bringing forth those principles, provided there is concern with applying them properly and with appropriate verification—according to the innate equation (*al-mu'ādala al-fiṭriyya*)—given the gravity of religious reports. Yes, it is sometimes possible for a person to fall into error in his investigation, just as is the case in his investigation of his other necessary affairs in life relating to preserving himself and his loved ones and protecting them from accidents, diseases, and other things upon which his life depends, but the path is generally passable.

Finally, these studies were originally lectures delivered in Arabic and then written down in the same language. Dear brothers who know other languages reviewed them and anticipated that translating them into those languages would benefit some of their speakers who do not

know Arabic or are not accustomed to reading and studying what has been written in it. Therefore, they endeavoured to translate them—may God Almighty reward their efforts.

If readers of this series find some assistance in achieving a better understanding of the horizons of life and its outcomes according to the reports of religion, then that is what I have aspired to and hoped for. However, the writer knows truly of himself—and not out of false modesty—that he is not better than these readers and others in knowledge or action, nor is he qualified to assume an advanced position in guiding and directing people, nor does he claim that. He also knows that what he has written contains no discovery or establishment of anything new. If he has been granted success in it, his utmost achievement is that he has done well in understanding, describing, and organising to the extent possible for him. But it is a modest step representing the sharing by some travellers on one path with others of their concerns and experiences among themselves, and the happiness of some in informing others of their experience and knowledge, in the hope that they may all reach the correct goal and find happiness together.

How magnificent is what came in the Qur'an—and what came with similar meaning in other divine messages—: “By time, indeed mankind is in loss, except for those who have believed and done righteous deeds and advised each other to truth and advised each other to patience.”

With my modest knowledge and my own pursuit of truth, I testify that the fundamental message of God Almighty's revelation to humanity is a momentous matter that becomes difficult for a person to doubt in any solid way after proper reflection upon it, especially after the emergence of prominent messengers throughout human society as a whole—the most famous of whom are Abraham, Moses, Jesus (a.s.), and Muḥammad (s.a.w.)—and the belief of most people on earth in them, and the presence of many intelligent, perceptive individuals among them who search for truth for themselves and counsel their fellow human beings.

A person should not be veiled from the expected truth at this level of importance and gravity by unfounded doubts, many of which may

arise from impurities that have become mixed with religion, or misgivings caused by a person's own distance from the subject. Many of these are removed through closer engagement, continued study, and maturation, just as one finds in the spheres of family and social life. Indeed, a person may find in his impression of himself matters that become clear he was hasty in dismissing, and had he been more alert, perceptive, and humble, he would not have dismissed them. The matter of religion is not something in which a person can afford to wait to reach its truth through trial and error as people practice in other aspects of life, because belief in religion is connected to a person's own consciousness and his desire for truth from within. If he neglects it and is indifferent, he may fall asleep and remain in slumber until his opportunity ends with his departure from this life.

I find it incumbent upon me before all else, with it, and after it, to thank God Almighty, the Creator of this vast, astonishing, and wondrous universe in its temporal and spatial extension and in the depth of its components and laws. Each day reveals to humanity another line from the pages of this immense divine book, which appears to have no end. Whenever I learn something new in cosmology, atomic sciences, chemical, physical, biological, and psychological laws, and the industrial, technical, and scientific outputs resulting from their application, I recall what is stated in the Qur'ān: "And if all the trees on earth were pens and the sea were ink, with seven seas behind it to add to its supply, the words of God would not be exhausted. Indeed, God is Exalted in Might and Wise."

I thank Him, glory be to Him, for granting us the opportunity of existence by creating us, bestowing His blessings upon us, guiding us, and showing forbearance toward our ignorance and negligence. A person truly feels by his nature—he who is grateful for small favours, admires those distinguished in knowledge and creativity, and submits to people of perfection and nobility—a sense of smallness before this greatness, majesty, power, knowledge, and creativity, just as he finds pride and honour in humility before Him, submission to Him, and acceptance from Him.

I praise the messengers and the righteous who devoted themselves to awakening people and were the consciousness of truth in this life, bearing for that purpose whatever hardship and effort they bore, especially the bearer of the decisive message and the seal of the messengers, Muḥammad (s.a.w.), and his chosen progeny (a.s.). In these words, is an effort to follow in their footsteps and emulate them.

Finally, I ask God, glory be to Him, to broaden the horizons of our contemplation, concerns, aspirations, and ambitions, and not to make this life the extent of our knowledge, nor the brief pleasure available to us in it the ultimate goal of our concern and ambition. From Him, the Exalted, we seek guidance, blessing, and success.

Introduction

This study—in its entirety—is an accessible introduction for a person’s understanding of the matter of religion and its truth, so that this understanding may be based on clear equations and definite principles, protecting individuals from falling into doubt and error, both theoretical and practical. It is incumbent therefore, before diving into the proceeding investigation, to provide an introduction that comprises several matters.

1. The Importance of the Investigation and Its Necessity

The first matter is that the importance of this investigation lies in its impact on the life of an individual.

This is because religion—in reality—is nothing but a cosmological worldview that explains the dimensions of this life, aiming to establish three greater truths:

1. The existence of Allāh.
2. His message to the human being.
3. The permanence of the human after this life—either in a state of happiness or misfortune—in accordance to their actions and behaviours throughout his worldly life.

It is imperative that these realities are understood by every individual, and that each individual takes a position on these issues. Researching these issues is not an intellectual hobby that is conducted for the sake of quenching one’s thirst, similar to research about the cosmos and its galaxies. Equally, this research is not undertaken in pursuit of happiness, nor is it a means to ensure comfort and so forth. Rather, researching these realities is a search into the very core of human life, because it specifies the fundamental values that underpin one’s practical activities and provides a clear approach (in the case that one affirms or accepts the probability of these truths). In contrast, if an individual explicitly denies such matters, they would be freed

from their dictates and safeguarded from the dangers of opposing them.

2. The Tools of the Investigation

The second matter is that the tools of the investigation are self-evident facts that the rational faculty can know, both theoretical and practical; this investigation relies on tools which are clearly known by the rational faculty and can be said to be self-evident facts found in general human life, which are deeply ingrained in every step one takes.

As is commonly understood, human life depends on two types of cognition: one is knowing things using the rational faculty. We all accept our existence, our senses, limbs, as well as matters that are clear in front of us (individuals, tools, foods, etc.) We also engage with these things on the self-evident basis of the value of human cognition, whilst also engaging in the process of verification in matters that are subject to error.

If an individual claims that there is no value to human cognition, then they are asserting that they themselves are incorrect, because every action and reaction of this claimant is premised (and dependent) on this very cognition, whether they are aware or unaware of it.

The second type of cognition is to know the principles of behaviour in one's life. These principles form the basis of laws that organise both the individual and communal life of the human being; in reality, they are the cornerstone of all laws that states and governments rule by. This is the case even if they may disagree, either on some details of this law due to the fact that not everyone possesses the same precision when it comes to cognition, or in terms of the tools that safeguard the law, or due to impulses that win a person over and the like.

It is not possible for a human to reject the existence of laws that govern human life that can be known by the rational faculty, in addition to determining that they are to be enforced and abided by so that his life can remain secure: this much is self-explanatory. To this end, is clear that canons and societal etiquettes in all their various forms—whether conventional (*urfiyya*), statutory (*wad'iyya*), or Islamic

(*shar'yya*)—as well as family, tribal and governmental laws have been produced for this very goal.

Since this study proceeds from these self-evident axioms and derives the value of its conclusions based on their value, it is thus an intellectual obligation for every rational person who acknowledges these self-evident axioms to follow this study.

Perhaps some of those who delve into philosophy have doubted the value of human cognition and trust in it, while others have denied it altogether. However, refuting such doubt or denial requires no more than drawing the attention of the doubter or denier to the fact that they themselves rely on cognition in every action they undertake, even in their denial of the value of cognition entirely. In other words, this very denial is itself an act of cognition and an intellectual judgement and is also based on a set of cognitions. This is because the doubter aims to communicate the value of this cognition to others, which involves affirming the existence of others and their ability to comprehend what they are saying, and seeking to persuade them using tools appropriate to their thinking and understanding. All of this is nothing but engagement with realities that are known.

In the same way, some have delved into ethics and its epistemic value or have found that there are no ethical principles to life, concluding that the human being proceeds in their emotions and actions from a point of strength or weakness. This particular doubt is one which is merely theoretical and is contradictory—in practice—to what every human life is premised on in terms of its dealings with others. Thus, responding to this doubt does not require more than alerting the doubter to the fact that they themselves proceed to engage with their families, children, friends, parents, neighbours, teachers, and bosses with decency and proper manners, whilst also expecting the same in kind. If they were treated with disrespect by their son, then they would reprimand them for behaving like this to his parent. Likewise, if a person reneged on a prior agreement with them, they would proceed to reprimand them for reneging the agreement. All of these reprimands are premised on the idea of ethical conceptions.

Thus, it has become clear based on the above that the origin of the epistemic value of human cognition—in the two aforementioned forms—is the primary principle for human life, from which one proceeds in terms of their subconscious and innate disposition, and there is no need for additional investigation or proofing for this matter.

3. The Necessity of Researching in Matters of Religion

The third matter is the necessity for research when it comes to matters of religion. Given that one of the aspects of intellectual cognition is the necessity for a person to exercise caution regarding matters that may be potentially significant for them, it can generally be said that the necessity for caution in matters of religion—or, in other words, concerning great truths—relies on self-evident intellectual cognition that form the structure of human life in all its actions. Neglecting this is not only a deviation from clear principles of knowledge, but is also a deviation from the clear principles of reason, as will be further clarified later.

Thus, every individual who does not deceive themselves and sincerely seeks the truth must form a worldview for themselves by resolving these truths and reflecting on them—particularly considering that in the case of significant truths, which will be discussed later, the mere possibility of their validity is sufficient to necessitate serious attention to them; this is especially the case if such a possibility exists prior to thorough investigation and examination. Based on this, no-one can reasonably turn away from sufficient verification of these truths, given their importance, unless they claim that their falsity is entirely evident without any need for research or verification. This is a clear gamble that no-one who respects their intellect and understands the implications of their words would commit.

Hence, it is hoped that those who come across this study do not treat it as an intellectual luxury, nor rush to adopt a positive or negative stance towards it until they have sufficiently reflected on it and—with the aid of this study—have formed for themselves a mature perspective regarding these truths.

4. The Logic of the Qur'ān When It Comes to Conviction

The fourth matter is concerning oneself with the comparison of the logic of the Qur'ān and innate intellectual reasoning when it comes to conviction.

Religion—in its effort to convince people—proceeds from a logic that it adopts and inherently follows. Therefore, one must reflect on the extent to which this logic aligns with innate intellectual reasoning (*al-manṭiq al-'aqlī al-ḥiṭrī*). This can be examined through observing the Qur'ān, which—from a historical perspective—is the most authentic religious message presented to humanity from the Creator of the universe. Moreover, it stands out as the most appropriate and remarkable in its teachings as a whole compared to other scriptures, to the extent that even scholars of other religions have acknowledged its magnificence.

When examining the texts of the Qur'ān, it becomes evident that its foundational approach to convincing people also relies on intellectual assent—both speculative and practical—aligning with the previously established self-evident principle that conviction must proceed from such reasoning.

As for its reliance on the speculative intellect (*al-'aql al-naẓarī*), then this is because one frequently observes in the verses of the Qur'ān an emphasis on intellect and an effort to stimulate reflection, reasoning, and contemplation in various forms. This is achieved by drawing attention to the universe, examining its depths, and understanding the significations of created beings as signs pointing to what lies beyond them. It also involves comparing the content of the Divine message presented with the standards of speculative reason. This is evident in the concluding remarks of many verses, following descriptions of the marvels of life, such as the statement of Allāh: “For a people who reason,”¹ and His statement: “For a people who reflect.”²

¹ Q 2:164, 13:4, 16:12, 16:27, 29:35, 30:24, 30:27, and 45:5.

² Q 10:24, 13:3, 16:11, 30:21, 39:42, and 45:13.

It is well-known that this method of persuasion is rooted in stimulating and activating the intellect. In a sermon of Imam ‘Alī (a.s.), there is an indication that the primary purpose of sending prophets is to awaken and motivate the intellect for comprehension. He says:

He sent to them His Prophets in succession to fulfil the pledges of His creation, to remind them of His forgotten favours, to establish the truth by conveying His message, to revive their numbed intellects. He instructed [his Prophets] to show them the signs of His power: the roof of the sky above them raised high, the cradle of the earth beneath them spread wide, the means of livelihood that give them life, the appointed times of death that bring an end to them, the ailments that wear them out, and the successive events that befall them.³

As for its emphasis on practical reason (*al-‘aql al-‘amālī*), this is evident in how the Qur’ān obligates belief in Allāh based on gratitude, an ethical concept. Additionally, the Qur’ān comprises the principles of what is right (*ma‘rūf*) and evil (*munkar*) as the foundation of religious legislation. Moreover, it argues for the truthfulness of the Prophet (s.a.w.) and the Divine message he came with by emphasising that its content includes enjoining good and forbidding evil: good is that which people recognise through their intellects and find reassuring, while evil is what they reject and turn away from in their innate disposition. These are ethical concepts encompassing noble deeds and their opposites. Allāh says:

Those who follow the Messenger, the gentile Prophet, whom they find described in the Torah and the Gospel that is with them, who commands them to do what is right and forbids them from what is evil.⁴

³ See Muḥammad b. al-Ḥusayn b. Mūsā al-Sharīf al-Raḍī, *Nahj al-balāgha*, ed. Ṣubḥī al-Ṣāliḥ (Markaz al-Buḥūth al-Islāmiyya: 1374Sh./1995), 43, Sermon 1.

⁴ Q 7:157.

There is no doubt that religion makes use of miracles to convince people. However, reliance was not placed solely on miracles; rather, their role—as noted in the Qur’ān—came secondary. This is why in many instances, it can be seen that Allāh does not respond to the disbelievers’ demands for miracles from the Prophet (s.a.w.) as a condition for believing in his message. In some of these verses, there even appears to be a desire on the part of the Prophet (s.a.w.) for an increase in miracles as part of his effort to guide the people, and out of his sorrow over their persistence in misguidance. Allāh says:

And if their denial is unbearable, then seek a tunnel into the earth or a ladder to the sky, if you can, to bring them a sign. If Allāh had willed, He would have brought them all together in guidance. So do not be among the ignorant.⁵

This is in addition to the fact that the evidentiary power of miracles also relies on the rational faculty, given that they are extraordinary acts beyond human capability, signifying a connection between the individual performing them and a superhuman power.

From all this, it becomes clear that the notion that the logic of religion is based on reliance upon the evidentiary value of miracles and supernatural phenomena is incorrect. Rather, the primary reliance of religion—particularly Islam—is on stimulating the intellect, encouraging reflection on the content of religion, and awakening the spirit of contemplation and thought in human beings.

Thus, it becomes manifest that Divine religion as represented by Islam—which is the culmination and seal of all religions—proceeds from the same universal and innately intellectual foundation: the speculative intellect (*al-‘aql al-naẓarī*) through clear inference, and practical reason (*al-‘aql al-‘amali*) from what is witnessed by an individual through an uncorrupted innate disposition. If there are aspects of religious teachings that some people believe to contradict the rational faculty, it is necessary to ascertain whether religion provides an interpretation or explanation for them, given its insistence that the

⁵ Q 6:35.

rational faculty and rationality are its foundation and the basis of its method of conviction.

5. Research Methodology and Overview

This research work is divided into five chapters.

The first chapter pertains to the essence of religion. It includes a discussion on the content of religion according to its teachings and texts, based on the premise that verifying any belief requires accurate and reliable analysis of its foundations, components, and principles.

This chapter demonstrates that religion comprises epistemological, cosmological, humanistic, and legislative perspectives. The epistemological perspective reminds us of the broad outlines of a sound and accurate epistemological methodology. The cosmological perspective establishes the existence of Allāh, His attributes, and His regulation of affairs. The humanistic perspective addresses Allāh's attention towards humanity and the continuation of human existence beyond this life, and the legislative perspective highlights natural law and its complementary legislative rulings.

The second chapter pertains to the direction of religion in human life. This section also aims to clarify another significant aspect of religion, namely its orientation toward critical and vital matters. In essence, it serves as a continuation of the first section. It includes several themes, each addressing a key dimension of human life and outlining the direction of religion concerning it, such as general rationality, knowledge, inspiration, wisdom, ethics, happiness, personal freedom, and others.

The third chapter pertains to the necessity of religious knowledge for every mature individual. It includes a discussion on the general standard for the necessity of verification concerning various matters. It examines why we focus on certain things in our practical lives while disregarding others, posing the question: what is the equation that drives us in this regard?

This equation is threefold, based on the degree of cognition, the significance of what is perceived, and the level of care that must be

devoted to it. The implications of this equation concerning religion are explicated and it is observed that careful attention is necessary to verify the truth of religion, as it is the most critical issue in an individual's life.

The fourth chapter pertains to sound general principles that should guide religious knowledge. This chapter encompasses the general principles of human and religious knowledge, which a sound-minded individual naturally and innately adheres to. In reality, these principles represent the innate logic of humanity and the logic underlying belief in religion. Since humans are prone to error in understanding these principles or in their application, it becomes necessary to define and clarify them to safeguard from mistakes, especially in this critical matter, i.e., the matter of religion. It becomes even more necessary to do so when considering that resolving the great truths of life—which form the essence of religion—is not an area where emulation (*taqlid*) is appropriate; rather, it must be based on sound reasoning and mature evidence.

The fifth chapter is a brief examination of the three greater truths that form the essence of religion: the existence of Allāh, His message to humanity, and the continuation of human existence after this life.

Thus, this book is divided into five independent yet interrelated chapters, each addressing an essential aspect of this subject. Care has been taken to ensure that the content and presentation of this study are accessible, clear, and straightforward, avoiding obscure and technical jargon where simpler expressions can be used. This approach follows the approach used in religion—as represented in the Qur'ān—which directs its discourse to the general public in simple and clear language, while maintaining sound reasoning and objectivity in persuasion and conviction.

The reader is urged to dedicate themselves to following this study and engaging with it as they seek the truth of religion and attain clarity in this critical matter; it is undoubtedly the most significant issue in an individual's life. And with this, the discussion on *The Essence of Religion* begins.

Chapter One

Religion as a Defined Perspective on the Universe and Humanity

Religion—from the perspective that it commands human attention through an innate disposition—is a worldview based on two fundamental principles:

1. The existence of a Creator for the universe and its beings; a Creator who is concerned with all creation, in general, and humanity, in particular, as evidenced through His message sent to humankind.

2. The recognition that humans are not merely material beings who cease to exist upon death, as might appear to be the case with other living creatures. Instead, humans are eternal beings, and death is merely a stage in their existence, during which their soul separates from their body, only to return to it at a later time. Furthermore, their happiness or misery in that subsequent phase is determined by their deeds in this worldly life:

So, whoever does an atom's weight of good will see it; and whoever does an atom's weight of evil will see it.¹

1. Two Alternative Perspectives on the Universe and Humanity

In contrast to this religious worldview, there are two other perspectives.

The first asserts that humans are left to themselves without any special attention in their creation or any continuation after their death. According to this view, the consequences of human actions are confined to what they experience in this life—whether in their own feelings and behaviour, or in the reactions of others, be they positive or negative. Beyond this, no greater reality exists.

¹ Q 99:7–8.

This is in regards to the human being. As for the Creator of existence, the universe and life, this perspective is divided into two directions:

1. The first direction—commonly characterised as atheism—denies the very existence of a Creator. It claims that matter is eternal and that its transformation over a long period gave rise to the universe and all life within it. This notion is reflected in the statement of some disbelievers mentioned in the Qur’ān: “Nothing but time destroys us.”²

2. The second direction—commonly referred to as deism—acknowledges the existence of a non-material Creator of life. However, it holds that this Creator is not concerned with humanity in terms of guidance, care, interaction or compassion. According to this view, humans—like other living and non-living entities—were created according to certain laws and systems that they are left to follow without further intervention.

The second perspective—commonly known as agnosticism—adopts a position of hesitation and indecision regarding the truth of life, its origins and humanity’s place within it. It neither affirms nor denies these realities, thus leaving open the possibility that the religious worldview is correct, as well as the possibility that atheistic or deistic perspectives are valid.

At first glance, one might assume that in practical terms, this agnostic arrives at the same outcomes as the previous perspectives—namely atheism or deism—since doubt and possibility alone do not seem to produce any tangible effects. However, it will later become clear that this is not the case. In fact, even if this perspective arises after extensive investigation and examination, he is still obligated to act upon the potential implications of the religious worldview. This includes considering the possibility of a Creator who is concerned with humanity, as well as the possibility that human actions are the foundations of happiness or misery in the “next” world. The gravity of these possibilities—should they turn out to be true—rationally necessitates

² Q 45:24.

acting upon them, according to a self-evident rational equation that will be explained further.

2. The Divergence of These Perspectives Having Profound Impact

These perspectives—the religious worldview and the two alternative views—have profound effects on human life in terms of its orientations, motivations and legislation.

The religious worldview asserts that human life is purposeful. Humanity is given the choice between two paths: the path of knowledge and virtue, and the path of ignorance and vice. A person's actions carry deep significance in shaping and building their character in a sound manner. Every individual will take their place tomorrow, as every soul will be recompensed for what it earned and held accountable for what it acquired. Thus, whoever commits evil will not escape its consequences, and whoever does good will not be deprived of its effects. Those who endure imposed hardships will have them counted in their favour. Furthermore, Allāh serves as a supporter for those who believe in Him, trust in Him and take Him as their guardian. Humanity is journeying toward another life, as this world is a means and not an end; a passageway, not a dwelling place.

On the other hand, from the perspective of the two alternative views, this life is the end goal. It becomes akin to a gamble: those who succeed in achieving pleasures—even at the expense of others and provided they escape worldly punishment—find happiness, while those who are overpowered or afflicted with trials suffer misery. Some proponents of these views argue that humans are not free in their actions but are driven by necessity, much like other animals.

2.1 Dimensions of the Religious Worldview

It is essential to outline the features of the religious worldview and its key principles to build upon them in subsequent discussions. This will be particularly useful in determining both the appropriate attention it deserves, and proper methods of verification.

This clarification helps place everything in its proper context, distinguishing the fundamental and definitive principles of religion from matters of application, interpretation or secondary derivation. This ensures that religion is understood clearly and distinctly, without being obscured by details of implementation or differences in *ijtihad*.

When viewed through its dimensions, the religious worldview can be broken down into multiple interrelated and complementary perspectives: knowledge, the universe, humanity, and legislation.

1. Knowledge: the religious epistemological perspective expounds proper, sound, and rational methodology for acquiring knowledge, its general tools and its accessible limits from a religious lens.

2. The Universe: the religious cosmological perspective represents the explanation religion provides concerning the dimensions of existence and the universe, including the affirmation of a wise Creator and His governance of the universe and all its beings.

3. Humanity: the religious anthropological perspective elaborates on the reality of humanity, highlighting human capacities and potentials such as intellect, conscience, emotions and free-will. It also affirms the continuation of human existence beyond this life and emphasises the Creator's care and attention toward humanity.

4. Legislation: the religious legislative perspective includes principles of legislation that align with the psychological and physical constitution of humans and the innate nature upon which they were created.

Chapter Two

The Religious Epistemological Perspective

The first perspective is the religious epistemological perspective, which comprises several matters.

1. The Value of Human Cognition and Its Need for Support

The religious epistemological perspective acknowledges the validity of human cognition in matters of certainty; namely, areas where the judgement of reason is clear and unambiguous, accessible to any person with sound thinking.

However, it also holds that humans—despite this—cannot entirely dispense themselves of epistemological support in their understanding of the universe. This is due to two reasons:

One is that humans—through certain inner feelings and contemplation of the material world, its wonders and its organisation—may uncover signs of a hidden Creator who made the universe. However, most people do so only with difficulty or without reaching certitude, and often, such discoveries are vague and entangled with myths and superstitions, as seen in practices like the worship of planets, stars, individuals, and idols. The other reason is that certain significant and critical truths are fundamentally inaccessible to human cognition, such as the concept of another future realm, the return of humans to life and their eternal existence from thereon.

2. Forms of Epistemological Support Provided to Humans in Religion

The epistemological support provided to humans in religion is of four types.

The first type affirms what human reason already discerns, in opposition to myth and superstition. An example of this is found in Qur'anic emphasis on rational judgments that reject the suitability of

idols, celestial bodies, or individuals for divinity. Regarding idols, the Qur'ān highlights their man-made nature, stating:

He said, "Do you worship what you carve [with your own hands]; when it is Allāh who created you and your handiwork?"¹

Concerning the deification of 'Īsā b. Maryam (a.s.), the Qur'ān says:

The Messiah, the son of Maryam, was not but a Messenger; [other] Messengers have passed on before him. And his mother was a supporter of truth. They both used to eat food. See how We make the signs clear to them; then see how they are deluded.²

This verse indicates that someone with such human traits cannot—according to clear rational cognition—be considered a deity.

Similarly, regarding the worship of celestial bodies, the Qur'ān notes the fact that they are subjugated entities of transient nature. They appear at times and disappear at others, making it inconceivable for them to be the Creator or Governor of the universe. The Qur'ān states:

When the night covered him [i.e., Ibrāhīm], he saw a star. He said, "This is my Lord." But when it set, he said, "I do not like things that set." And when he saw the moon rising, he said, "This is my Lord." But when it set, he said, "Unless my Lord guides me, I will surely be among the people who have gone astray." And when he saw the sun rising, he said, "This is my Lord; this is greater!" But when it set, he said, "O my people, indeed I am free from all you associate with Allāh."³

The second type of epistemological support alerts or awakens humans to matters they may observe and witness but may not fully comprehend nor derive conclusions from. This refers to drawing attention

¹ Q 37:95–96.

² Q 5:75.

³ Q 6:76–78.

to realities that, when pointed out, awaken individuals from their heedlessness and redirects their thoughts toward the implications of such realities. Often, a person may then marvel at how they had observed these realities without recognising their implications.

An example of this is the Qur'ān's emphasis on the signs of creation and the order of the universe as evidence of the Creator. While these signs can be perceived independently by individuals, they may fail to fully grasp their significance without guidance; in such cases, they require someone to draw their attention to these realities and their meanings.⁴

The third type of epistemological support involves informing individuals of what they are unaware of but simultaneously require with respect to matters of the metaphysical realm. This includes concepts such as the Hereafter, where it would be difficult for humans to clearly and definitively derive the existence of a resurrection and a next life without revelation.⁵

The fourth and final type involves informing individuals of their inability to delve deeply into the metaphysical realm using their intellect alone. This is due to the absence of clear tools available to individuals for such inquiries and the invalidity of comparing the metaphysical world to the material world.

When individuals think deeply about the metaphysical realm, theorising about it and building upon such ideas, they do not arrive at

⁴ The reason for human heedlessness regarding the implications of certain matters—as will be discussed later when discussing principles of cognitive verification—lies in psychological factors. Among the most significant of these is the diminishing of the indicative power of something beyond itself because of habit. In other words, when an individual becomes accustomed to something, they tend to overlook its implications.

⁵ It is possible that certain human emotions serve as a prelude for individuals to accept such news, despite it being beyond the reach of their cognitive ability. Among these emotions is the innate human love for existence and desire for immortality. However, it is challenging for the individual to develop such feelings into a state of complete and clear cognition.

clear conclusions. Instead, they often end up embracing false superstitions, such as the Greek belief in the existence of “Ten Intellects” (*al-‘uqūl al-‘ashara*) mediating between the Creator and the material world. Similarly, some believe in the existence of a supreme being for each type of creature, responsible for managing its affairs, which are referred to as “Lords of Species” (*arbāb al-anwā’*). Others—such as the polytheists of the pre-Islamic era—have historically held the belief that angels are “daughters” of God, or similar erroneous notions.⁶

3. The Religious Perspective’s Respect for Human Reason in Its Judgement

It thus becomes clear that the religious epistemological perspective respects human reason in the certain and unequivocal judgments that it makes—those areas of cognition that are clear and readily accessible to the intellect. However, from the standpoint of religion, human understanding alone is insufficient to discover a complete picture of the universe, its dimensions and the significant truths it contains.

This stands in contrast to certain philosophical schools of thought within Muslim circles, which claim that humans can fully comprehend the entirety of existence and its mysteries through contemplation and inquiry. In reality, the arguments presented in this regard—considered by proponents of the aforementioned school as sound proofs—are, in essence, no more than mere preference or the ad-hoc assumptions of implausibility that are rooted in one’s inclinations, aversions or astonishment. These are often framed in an elaborate and eloquent manner, falsely giving the appearance of rigorous proof.

⁶ It is noteworthy that the four forms of epistemological support provided by religion apply not only to the cosmological perspective but also to its view of humanity and sound legislation, as will be further explained in the discussion on the legislative dimension.

4. The Reliance of Religious Knowledge on Two Pillars: Intellection and Deference

Building on the previous discussion, the religious epistemological perspective relies on two fundamental pillars: intellection and deference.

Intellection operates in the domain of clear cognitive understanding, while deference pertains to those matters beyond human cognition: in other words, pertaining to issues that fall within a grey area for which human intellect cannot provide a definitive answer. Whoever extends rationality beyond the domains that reason is capable of comprehending falls into illusion and confusion; likewise, whoever extends deference into domains that reason is capable of understanding falls into error or superstition. Rather, it is appropriate to assign each to its proper place and adhere to its conclusions accordingly. Relying on deference in its appropriate domain does not diminish human cognition; rather, it is a realistic acknowledgment of the limitations of human cognition, reminding individuals of the areas where their intellectual faculties fall short.

This principle is alluded to in numerous religious texts, including the verse in *Sūrat Āl Imrān* that divides the verses of the Qurʾān into *muḥkamāt* (clear) and *mutashābihāt* (obscure). As Allāh says:

It is He who has sent down to you the Book. In it are verses that are clear—these are the cornerstone of the Book—and others obscure. As for those in whose hearts is deviation, they will follow that of it which is ambiguous, seeking discord and seeking its fulfilment. And no-one knows its fulfilment except Allāh. But those firm in knowledge say, “We believe in it; all of it is from our Lord.” And no-one will take heed except those of understanding.⁷

⁷ Q 3:7. Further clarification on this discussion will follow in the fourth chapter. [Translator’s note:] I have rendered Q 3:7 according to the understanding of the author. On this reading, the pause (*waqf*) in the verse is taken to occur immediately after “and none knows its fulfilment except Allah.” Thus, the *wāw* preceding the phrase “those firmly grounded in

The *muḥkamāt* are clear and unequivocal verses for which no room for doubt exists regarding their truthfulness based on initial objections. In contrast, the *mutashābihāt* are those verses where doubt or difficulty in understanding may arise, such as the foretelling of resurrection and the Day of Judgment.⁸

5. The Divine Means of Assisting Creation

The next matter is that the Divine assistance provided to creation has come through the sending of a message, clarifying a correct and comprehensive perspective on existence, the universe and the human being.

To deliver this message to creation, Allāh has chosen individuals from among the people themselves. These individuals have been characterised by sound intellect, clear understanding, moderation in behaviour, purity of disposition, a love for truth and virtue, steadfastness in the face of challenges and compassion for others. They do not exhibit traits that would compromise their mental integrity, nor ambition for social dominance, nor cunning, deceptive and manipulative tendencies.

knowledge” is not read as a conjunction, but as a *wāw* of separation (*isti'nāf*). In addition, “*ta'wīl*” is not understood as “interpretation,” but as “fulfilment.” The translation has been rendered in accordance with these points.

⁸ Some reject these realities based on arguments like: “They say, ‘When we have become bones and dust, will we really be resurrected as a new creation?’ (Q 17:49). The term *ta'wīl* (fulfilment) in the aforementioned verse refers to the eventual reality that confirms the truthfulness of what has been foretold, as Allāh says: “Are they waiting except for its fulfilment? The Day its fulfilment comes, those who had ignored it before will say, ‘The Messengers of our Lord had come with the truth, so are there any intercessors to intercede for us, or could we be sent back to do other than what we used to do?’ They will have lost themselves, and whatever they used to invent will have departed from them” (Q 7:53).

Revelation has been sent to these individuals in a clear and distinct manner, possessing traits—both in scope and nature—that surpass what could be imagined as hallucinations or disturbances arising from psychological issues. Furthermore, Allāh has supported them with miracles that in scope and nature require superhuman abilities far beyond anything familiar to humanity, such as the actions of sorcerers, soothsayers and the like. These miracles differ fundamentally from such phenomena.

The individuals chosen for this message were already known within their communities, and their behaviour, abilities, and inclinations have been closely observed by those around them over an extended period; no evidence exists of them engaging in peculiar claims or unusual conduct. Their proofs emerge within societies familiar with false claims, ensuring that their message could not be dismissed as something similar. This allowed the ultimate proof of the truthfulness of the messenger's claim to be established for all creation.

When a period of time passes, during which the clarity of the message gradually diminished, Allāh sends another messenger to re-establish the proof and dispel ambiguities and doubts. The last of His messengers is the Prophet Muḥammad (s.a.w.), through whom Allāh facilitates the preservation of His message in His Noble Book—a message for all of creation—ensuring its historical preservation with undeniable clarity.

Allāh has chosen to send His messengers to societies that were most afflicted by extremism, arrogance, and oppression so that His message could reach other societies through the general laws of human interaction.

Thus, these messengers have become the intermediaries between the Creator and humanity, clarifying the framework and horizons of life as designed by its Creator. They have guided humanity toward knowledge, reason, wisdom, justice and purification, as Allāh says:

It is He who has sent among the gentiles a Messenger from themselves, reciting to them His verses, purifying them, and

teaching them the Book and wisdom.⁹

And He says:

We sent Our Messengers with clear proofs and sent down with them the Scripture and the Balance so that the people may administer justice.¹⁰

⁹ Q 62:2.

¹⁰ Q 57:25.

Chapter Three

The Religious Cosmological Perspective

As for the second perspective—among the varying religious views on existence—is the perspective of religion concerning existence and the universe. This perspective revolves around a critically important topic: the existence of the Creator of life, along with His attributes and actions.

According to the religious perspective, humans perceive in the material world and its entities clear indication of an unseen Being, and they find evidence of His attributes of perfection, such as power, knowledge and creative capacity (*ibdāʿ*). In affirming, elaborating and assisting humanity in understanding this perspective, religion highlights three truths:

The first: the existence of a Creator of the universe.

The second: that this Creator regulates the affairs of the universe and all its beings.

The third: that He has a special concern for humanity.

Here, the first two will be discussed.¹

1. The Truth of the Existence of Creator for the Universe and Life

As for the first truth: Allāh is the Creator of the universe and life. This encompasses several matters.

1.1 The Existence of the Creator

The first matter is that a Creator exists for humanity and for all other beings who has laid down laws and regulations through which He can be discovered. This can also be done by observing the design of these

¹ The third truth will be addressed later in the discussion on the religious perspective regarding “The Creator’s Care for Humanity.”

beings; how they are fashioned, their origination and their changing nature. Many verses in the Qurʾān point to this; for example: “Were they created by nothing, or are they the creators [of themselves]?”²

1.2 The Creator Being Attributed with Life, Power, and Knowledge

The second matter is that Allāh is characterised by eternal Life, all-encompassing Power and comprehensive Knowledge. The grandeur of the universe and its beings testifies to this, validating the belief that Allāh’s greatness, power and knowledge surpass what humans can conceive or imagine, as indicated by various verses of the Qurʾān.

Both the truth and depth of this meaning become clearer over time as new dimensions of Allāh’s Power are unveiled. Examples include the profound temporal depth of the universe, the vastness of space with thousands of galaxies—each containing millions of stars—and the complex laws governing life and its phenomena, particularly in the realm of physics. These reveal an astonishing harmony in the universe, which continues to amaze even the most brilliant scientists. Furthermore, discoveries in this field are ongoing and seem unlikely to cease.

Thus, it is natural for humans to be unable to comprehend the full scope of what Allāh’s Power entails, especially regarding matters they have not yet witnessed. In the latter case, revelation has spoken of these matters, and thus these beliefs should have already been accepted.

A critical mistake in this regard is the tendency of some schools of thought to consider the unfamiliarity or strangeness of certain religious concepts and rulings as an automatic indicator of their falsehood; for example, rejecting the idea that Allāh can resurrect humans after their death for another life³ is akin to someone marvelling at an extraordinary creation they admire and then denying the possibility of

² Q 52:35, as well as numerous other verses such as Q 7:54, 13:2, 16:11, 26:8, 29:44, 30:20–25, 40:64, 41:37 and 39, 42:29 and 32.

³ [Editor’s note:] I.e., after they have witnessed Allāh’s visible creations.

another equally wondrous creation, assuming that what they have seen represents the pinnacle of craftsmanship in its field.

1.3 The Creator Being Attributed with Wisdom

The third matter is that Allāh is wise in His actions. His wisdom can be understood as follows.

Firstly, Allāh has created a harmonious universe, with all its parts in proportion and balance. This is observable to us and affirmed by physicists, who emphasise the astonishing consistency of all the laws governing the material universe. This coherence reflects Allāh's supreme wisdom, placing all things in their appropriate positions and ensuring their alignment. A Being characterised by such wisdom does not act inconsistently—for instance, forgiving the sins of some individuals while excluding others, or granting to some while withholding from others, despite their equality in status and circumstances—without any justifiable preference.

Secondly, Allāh does not act frivolously or without purpose. Instead, His actions are deliberate, wise, and perfectly aligned with meaningful and appropriate objectives. As He says:

And We did not create the heavens and the earth and what is between them in play. We did not create them except in truth, but most of them do not know.⁴

1.4 The Goal of the Creator in Creating the Universe

The fourth matter is that one of the Creator's goals in creating this material world and establishing its laws is as follows:

Firstly: to manifest His power and demonstrate His greatness to the rational beings among His creation, who, through reflection and contemplation, can grasp the dimensions and horizons of this world. This can be likened—though Allāh's example is far greater—to an artist painting a masterpiece or sculpting a magnificent sculpture to showcase their artistic ability.

⁴ Q 44:38–39.

Secondly: to prepare for another existence, which is the final goal toward which the material universe and its beings are moving. Without this next life, existence would seem meaningless.⁵

Allāh says:

The Day when We will roll up the skies like a written scroll. We shall reproduce creation just as We produced it the first time—a promise binding upon Us. Indeed, We will do it.⁶

And He has said:

The Day the earth will be replaced by another earth, and the heavens [as well], and they will come out before Allāh, the One, the Subduer.⁷

Allāh mentions that believers discern this final goal through their reflection on the creation of the heavens and the earth, as stated in His words:

And they reflect on the creation of the heavens and the earth, [they say], “Our Lord, You did not create this frivolously; You are exalted [from such a thing]; so protect us from the torment of the Fire.”⁸

⁵ This purpose aligns with findings in modern science, which assert that every entity in the universe has a goal toward which it moves according to the laws of existence that define its creation. For instance, biology illustrates how every animal is equipped with tools, instincts, and mechanisms enabling it to survive, reproduce, and protect itself from threats. When biologists analyse the features of a creature—such as its beak, wings, or other characteristics—they explain how these traits align with the animal’s survival, propagation and preservation. This notion is also reflected in the Qur’ān, where Allāh says: “Our Lord is He who gave each thing its form and then guided it” (Q 20:50).

⁶ Q 17:104.

⁷ Q 14:48.

⁸ Q 3:191.

This grand transformation of the universe is described in various verses, such as: “When the sun is shrouded [in darkness],”⁹ and His statement: “When the sky is rent asunder.”¹⁰

This final goal of the universe underscores the centrality of human-beings in this life, as humans are the focal point of what will unfold in the Hereafter. This is illustrated in *Sūrat al-Takwīr* following the vivid imagery of the next creation, where Allāh says:

And when the female infant [who was buried alive] is asked; for what sin she was killed; and when the scrolls [of deeds] are laid open, and when the sky is stripped away; and when Hellfire is fiercely set ablaze; and when Paradise is brought near; a soul will [then] know what it has brought about.¹¹

Similarly, in *Sūrat al-Inshiqāq*, after a depiction of this event, Allāh addresses humanity directly:

O mankind, indeed, you are labouring toward your Lord with [great] exertion and will meet it[s consequences]. So as for he who is given his record in his right hand, he will have an easy reckoning.¹²

1.5 The Creator as a Non-Material Being

The fifth matter is that the Creator is a non-material Existent. The rational mind clearly indicates that none of the entities perceptible to the human senses—whether humans, animals, trees or inanimate objects—can possess Divinity. These entities are products of the laws governing existence and life, much like their counterparts in nature. They are unfit to dominate the universe, with all its antiquity, vastness and precision. This is emphasised in verses of the Qur’ān such as:

⁹ Q 81:1.

¹⁰ Q 84:1.

¹¹ Q 81:8–14.

¹² Q 84:6–8.

He said, “Do you worship what you carve [with your own hands]; when it is Allāh who created you and your handiwork?”¹³

From this, it follows that Allāh’s nature is of a transcendent kind, far above the attributes and limitations of material existence. He is free from growth, deficiency and division in His essence, unlike what is observed in the material world. This concept is repeatedly emphasised in religious texts, whether in Qur’ānic verses or in sermons of *Nahj al-balāgha*.

1.6 The Unity of the Creator

The sixth matter is that the Creator of life is One. There is no trace of multiplicity of creators of the universe or its beings. Everything operates within a unified system, governed by consistent laws; if there were multiple deities, it would inevitably lead to conflict in their governance of the universe, as stated in the Qur’ān:

Had there been within them [i.e., the heavens and the earth] gods besides Allāh, they both would have been ruined.¹⁴

Moreover, if other gods existed, they would have sent their own Messengers in the way that Allāh has sent His, as noted by Imam ‘Alī (a.s.) in his advice to his son, al-Ḥasan (a.s.): “If your Lord had a partner, his Messengers would have come to you.”¹⁵

1.7 Human Inability to Comprehend the Essence of the Creator

The seventh matter is that Allāh is far greater than human comprehension of the details of His Essence or to be subject to description, unlike the way in which created beings and their attributes can be described. This is evident given that He is not a material existence. Humans cannot grasp the nature of His essence or its characteristics due to their

¹³ Q 37: 95–96.

¹⁴ Q 17:22.

¹⁵ Al-Sharīf al-Raḍī, *Nahj al-balāgha*, 396.

lack of the necessary tools to do so. Consequently, reflecting or theorising about His essence becomes futile.¹⁶

It thus follows that it is a grave error to deduce the nature of His perfect attributes—such as His knowledge—based on the attributes of His creation. As stated in the verse: “There is nothing like unto Him.”¹⁷ His Essence bears no resemblance to the attributes of other beings, nor to the manner in which their characteristics are defined.¹⁸

2. The Truth of the Creator as the Regulator of the Universe

As for the second truth concerning the Creator—His role as the Regulator of the universe and all beings—there are several matters to be discussed, as follows.

2.1 The Creator’s Continuous Bestowal of Existence to the Universe

The first matter: Allāh continually bestows existence upon the universe and its beings, guiding them toward their goals. The existence and attributes of these beings are not self-sustaining; rather, their existence and continuity depend on His constant support. Allāh says:

Indeed, Allāh keeps heavens and the earth from ceasing [to exist]. And if they should cease, no-one could stop them other than Him.¹⁹

Similarly, their removal and annihilation rest entirely in His hands, occurring whenever and however He wills. The relationship of these

¹⁶ Some movements in Sufism and theoretical mysticism, as well as some philosophical movements, have attempted to theorise about this matter. These attempts are closer to delusions than reality.

¹⁷ Q 42:11.

¹⁸ Imam ‘Alī (a.s.) has elaborated on this issue in several sermons that can be found in *Nahj al-balāgha*, addressing the distinct nature of Allāh’s attributes compared to those of His creation. Numerous traditions widely transmitted in the *ḥadīth* collections of the Imams from the *Ahl al-Bayt* (a.s.) also caution against contemplating on the Essence of Allāh.

¹⁹ Q 35:41.

beings to Allāh can be likened to energy, which requires a constant supply from its generating Source.

This concept is not rejected by reason. Although reason cannot grasp how things derive continuity in their existence from Allāh, the inability to comprehend something does not equate to its denial. This is especially evident in one's own experience of being unaware of the essence of many phenomena that we nonetheless affirm through their effects. For example, we know that gravity causes objects to fall, but the true nature and essence of gravity remain beyond our understanding. The same applies to other discovered elements and forces. This reality has been acknowledged by prominent natural scientists, as reflected in Allāh's words: "And you have only been given a little knowledge."²⁰

This view stands in contrast to the claim of those who believe that Allāh created beings according to specific laws and then entrusted them entirely to those laws, with no ongoing involvement in their continuity or continuance.

2.2 The Creator's Authority Over the Affairs of Creation

The second matter: Allāh holds authority over all the affairs of creation; thus, He is able to act upon them contrary to their usual behaviour. This occurs in two ways.

The first is through a clear disruption of natural laws, which is referred to as a miracle or extraordinary event. Examples of this include the birth of ʿĪsā b. Maryam (a.s.) without a father, the parting of the sea for Mūsā (a.s.), and the fire becoming a place of coolness and safety for Ibrāhīm (a.s.).

The second is by guiding external natural or psychological factors toward specific directions they would not otherwise take without Divine intervention. For instance, directing rain clouds to barren lands in response to people's prayers for rain (*Ṣalāt al-Istisqāʾ*), or inspiring the mother of Mūsā (a.s.) to cast him into the river, which ultimately

²⁰ Q 17:85.

resulted in the preservation of her son and his return to her. Similarly, throughout history, most people, regardless of their religious traditions, have turned to the Creator during times of distress and hardship, hoping He would relieve their afflictions through the channels and means He alone controls and directs as He wills.²¹

2.3 The Gradual Creation of the Universe and Its Beings

The third matter: Allāh did not create the universe and its beings in their observed forms all at once. Instead, His system of creation operates on the basis of first bringing things into existence in an initial state according to certain laws and then developing them through those laws until they reach their intended goals.

This can be seen in the creation of humans, which begins as a fertilised drop of fluid, then grow into an embryo, and continues to develop until fully formed and equipped with the tools needed for life at birth.

Similarly, the creation of the heavens and the earth is described in the Glorious Qur’ān as occurring over six days.²² Here, the term “day” (*yawm*) refers to phases of time or stages,²³ and these periods may be

²¹ This matter may be connected to the first point, considering that things are inherently linked to the Divine Will through their inner realities.

²² Q 7:54, 10:3, 11:7, and other verses.

²³ This usage of the term “day” (*yawm*) is common in Arab culture and literature; the term often refers to the entire period during which a particular event occurred. For instance, it is said: “The Day of Badr,” “The Day of Uḥud,” “The Day of Şifḫīn,” and “The Day of the Camel.” Allāh also states: “On the Day of Ḥunayn, when your great numbers pleased you, but they did not avail you at all, and the earth, despite its vastness, constrained you; then you turned back, fleeing” (Q 9:25). Similarly, expressions like “the Last Day” (*al-yawm al-ākhir*) and “the Day of Resurrection” (*yawm al-qiyāma*) use the term in this manner. This is also reflected in the proverb: “The Day of Ḥalīma is not hidden.” This term is also used in proverbial form to refer to any event that is widely known and famous. [Translator’s note:] The phrase originates from the story of Ḥalīma bt. al-Ḥārith Jabala, whose father sent an army to fight al-Mundhir b. Mā’ al-Samā’. On that day, she provided perfume and incense to the troops, and

exceedingly long, as indicated in the verse: “Indeed, a day with your Lord is like a thousand years of those which you count.”²⁴ Thus, the six days likely represent successive stages marked by significant cosmic events.

This gradual process of creation—starting with something seemingly insignificant and developing according to intricate laws into something remarkable—demonstrates an even greater capacity for ingenuity. For example, a person may directly lift a heavy object, or they may design a mechanical crane capable of doing so; the latter is a far more impressive display of ability. Accordingly, the Qur’an emphasises Allāh’s ability to produce extraordinary and perfected creations from simple beginnings, as stated:

He who perfected everything He created and began the creation of man from clay. Then He made his descendants from an extract of humble fluid.²⁵

the smoke of the incense rose so high it obscured the sun, making it one of the most renowned days in Arab history.

²⁴ Q 22:47.

²⁵ Q 32:7–8.

Chapter Four

The Religious Anthropological Perspective

The third perspective—i.e., the religious view of the universe—encompasses two dimensions: the Creator’s special attention towards humanity, and the reality of humanity and its existential dimensions.

1. The Creator’s Attention towards Humanity and Its Manifestations

As for the first dimension, the religious perspective affirms that the Creator of the universe particularly cares for humanity. This is because humans, among all material beings, possess intellect and free-will. They can comprehend this material life and its laws and are able to uncover its secrets and mysteries; this allows them to benefit from and enjoy this material life. Therefore, they can be addressed by Allāh, and lessons can be imparted to them. Moreover, humans are capable of perceiving the existence of the Creator through the observable effects of His craftsmanship and creativity. They are also endowed with a conscience, enabling them to appreciate Divine blessings and express gratitude, praise, and courtesy.

This Divine attention—as understood in the religious perspective—manifests in multiple ways as follows:

1.1 Humanity’s Role as Steward

The first manifestation of Divine attention is the way in which humans are considered His stewards on earth, as expressed in the Qur’ān:

And [mention] when your Lord said to the angels, “Indeed, I will place a steward upon the earth.”¹

¹ Q 2:30.

It is almost as if this is alluding to humanity's endowment with the ability to choose and act freely, as well as their capacity to understand the laws of the universe and the nature of its beings. Through this endowment, humans gain superiority and become the most noble beings in this world. Humanity is thus entrusted with comprehending Allāh's power and creativity manifested in the creation of the universe and its laws, and this truth has been acknowledged by a number of natural scientists.

1.2 The Universe's Preparation to Receive Humanity

The second manifestation of Divine attention is the universe's preparation to accommodate humanity and subjugation to human needs. Humanity was created after creation of the earth and its surroundings, including plants, animals, minerals, and all other components of this life; Allāh created these prior to human creation as a supportive environment for humans, akin to the preparations that new parents undertake to welcome an infant into their family. The Qur'ān highlights this attention, stating:

Do you not see that Allāh has subjected to you whatever is in the heavens and whatever is in the earth?²

It is He who created for you all of that which is on the earth.³

Likewise, Allāh has subjected all of creation to the benefit of humanity, including the sun, moon, stars, plants and animals. Humanity is the primary recipient of these creations, as many of these blessings—such as minerals and compounds—are specifically used by humans for crafting tools and other applications. Even beings that benefit other creatures—such as plants and animals—reflect humanity's centrality. The hegemony and dominance humans possess as the most advanced of creations, and their ability to optimise the use of these

² Q 31:20.

³ Q 2:29.

resources, signify that humanity is the primary purpose of their existence.

1.3 The Creator's Attention towards Humanity from Its Inception

The third manifestation of Allāh's Divine attention: is the association of humanity's creation with direct instruction, guidance, and honour. This is evident in the story of Adam's creation. Allāh says:

And [mention] when your Lord said to the angels, "Indeed, I will place a steward upon the earth." They said, "Will You place upon it one who causes corruption therein and sheds blood, while we exalt You with praise and sanctify You?" He said, "Indeed, I know that which you do not know." And He taught Adam the names—all of them. Then He presented them to the angels and said, "Inform Me of the names of these, if you are truthful." They said, "Exalted are You; we have no knowledge except what You have taught us. Indeed, it is You who is the Knowing, the Wise." He said, "O Adam, inform them of their names." And when he had informed them of their names, He said, "Did I not tell you that I know the unseen [aspects] of the heavens and the earth? And I know what you reveal and what you conceal."⁴

1.4 Allāh's Grace (*Lutf*) towards Humanity

The fourth manifestation of Divine attention is the Grace of Allāh toward humanity and His assistance in their times of need. When humans ask of Him, He provides; when they call upon Him, He responds, and when they seek His help, He aids them. He may even assist them in times of distress without humans explicitly asking or praying. The Grace of Allāh displays itself in two forms.

The first is manifest Grace (*al-lutf al-zāhir*), which is openly displayed through the disruption of life's natural laws by means of clear miracles and extraordinary events. Examples include Allāh affirming

⁴ Q 2:30–33.

the truthfulness of His messengers or bestowing honour to some of His chosen servants.⁵

The second is hidden Grace (*al-luṭf al-khaṭī*), which operates upon the inner realities of beings through Unseen control. This involves directing mental and psychological processes in a specific direction, unnoticed by humans, to achieve a desired outcome. An example of this is found in the Qur'ān's account⁶ of the inspiration given to the mother of Mūsā when she was unsure what to do with her infant, fearing that Pharaoh might kill him; Allāh placed in her heart the assurance and guidance needed to save him.

Thus, the instinct to seek refuge in a higher Being capable of aiding individuals in times of weakness or need is deeply ingrained in human nature, and manifests through the course of human life. If the Creator is the One who planted this innate tendency within humanity, then He has also provided a corresponding response to it. Just as He has placed in an infant the instinct to seek its mother for sustenance and care, He has placed in the mother the instinct to respond to her child with love and compassion.

This innate tendency is highlighted in several Qur'ānic verses. Allāh says:

Allāh is Graceful with His servants; He sustains whom He wills. And He is the Powerful, the Mighty.⁷ And: Who is it that responds to the desperate one when he calls upon Him and removes evil?⁸

And when My servants ask you concerning Me—indeed I am near. I respond to the call of the supplicant when he calls upon

⁵ [Editor's note:] By granting them the capability of miracles and extraordinary events.

⁶ Q 28:7.

⁷ Q 42:19.

⁸ Q 27:62.

Me. So let them respond to Me and believe in Me that they may be rightly guided.⁹

And when they board a ship, they supplicate Allāh, in sincere devotion to Him. But when He delivers them to the land, at once they associate others with Him.¹⁰

And when you are afflicted with adversity at sea, those you worship besides Him desert you. But when He delivers you to the land, you turn away [from Him]. And man is ever ungrateful.¹¹

However, this form of Divine response does not occur in a way that disrupts natural law, nor the principles that govern life on this earth. The inherent structure of life—including death, decay, and the occurrence of illnesses and causes—remains intact. Allāh responds to His servants in ways they do not anticipate and without contradicting the system of life, except in cases where an explicit intervention through miracles and extraordinary events is necessitated. This principle applies universally, even to the Prophets and the righteous. Divine response to their prayers is not unconditional, nor is assistance given to them without limits.

1.5 The Creator's Relationship with Humanity as One of Love and Affection

The fifth manifestation of Divine attention is that the relationship between the Creator and humanity is one of love and affection. Allāh loves humanity's knowledge of Him, their connection with Him and their appreciation of His blessings. Numerous verses affirm His attributes toward humanity of mercy, kindness, compassion, patience, and love: not only for the believers but for humanity at large. He is more compassionate toward His servants than a mother toward her child, as stated in *ḥadith*.

⁹ Q 2:186.

¹⁰ Q 29:65.

¹¹ Q 17:67.

Humans have been created with the capacity to know Allāh, to communicate with Him and to learn from Him. They have been endowed with intellect, which is the tool of understanding, contemplation, learning and teaching, as well as communication and expression; thus, the innate curiosity and drive to explore the mysteries of the universe and existence has been implanted within them.

Similarly, Allāh has instilled within humans a conscience, forming the foundation of ethics, which, beyond mediating human interactions, prepares individuals to feel gratitude toward their Creator and to uphold courtesy in their relationship with Him. Moreover, He has subjected the possibilities of the universe to their benefit, promised assistance when they turn to Him and sent Messengers to clarify the horizons of life.

Thus, He desires that humans recognise Him and His blessings, live in a state of gratitude and appreciation and maintain a relationship with Him marked by the propriety of connection and respect. Belief, therefore, is considered an act of gratitude toward Allāh. He says:

If you disbelieve—indeed, Allāh is free from need of you. Nor does He approve of disbelief for His servants. If you are grateful, He is pleased [to see] it in you.¹²

Indeed, We guided him to the way, be he grateful or ungrateful.¹³

And I did not create the jinn and mankind except to worship Me.¹⁴

In numerous verses, after mentioning the blessings He has bestowed upon humanity and the creatures He has subjected to their service, Allāh states: “So that you may give thanks.”¹⁵ Allāh also reproaches humanity for failing to fulfil the duty of gratitude owed to Him. After listing His blessings, He declares:

¹² Q 39:7.

¹³ Q 76:3.

¹⁴ Q 51:56.

¹⁵ Q 9:26, 16:41 and 78, 22:36, 28:73, and 45:12.

It is Allāh who created the heavens and the earth and sent down rain from the sky and produced thereby some fruits as sustenance for you and subjected the ships for you to sail through the sea by His command; and He also subjected the rivers for you. He also subjected the sun and the moon for you, continuous [in orbit], and subjected the night and the day for you. And He gave you from all you asked of Him. And should you count the favours of Allāh, you could not enumerate them. Indeed, mankind is unjust and ungrateful.¹⁶

1.6 Granting Humanity Serenity and Tranquillity

The sixth manifestation¹⁷ of Allāh's Divine attention on humanity is that the Creator of the universe is the Lord of all His creations nurturing each according to its nature. For humanity, equipped with intellect and conscience, His Lordship involves a unique form of attention. This is unlike the nurturing of plants or animals, but rather a special nurturing that can be likened—though Allāh's example is far greater—to the nurturing of parents for their children, as opposed to the care animals provide their offspring.¹⁸

Among the aspects of this special relationship between Allāh and His creation—beyond His assistance and attention—is the sense of inner tranquillity and peace that He instils in humans, in response to a fundamental human need for it.

This Divine tranquillity resembles the security provided by states and companies through insurance, which gives individuals peace of mind during times of need in exchange for monetary contributions. It also resembles the psychological comfort children derive from the

¹⁶ Q 14:32–34.

¹⁷ This is a development of the fifth manifestation, i.e., Allāh's love and affection.

¹⁸ It is for this reason that some scriptures of the divine religions have described Allāh (Blessed and Exalted is He) as "Our Father, Who art in heaven." If this expression is to be deemed correct, then its origin lies in the divine care Allāh extends to His creation.

presence of their parents. For example, if a child is aware of their father's existence, even if the father has passed away, the family might not inform the child immediately, saying instead that he is travelling. This preserves the child's sense of psychological security and prevents feelings of emptiness or distress.

1.7 Life as a Racetrack for Humanity

However, one must note that Allāh—despite extending special attention to humanity, showing love and affection for them—has endowed humanity with free-will, allowing individuals to make their choices and chart their paths. His wisdom has determined that life serves as a racetrack; individuals compete in this arena, each being granted the outcome of what they pursue. Their ranks differ according to their efforts and their level of commitment.

Thus, the virtuous and the wicked, the complete and the deficient are not equal. If a person devotes themselves to fulfilling what Allāh desires, recognising Him, showing gratitude, honouring His blessings, and accepting His message, Allāh increases His attention towards them, grants them more blessings and bestows upon them special guardianship. As He says: "If you are grateful, I will give you more."¹⁹ However, if a person neglects his duty out of ingratitude and denial, they are considered rebellious toward Allāh and are left to their own devices, stripped of the blessings of Divine attention.

If ignorance is the cause of neglect, then even with a valid excuse, it remains a deficiency that prevents the individual from attaining the rank of one who is knowledgeable and grateful to Allāh. However, it does not lower them to the level of one who is ungrateful and denies His blessings. The ignorant person is neither equal to the ungrateful denier nor to the knowledgeable and thankful servant.

¹⁹ Q 14:7.

1.8 The Creator Sending a Message to Humanity

The seventh manifestation of Divine attention is that Allāh has sent a message to humanity—through individuals chosen from among His creation—to remind them of all the previously mentioned foundational truths. This message aims to provide clarity about the system of existence, the nature of life, and humanity's role within it. It also offers legislative guidance by calling humanity to align with the principles of innate human disposition, such as respecting rights and pursuing virtues. Moreover, it draws attention to life as a competitive arena where every action, whether good or evil, crystallises in accordance to their value in another realm. Allāh says:

It is He who has created death and life to test you [as to] which of you is best in deed.²⁰

Each community has its own direction to which it turns. So race toward good deeds.²¹

1.9 Divine Commitment to the Guardianship (*Wilāya*) of Believers

The eighth manifestation is that while the Creator nurtures all His servants universally through the laws He has established in the cosmos and creation, He has committed to a special guardianship (*walāya*) for those among His creation who believe in Him. Those who place their faith in Allāh, rely on Him, maintain good thoughts about Him and entrust their affairs to Him are granted His guardianship in proportion to their willingness to accept it and their regard for what He has conveyed to them.

However, He does not compel them to accept this guardianship, for life is built upon the principle of human free-will. As He says:

Could we force you to accept it against your will?²² And: There shall be no compulsion in [acceptance of] the religion. The right

²⁰ Q 67:2.

²¹ Q 2:148.

²² Q 11:28.

course has become clear from the wrong.²³

The relationship between humanity and Allāh in this regard—though Allāh’s example is far greater—resembles that of a child to a wise and caring father; the child loves, obeys and submits to the father’s guardianship. The father—whether consciously perceived by the child or not—guides the child toward wisdom and happiness. Conversely, if the child turns away, resists and rejects the father’s involvement, the father leaves them to manage their own affairs.

This concept is highlighted in multiple verses of the Qur’ān. Allāh says:

We are your protectors in this worldly life and in the Hereafter.²⁴

And He says:

Allāh is the guardian of those who believe; He brings them out from darkneses into the light.²⁵

And Allāh is the guardian of the believers.²⁶

And Allāh is the protector of the righteous.²⁷

These verses emphasise that Allāh’s guardianship strengthens in accordance with an individual’s belief in Him, and through attaining the rank of piety (*taqwā*). Whoever believes in Allāh without rejecting Him or denying His Messengers is granted His guardianship in proportion to their reliance on Him, their understanding of Him and their appreciation of what has been conveyed to them about Him.

²³ Q 2:257.

²⁴ Q 41:31.

²⁵ Q 2:257.

²⁶ Q 3:68.

²⁷ Q 45:19.

1.10 The Two Systems Established by the Creator: The Existential (*Takwīnī*) System and the Legislative (*Tashrīʿī*) System

The ninth manifestation of Allāh's Divine attention is evident in the two systems He has established in His creation.

One of them is the existential (*takwīnī*) system which governs all beings, including the human being. It was established in a specific manner, and is characterised by His design of the universe, as well as the natural laws that Allāh has ordained for all creatures, ensuring harmony and consistency in accordance with His attribute of Wisdom. The Divine Will from which this system necessarily operates is referred to as "Existential Will" (*al-irāda al-takwīniyya*).

While this system applies universally to the cosmos and all its beings, each creature has a unique nature and thus a unique structure of the system within itself. For instance, humans—distinguished by their intellect, reasoning, moral conscience, and free-will—are governed by laws and systems appropriate to their nature. This is evident in the legislative system that guides their actions and responsibilities. Additionally, within the natural laws governing creation, there are provisions for the Creator's special relationship with humanity, including His care and responsiveness, as previously described.

The other system is the legislative (*tashrīʿī*) system, which is designed to regulate the actions of rational beings with free-will, directing them toward the correct and beneficial path for themselves and their species, thus aligning with the overarching existential system. The Divine Will which necessitates the legislative system, is referred to as "Legislative Will" (*al-irāda al-tashrīʿiyya*), representing another aspect of Allāh's care for humanity.

Naturally, Allāh's existential Will does not coerce rational beings into compliance with the legislative system, as doing so would negate their free-will and the legislative system would simply be part of the existential order, rather than a framework of moral and ethical choices. As a result, the laws governing creation are subject to human utilisation (with His permission), allowing individuals to exercise their free-will within this framework. Consequently, humans may misuse

tools and systems created under existential laws to commit injustice or oppression against others. Such misuse inevitably leads to consequences, unless the oppressed turn to Allāh for aid, prompting Divine intervention in accordance with specific laws of intervention, as previously explained. This allowance for natural processes to unfold does not imply that Allāh's permission for such actions entails any injustice on His part toward His servants.

Thus, it becomes clear that it is not appropriate for a person to attribute the consequences of their choices to Allāh, framing them as predestined and inevitable and thereby absolving themselves of responsibility. Such an act is akin to fabricating lies about Allāh's creative power, which is a sin and transgression no less severe than inventing lies about His legislation. By extension, it is equally incorrect to attribute negative societal outcomes and erroneous phenomena to Allāh as inevitable and predetermined. Such claims can lead to complacency within society, deterring efforts for reform, and instead, simply exacerbating the issues faced. Allāh says:

And if only the people of the cities had believed and feared Allāh, We would have bestowed blessings upon them from the heavens and the earth; but they belied [the truth], so We seized them for their misdeeds.²⁸

It is also incorrect for a person to justify their actions by claiming that Allāh permitted them, as He says:

And they said, "If the Most Merciful had willed, we would not have worshipped them." They have no knowledge of that; they do nothing but lie.²⁹

Likewise, it is flawed to argue that refraining from an action is justified because Allāh has not permitted them to do so, as illustrated in His statement:

²⁸ Q 7:96.

²⁹ Q 43:20.

And when it is said to them, “Spend from what Allāh has provided for you,” those who disbelieve say to those who believe, “Why should we feed those that Allāh could have fed if He willed? You are not but in clear error!”³⁰

Similarly, Allāh’s permission for a person to act according to their free-will—even if their actions are wrongful or sinful—does not negate His legislative disapproval of such actions; rather, this disapproval is expressed through prohibition of the action, as well as warning against choices that are harmful to humanity. There is thus a balance that arises between Divine Wisdom and human free-will; the former establishes and maintaining natural laws within the human environment, and the latter is preserved.

This concept can be likened—though Allāh’s example is far greater—to the actions of a father who organises the household by providing tools, resources and facilities. He may prohibit his child from using a particular tool at a specific time or for certain purposes, out of concern for their well-being. However, despite having the ability to prevent the child from using it altogether, the father refrains from doing so. Instead, he allows the child to exercise their free-will and not impose his own personal preference, allowing them to bear the responsibility for their actions and learn from their choices; he sees no benefit in intervening and preventing the child on the basis of his own desires.

1.11 Compensation for Human Suffering

The tenth manifestation of Allāh’s Divine attention³¹ refers to suffering that individuals involuntarily endure in this life and are unable to prevent, such as injustices inflicted by others, illness or unavoidable poverty. These forms of suffering have three dimensions according to religious texts.

³⁰ Q 36:47.

³¹ Which is connected to what has just been mentioned.

The first dimension is that such suffering arises from natural laws and the universal order upon which creation and life are built. The preservation and consistency of this order necessitate these occurrences. In the Islamic texts these are referred to as “decrees” (*maqādir*) that cannot be avoided or altered.

The second dimension of suffering is that it is a test on the individual; if they endure these trials with patience and seek Divine reward without transgressing the boundaries of virtue, they achieve a level of distinction that is unattainable for those who do not face such trials. To this end, the Qur’ān frequently describes hardships and adversities as a means of testing individuals.

The final dimension of suffering is that every instance of suffering endured involuntarily—according to religious texts—is recorded as a merit in the individual’s account with Allāh. They are rewarded for it or have their sins diminished as a result. Every deprivation or hardship in this life comes with compensation and rectification in a manner determined by Allāh. Similarly, every blessing carries a responsibility, as the Qur’ān states: “On that day, you will be asked about your pleasures.”³² And in the words of Imam ‘Alī (a.s.): “For what is lawful, there is accounting, and for what is unlawful, there is punishment.”³³

It is also important to note that while Allāh does not commit any rationally abhorrent (*qabīḥ*) action nor injustice, the principles of moral good (*ḥusn*) and evil (*qubḥ*)³⁴ concerning Allāh—as the Creator of life—differ from those applied to humanity, who are created beings bound by a specific moral order. If a person has the ability to remove an injustice afflicting others and fails to act, their heart is sinful. However, this does not apply to Allāh, who has established the universe on the basis of specific laws and systems; Allāh is not obligated to intervene in every injustice, as such interventions would conflict with established natural laws and their broader purpose. In fact, such

³² Q 102:8.

³³ Al-Sharīf al-Raḍī, *Nahj al-balāgha*, 106.

³⁴ I.e., moral good and evil that is rationally cognised.

disruptions could even undermine the greater order and objectives of the system. He says:

And if it were not for Allāh driving [some] people back by the means of others, the earth would have been corrupted; but Allāh is bountiful to the worlds.³⁵

1.12 The Error of Prescribing Things upon Allāh

It is also important to note that adopting an approach toward Allāh where one makes demands or prescribes how He should act is misguided and does not lead to truth. When definite evidence confirms Allāh's justice, wisdom, benevolence, and the rightful nature of His deeds, this should serve as a foundation for understanding His actions; any ambiguous matters should be interpreted within the framework of this foundational understanding, and knowledge of their details should be entrusted to the Creator. This is consistent with the approach that rational individuals adopt in other contexts. For example, when a person recognises sufficient signs of a doctor's expertise or a parent's wisdom, it is logical to refrain from constant questioning or proposals in matters that appear obscure.

The Qur'ān highlights this principle when recounting the rejection of the proposals made by people to the Prophets. Allāh says:

And [recall] when you said, "O Moses, we will never believe you until we see Allāh manifestly." At that, thunderbolts struck you as you looked on.³⁶

And when a sign comes to them, they say, "We will never believe until we are given like that which was given to the Messengers of Allāh." Allāh is most knowing of where He places His message.³⁷

³⁵ Q 2:251.

³⁶ Q 2:55.

³⁷ Q 6:124.

And they say, “We will not believe you until you cause a spring to gush forth for us from the earth; or [until] you have a garden of palm trees and grapes and make rivers gush forth within them in forceful torrents; or you make the heaven fall upon us in fragments as you have claimed; or you bring Allāh and the angels before [us], or you have a house of gold or you ascend into the sky. And [even then], we will not believe in your ascension until you bring down to us a book we may read.” Say, “Exalted is my Lord! Was I ever but a human Messenger?”³⁸

This concludes the discussion on the first aspect of the Creator’s attention towards humanity.

2. The Essence of Humanity and Its Existential Dimensions

The second aspect of the religious view of humanity concerns the essence of the human according to the religious perspective. This can be discussed through several matters.

2.1 The Human’s Innate Awareness of a Transcendent Being

The first matter is that humanity is innately predisposed to sense the existence of a transcendent Being, and to feel a need for such a presence, especially in moments of vulnerability and need. Spiritual well-being in general cannot be achieved without cognising this being, having a connection with Him, presenting one’s needs to Him and having a conscious fear of His accountability. Psychological equilibrium is unattainable without belief in Him; otherwise, a person experiences feelings of emptiness and a void in their life. This feeling is akin to a child’s instinctive need for their parents, which is only pacified through connection with them. Perhaps evidence for this awareness can be found through an inductive study of the emotional and psychological states of those who do not adhere to religious beliefs, particularly during times of weakness and desperation; such a study would show how deeply ingrained this awareness is.

³⁸ Q 17:90–93.

However, this awareness may become obscured during times of luxury and ease, only to resurface in moments of hardship, fear or awe at witnessing the wonders of creation. In some cases, it may be denied outright due to a rejection of the conclusions of one's innate disposition, or as an attempt to evade the responsibilities that come with acknowledgment and affirmation. It is not problematic that man's innate awareness of a transcendent Being requires stimulation to emerge and transition into conscious awareness; many emotions and predispositions within humans require external prompts to activate them. This does not imply that such feelings are acquired from external factors, as is well-known amongst contemporary psychologists. Allāh has said:

And when they board a ship, they supplicate Allāh, in sincere devotion to Him. But when He delivers them to the land, at once they associate others with Him.³⁹

And when We bestow favour upon man, he turns away and distances himself; but when he is afflicted with evil, he turns to prolonged prayer.⁴⁰

This idea is also suggested in other Qur'ānic verses as well as traditions. Allāh says:

So direct your face toward the religion, inclining to truth. [Adhere to] the *fiṭra* (natural disposition) of Allāh upon which He has created [all] people. No change should there be in the creation of Allāh. That is the correct religion, but most of the people do not know.⁴¹

Moreover, Allāh states:

³⁹ Q 29:65.

⁴⁰ Q 41:51.

⁴¹ Q 30:30. The meaning is derived from the context of the preceding verses, which critique polytheism and affirm that monotheism aligns with humanity's natural disposition (*fiṭra*).

And [mention] when your Lord took from the children of Adam—from their loins—their descendants and made them testify of themselves, [saying to them], “Am I not your Lord?” They said, “Indeed, we testify to this.”⁴²

In the traditions, Prophet Muḥammad (s.a.w.) has said: “Every child is born upon the *fiṭra* (natural disposition).”⁴³ It has also already been mentioned that Imam ‘Alī (a.s.) has said: “He sent to them His Prophets in succession to fulfil the pledges of His creation, to remind them of His forgotten favours, to establish the truth by conveying His message, to revive their numbed intellects. He instructed [his Prophets] to show them the signs of His power: the roof of the sky above them raised high, the cradle of the earth beneath them spread wide, the means of livelihood that give them life, the appointed times of death that bring an end to them, the ailments that wear them out, and the successive events that befall them.”⁴⁴

Therefore, this innate sense—embedded within human predisposition—serves as a reinforcement for what the intellect cognises about the existence of a Creator who governs the universe and grants life. Through contemplation of the intricate beauty and precision of creation, this awareness naturally aligns with submission to the unseen as well as belief in Allāh. Perhaps this is the secret behind the human being’s complete harmony and resonance with acknowledging the unseen and affirming faith in Allah.

2.2 The Persistence of the Human Being Beyond Death

The second matter pertains to the human entity, which is not merely a physical body that perishes with death; rather, the human is a composite of body and soul. The soul persists after death, while the body

⁴² Q 7:172.

⁴³ Muḥammad b. Ya‘qūb al-Kulaynī, *al-Kāfi* (Dār al-Kutub al-Islāmiyya: 1407/1986), 2:13; Aḥmad b. Hanbal, *Musnad Aḥmad* (Dār al-Risāla: 1421/2001), 12:104.

⁴⁴ Al-Sharīf al-Raḍī, *Nahj al-balāgha*, 43, Sermon 1.

will be reconstituted at the appointed time of resurrection, at which point the individual will be recompensed for their deeds, whether good or evil.

This notion is appealing to the human psyche, as individuals are often preoccupied with their destiny after death, as though their very being is inclined toward enduring existence. Even those who are not religious regard the deceased—particularly figures of greatness or intellectual distinction—as having a form of continued presence in another realm, wishing them well, happiness, and peace. It is conceivable that this intrinsic feeling is intertwined with the truth of humanity's enduring nature after death, serving as an indicator of this reality. This connection may reflect the broader harmony between human emotions and the reality of human existence and purpose in life.

2.3 Equipping the Human Being with Appropriate Guidance

The third matter is that the human being has been endowed with further guidance to help achieve their best interests in this life. They have been equipped with numerous capacities and potentials as follows:

1. The Intellect: this is the faculty through which humans cognise things, serving as the foundation for all human capacities. Allāh says:

Say, it is He who brought you into being and made for you hearing, vision, and hearts [for understanding]; little are you grateful.⁴⁵

2. The Conscience: this is the innate sense by which humans discern what ought to be done, embodying the spirit of virtue within. Allāh says:

And by the soul and how He proportioned it; and inspired it with discernment of its wickedness and its righteousness. He has succeeded who purifies it; and the one instils it [with corruption] has failed.⁴⁶

⁴⁵ Q 67:23.

⁴⁶ Q 91:7–10.

3. **The Spirit of Wisdom:** this is the faculty that enables a person to evaluate harm and benefit, considering both immediate and long-term outcomes, so they may choose what is most advantageous. This is reflected in the example struck in the Allāh's words: "Have they not travelled through the land with hearts to understand?"⁴⁷ Here, travelling through the land stimulates the spirit of wisdom and reflection within the human being.

4. **Natural Desires:** these are inclinations that ensure the preservation of the individual and the species, such as the desire for status, wealth, food, parenthood and marriage. These desires are, in themselves, unlimited and not inherently confined by the bounds of wisdom or virtue; rather, they are psychological tendencies that drive a person to seek their fulfilment. However, it is the individual's duty to refrain from indulging these desires beyond their proper limits, for doing so would turn them into afflictions that harm the individual's life, akin to other diseases.

5. **Freedom of Choice:** this is the steering faculty of human life, enabling a person to direct their actions either toward intellection, wisdom and conscience, or toward unchecked actions that drive towards an overindulgence in desires, as has been mentioned in the glorious verse: "Indeed, We guided him to the way, whether he be grateful or ungrateful."⁴⁸

The guidance that an individual ought to follow in life to achieve their interests and ward off harm lies in cognising matters through the intellect, followed by striving freely when inspired by the spirits of wisdom and virtue.

This is the religion's analysis of human nature and their psychological faculties. However, certain atheistic or deistic perspectives do not recognise this hierarchy of human attributes or the guidance structured around humanity's reality. Instead, they assert that human beings lack free-will and are involuntarily driven in their actions by hereditary and environmental factors. These perspectives also reject the

⁴⁷ Q 22:46.

⁴⁸ Q 76:3.

existence of innate moral values within humans. They claim that human behaviour is governed solely by the logic of weakness and strength: any emotion labelled as “moral” is merely an expression of weakness, while any emotion deemed “immoral” is an expression of strength.

This viewpoint finds support in the theory of evolution, which posits that humans evolved from animals whose behaviour is driven purely by instinct. These instincts dominate animals, and according to this theory, humans are no different except for their ability to think, which enables them to devise more complex ways to fulfil their instincts and desires. In accordance to this perspective, legislation does not represent elevated values, even within democratic systems. Instead, it is merely a tool for organising social life according to collective interests, i.e., when a group is able to impose its will through the majority.

2.4 The Laws Underpinning Human Creation: Ethical and Functional

The fourth matter is that human life is arranged according to laws that lead to different outcomes, whether good or evil. Some of these laws are ethical and some are functional. Ethical laws pertain to virtues and vices; virtues are the laws of goodness and prosperity, both in this life and beyond. Every virtuous trait is a sign of happiness, and every virtuous action heralds well-being. Conversely, vices are the laws of harm and misery in life; every vile trait is a marker of suffering, and every base action portends misfortune and hardship. Thus, it is incumbent upon individuals to be mindful of these laws and their consequences when making choices in their lives.

Functional laws⁴⁹, on the other hand, are laws that yield different outcomes depending on how they are employed. If utilised for good, they produce positive results; if exploited for harm, they yield negative

⁴⁹ The term “functional” is used here to indicate that these laws function as tools for objectives—whether good or evil—depending on their applications and purposes.

consequences. The influence and outcomes of these laws and principles are evident to people, who continually harness them to achieve their goals. For instance, natural laws and principles can be employed to benefit humanity and meet its needs, just as they can be misused for oppression and aggression. This is exemplified by nuclear physics, which can be utilised to treat a number of terminal illnesses and generate electrical power, but can also be exploited to produce nuclear weapons with devastating effects on humans and the environment.

Among these functional laws is the principle that collective social changes inevitably bring about corresponding effects. If there is no collective change within a society, its conditions and circumstances will not improve. This universal principle can be harnessed to reform and advance society by steering change toward betterment. Conversely, if societal change heads toward deterioration, the result will inevitably be societal corruption and instability, as highlighted in the verse: "Indeed, Allāh does not change the condition of a people until they change what is in themselves."⁵⁰

2.5 The Creator's Lack of Neglect of Humanity

The fifth matter: building upon what has been previously discussed, Allāh has not abandoned humanity in this life. Rather, He has established for them a clear path and a defined law conveyed through intermediaries: His Prophets. Adherence to this path has been made the guarantor of human happiness in both this life and the next. Conversely, deviation from it has been decreed as the cause of human misery. Whoever follows and adheres to this Divine path will be under Allāh's care and will be rewarded; He will bless their life and grant them enduring happiness. On the other hand, those who forsake it are left to their own devices, entrusted to themselves to bear the consequences of their misdeeds.

Thus, the degrees of human happiness or misery in the afterlife vary in accordance with their adherence to this Divine law. Those whose

⁵⁰ Q 13:11.

actions are virtuous and upright will reap abundant good in the hereafter, whereas those whose deeds are vile and corrupt in this life will face misery in the eternal abode.

Chapter Five

The Legislative Religious Perspective

One of the aspects of the religious view of the universe and life is the legislative perspective of religion, which includes the clarification of the foundations of religious law that align with the religious worldview concerning the Creator, the universe, and humanity, as detailed earlier. This perspective can be summarised in the following matters:

1. Appropriate Legislation for the Human Is What Aligns with Their Material and Psychological Makeup

The best legislation for human life is that which aligns with both their material and psychological makeup. Any other form of legislation—though it may initially appear beneficial and enticing to society for a period—ultimately leads to negative reactions and unintended consequences. These effects gradually accumulate over time, eventually causing the system to be rejected or causing a dilemma for the individual or society.

2. Placing Suitable Legislation within Human Natural Disposition

The appropriate legislation for human creation is inherent within their natural disposition. As Allāh says:

And [He] inspired it [the soul] with discernment of its wickedness and its righteousness.¹

But Allāh has endeared the faith to you and has made it beautiful to your hearts; and He has made hateful to you disbelief, wickedness and disobedience. Those are the rightly guided.²

¹ Q 91:8.

² Q 49:7.

3. The Depth of Religious Legislation Compared to Human Legislation

Legislation from the religious perspective is profoundly deeper than human statutory legislation. Human legislation resembles an instrument of coercion and obligation, laying the groundwork for punitive rulings. The penalties associated with its violation are primarily deterrent in nature, aiming at social reform and, at times, individual reform as well.

In contrast, religious legislation perceives virtuous and wise actions—and their opposites—as integral to the eternal structure of the human being. They become foundational elements of their lasting essence, shaping their growth and contributing to their existential composition. As Allāh says:

Say, “Everyone acts according to their own way, but your Lord is most knowing of who follows the best-guided path.”³

This applies regardless of whether others are aware of the action, praise it, or reward it. Allāh also says:

On the Day when their tongues, their hands and their feet will bear witness against them regarding they used to do.⁴

Indeed, the hearing, the sight and the heart—all those will be questioned.⁵

Thus, this life is a preparatory stage for humanity. If a person is cultivated with righteous guidance, they develop a sound heart and a purified soul, earning their appropriate rank and reward in the Hereafter; as Allāh says: “Except he who comes to Allāh with a sound heart.”⁶ On

³ Q 17:84.

⁴ Q 24:24.

⁵ Q 17:36.

⁶ Q 26:89.

the other hand, if one is raised poorly resulting in a sinful heart⁷, they will receive the consequences of their actions in the afterlife.

This worldly life, with its joys and hardships and its pleasures and sorrows, serves as a training ground. Each person can transform it into a pathway for either virtuous development or moral corruption.

4. The Basis of Religious Legislation on Innate Rights

The foundation of religious legislation lies in the observance of innate rights, divided into primary and secondary rights. Thus, primary innate rights are:

1. The right of Allāh who is the Creator, Sustainer and Bestower of blessings upon humanity. This right requires the observance of etiquette as defined in religious practices, including specific acts of worship such as prayer, fasting, pilgrimage, *i'tikāf*⁸, expiation, repentance and seeking forgiveness. It also includes the remembrance of Allāh in general through praise, gratitude, and compliance.

2. The right of parents, who are the origin of a person's existence and who provide care and upbringing. This right prohibits attributing oneself to others through adoption and mandates dealing with one's parents with kindness, especially in their old age.

3. The right of kinship, which arises from the natural bond between family members. This connection is a fundamental aspect of human nature, making it obligatory to maintain family ties and prohibiting their severance.

4. The right of neighbours, as physical proximity has a profound impact on human nature. This right becomes particularly significant in cases of long-term closeness, which can evoke natural concerns and obligations toward one's neighbours.

⁷ As Allāh has said with regards to the one who conceals their testimony: "And do not conceal testimony, for whoever conceals it—his heart is indeed sinful" (Q 2:283).

⁸ [Translator's note:] This refers to a form of worship where one stays at a mosque for a period of at least three days and fasts. Its specific conditions and boundaries have been discussed in the works of jurisprudence.

5. The right of religious brotherhood among those who share the same faith, as this bond represents spiritual closeness and a shared culture that guides a person towards the correct path. This relationship should be free from fanaticism and injustice toward others who do not share the same belief.

6. The right of human brotherhood, which is a common connection between all of humanity. This right obliges individuals to treat each other with respect and fairness according to the law of nature, even when there is a difference in faith. Allāh says:

Allāh does not forbid you from dealing kindly and justly to those who do not fight you because of religion and do not expel you from your homes. Indeed, Allāh loves those who are just.⁹

In the words of Imam ‘Alī (a.s.): “People are of two types: either your brother in religion or your counterpart in creation.”¹⁰

7. The right of animals, which involves not harming them without a rational justification. It is also necessary to care for and maintain animals if they are owned, and it is forbidden to kill them cruelly. The Qur’ān forbids eating animals that are strangled (*al-mukhannaqa*),¹¹ beaten to death or killed by another animal.¹² The Prophet’s teachings also emphasise the humane slaughter of animals with a sharp instrument, as the wisdom behind this is to avoid unnecessary suffering for the animal. Additionally, it is forbidden to confine animals without care or a rational purpose.¹³

⁹ Q 60:8.

¹⁰ See al-Sharīf al-Raḍī, *Nahj al-balāgha*, 70.

¹¹ “The strangled” refers to an animal that dies from suffocation, “the beaten” refers to one that is struck with a stick or similar object until it dies, and “the gored” refers to an animal killed by being gored by another animal like it.

¹² Q 5:3.

¹³ There are other pieces of advice in the religion regarding water and the environment, which one finds to be of wisdom, good taste, and aims to organise life. This can be found in things such as the prohibition of cutting

8. The right of the self to respond to its natural desires without excess or waste. This includes the inherent desire for life, which is why the law forbids taking one's own life. It also includes the desire for safety, which prohibits causing significant harm to oneself. Additionally, the desire for health is emphasised, with numerous health-related teachings found in the books of *ḥadīth*, particularly regarding food and drink, advising the individual to maintain their health.

As for the secondary natural rights, these are rights that arise from obligations, such as promises, covenants, and trusts—even with enemies. Allāh says: "Indeed, Allāh commands you to return things entrusted to you to their rightful owners."¹⁴ He also says: "Fulfil the contracts."¹⁵ Regarding agreements with non-Muslims, He says: "If they are upright with you, be upright with them."^{16; 17}

5. Religious Legislation and Its Consideration of Noble Traits

This legislation takes into account human noble traits, obliging the adoption of these traits in certain areas and recommending their adoption in others, based on the level of rational goodness and

down trees in war, and the prohibition of urinating in water, and other such things.

¹⁴ Q 4:58.

¹⁵ Q 5:1.

¹⁶ Q 9:7.

¹⁷ These rights distinguish religious teachings from certain modern cultures, especially in their detail. For instance, the rights of parents and their satisfaction with their children is often neglected in Western culture, leading to an increasing phenomenon of children abandoning their elderly parents in care homes. While children are naturally inclined to uphold this right, the prevailing culture does not prioritise it. Similarly, the right of neighbours to receive assistance and kindness is also overlooked in some societies, with neighbours often unaware of each other's circumstances or uninterested in helping. Upon learning about Islamic culture, some individuals have expressed an interest in converting due to its natural approach to such rights, which fosters a sense of happiness without any materialistic motives or ulterior goals.

abhorrence in each case as well as the positive and negative consequences resulting from them. Religious legislation does not only call for the pursuit of virtues but emphasises the necessity of adhering to them, as they have profound effects on both the individual and society.

Among the human virtues that are frequently mentioned in the Qur'ān and *ḥadīth* are:

1. Avoiding harm to others in with respect to life, body, honour, reputation, or wealth, even in actions like mocking, backbiting or abusing one's rights.
2. Kindness, especially towards those who have blessed us e.g. parents and those in need, such as the poor, orphans, and others.
3. Fulfilling obligations and keeping promises.
4. Chastity in responding to natural instincts in all its forms.
5. Gratitude for kindness and recognition of good deeds.
6. Modesty in keeping personal matters private and avoiding indecent speech.
7. Truthfulness, especially when giving testimony.
8. Politeness and respect, such as initiating greetings with peace.
9. Justice between people and impartiality with oneself.
10. Determination when it comes to reform and administering justice.

The encompassing terms for these virtuous and vicious traits are *al-ma'rūf* (the known/the good) and *al-munkar* (the unknown/the evil) respectively. *Al-ma'rūf* refers to everything that is naturally recognised and accepted by the human conscience, while *al-munkar* is everything that is instinctively repulsive or is found objectionable.

Encouragement of *al-ma'rūf* and prohibition of *al-munkar* appear in many places in the Qur'ān, and the command to promote the good and forbid the evil is even considered one of the signs of the truthfulness of the Prophet's (s.a.w.) mission.

5.1 The Legal Rulings as Instances of *al-Ma'rūf* and *al-Munkar*

The basis of all rulings is to uphold the ten aforementioned virtues. In essence, rulings are an expanded explanation of these virtues and can be understood as particular instances of their concepts. Examples are as follows:

1. Acts of worship such as prayer and its related ritual are etiquettes towards Allāh, safeguarding His great right over people and His beneficence toward them.
2. *Zakāt* (alms) is an act of kindness to the poor and a protection of general human welfare.
3. Encouraging *al-ma'rūf* and discouraging *al-munkar* are acts of kindness both for the individuals directly addressed and for the broader community, as they are cooperative efforts toward righteousness and virtue.
4. Contracts and agreements are commitments that must be honoured unless they lead to coercion or impose *al-munkar* and prohibited acts upon others.
5. The obligation to cover faults, prevent temptation and forbid marriage to close relatives protects chastity.
6. Inheritance is an act of kindness to relatives and spouses, safeguarding the bond between them.
7. The judiciary ensures justice and prevents oppression, and testimonies are tools for fair judgment. Penal rulings, such as *qiṣāṣ* (retaliation), *ḥudūd* (punishments), and *ta'zīr* (disciplinary measures), implement firmness and deter prohibited acts and evils, while *diyyāt* (blood money) compensates for wrongdoings.

6. Two Categories of Rights: Clear and Ambiguous, and Recourse Is to the *Shari'a* in Ambiguous Areas

The rights and interests that a person observes can be divided into two categories. Some are clear, and the mind grasps them easily and explicitly. In this space, human nature dictates rights and responsibilities without confusion, and religious legislation aligns with what human nature demands, as it is the Creator's law instilled within the human soul. Other rights are unclear and the mind cannot decisively conclude a clear position.¹⁸ In these cases, it is necessary to defer to *Shari'a* in order to identify what wisdom and virtue dictate in these situations.

¹⁸ There are two main reasons for these ambiguous rights: [1] The boundaries of certain concepts are not clearly distinguished from others, which requires legal intervention to clarify them. For example, the boundaries between countries, provinces, cities or regions are often vague and require laws to define them clearly. Similarly, some general concepts, like "neighbourliness," have a clear area when a person's house is near another, but the boundaries become vague as the distance increases, leading to uncertainty about whether a home is considered a neighbour. Based on this, core rights and entitlements are clear at the centre but ambiguous at their periphery. For instance, if a person acquires land that satisfies their basic needs, they are naturally entitled to it by human nature. However, if they acquire vast expanses of land without needing some of it, the general nature becomes uncertain as to whether they are entitled to all of it compared to others who may need that unused land. Similarly, human nature judges that a child is not of legal maturity and does not have the same rights as an adult, but as the child matures, there is uncertainty as to whether they have reached the age of maturity. In such cases, the law must decide. [2] Human emotions such as excessive tenderness, harshness or selfishness may lead to confusion about what constitutes noble or virtuous feelings, thus creating ambiguity in the judgment of their nobility or virtue. In such situations, there is a grey area in determining appropriate natural law.

6.1 The Wisdom of Islamic Legislation in Ambiguous Areas

Islamic legislation addresses ambiguous areas that challenge human intellect with rulings that reflect wisdom, virtue, and the general well-being of humanity. Religious texts provide guidance for managing concerns that may arise from these rulings and employs a persuasive and gentle approach, free from coercion or excessive imposition.

Examples of legislation whose wisdom has been clarified include:

1. The guardianship of men over women: this is explained in the verse:

Men are the protectors and maintainers of women because of [the bounties] Allāh has given to some more than others, and since they spend of their wealth.¹⁹

And the reasoning behind this ruling is that the differences between men and women in various aspects of life necessitate that men bear the responsibility for guardianship within the family. This arrangement benefits both men and women provided it is executed with fairness, and women respond appropriately to this role.

2. The differences between men and women in rights and entitlement: the reasoning for this is mentioned in the verse:

Do not covet what Allāh has given to some of you more than others; men have the portion they have earned and women the portion they have earned. And ask Allāh of His bounty. Indeed, Allāh is ever, of all things, Knowing.²⁰

The different roles assigned to men and women—men being entrusted with tasks of defence, protection and provision, and women with motherhood, house management and nurturing—require different rulings for each gender.

3. The inherited share of a deceased father being less than that of his children: a father's share is limited to one-sixth of the total inheritance, even when there is only one child, which may seem contrary to

¹⁹ Q 4:34.

²⁰ Q 4:32.

what would be expected in tribal societies in which the father typically holds full control over the family's affairs, especially when the children are female or young. However, the Qur'ān addresses this, saying:

Your fathers and your sons—you do not know which of them is more beneficial to you. This is an obligation from Allāh. Indeed, Allāh is ever, of all things, Knowing and Wise.²¹

This statement implies that wealth is more appropriately passed on to the children, as they represent a future generation and are more beneficial [to their family and society] in the long run. This arrangement aligns with human nature, as one's legacy should ideally continue through their offspring. To avoid offending the feelings of parents, the verse does not explicitly state that children are more beneficial than parents; instead, it gently alludes to this truth, implying that Allāh's wisdom in favouring children in inheritance is not arbitrary or oppressive.

4. The prohibition of alcohol despite its practice being deeply entrenched in society: the prohibition of alcohol was a difficult adjustment for the society to which the ruling was revealed due to their addiction to its consumption. The prohibition is explained in the verse:

They ask you about wine and gambling. Say, "In them is great harm and [yet some] benefit for people. But their harm is greater than their benefit."²²

The prohibition serves as a gentle warning that while alcohol may offer temporary relief from worries, the harm it causes—through impaired judgment, irresponsibility and loss of awareness—far outweighs any potential benefit. This illustrates the wisdom behind the legislation: the harm of alcohol to the individual and society is far more detrimental than the fleeting pleasure it may provide.

5. The legislation of *qiṣāṣ* (retribution): contrary to the assumptions of some, the law of *qiṣāṣ* is not justified as a desire for arbitrary revenge

²¹ Q 4:11.

²² Q 2:219.

or retaliation, especially since neither the slain individual nor their heirs benefit from the killing of the murderer. Rather, this ruling is for the public good²³. It serves as a deterrent; anyone who knows that killing another will result in their own death will hesitate significantly before committing such an act. Allāh says: “Fair retribution saves life for you, O people of understanding, so that you may guard yourselves against what is wrong.”^{24; 25}

6. Not granting spoils of war (*fay'*) to combatants: the decision to withhold *fay'* which were not gained through direct military engagement—such as by cavalry or mounted troops—from those who fought in the war and the refusal to yield to their greed for it, is explained in the verse:

You [believers] did not have to spur on your horses or your camels for whatever gains Allāh turned over to His Messenger from them. Allāh gives authority to His Messengers over whom He wills, and Allāh is capable of everything. As for the gains Allāh has given to His Messenger from the people of the towns—it is for Allāh, the Messenger, his kin, the orphans, the needy and the traveller, so that it will not be a perpetual distribution among the rich from you. And whatever the Messenger has given you—take it; and what he has prohibited for you—refrain from it. And fear Allāh; indeed, Allāh is severe in penalty.²⁶

The meaning of this verse is that combatants are not entitled to *fay'* for two reasons. Firstly, their role in acquiring *fay'* was not as

²³ Although it must be noted that *qiṣāṣ* is not inherently unjust to the killer since it is a retributive measure in kind.

²⁴ Q 2:179.

²⁵ It has been said that statistics do not indicate the impact of killing on criminal deterrence. The validity of this is unclear, since it is likely that a consequence such as *qiṣāṣ* would affect the psychological motivations of the killer, such that many potential murderers would be deterred. It is also possible that these statistics are based on varying circumstances across the societies that were compared in these studies.

²⁶ Q 59:6–7.

significant, as they did not do so through cavalry or mounted troops. Secondly, if *fay'* was to be distributed to the combatants, it would lead to corruption and harm to the general welfare of society, as it would become a wealth reserved only for the rich, thereby depriving the poor.

7. The prohibition of attributing an adopted child to someone other than their father, which was a common practice in society at that time. The reasoning provided in religious texts is that legal paternity should align with biological paternity, as this best preserves the father's right to claim the child as his own. Allāh says:

He has not made your adopted sons your [real] sons. That is only your saying with your mouths. But Allāh says the truth, and He guides to the way. Name your adopted sons after their real fathers; that is more just in the eyes of Allāh. But if you do not know their fathers, then they are your brothers in religion and your close associates. And there is no blame upon you for what you made a mistake in, but only for what your hearts intended. And Allāh is ever Forgiving and Merciful.²⁷

8. The prohibition of likening one's wife to one's mother (*ḡihār*), a form of verbal declaration in pre-Islamic Arabia that would essentially suspend the wife's status, leaving her neither a wife nor a divorced woman. This practice was heavily criticised in the Qur'ān. Allāh says:

Those who pronounce *ḡihār* from among you [against their wives] are not their mothers. Their mothers are none but those who gave birth to them. And indeed, they are speaking an evil word and a lie. And indeed, Allāh is Pardoning and Forgiving.²⁸

9. The necessity of fasting: this injunction was initially heavy for the Muslims. The Qur'ān clarifies that the purpose of fasting is to purify the soul and train the individual to control their desires; the fast is

²⁷ Q 33:4–5.

²⁸ Q 58:2.

intended to increase one's awareness of Allāh and the Hereafter, while detaching them from worldly distractions. Allāh says:

O you who have believed, fasting has been decreed upon you as it was decreed upon those before you that you may become pious.²⁹

In the following verse, Allāh adds:

But if anyone does good of his own accord, it is better for him, and fasting is better for you, if only you knew.³⁰

10. The necessity of purification before prayer: after it became clear that the ritual purification was burdensome to the people, the Qur'ān reassures them that the purpose is not to cause hardship, but to purify them and complete Allāh's blessings upon them. Allāh says:

Allāh does not wish to place any burden on you: He only wishes to cleanse you and perfect His blessing on you, so that you may be thankful.³¹

In these examples, we can observe that the Divine texts provide an overall rationale for the wisdom behind these rulings, especially when addressing areas of ambiguity. Divine explanations aim to convince people by offering reasonable and coherent justifications which align with wisdom and virtue. These justifications are based on sound and natural reasoning that appeals to the human instinct and understanding.

7. The Reliance of the Legislative Vision on Two Pillars: Intellection and Deference

In light of what has been discussed, the religious legislative vision relies—like the cosmic perspective—on two pillars: reasoning and deference. Reasoning applies in matters that are clearly understood by

²⁹ Q 2:183.

³⁰ Q 2:184.

³¹ Q 5:6.

the intellect, and not in immature, hasty forms of independent judgment, nor in arbitrary notions of what is considered “good” or “bad.”

On the other hand, deference and submission pertain to issues that lie in the ambiguous and unclear spaces where human intellect may struggle to form a clear judgment. When reasoning is wrongly applied in matters of deference, or when ritual deference is mistaken for reasoning—as done by the Khārijites and those who follow their example in contemporary times—a disruption occurs in religious education, causing individuals to stray from proper understanding and jurisprudence in faith.

7.1 The Example of Religious Education

The example of religious education, which should be the ultimate goal for every religious person and a model for all believers of Allāh—according to what is derived from Qur’ānic descriptions of believers and the qualities of the righteous—comprises two main elements.

One is the possession of all innate virtues, comprising—first and foremost—gratitude to Allāh, in addition to fulfilling His rights, justice, kindness, truthfulness, fulfilling trusts, altruism and similar qualities. The other element is the possession of rationality, embodied in mature judgment and sharp insight. Rationality is a fundamental aspect of the personality that religion seeks to nurture—contrary to the view of some people who initially see no connection between religion and reason. The righteous are alert, perceptive, prudent³², contemplative and attentive, with a deep understanding of the consequences of actions. They are filled with wisdom, rationality, determination, virtue and decisiveness in their proper places. Therefore, the Qur’ānic discourse is directed to those who possess reason.

³² It is for this reason that the terms “believer” and “prudent” are often used interchangeably in a number of texts. It is narrated that: “The tongue of the believer is behind their heart.” And in some *ḥadiths*, it is said: “The tongue of the wise person is behind their heart,” because the attributes of the believer and the wise person are identical.

In regards to the traits of the pious, Imam ‘Alī (a.s.) has said:

Their hallmark is strength in faith, determination with gentleness, belief with certainty, eagerness for knowledge, wisdom with knowledge, moderation in wealth, humility in worship, grace in penury, forbearance in hardship, pursuit of what is lawful, fervour for guidance and revulsion from desire.

They perform righteous deeds while being cautious, in the evening their concern is gratitude, and in the morning, it is remembrance. They spend the night alert and the day joyful and alert to avoid heedlessness and joyful for the grace and mercy they have received. If their soul is burdened with something they dislike, they do not give into its desires. Their eyes find comfort in what does not perish, and their asceticism lies in what is transient. They combine wisdom with knowledge and speech with action.

You will find them hoping for little, slipping rarely, their hearts humble, their souls content, their food simple, their matters easy, their religion safeguarded, their desires dead, their anger restrained. Goodness is expected from them, and their harm is fortuitous. If they are present among the heedless, they are counted among the remembering ones; if they are present among the remembering ones, they are never counted as being from the heedless.

They forgive those who wrong them, give to those who withhold from them and maintain ties with those who sever relations with them. Obscenity is far-removed from them, their words are gentle, their presence pleasant, and wrongdoing is absent from their deeds. Their goodness is always impending and their evil is always remote. In crises, they remain steadfast, in adversity they are patient, and in ease they are thankful. They do not wrong those they dislike, nor transgress to help those they love. They acknowledge the truth before testimony is given against them, they do not neglect what they are entrusted with, and

never forget what they are reminded of. They do not engage in name-calling, nor do they harm their neighbours, nor do they rejoice at others' misfortunes, nor do they engage in misconduct, and they do not stray from the truth.

If they are silent, their silence is not burdensome, and if they laugh, they are not unruly. If wronged, they are patient and Allāh Himself avenges them. They castigate themselves into hardship while causing unease to others. They tire themselves for the sake of their Hereafter and give comfort to others by never causing them harm. Their distance from those who avoid them is a sign of their asceticism and purity, while their closeness to those who approach them is marked by kindness and mercy. Their distance is not due to pride or pomposity, and their closeness is not driven by deceit or cunning.

These are the eight principles that represent the foundation of Islamic religious legislation. As for what follows in the legislative texts, they are all applications and details within this broader vision, which may vary based on time, place, and social context. Therefore, one should not elevate the details and applications to the level of fundamental principles of legislation and its general guidance.

8. The Necessity of Distinguishing Between Innate Noble Emotions and Other Types of Feelings

There remains a discussion on two significant topics related to this matter:

1. The necessity of distinguishing between innate and noble emotions and other types of human emotions when identifying innate principles.
2. The extent to which certain religious legislation and jurisprudential rulings align with these innate principles.

As for the first topic, human emotions are divided into two categories. The first is noble emotions, which represent the innate canon within humans. These emotions serve as the primary source for

virtuous and wise legislation. Generally, they are characterised by balance and moderation, ensuring the preservation of public order without leading to negative repercussions. Human emotions toward various actions and behaviours are not constricted within the scope of noble feelings—which serve as the foundation of legislation—but also include emotions that have other origins, some of which may be confused with noble feelings.

Thus, according to the religious perspective that aligns with rational discernment, noble human feelings are susceptible to being mistaken for other types of emotions. This necessitates greater care in identifying the nature of a given emotion and seeking guidance from religion in this matter.

The second category of emotions are those that lean toward excess or deficiency in their contexts. Examples of these include:

1. Feelings of tenderness when they arise from psychological weakness, such as tenderness toward a habitual murderer or the sentiment of vegetarians toward animals, leading to abstention from eating them. Numerous examples such as these illustrate this point, showing that not every feeling of tenderness is virtuous or noble. Instead, some arise from psychological weakness, leading to unfavourable consequences and even harm.

This category also includes maternal tenderness that manifests in situations requiring firmness; if neglected, this tenderness can significantly harm the child's future. For example, some parents may refuse necessary medical interventions for their children such as amputations of the hand or leg that are vital to saving the child's life. Leniency in general in enforcing deserved penalties due to misplaced compassion also falls into this category. Regarding this, Allāh says: "Do not let compassion for them keep you from carrying out Allāh's law, if you truly believe in Allāh and the Last Day."³³

2. Excessive harshness in dealing with minor errors. An example is the undue severity some parents impose on their children through illegitimate methods, leaving physical and psychological scars. It is

³³ Q 24:2.

incorrect to view every emotional drive toward preserving a moral value as inherently virtuous. Often, such impulses stem purely from reactive emotions, causing greater harm than the original issue. This is evident in extreme overreactions that exceed the proportionality of their cause from the perspective of Divine legislation.

3. Egoism: the egotistical individual perceives and justifies for themselves behaviours and reactions beyond what is permissible. They expect others to bear more responsibilities than they rightfully should, while justifying their own excesses. These emotions are not innate but stem from a desire for superiority and dominance over others, regardless of the means. While the egotistical individual may claim such privileges as their right, they view being denied these privileges as an injustice or affront.

4. Desire for equality without acknowledging differences in qualifications. This can manifest in situations such as a lazy student desiring the same grades as a diligent one and accusing the teacher of unfair grading, feeling wronged or neglected as a result. Similarly, individuals who are at a disadvantage in some capacity—whether due to lack of effort or uncontrollable circumstances such as [a lack of] natural beauty or inherited wealth—may refuse to accept their situation. This refusal can lead to envy and resentment aimed at those in better positions, potentially resulting in inappropriate behaviour.

It may also be the case that the expectation for equality is unfounded. For instance, situations that are misconstrued as favouritism might, in truth, required differentiated treatment based on individual needs. An example is a father providing one son with a tool suited to his profession and another son with a different tool appropriate to his work where the first tool happens to be more expensive; the second son may perceive this as unjust discrimination, even though the difference is tailored to their individual needs rather than inequity. Similarly, demands for equality between men and women in certain fields overlook the inherent psychological and physical differences between the sexes, which have led to distinct roles and responsibilities being assigned to each.

8.1 Misunderstanding Ordinary Human Desires as Noble Emotions

Many ordinary human desires—such as an excessive or overwhelming love of status and wealth—may mistakenly be perceived as noble emotions in the process of evaluating them. In other words, a person may erroneously believe that a particular feeling is noble, when in reality, it is a common and insistent urge that demands satisfaction.³⁴

It is often the case that this false perception obscures reality in the individual's mind and they may become convinced of the validity of their belief, but deep within, they are aware of its inaccuracy; if their innermost self were interrogated, the true nature of the feeling would become apparent.

If an individual is unaware of such occurrences within themselves, they can easily recognise this pattern in others. They may observe others clinging to emotions they perceive as noble, which are in fact driven by ordinary desires. This is reflected in the verse:

Say [O Prophet], “shall We inform you of the greatest losers in deeds? They are those whose effort in the worldly life was misguided, while they assumed they were doing good.”³⁵

Pharaoh's statement about Mūsā (a.s.) also illustrates this phenomenon:

Let me kill Moses, and let him call upon his Lord, for I fear he may cause you to change your religion, or spread disorder in the land.³⁶

Furthermore, Pharaoh's words to his people about himself reveal this self-delusion:

³⁴ Modern psychology has clearly observed that human perception is influenced by desires and objectives, a principle that is broadly recognised as self-evident.

³⁵ Q 18:103–104.

³⁶ Q 40:26.

I have told you what I think; I am guiding you to nothing but the right path.³⁷

Similarly, Imām ‘Alī (a.s.) has described the misguided arguments of those who opposed him during the Battle of the Camel: “Every error has its justification, and every defiant person has a pretext.”³⁸

8.2 The Factors Leading to the Emergence of the Second Category of Emotions

The second category of emotions—those not genuinely rooted in the human conscience—arise due to several factors, including:

1. Specific psychological traits, such as psychological weakness that leads to leniency in situations requiring firmness, or an intense disposition that causes excessive severity in situations calling for gentleness.

2. A failure to recognise or fully comprehend the serious consequences of neglecting firmness, or the positive outcomes of gentleness. This results in prioritising immediate gratification over future considerations. This notion is reflected in the well-known Arabic adage: “killing deters killing,” a principle confirmed by the Qur’ānic verse: “And there is for you in legal retribution [saving of] life, O people of understanding.”³⁹

3. Lifestyle habit or pattern, which makes anything deviating from those patterns feel burdensome. For instance, ordinary people often feel uneasy when witnessing a dissection or a surgical operation as this involves cutting body parts and spilling blood. However, a physician accustomed to seeing and performing such procedures does not share this discomfort. Instead, the physician may feel distress at the thought of leaving the patient untreated, recognising the necessity of surgery to save the patient’s life. In this case, the physician’s emotion aligns with wisdom, given the clear need for intervention. In contrast, the

³⁷ Q 40:29.

³⁸ Al-Sharīf al-Raḍī, *Nahj al-balāgha*, 206.

³⁹ Q 2:179.

general public's reaction stems from unfamiliarity and aversion to practices outside the norms they are accustomed to in their daily lives.

Similarly, many people may feel an aversion toward slaughtering animals, particularly in the modern era where they are accustomed to purchasing pre-slaughtered animals or ready-to-cook meat. However, butchers do not share this sentiment, which aligns with wisdom given the general acceptance of consuming animal meat. Similar examples include the handling of the deceased and engaging in combat with enemies.

In addition, many individuals also show aversion to certain punitive measures such as the execution of a murderer as retribution for their crime. Although some people are not distressed by such measures—these laws remain in effect in certain states in the U.S.—this aversion may partly stem from their lifestyle, characterised by comfort, luxury and indulgence, or from a lack of concern for the injustices suffered by others and society due to such crimes. For this reason, such aversion is not typically found among the family members of the victim or those aware of the crime's severe impact on society.⁴⁰

Some individuals exhibit a distinct lack of human emotions such as compassion, mercy, and gentleness. For example, doctors who steal healthy organs from patients and warlords who disregard the shedding of blood for trivial reasons; this lack of emotion stems from their habitual exposure to cruelty and violence.

4. The failure of individuals to perceive the true abhorrence of certain actions, leading them to regard firmness in response to such actions as excessive, or to exaggerate their condemnation of something due to underlying bias. The first scenario arises when certain immoral acts or widespread vices become normalised within a society. This normalisation could stem from luxury—such as the prevalence of certain ethical violations in modern societies—or from systemic pressure

⁴⁰ It is noteworthy that some people in Eastern societies imitate such attitudes without possessing the same social or psychological conditions; it is likely this is blind following or mimicry.

such as widespread administrative corruption and bribery due to the absence of effective laws, non-adherence to existing laws or the difficult living conditions of the people. In such contexts, the inherent abhorrence of these widespread behaviours diminishes in the eyes of individuals within that society, and certain firm measures may be perceived as excessive.

The second scenario is observed in tribal societies where some issues are excessively stigmatised and regarded as shameful; to the extent that they lead to bloodshed, violations of honour, or the confiscation of property. Such actions might even be based on mere suspicion or assumption. The wrongs committed in response to such stigmatised issues are often far greater in severity than the initial matter that provoked such intense emotions.

5. Excessive or extreme responses; extreme emotional responses to certain incidents can lead individuals to deviate from moderation, resulting in either negligence—if the reaction stems from excessive leniency—or extremism—if the reaction is excessively severe.

This phenomenon occurs within societies as well as among individuals, where a particular incident may provoke a collective reaction characterised by excessive intensity and violence as a response. An example of this is the reaction in some Western societies toward Muslims as a result of actions by isolated individuals from within the Muslim community; these reactions breach human ethical standards and deviate from the bounds of moderation. The effects of such reactions can linger in the collective memory of a society, persist across subsequent generations and eventually transform into a cultural norm. This phenomenon may partially explain the negative perception of religion in Western societies, stemming from the hardships they endured during the Middle Ages due to the church's opposition to scientific progress.

6. Imitation: this occurs when certain societies are influenced by others, assuming the latter to be the ideal model, even though the society in question may not have the psychological or social structures to support such a model. An example of this is the influence some individuals in Eastern societies experience from phenomena occurring

in Western societies, as mentioned previously. Another example is the way successive generations may adopt traditions and norms established by previous generations, even when those norms are based on flawed values.

7. Intellectual misconceptions: this happens when a person's actions—whether praiseworthy or blameworthy—are attributed to a particular source, but the person receiving the action interprets it through the lens of a separate but related source. This can lead to mistaken emotion—positive or negative—toward the action.

An example of this is when the negative actions of some individuals who follow a particular religion—stemming from their personal temperaments or erroneous impressions—lead others to develop an aversion to that religion. Similarly, positive behaviours from individuals who adhere to a different religion or philosophical system might attract others to that religion or ideology, even if it lacks a solid intellectual or historical foundation.

8.3 Examples and Applications of Mixing Noble Feelings with Others

When examining examples in the external world, we find that certain intellectual and cultural waves have provided clear examples of attributing noble qualities to certain emotions, even when they are not inherently noble. Some instances include:

1. The Socialist movement that emerged in the previous century and has dominated vast parts of the world for decades. Socialism presented itself under inherently human ideals like justice and defending the oppressed. However, in reality it was a flawed interpretation of human nature, rooted in reactive measures against oppression, feudalism, monopolisation of wealth and similar issues. Over time, socialism was revealed to be contrary to innate human principles, ultimately leading to its rejection in modern legal and legislative frameworks; it is no longer considered a viable model for social contracts among people.

2. Deviations in marital relationships. As per human nature, the biological and psychological structure of relationships is based on the duality of men and women within the framework of family. This serves purposes such as achieving tranquillity, ensuring the preservation of humanity and safeguarding the next generation. However, in contemporary Western culture, this natural relationship has deviated from its proper course. Pleasure and gratification have been emphasised at the expense of foundational aspects like family formation, role complementarities among its members and providing a healthy upbringing for future generations. This deviation is often justified through appeals to ostensibly innate values, such as freedom, personal choice and so on.

In addition, what resembles attributing nobility to ordinary emotions is defining noble feelings by part of their supposed scope, due to the dominance of other emotions in the remaining part of it. One example of this can be found in certain aspects of contemporary Western culture which represent inherent weaknesses according to natural law. For instance, the establishment of human rights within Western culture is based on a social contract, which limits its scope to the boundaries of those countries that adopt Western culture and does not apply beyond them. As a result, some countries build prisons outside their territories so that they are not subject to their laws.

It has been observed that these countries—which have secured some social rights for their citizens—have, in many cases, acted as colonial powers toward others. They have shown no regard for the lives or resources of these people, and their dealings with others continue to differ sharply from their dealings with their own citizens: in clear violation of the spirit of justice and virtue.

Such a culture—and the violations it promotes—inevitably leads to collective reactions from the countries or groups affected, resulting in violent movements that see themselves as oppressed and wronged. In such cases, justifying these violations by claiming they do not violate international law is unhelpful; the creators of that law did not act in the interest of the global community as a whole, but rather, often considered the political interests of their own countries.

8.4 The Nature of Innate Human Disposition as Something Easy Yet Impossible

It becomes evident from what has been stated that while human nature may seem easy to understand from one perspective, it is, from another perspective, quite elusive. A person may mistakenly believe that certain emotions are innate, and this belief can persist for decades due to the overwhelming waves of emotions generated by clinging to what are thought to be innate values in specific temporal contexts. However, it only becomes clear after applying these emotions in real-life situations that they were not innate after all, revealing their flaws after significant negative consequences. This highlights the need for human knowledge to be reaffirmed, guided, and assisted, particularly in the realm of legislation, just as is the case in understanding the worldview, as previously discussed. This highlights the necessity of distinguishing between truly innate principles and other human emotions.

9. The Degree of Consistency Between Religious Legislation with Innate Principles

The next discussion concerns the legislative perspective of religion: the extent to which some religious rulings are consistent with general innate principles. It may be claimed that some legal rulings contradict the general principles of legislation discussed earlier and are in conflict with the defined scope of innate values and therefore do not belong to the shared space of those principles. Some examples of this legislation will be discussed as follows.

9.1 Examples of Ambiguous Legislation

1. The differentiation between males and females in various matters. This includes matters of inheritance, *hijāb* (covering), the right to marriage where a woman's marriage is dependent on the consent of her guardian and the differentiation between husband and wife in rights

and obligations.⁴¹ These rulings may be thought to contradict the principle of justice.

2. Certain penal laws concerning crimes, such as the punishment for committing adultery, apostasy, theft, rebellion and others. These punishments may seem harsh and excessive in relation to the offence and may appear cruel and severe.

These are some examples, as well as other rulings mentioned in religious texts or in the legal verdicts (*fatāwā*) of the Muslim jurists.

9.2 Clarifying the Religious Perspective on Ambiguous Legislations

To clarify the religious perspective regarding these rulings and the observations about them,⁴² it is necessary to discuss the following:

1. The necessity of determining the subject of the inquiry in the legislation.

2. The necessity of distinguishing between the level, type, and weight of the ambiguous ruling within the *sharīʿa*. This requires paying attention to three matters: religion, the *sharīʿa*, and *ijtihādī* jurisprudence.

3. The necessity of observing the general direction of religion, as well as adhering to religious principles that govern the majority of legislative topics.

4. The necessity of caution in concluding that one's innate judgment is contrary to a legislative ruling, avoiding haste in this regard. Thus, it is important to distinguish between decisive innate judgments and rational or preliminary preferences.

5. The necessity of verifying the unlikelihood proposed with respect to ambiguous legislation and being mindful of plausible justifications for the ruling and differentiating between absolute and limited confirmation of the ruling [being in the *sharīʿa*].

Each of these will be discussed as follows.

⁴¹ For example, the husband's authority over the household (*qiwāma*) and the permissibility of polygamy.

⁴² Without overcomplicating or imposing on the religious texts, that is.

9.2.1 Identifying the Problem and the Subject of Inquiry in Legislative Matters

Not all legislative matters are subject to questioning regarding their conformity with the principles of justice; rather, this is the case for only a portion of them. What is generally questioned with regards to ambiguous legislation is generally not fundamental principles or matters of worship, but rather, some tangential rulings and applications that may be subject to other *ijtihādī* views, and thus can be correct or otherwise. In this case, the situation does not naturally lead to denying the legitimacy of *sharī'a*, nor undermining confidence in it.

9.2.1.1 The Division of Islamic Legislation into Principles, Objectives, Branches, and Applications

Islamic legislation is divided into general principles and objectives, and into branches and applications.

9.2.1.2 General Principles of Legislation

As for the general principles of legislation, they are beyond reproach; they only aim at achieving inherent virtues in the manner dictated by their intrinsic value. These principles are not just the foundations of legislation. Rather, as previously explained, they form the constitution of *sharī'a*, and it is required that legislation pertaining to branches aligns with them.⁴³

It is evident that these principles are matters agreed upon in the Divine religions, as evidenced by the verse:

He has ordained for you in religion what He enjoined upon Noah, and that which We have revealed to you, and that which We enjoined upon Abraham, Moses, and Jesus: "Establish the

⁴³ As has been narrated from Imām al-Ṣādiq (a.s.): "The Messenger of Allāh (s.a.w.) said: "Indeed, for every truth, there is a sign, and upon every correctness, there is light. So, whatever agrees with the Book of Allāh, take it; and whatever contradicts the Book of Allāh, leave it." (al-Kulaynī, *al-Kāfi*, 1:69)

religion and do not divide into factions.” Difficult for the polytheists is that to which you call them.⁴⁴

This indicates the unity of the laws revealed in the time of Nūḥ and subsequent Prophets.

This includes most of the general rulings in their principles, such as the rights of parents, neighbours, kinship, the duty to fulfil oaths and trusts, the obligation to assist the needy, the prohibition of adultery and deviant acts, the prohibition of harm to others in their lives, bodies, honour, wealth, or reputation—such as mocking, belittling, spying on them, and spreading their secrets—the prohibition of presenting oneself in a way that causes temptation before others, or exposing oneself to them and the prohibition of extravagance and waste, and so on.

9.2.1.3 Division of Religious Branches into Worship and Other Matters

As for the branches and applications, they are divided into two categories:

The first category comprises ritual etiquettes, some of which are simple, such as *dhikr* (means of remembrance), supplication, reciting the Qur’ān, praise, glorification, seeking forgiveness, whispered prayers with Allāh and sharing one’s concerns with Him. Others are more complex, consisting of multiple actions such as prayer, fasting, *hajj*, *‘umra*, visiting mosques, and engaging in *i’tikāf* in them, and the expiations for mistakes and sins.

9.2.1.4 The Distinction of Ritual Etiquette Through Three Characteristics

Ritual etiquette is distinguished from other legislative rulings in the religion by three characteristics that make it of the utmost importance:

The first characteristic: ritual etiquette is a manifestation of belief in the great truths affirmed in the religious perspective and the bond

⁴⁴ Q 42:13.

between the human being and their Creator, as well as the hereafter. It involves remembering Allāh, His attributes and His greatness, establishing faith in His messages to creation, recalling death and the after-life, and focusing on the necessity of preparing good deeds for it, drawing from all of these meanings. It has been narrated in a *ḥadīth* that: “Prayer is the pillar of religion.”⁴⁵

The second characteristic: ritual etiquette represents the most important and profound human virtues. It is not like other acts of worship, nor is disobedience in it similar to disobedience in other sins, because in performing it one submits to Allāh, acknowledging His favour and creation, and in disobedience to it, one denies His favour and kindness, as pointed out by religious texts.⁴⁶

⁴⁵ Aḥmad b. Muḥammad b. Khālid al-Barqī, *Kitāb al-maḥāsīn* (Dār al-Kutub al-Islāmiyya: 1371/1951), 1:44, 286; Muḥammad b. al-Ḥasan al-Ṭūsī, *Tahdhīb al-aḥkām* (Dār al-Kutub al-Islāmiyya: 1364Sh./1985), 2:237.

⁴⁶ Clarification of this matter: Allāh is the One who bestows upon human beings their existence and every blessing they benefit from, such as their parents, children, spouses, friends, helpers, homes, food, water, trees, animals, the sun, the moon and more. Thus, the relationship of the human being to Allāh is comparable to that of a child to their parents or a guest to their host, though with a vast difference. Therefore, we can understand the inappropriate behaviour of a person towards Allāh by comparing it to the inappropriate behaviour of a child towards their parents. This behaviour may manifest in various ways. At times, it is a matter of disobeying the parents in things they believe are necessary for the child out of concern for the child’s well-being. This is an abhorrent and inappropriate act. At other times, it may involve insulting the parents in a manner that denies respect towards them altogether. This could involve the child denying their parents’ identity, ascribing falsehoods to them, insulting them with curses, mocking them, or failing to show them basic respect by not greeting them, refusing to visit them or treating them with contempt in their everyday life. This child would be considered disrespectful to their parents, losing some of the noblest and deepest meanings of humanity as they deny the origin from which they were born. In this regard, such degrading behaviour cannot be compared to the leniency in obeying other parental commands aimed at the child’s welfare, even though it is

appropriate to obey them out of their affection for the child. Nor can it be compared to any misdeed towards others, such as committing murder, which is a far more grievous act than the disrespect shown to the parents. The respect that a person owes to their origin, from whom they have received this great blessing, carries the deepest meanings in their soul and demands the utmost care; denying this respect is an immense injustice. It is easier for a person to remedy this injustice—compared to some of the injustices they may commit towards others, like killing—by asking for forgiveness from the parents and changing their behaviour towards them. In contrast, some major moral wrongs like killing a respected soul have no possible means of remedy. Reflecting on this in the case of a guest and their host: if a person stays as a guest with someone and enjoys their hospitality, benefiting from various blessings and resources over an extended period, it is appropriate to respect the host in a way that reflects the situation. If the guest behaves improperly towards the host, at times this may take the form of failing to accept advice from the host, even if the advice is truly in the best interest of the guest. This is inappropriate, especially if the advice is easy to follow and would actually benefit the guest. At other times, the guest's behaviour may involve denying the host's hospitality as if the provisions and resources provided by the host do not belong to them, or insulting the host, failing to greet them, or treating them disrespectfully. Such actions demonstrate a level of degradation and ugliness that has no parallel in any other behaviour. This same principle applies to the relationship between Allāh and human beings—with the important distinction that Allāh is the Creator of humanity, who has bestowed countless blessings upon them. When a person turns away from submitting to Him, recognising His blessings and observing the basic forms of respect towards Him—as if their neglect were an insult—this is a very grievous act. As the Qur'an mentions in the wise words of Luqmān: "O my son, do not associate anything with Allāh. Verily, associating with Allāh is a great injustice" (Q 31:13). Allāh also says: "Is the reward for good anything but good? (Q 55:60). And: "And should you count the favours of Allāh, you could not enumerate them. Indeed, mankind is unjust and ungrateful" (Q 14:34). Ritual worship are manifestations of etiquette towards Allāh. Prayer is a greeting to Him, fasting is an act of discipline in His presence, and the pilgrimage is a visit to His House. How grievous it is for a person to neglect these acts in comparison to their

The third characteristic: acts of worship are the foundation of virtuous and correct behaviour in life, both in the domain of noble values clearly understood by the intellect such as avoiding harm to others, showing kindness to them, fulfilling promises and trusts, caring for the poor and orphans, maintaining chastity in speech, appearance, and behaviour, and so on, as well as the domain where the law has specified duties for the individual.

The reason for this is that while the inclination towards virtue is embedded in the human conscience, the belief in Allāh—as manifested in acts of worship—and the awareness that He is always with the human being, observing their actions and deeds, and that they will return to their Creator after this life to face the outcome of their actions stimulates noble motivations and virtue in the human soul and multiplies them many times over.

9.2.1.5 The Deferential Nature of Acts of Worship and the Mutual Nature of This Across Religions

Another noteworthy matter regarding these acts of worship is that in general, there is nothing that raises questions about their contradiction with natural law, nor is there a place for *ijtihād* that would require change according to time and place (and would thereby make them mutable aspects of religious law). They are—by their nature—matters that are determined by Divine revelation, and the instructions should be followed as they are; it is rare to find anything conflicting with this upon comprehensive reflection.

Furthermore, these matters are clearly fixed within religion without any ambiguity. In fact, in their essence they belong to the universal Divine religion and are common to all religions. Allāh says: “And We inspired to them the doing of good deeds and the establishment of prayer.”⁴⁷ And: “And He enjoined upon me the prayer and the alms so

neglect of other commands from Allāh, though the latter is also a serious transgression.

⁴⁷ Q 17:73.

long as I am alive].”⁴⁸ He also said: “Fasting has been decreed upon you as it was decreed upon those before you.”⁴⁹ Of course, there are detailed matters of *ijtihad* that may be subject to flexibility when no definitive evidence is available, or in cases where one can follow any clear juristic opinion.

9.2.1.6 Matters Unrelated to Worship and Their Categories

The second category of the branches and applications of rulings are those unrelated to worship, such as rulings on foods including what is prohibited and restricted, financial obligations like the *zakāt* (alms) and *khums*, rulings on financial transactions among people, including trade and leasing, personal status laws concerning marriage, divorce, waiting periods, inheritance and wills, judicial laws and testimonies, rulings on blood money, and penal laws.⁵⁰

As for these rulings, some of them are matters that do not inherently raise questions about their alignment with wisdom or innate human disposition—whether in themselves or specifically in this era. This category constitutes the majority of such rulings.

Other rulings in this category are matters that have raised questions about their compatibility with clear principles of one’s innate disposition and human conscience. This category includes rulings that are subject to *ijtihad* and others that are definitive (*qaṭʿī*). However, in most cases, these rulings allow for differing perspectives within scholarship⁵¹—particularly within certain expansive methodologies—such

⁴⁸ Q 19:31.

⁴⁹ Q 2:183.

⁵⁰ Including *qiṣāṣ* (retribution), prescribed punishments, and discretionary penalties.

⁵¹ This is for one of the following reasons: (a) some of these rulings may have evidence and indicators that usually lead to certainty or reassurance, but they do not lead to that when it is proven that they contradict the innate human disposition. This is because the evidence, which would usually lead to certainty, may not lead to actual certainty due to its opposition by stronger evidence that leaves no room for doubt. (b) Some of these rulings

as the *maqāṣid*-oriented approach to jurisprudence, as will be explained later.

9.2.2 Noting the Definitive and Ambiguous Rulings in Terms of Their Levels of Certainty, Type, and Significance in the *Sharīʿa*

One important consideration regarding ambiguous religious rulings that have been questioned for their compatibility with innate human disposition, is the need to distinguish between the level of certainty of the ruling, its type, and its weight within the framework of *sharīʿa*.

9.2.2.1 The Need to Differentiate Between Religion, the *Sharīʿa*, and Interpretive Jurisprudence

This requires distinguishing between three key concepts: religion, *sharīʿa*, and interpretive jurisprudence (*fiqh ijtihādī*). This tripartite classification, along with its specific features, is one of the most critical aspects of understanding the outline of the religion.

As explained earlier, the essence of religion represents a worldview grounded in the triad of the Creator, His message to humanity and the human's existence after death. These are the unchanging tenets of religion that, from a religious perspective, have existed since the creation of humanity. Clear and definitive evidence and arguments

are nothing more than *ijtihādī* evidence, and it is not correct to act upon *ijtihādī* evidence when its content is proven to be incorrect due to its contradiction with a decisive proof—whether from reason or clear textual evidence that leaves no room for doubt. (c) Some of these rulings, although they are a fixed part of the law in principle due to clear and obvious evidence, their continuation depends on *ijtihād*. This is because their continuation relies on either temporal absoluteness and the presumption of no abrogation, or on the ruling being an initial one and not one of authority, depending on the type of evidence that supports this. Alternatively, it may rely on the general nature of the ruling and its lack of restriction in a way that would cause it to differ depending on circumstances and conditions.

support them, leaving no room for renewal, change, or differing interpretations. As Allāh states:

He has ordained for you in religion what He enjoined upon Noah, and that which We have revealed to you, and that which We enjoined upon Abraham, Moses, and Jesus: “Establish the religion and do not divide into factions.” Difficult for the polytheists is that to which you call them.⁵²

As for the *sharī'a*, this refers to legislative teachings that are issued by the Islamic Lawgiver, regardless of whether they have been fully conveyed to people or not. These teachings are established for us in what is conveyed clearly and unequivocally, without requiring specialised effort (*ijtihād*) that could where accuracy (or lack thereof) would play a role. Examples include explicit legislative commands found in the Qur'an and reliably transmitted Sunna, such as the fundamental obligations of prayer, *ḥajj*, and *zakāt*. This category of teachings—established with certainty and free of doubt—can be termed “legislative truths” because of their definitive nature.

Fiqh ijtihādī: this consists of rulings derived by jurists using available interpretive tools which do not establish rulings with definitive certainty. Instead, alternative theories with their own evidentiary support exist, as is common in matters of scholarly disagreement.

There may also be hypotheses that cannot be categorically negated. This category can be referred to as “legislative theories,” because while they are substantiated by valid argumentation and thus mandate adherence, they do not attain the level of definitive religious truths. This category—which is susceptible to accuracy and lack thereof—should not be attributed to *sharī'a* with absolute certainty, nor should religion and *sharī'a* be fully defined by its conclusions; instead, it reflects the conclusions reached through interpretive tools available to jurists. Some jurists may possess a deeper understanding of *sharī'a*, its objectives and its rulings than others. Additionally, certain juristic arguments may not always provide definitive proof, but may instead offer

⁵² Q 42:13.

strong indications which necessitate adherence unless clear evidence of their error emerges. Some legal tools function as procedural guidelines to clarify practical obligations rather than establishing definitive rulings of *sharīʿa*.⁵³

Therefore, if an aspect of this category definitively and conclusively contradicts the principles of justice, this contradiction itself serves as evidence that the interpretive argument supporting it is flawed and that an alternative interpretive approach must be pursued.

9.2.3 The Need to Consider General Direction and Values Related to Religion

Every legislative system is naturally comprised of principles and general directions that, when applied, result in detailed rulings. Consequently, rulings in specific cases generally represent the application of these overarching principles and directions. Thus, when analysing a specific position, it is crucial for researchers to begin with explicit

⁵³ To clarify this: *ijtihādī* jurisprudence is of several types: (1) what some jurists or a group of them are certain about; this does not make it certain at the level of knowledge. Rather, it has indicators upon which a jurist may be certain, while another jurist may act upon it as evidence, allowing for other possible hypotheses. (2) What is supported by signs and evidence that lead to reassurance, without definitively ruling out the possibility of error. (3) What is supported by probable evidence that is accepted (such as the apparent meaning of speech), which is binding legal evidence in all positive laws, even though it is open to disagreement. Such evidence usually leads to probability. It may not necessarily result in probability in every instance, even though it is considered evidence in cases where there is no probability perceived by the one reviewing it. (4) What determines the legal stance as a practical function in cases of doubt, such as not acting on an obligation based merely on a possibility, or maintaining the previous ruling until evidence contrary to it is established. This is referred to in contemporary legal theory as “practical functions” (*al-wazāʾif al-ʿamalīyya*).

general principles and established rules, progressing systematically to the particular matter under consideration.

This method ensures clarity on whether the supposed position represents a foundational principle or general direction, or whether it is an isolated or exceptional case necessitated by specific factors. Researchers must also ascertain the expected framework for addressing the position legislatively, as well as the level of certainty regarding the position when it appears inconsistent with established, definitive principles and general certainties.

9.2.3.1 The Lack of Signification (*Dalāla*) of Ambiguous Examples on the General Nature of Religion

When observing legislative examples that might be claimed to conflict with the general innate principles, it becomes evident that these instances cannot define the overarching character and general orientation of religion and religious legislation. Instead, they must be understood within the context of the specific circumstances or facts (that are fixed and or subject to change that the religious legislation considers), as will be further elaborated.

The foundation of religious legislation, as outlined in its texts, lies in the observance of established human values, referred to in the language of the evidence as *ma'rūf* (what is known as good) and *munkar* (what is recognised as bad). This principle was not merely a slogan employed by religion to attract followers; rather, it is, from its perspective, a fundamental condition for the authenticity of its message. The mark of the Prophet's (s.a.w.) truthfulness was his enjoining of good and forbidding of evil, and religion views legislative justice as an essential, immutable attribute of Allāh, akin to His justice in reward and retribution. This is further clarified by the numerous emphases on noble moral values in the Qur'ān across various contexts. For example:

1. Allāh is described as affectionate to people, compassionate, merciful, forgiving, forbearing, grateful, kind, ever-relentless, fulfilling promises, and not breaking them. He is not unjust to His servants.

2. In describing His messengers, He has said about Prophet Muḥammad (s.a.w.): “Indeed, you are of great moral character”⁵⁴ and:

There has certainly come to you a Messenger from among yourselves. Your suffering distresses him: he is deeply concerned for you and full of kindness and mercy towards the believers.⁵⁵

He also says:

So, by mercy from Allāh, [O Muḥammad], you were lenient with them. And if you had been rude [in speech] and harsh in heart, they would have disbanded from you.⁵⁶

Furthermore, He states: “Do not let yourself perish over them in regrets”⁵⁷ and: “Perhaps you would kill yourself with grief that they will not be believers.”⁵⁸ Similarly, other Prophets are described with noble attributes such as righteousness, truthfulness, patience, wisdom and kindness to their parents.

3. Allāh loving the beneficent, the patient, the just, the repentant and the pious. He does not love the transgressors, the unjust, the treacherous, the arrogant, or those who are boastful or sinful.

4. In the context of articulating general legislative principles, Allāh states: “Indeed, Allāh commands justice, good conduct and giving to relatives and forbids obscenity, bad conduct, and oppression.”⁵⁹ And also: “Indeed, Allāh does not command obscenity.”⁶⁰

It should be noted that these legislative principles—from the religious perspective—are not merely theoretical foundations without practical applications. Rather, they are independent legislative provisions in and of themselves at a general level. The obligation of justice, the virtue of benevolence, and similar principles are general legislative

⁵⁴ Q 68:4.

⁵⁵ Q 9:128.

⁵⁶ Q 3:159.

⁵⁷ Q 35:8.

⁵⁸ Q 26:3.

⁵⁹ Q 16:90.

⁶⁰ Q 7:28.

rulings. Moreover, in numerous specific rulings, Islam has relied on general innate principles, such as the command for husbands to treat their wives with kindness.

In addition, legislative principles represent legislative objectives; on the one hand, they serve as indicators of the boundaries of other legislation. On the other hand, they serve as a general framework for what should guide the governance of rulers, governors and jurists in areas where they are authorised to judge and exert discretion. Thus, these principles possess inexhaustible legislative content.

5. Islam has taken a clear direction in its specific legislation aimed at eliminating injustice and oppression and establishing justice, especially concerning vulnerable groups such as women, slaves, and orphans. It has also focused on regulating groups prone to arbitrariness or injustice such as tribal leaders driven by prejudice, impassioned fighters, and wronged individuals who might lean towards excessive retaliation.

6. Regarding the legislation and propagation of the message, it is evident that Islam approaches people with kindness and consideration. A study of the history of Islamic legislation reveals the extent of a gradual approach in conveying the religion and expanding its rulings. This gradual approach is among the reasons why the Messengers were chosen from those distinguished by patience, forbearance, humility, and care for people.

7. On dealing with adversaries, the religion demonstrates adherence to principles of justice—particularly maintaining trust and honouring agreements even with enemies—except in cases requiring firmness. Notable examples include obliging Muslims to honour their treaties with polytheists and prohibiting aggression against them, as well as forbidding the breach of covenants unless there is clear evidence of their deceit against Muslims. Even then, the annulment of treaties must be declared openly, ensuring that adversaries are not caught off guard by sudden attacks. Allāh says: “Fight in the way of

Allāh those who fight you, but do not transgress. Indeed, Allāh does not like transgressors.”⁶¹

8. On the practical level, there is no doubt that when Islam was implemented by the Imams a significant qualitative shift toward social justice was ensured, as is evidenced upon close examination of the life of the Prophet (s.a.w.) and his *Ahl al-Bayt* (a.s.).

9. On nurturing the Muslim individual, Islamic pedagogy for shaping the character of a Muslim is rooted in fostering wisdom and virtue. This is evident in the sermons of Imam ‘Alī (a.s.) delivered from the pulpit of Kufa directed at the general populace, his letters to Mālik al-Ashtar and Muḥammad b. Abū Bakr, his directives to his son al-Ḥasan (a.s.) as well as his maxims, exhortations and admonitions. Remarkably, this was achieved in an era that was far from tranquil or stable; instead, it was rife with turmoil, strife, wars and well-known and diverse forms of conflict.

This discussion makes clear that religion generally originates from general and wise principles, and from this, two matters follow. The first is that when it is established that there is a clear contradiction between a well-known ruling and instinct or wisdom, this contradiction itself becomes a proof against that ruling, necessitating the direction towards the opposite ruling. In this case, it is not correct to insist that religion and the law are bound to this ruling, because the religious texts themselves base the religious law on considerations of wisdom and virtue, a principle agreed upon by jurists. If reason concludes that a certain ruling contradicts its definitive principles, this in itself negates the possibility that this ruling is part of Divine law, as a Divine ruling cannot contradict rational judgment. Therefore, another legislative direction must be followed in dealing with the matter.

Even if this legislative direction is excluded from a jurisprudential perspective, the comparison between its exclusion and the weight of religion (and the repeated proofs of its teachings is inappropriate). It is not logical to disregard this truth—proven by repeated evidence—

⁶¹ Q 2:190.

unless the possibility of another valid approach arises, even if it is not immediately obvious.⁶²

The second matter is that it is not correct to consider the aforementioned resources—in cases where they have been definitively proven—as indicative of a characteristic of discrimination or harshness in the religion. This is similar to a situation where one observes good behaviour, kindness and ethics in a person but sometimes sees actions that seem to contradict that; these negative actions should not be seen as the general behaviour of the individual.

9.2.3.2 The Limitations of the Human Mind in Understanding Divine Law

There is no doubt that religion takes reason into account and that it is based on rational constants, but this does not mean that reason can fully grasp everything that religion teaches. There may be areas where reason either halts or has doubts about the logic of certain matters.

This is true of all laws that aim to follow natural wisdom and principles. Not everyone is able to understand the reasoning and wisdom behind all rulings; sound natural logic dictates that a person, when confident about something, should rely on what they know to be true, rather than letting doubts or speculation cloud their judgment in uncertain areas. This is well-known and has been practiced by rational individuals in all areas of life.

For example, when a person trusts a certain doctor's skill and competence, reason dictates that they should follow the doctor's advice and not give weight to doubts or second-guess the doctor's expertise in areas where they feel unsure. Similarly, if a son learns wisdom through experience with his father, the natural thing is to trust his father's opinion when there is a seeming contradiction, because the father's experience holds more weight.

⁶² This is what is referred to as a "potential unknown," which will be further clarified in the section: Innate Principles for Verification.

Thus, it can be said that religion—according to its own view of itself—is committed to justice and is not opposed to instinct in all the previous cases, but it offers a particular perspective in its legislative view, according to the religious legislation it carries.

9.2.4 The Necessity of Exercising Caution Before Claiming Definitive Natural Judgment Contrary to Assumed Legislation

It is important, in the context of ambiguous legislation, not to hastily claim a definitive natural judgment that contradicts presumed legislation. Adequate verification is necessary, as we often observe that a person may initially judge a situation as naturally reprehensible to act against, but later may retract this view after encountering subsequent complications or new insights, as we have previously noted in some examples. Here, there are two important points to be discussed.

9.2.4.1 Distinguishing Between Definitive Rational Judgments and Reasonable Estimations

The first point is that it is crucial to differentiate between definitive natural judgments and other rational estimations that do not reach the level of definitive certainty. When a person reflects on the decisions they make with the intention of achieving noble objectives such as justice, fairness, truthfulness, chastity, or other requisites for individual and social well-being, these decisions can be classified into two types:

The first type is those characterised by definitive certainty. In such cases, the individual perceives the situation with clarity and understands all elements that could influence and affect the decision. Here, there is no possibility of any repercussions, outcomes, or new information that could shift the well-formed intellect from its proposed decision. The scholars of legal theory (*al-uṣūliyyūn*) refer to this type of stance as “rational judgments” (*al-aḥkām al-‘aqliyya*).

The second type of decisions are not characterised by definitive certainty but rather represent, reasonable approaches based on available and accessible information. These decisions cannot guarantee

permanence as they are subject to change upon further understanding of the consequences of what—in the moment—seems to be a correct decision. Such situations—which may initially appear correct—are valid to act upon given the individual’s current level of knowledge, provided no evidence contradicts them. However, it is incorrect to label these judgments as definitive, certain, fixed, or unchanging. Describing them in such terms would constitute exaggeration, overconfidence and ignorance.

The scholars of legal theory refer to this type of judgment and assessment as *al-ahkām al-‘aqliyya* or “rational fixations” (*al-murtakazāt al-‘aqliyya*) and regard them as the foundation of human behaviour in the absence of an authoritative religious text. Their validity is contingent upon the absence of definitive evidence opposing them, as they inherently lack absolute certainty and are therefore susceptible to error.

It appears that the majority of human decisions fall into this category, as can be observed by examining the decisions individuals make, whether these are societal decisions stemming from political or social positions such as those made by heads of state, personal decisions concerning one’s own affairs, family and children, or judgments about matters involving others.

This becomes even clearer when decisions are reviewed after some time, once their effects and consequences have unfolded and all aspects of the matter have been fully revealed. At that point, alternative options often become apparent, options that might have been closer to justice, wisdom and prudence. Consequently, a person may reflect on such situations and say: “If I had knowledge of the unseen, I would have reaped much good”⁶³ or: “If I were to go back to the beginning of this matter with the knowledge I have now, I would have handled it differently.”

For this reason, people are advised to consider the opinions and experiences of others, exercise caution in matters and avoid hastiness in judgment. This advice, often directed toward young people, is

⁶³ Q 7:188.

particularly relevant even when a young person is motivated by noble sentiments and worthy goals such as justice, fairness, righteousness, support for truth, alleviation of harm, and kindness to others. Even so, those who have gained life experience often see that such youthful approaches are flawed and may lead to regret in the future.

When examining the perspective of scholars and experts, it becomes clear that they anticipate and consider possibilities that the general public—even specialists—might overlook or dismiss. This is because they analyse matters from a higher vantage point, observing historical events both ancient and modern, considering the psychological and social dimensions of various choices and comparing cases and their parallels across different circumstances. They scrutinise the implications and outcomes of unusual and rare events, delve into past and present intellectual (and cultural) trends and their potential future implications, and give thought to unrealised possibilities just as much as they do to those that have already occurred. Numerous modern psychological studies have touched on aspects of these concepts, though the topic itself remains vast and profound.

Scholars often employ hypothetical scenarios to challenge entrenched patterns of human thought and to dismantle many fixed ideas and impressions that people hold as certainties. For example, one might consider the hypothetical return of ʿĪsā b. Maryam (a.s.) as awaited by Christians, performing miracles that defy the natural order and shake human understanding—just as he did during his first mission. Would the majority of people not then submit to his message and to the values and laws he establishes from Allāh, even if they conflict with prevailing cultural norms?

Similarly, if the Mahdī awaited by Muslims were to appear—a devout servant of Allāh and guided by Him, restoring the principles of religion that have been distorted or obscured—accompanied by extraordinary signs that compel universal acknowledgment, would the widespread impressions and deeply held views not be dismantled if he refuted them?

Among the reminders of this is the observable divergence among those described as rational and inclined to pursue wisdom when

assessing what constitutes justice, integrity, chastity, and other virtues. This divergence becomes apparent to researchers who examine differences in civil laws across various countries regarding numerous detailed issues with complex dimensions, such as capital punishment, investigative methods with criminals and suspects, and educational or social approaches. What one group may describe as unjust might be considered by others to align with justice and public welfare. If one were to compile and analyse the disparities between laws and the perspectives of rational individuals on legislative topics and their associated issues, this discrepancy would become abundantly clear.

The point here is not to create an atmosphere of doubt that leads to a lack of trust in the human perspective altogether—such an approach would be an unreasonable extreme. Rather, the aim is to cultivate mature insights and retain a proper sense of proportion and context. Personal reflections or cultural waves should not be elevated to the level of immutable certainties that represent absolute truth, unaffected by any new information, consequences, or alternative thought processes. Accordingly, researchers must acknowledge that many judgements they perceive as definitive rational conclusions, immune to debate or alteration, may not actually hold such an unassailable position in reality. At best, these are reasoned perspectives that may be accurate or flawed.

Thus, it is inappropriate to treat such views as challenges to the definitive, established principles of religion and the *sharīʿa*. Even more so, they should not be used to cast doubt on the intellectual framework of religion with its substantial weight, evidential basis, and foundational principles.

9.2.4.2 The Necessity of Differentiating Concepts that Bear Similarity

There is a need to differentiate between similar and closely related concepts, avoiding conflating them, as often happens with initial impressions of a topic. Two examples illustrate this.

9.2.4.3 Distinguishing Justice from Equality

One example is the differentiation between justice and equality. Equality demands uniformity in the outcome of rulings, regardless of the differences between those judged. For instance, equality between two workers in wages would entail giving both the same salary, regardless of differences in their contributions.

Justice, however, does not necessarily require equality. Instead, it involves assessing each matter according to its true value. For example, if one worker performs a task of greater value than the other—such as a doctor’s hour of work compared to a labourer’s hour spent carrying heavy objects—then evaluating each according to their contributions is in fact itself justice, even if it leads to disparity. Considering justice as identical to equality is a common misconception.

This distinction also applies to the differing rulings for men and women. In the religious perspective, men and women are not entirely equal or identical in their creation. Each fulfils a distinct and complementary role. Consequently, this natural differentiation leads to varying duties and responsibilities, reflected in religious rulings. The issue becomes problematic and stirs emotions when men misuse their rights oppressively, or when women seek to emulate men in their characteristics without acknowledging that this differentiation stems from natural differences between the genders.

Due to their delicate constitution and deep emotions, women are more vulnerable to the consequences of appearing in alluring ways before men, as is evident from social realities. This consideration appears to underpin the requirement of *hijāb* for women.⁶⁴

In general, this differentiation is clear and natural. Many parents in Western countries are uncomfortable with the behaviour of their

⁶⁴ As stated in the verse of *hijāb*: “O Prophet, tell your wives and your daughters and the women of the believers to bring down over themselves part of their outer garments. That is more suitable that they will be known and not be abused. And ever is Allāh Forgiving and Merciful.” Q 33:59.

daughters compared to their sons, even though their culture does not support addressing such concerns.⁶⁵

9.2.4.4 The Distinction Between Firmness and Severity

Another example is the distinction between firmness and deterrence on the one hand and severity on the other, when reflecting on the foundations of the penal rulings. Every legislation is based on two pillars; the first is adopting leniency and its requisites of compassion, mercy, and mitigation, and the second is adopting firmness and its requisites of insistence, steadfastness and resolve.

Each of these pillars has its appropriate place according to the measure of wisdom. When taken beyond its proper bounds, the result is counterproductive. Just as leniency in its place can have profound positive effects, firmness in its rightful position can yield similar benefits, if not greater. It can correct a person's life path and prevent crimes in hundreds or thousands of instances where they might otherwise occur.

The justification for penal rulings in the religious perspective—affirming the rational and innate perspective—is not merely retaliation for violating a commandment or satisfying the spirit of vengeance in the aggrieved.⁶⁶ Rather, the justification lies in the prescribed punishment serving as a societal deterrent against crime, provided it does not exceed the bounds of proportional justice with the offense,

⁶⁵ Nevertheless, it cannot be denied that women may face injustice under the pretext of tribal customs or personal motives of certain men, though the inverse may also occur. However, the religious perspective does not stem from belittlement or domination; rather, from the recognition of differences in physical and psychological constitution, which result in differing familial and societal roles assigned to each party.

⁶⁶ In reality, the basic drive for vengeance—generally speaking—can be considered an innate emotion that fulfils the interest of social deterrence at a collective level. If humans were entirely devoid of this spirit and naturally inclined toward forgiveness and pardon in all circumstances, criminals would feel secure from punishment, and crime would multiply.

considering its degree of immorality according to innate standards. For example, retribution (*qiṣāṣ*) against a murderer is a just punishment for the crime of killing, as highlighted in the Qurʾān:

And there is for you in legal retribution [saving of] life, O people of understanding.⁶⁷

It serves as a deterrent against killing and is proportional to the crime because it is a punishment in kind. Allāh states:

And We ordained for them in it [the Torah]: a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds [a proportionate] retaliation.⁶⁸

This indicates that the ruling of equal retribution aligns with what innate human nature dictates within its clear boundaries. Therefore, it is a ruling shared by all Divine laws, not a specific act of devotion exclusive to Islamic law.

The religious texts emphasise the principle of proportionality between the crime and the punishment in cases where individuals transgress against one another, as illustrated in the verse:

So, whoever transgresses against you, transgress against them in a similar manner to what they transgressed against you.⁶⁹

For this reason, religion does not permit the aggrieved party to exceed the level of retribution by even the slightest measure, even though human nature tends toward intensifying the punishment for the crime; as the saying goes: “The initiator [of injustice] is the greater wrongdoer.”

This highlights that in the religious perspective, the rationale behind the prescribed punishments for certain crimes is that they represent a form of proportional firmness which is more favourable in its consequences than leniency for several reasons:

⁶⁷ Q 2:179.

⁶⁸ Q 5:45.

⁶⁹ Q 2:194.

1. Firmness has significant impact in deterring individuals from committing such crimes and elevating them above these actions, while leniency and laxity lead to substantial moral, ethical, and cognitive breakdowns within society, accompanied by vile and base behaviours.

2. Leniency has the potential to provoke extreme reactions within the social environment, which may exceed the severity of the punishment imposed by religious law: particularly when those transgressions contradict the fundamental values and virtuous principles respected by the community.

3. Exhibiting leniency would require punishing hundreds of individuals with lighter penalties instead of punishing a single individual with a firm and proportionate punishment for the crime committed. This is because reducing the deterrent effect increases the likelihood of crime occurring, leading to frequent application of lenient punishments, whereas strong deterrence reduces the occurrence of crimes and consequently, the need to apply severe punishments.

Some people may perceive certain punishments as harsh for several reasons: for example, a lack of proper understanding of the gravity of certain crimes. Other reasons include an innate sense of tenderness towards practices that may seem harsh, even if necessitated by wisdom and foresight.

Individuals may also focus solely on the punishment itself while disregarding its broader societal benefits, such as preserving people's lives, honour and property, as well as maintaining public order. In addition, there may be ignorance with respect to the severe harm and large-scale corruption caused by violations and transgression, which often lead to infringements on essential rights such as life, honour and property. Individuals may also fail to recognise the role firm punishments play in preventing these harms. For instance, drivers who frequently violate traffic laws may view strict traffic regulations and associated fines as unnecessary restrictions, not realising the significant number of injuries and fatalities resulting from such violations. Thus, it is unwise to hastily judge any punishment as inconsistent with the principles of justice when it comes to penal rulings.

Moreover, a closer examination of punishments prescribed in Divine law for prohibitions categorised as violations of Allāh's rights reveals an approach that emphasises deterrence; severe punishments are outlined but are conditioned upon establishing guilt and proving the occurrence of the crime. What is often seen as a result of this approach is that in actuality, punishments are rarely enforced, creating a strong deterrent effect without widespread application, thereby discouraging open criminal behaviour while limiting the need for frequent implementation.⁷⁰

⁷⁰ For instance, consider the punishment of flogging for fornication (*fāhi-sha*). Punishment is not meted out simply on the basis that the crime took place, even if this is through indicators or evidence that might lead to certainty (such as frequenting a woman who is not related to the man or engaging in suspicious behaviour, for example). It is not even sufficient if they are seen together in an inappropriate situation. Instead, the punishment requires the testimony of four witnesses who explicitly attest to having clearly seen the physical act. In practical terms, this effectively means that the punishment is only imposed when the act reaches the level of public exposure, to the extent that it becomes evident to four upright (*ādil*) individuals without any attempt by the perpetrators to conceal it. Had the punishment been predicated solely on the act of fornication itself, it would suffice for the judge to rely on indicators that establish certainty—just like the practice in modern legal systems concerning what they classify as prohibited criminal acts. It is apparent that this condition in Islamic law imposes an extremely stringent requirement for proving fornication, especially when considering that this ruling was revealed in an Arab society characterised by a strong sense of protective jealousy (*ghīra*), where accusations of such acts were made based on the slightest suspicion or doubt. In such a society, reactions to perceived impropriety—such as seeing a man leave a woman's house—were often immediate and violent, such as through acts of murder. Moreover, Islam has not limited itself to requiring an extremely high level of proof for establishing guilt; it has also prescribed a punishment of flogging for anyone who accuses another of fornication without producing four witnesses who meet the aforementioned conditions. This measure [also] creates a deterrent effect, discouraging people from making such accusations for

9.2.5 The Need to Differentiate Between the Absolute and Limited Establishment of a Ruling

When reflecting on seemingly ambiguous examples of legislation, it is necessary to distinguish between the absolute establishment of a ruling and its limited establishment. This distinction encompasses three scenarios.

9.2.5.1 The Difference Between Comprehensive and Restricted Legislation

The first scenario is the necessity of differentiating between comprehensive legislation and restricted legislation. Comprehensive legislation might provoke questions and doubts that restricted legislation does not, particularly when considering its limitations, which can clarify the reasonable considerations underlying the proposed legislation.

An example is the differentiation in inheritance between males and females who share the same type of kinship such as children or siblings. This differentiation is not universal; rather, it applies specifically to the paternal relatives of the deceased, such as their male and female children or their paternal brothers and uncles. In contrast, maternal relatives like maternal siblings inherit equally, as explicitly stated in the verse on maternal kinship (*kalālat al-umm*):

fear that some witnesses might retract their statements or testify only to proximity or contact rather than the explicit physical act, which is often difficult to observe. Thus, the requirement stipulated in Islam for proving fornication practically prevents its establishment except in rare instances. According to these stringent conditions, fornication is unlikely to be proven in more than the odd case. This clearly indicates that Islam's policy on fornication focuses on instilling fear of committing the act by emphasising the public and explicit nature of its proof. This approach seeks to prevent fornication from becoming a publicly acknowledged phenomenon that could corrupt the social atmosphere. To achieve this, Islam restricts the avenues for proving the act and imposes severe penalties for publicly accusing others of it.

And if a man or woman dies leaving neither ascendants nor descendants but has a brother or a sister, then for each of them is one-sixth. But if they are more than two, they share equally in a third.⁷¹

This is undisputed amongst the jurists of the Muslims.

It seems that the reason for favouring males among paternal relatives lies in their traditional role as the deceased's clan. They were expected to protect the deceased's children and assume responsibility for blood money (*diyya*) if required. This arrangement aligns with a system of reciprocal rights and obligations among paternal relatives, akin to a form of mutual insurance within the paternal kinship network.

9.2.5.2 The Distinction Between Variable and Fixed Rulings in Islamic Legislation

The second scenario is the necessity of differentiating between variable and fixed rulings in Islamic law. A ruling may represent a reasonable measure of justice in a specific historical context, but may no longer hold the same adequacy in a different era.

Broadly speaking, this evidence is clear and self-evident. It would not be reasonable for one to label previous generations as entirely unjust for engaging in practices now considered objectionable. Those generations adhered to natural principles (*fiṭra*) within the limits of human understanding and awareness at the time. For instance, one cannot accuse our forefathers of being oppressive in their methods of disciplining children; their actions were not driven by mere impulsiveness. Rather, their disciplinary measures were reasonable within the constraints of their culture—provided they did not violate innate principles—and were informed by their perception of wisdom at the time, including their consideration of the consequences of lesser forms of punishment. However, such practices may not align with contemporary standards.

⁷¹ Q 4:12.

Therefore, believing that certain actions or practices have, since the beginning of time, always constituted oppression—without regard for cultural contexts, environments, circumstances, norms, traditions, and available alternatives—is to be regarded as naïve and immature thinking.

The scientific and technical reasoning behind this differentiation lies in the recognition that innate principles, while constant in their general foundations within the human conscience, may vary in their applications, tools of implementation and supportive customs depending on time and circumstances. This understanding is well-established among scholars of sociology and law.

Thus, it becomes clear that a ruling that aligns with natural principles in one society or era may not hold the same alignment in another. If a ruling in the *sharī'a* is determined to be a variable one, there is no issue or contradiction in this realisation.⁷²

⁷² There are two important clarifications regarding the origins of changes in rulings and distinguishing between fixed and variable rulings. Firstly, regarding the origins of changes in rulings: there are three primary causes for changes in Islamic jurisprudence and law. (1) Abrogation of the ruling by the Legislator: this entails a direct replacement or modification of a ruling through Divine revelation. (2) Governance-based rulings (*walā'ī* rulings): these are rulings issued by the ruler or governing authority, based on changing interests across different times and places. Every legal system includes fixed elements, while also allowing for discretionary legislation by the state in response to dynamic interests (provided these adhere to overarching principles of legislation). Thus, if a ruling is determined to have been issued by the authority based on legal jurisdiction, it can later be amended by the same authority without being classified as abrogation in the technical sense. For example, a ruler determining appropriate discretionary punishment (*ta'zīr*) for certain offences. Jurists may differ regarding whether certain rulings fall under primary (i.e., fixed) legislation or governance-based rulings that are subject to change. (3) Contextually rooted limitations of the initial ruling: the primary ruling might be inherently restricted by contextual factors recognised by legal scholars familiar with the general principles of the legislative system and

the specific aspects considered in that legislation. This limitation might result in the ruling not applying when circumstances and context shift. For example, the principle that combatants are entitled to personal spoils from the battlefield was based on the historical nature of warfare, where fighters individually prepared and equipped themselves. This principle would not logically extend to modern warfare contexts where the state provides all preparation and equipment. Thus, it would be unreasonable to extend this ruling to situations involving the seizure of modern assets like tanks, aircraft, or artillery. The second clarification concerns the means of determining between whether a ruling is fixed or variable in the *sharī'a*. There are two primary methodologies: (1) a text-based approach: this method strictly adheres to explicit textual sources, treating all mentioned rulings as inherently fixed legislative commands; (2) a purpose-based approach (*maqāṣid al-fiqh*): this method interprets the intent and objectives underlying legislative texts within the framework of general principles of Islamic law. Based on this interpretation, it delineates boundaries for textual rulings, allowing for adjustments to rulings in response to temporal and spatial changes. There are several perspectives within this purpose-based approach, some of which greatly expand the scope of legislative purposes and consider many traditionally fixed rulings to be variable. These methodologies agree on three foundational rules for deriving rulings: (1) not all rulings are universally applicable across all times. This is not due to any authority to abrogate the rulings, but because some were fundamentally governance-based or contextually limited. An example is the aforementioned ruling on spoils of war. Therefore, anyone deriving legislative positions must take this reality into account. (2) The default assumption is the stability of rulings. Any claim of change must be substantiated with clear evidence. It is insufficient to base such claims on mere personal inclinations or speculative preferences. This principle aligns with rational norms upheld in all legal systems, where laws are presumed to be stable unless unequivocal evidence warrants their alteration. Several rational considerations support maintaining laws over time and across places: (a) preserving legal continuity, which is seen as inherently rational from a legal perspective. Thus, maintaining existing laws often requires less justification than enacting new ones. For this reason, constitutional provisions established in previous generations are often upheld despite evolving circumstances. (b)

9.2.5.3 The Distinction Between Enforceable and Unenforceable Rulings

The third scenario is that it is essential to distinguish between enforceable and unenforceable rulings. The establishment of a ruling within Islamic law does not necessarily entail its enforcement under all circumstances according to certain jurisprudential perspectives. This parallels positive law, where some statutes are suspended—though not abolished—for a period due to emergencies or other factors.

There are two perspectives in Islamic jurisprudence on this matter. One of them holds that every established ruling in Islamic law must inevitably be enforced and implemented by the governing authority; failure to do so would amount to a nullification of Divine law. The other perspective considers it permissible to suspend the enforcement of certain types of rulings—without nullifying them—due to valid factors justifying such suspension. During this period, an alternative ruling may be applied. Examples of such factors include leniency and accommodation for individuals. This applies in cases where enforcement is not feasible, either intellectually—where implementation might lead to negative perceptions of the religion and its legislative principles—or practically, where enforcement might result in social

Ensuring historical continuity within society, fostering pride in the past and maintaining the virtues it represents. This continuity strengthens communal values and guards against societal shocks that might arise from sudden legal changes. While such shocks might only affect an intellectual minority, safeguarding the majority is prioritised. (c) Avoiding significant harm from altering laws compared to the potential issues with retaining them. (3) Legislative rulings must not conflict—either in their initial issuance or continued application—with clear rational principles. Scholars universally agree on this principle, though they differ on its theoretical basis. Some argue that it stems from the intrinsic authority of reason, while others posit that Divine law itself respects and incorporates these rational principles. Either way, it is evident that if a ruling conflicts with foundational rational norms, this conflict negates its validity according to the principles of Islamic law.

disturbances or other detrimental consequences. Avoiding such outcomes is deemed more critical than enforcing the ruling itself. In such cases, the ruler is permitted to suspend the ruling, taking into consideration the overarching objectives of Islamic law. This approach finds evidence in religious texts and examples where leniency towards people is emphasised in line with their capacities and understanding.⁷³

While this approach may not entirely address the question of the legitimacy of retaining a ruling—even without enforcing it—when it appears contrary to innate human nature (*fiṭra*), it does underscore the care that Islamic law takes to respect the general comprehension of the people. It affirms the commitment to ensuring that the principles of Islamic law are rooted in human nature and are never in conflict with it. This is presented as a fundamental and overarching approach to fostering an environment of virtue and wisdom in society while emphasising the pedagogical aspect of rulings and how they are received by the community.

9.2.5.4 The Need for Careful Determination of a Ruling's Classification as Being Variable or Unenforceable

It is important to note that acknowledging the principle of categorising rulings (as fixed or mutable and enforceable or unenforceable) does not grant every individual the liberty to determine which rulings fall into these categories. This task should be entrusted to a group of specialised jurists who are well-versed in the intellectual, historical, religious, and legal dimensions of rulings. Even if this method is occasionally prone to error, it serves to ensure reliability, protect the sanctity of the religion and to safeguard the religious community from doubt, discord, and conflict. The purpose of discussing these classifications is merely to illustrate that within the framework of Islamic principles and values, there is scope for addressing ambiguous and unclear cases.

⁷³ It is beyond the scope of this discussion to delve into all the instances that demonstrate this principle.

This concludes an overview of the legislative aspect of the religious worldview as derived from the fundamental religious texts and their fixed principles. Through this, the essence of religion—central to this section of the book—has been characterised. It has become evident from the onset that from its own perspective, religion represents the consciousness of truth and its call. It came to unveil for humanity the grand truths of life, its purposes, and humanity's place within it. It should be noted that this portrayal was not intended to encompass the dimensions of the religious worldview in their entirety. Instead, the aim of this work was to alert the seeker of truth to the broad outlines of the religious perspective, ensuring that they approach their personal stance—whether in affirmation or denial—with full clarity and understanding. Therefore, this discussion has been limited to what fulfils this objective.

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