

Understanding Change and Changeability: The Ethics of Disagreement in Islamic Thought

Md Yousuf Ali, Associate Professor, International Islamic University Malaysia

ABSTRACT

Disagreement without standard norms and values has become a dangerous trend as a slogan and motto in the contemporary history of human society, particularly in Muslim society. While Islamic scholars have used it as a means of developing Islamic thought and bringing positive socio-cultural and economic-political changes, it has been leveled as extremism/terrorism by politicians and civil society for their political interest or power struggle in contemporary time. Examples of disagreement in bringing changes include; the military administration and *Ikhwanul Muslimun* disagreement in Egypt, Sunni-Shiite disagreement, changes through the democratic process by the Justice party in Turkey, changes through Islamic revolutionary process in Iran, changes through the democratic process by *Ikhwan al-Muslimin* in Egypt, changes in moderate Islamic approach by *al-Nahdah* in Tunisia, and changes through the democratic process with a moderate approach by Bangladesh *Jamat-i-Islami* in Bangladesh and Pakistan. Differences of opinion are also found among Muslim exegetes' interpretation of the Qur'an, such as contextual and historical interpretation by feminists, explanatory analysis by rationalists and literal interpretation of the Qur'an by the traditionalists. However, the most dangerous malady that afflicts the Muslim Ummah is that of disagreement and discord that has penetrated people's ideas, beliefs, views, opinions, morality, behavior language, and interactions. The early Muslims' disagreements were not the cause of separating one from another and managed to rid their personal weaknesses. The recent contours of disagreement are related to various groups and organizations. In these situations, the question arises on how to bring positive changes through disagreement where people have differences of opinions and views. It is also important for any tradition to have a systematic hermeneutical framework towards an ethics of disagreement for beneficial and meaningful change. In religion, it is not difficult to find a hermeneutical methodology that allows for differences and otherness to live side by side, towards unity in diversity. It only needs to be reviewed.

Given the context, there is a need to examine the meaning, brief history, the causes and ethics of disagreement, and to analyze these within the purview of contemporary Islamic thought based on the textual arguments of the Qur'an and Sunnah. This paper also briefly reviews the responses of Muslim scholars with a textual analysis and inductive approach to analyzing the prospects of formulating an Islamic stance on changes and disagreements with ethics in the current context. It is also hoped that the ideas raised will ultimately contribute to understanding and clarify the Islamic stance on the issues for both Muslim and non-Muslim communities in contemporary society.

INTRODUCTION

Change is one of the constant aspects of human history. Ideological change, political change, law and order change, economic change, social change, educational change and technological change have all been part of human nature and life. Change can be gradual or rapid. One thing that motivates

change is the betterment of society. Disagreements among people may start with a difference of opinion over an issue, which may lead to arguing and mutual squabbling and recrimination. This dissent influences one's beliefs, opinions, views, attitudes, principles and conducts that bring changes, revolution, and reformation. The reasons for disagreements and resulting violence may be selfishness, self-centeredness, egoistic motivations, personal interest, mistrustfulness, jealousy and political interest.

In the early period of Islam, the prophet of Islam brought a positive change for the betterment of society in every aspect of human life by divine knowledge and rationality. The early Muslims had disagreements, but they did not separate from each other because of the unity of hearts and similar goals in developing their society and nations. The reasons for their differences were not based on personal interest or political interest. In terms of the discipline and history of Islamic jurisprudence, Muslim scholars have specialized in the study of differences among various schools of thought and their differences of opinions and argumentation were absolute with textual evidence and ethical values for their judgments and conclusions. From a religious point of view, the differences among our forebears in the early Muslim history and currently, are part of natural manifestations of variety. These differences should not exceed their limits but should remain within the standard norms of ethics and proper behavior.

Currently, there are the differences of opinions about Islam and Islamic teachings among Muslims, such as *Tabligh al-Jama'h*, Sufism, Islamic revivalism and a resurgence of Islam. To have a better understanding of the Islamic ethics of disagreement, we need to know the motivations and rationale of these movements, to see whether their perception originates from the teachings of the Qur'an and Sunnah or whether it is an agenda for gaining political and personal interest in the name of religion. A large number of books and articles on various aspects of life that contain Islam as a complete and moderate way of life for the betterment of the entire humanity helps to understand a comprehensive Islam. It is undeniable that some Muslims have an extreme agenda in the name of religion, even though in Islam, extremism or suicide is strictly prohibited. In the contemporary Muslim world, the authority of revivalist movement in the Mideast, Asia, and Southeast Asia is aimed at reviving the whole society in line with the objectives of the Shari'ah, but it is rare to see any practical reformation in the Muslim world. They also demand that Islamic society should be governed by the laws instituted by God rather than laws created by men¹. There are some transformations regarding differences of opinion in the Muslim world. Examples include; changing the system

through the process of Islamic democracy in Turkey, through the Islamic revolution in Iran, through the process of Islamic moderation in Egypt and Tunisia.

Additionally, in Bangladesh, a moderate approach was used to bring about change through the democratic process. However, Islamic revivalist movements are mainly concerned with the relationship between religion and social reality in the context of change as they believed that there is no alternative to implementing the laws of the Shari'ah, which are obligatory for Muslims. The disagreements of opinion also deal with change because differences lead to understanding what is 'changeable' and what is 'unchangeable.' Understanding a text, whether it is religious or of any other type, is a human intellectual contribution that creates a 'difference of opinion' to solve the problems, it is not for creating war. Therefore, it is the responsibility of scholars to scientifically and comprehensively find the reality and truth that may influence others who are eager to bring various changes in society. Change is an output of differences; it is a constant aspect of human history, and it aims to bring change and to cross all boundaries for the betterment of society. Disagreements among people may start with a difference of opinion on an issue, which may lead to argumentation and mutual squabbling and recrimination. These may also influence one's worldview, values, understanding of life, behavior and attitudes, and approaches that bring change, revolution, and reformation. Christian sects that differ or were at variance with (19.37), people who held divergent views (11.118), of others whose belief, were discordant in relation the truth (51.8) and of Gods final judgment of people who differ among themselves and the issues on which they differ (10.93). Disagreement (*Ikhtilaf*), as a part of human nature, to Alwani, refers to the absolute difference in beliefs and principles, opinions and attitudes it also refers to situation and position, which people may adopt². Alwani argued that differences occur among early Muslim scholars, but their differences did not exceed their limits, and they remained within the standard norms of ethics and proper behavior. These phenomena could prove to be positive views and extremely beneficial for humanity. As mentioned above, if differences are confined to their proper limits and people are trained to observe the proper ethics and norms of expressing and managing differences, there would be several positive advantages. If the intention is sincere and honest, differences of opinion could bring about a greater awareness of the various possible aspects and interpretation of evidence in a given case. Such differences could generate intellectual vitality and cross-fertilization of ideas. The process is likely to bring into the open a variety of hypotheses in tackling specific issues.

Given this context, there is a need to identify the causes of disagreement and examine its Islamic stance. This paper surveys the history of disagreement in developing Islamic thought and culture; it examines the ethics of disagreement, and finally, it presents the Islamic perspective on the issue. The paper also briefly reviews the responses of Muslim scholars with textual analysis and an inductive approach to analyzing the prospects of formulating an Islamic stance on ethics of disagreement in the current context. It is also hoped that the ideas raised will ultimately contribute to an understanding and clarify the Islamic stance on the issues for both Muslim and non-Muslim communities in contemporary society.

MEANING OF *IKHTILAF* (DISAGREEMENT)

Al-Ikhtilaf, in the *Lisan al-`Arab* by ibn Manzur and Arabic Dictionary of al Muhit, is ‘an opinion’ or ‘action with different position or course or approach.’ In a literal sense, the word “ikhtilaf” is derived from the word ‘khilaf’ or ‘difference/disagreement,’ or conflict with the opposite in broader sense (al-Ragibh al-Ispahani.)³ Al Zurzani defines *al-ikhtilaf* (disagreement) means ‘the opposite or difference from each other regarding ideas and ways of thinking.’ This ‘*ikhtilaf*,’ therefore, represents a mere difference of opinion, or it could imply ongoing controversy, discord, and difference.⁴ The word “disagreement” can also be used to describe a certain kind of activity or view or ideas or to think in a sense that a disagreement about the issue, argued by both persons/parties may be right or wrong though both argumentations are very rational. In fact, the aims of disagreement should be to discover the truth and attain goals that are political, religious, or ideological in nature for the betterment of humanity. The purpose is not to create *hasad* (jealousy), or to position one party against another, or to destroy the bond and relationship between people. Taha defines disagreement as a means for attaining positive and beneficial goals.⁵ There are two types of differences; one is acceptable, and the other is unacceptable. If differences are confined to their proper limits and people are trained to observe the proper ethics and norms of expressing and managing differences, there should be some positive advantages. If people differ with honest intention and provide an earnest opinion, logical argumentation, and evidence, with ethics and norms that are beneficial for humanity, it may bring a positive result, which is acceptable in Islam. While if people ignore standards and values in expressing their views, these differences could easily degenerate into disputes and rifts and become an opposing and evil force, harmful and destructive to humanity, which has been rejected by Muslim scholars. Disagreement, according to Muhammad Awwamah, has three types; one is ‘difference in religions’ such as Islam, Christianity, and Judaism. The second is ‘difference in belief

system' such as *Qadariyyah*, *Mu'tazilah*, *al-Jabariyyah* and *al-Khawarij* and the third is 'difference in *fiqhhiyyah*' issue or legal matters⁶. Al-Subki, as described by Taha Jabir, lists three types of disagreement in dealing with minor issues over which people indulge in mutual blame and praise;

- I. differences for innovation and straying from the straight path
- II. opinions expressed freely without ethical values
- III. subsidiary matters on what is lawful and what is prohibited⁷.

However, the forms of disagreement can be looked at from various angles. Disagreements may have psychological origins such as the difficulty of coping with depression or the difficulty accepting the sacrifice of one's view. Egoistical desires may motivate disagreement for personal, psychological satisfaction or for achieving personal objectives. It may also be inspired by the desire to show off one's knowledge and understanding or cleverness, which is considered in Islam as blameworthy. The term *jadal*, which means 'dialectics,' or 'difference,' is also used in the sense of braiding a rope, which implies carrying out a discussion in a hostile manner to gain the upper hand⁸. *Jadal* is also used in the sense of stretching and arm-twisting exercised by disputants, while each endeavor to force the other to accept his point of view⁹.

The term '*Shiqaq*' meaning 'dissension,' according to Taha, is used in the sense of 'carving out a piece of land into a distinct portion, and seems to suggest that one piece of land is not wide enough to accommodate both disputants at the same time.' Sharp differences from which discord flow, place the disputants in a 'fissure' or a 'breach' as it were¹⁰ and separate each other. As mentioned in the verse of the Qur'an:

"If you fear that a breach (*shiqaq*) might occur between a married couple, appoint an arbiter from among his people and an arbiter from among her people."¹¹

Another verse says:

"and if others come to believe in the way you believe, they will indeed find themselves on the right path; and if they turn away, it is only they who will be deeply in the wrong or, in shims (*shiqaq*)"¹²

Differences may also have a natural manifestation of variety, such as the differences of languages, colors, and opinions in which they were created, which are the sign of God/Allah for men of sound knowledge (Q.30:21). The companions' attitude, for instance, shows that there were some differences of opinions about understanding the verses of the Qur'an and the teachings of the Prophet of Islam (peace be upon him) because of context, education, and environment but the soundness of

their words and actions supports truth wherever they find it. In Islam, differences are permissible if they do not exceed the limit and remain within the standard norms of ethics and proper behavior. Some differences may have psychological origins such as the difficulty of coping with depression or other mental disorders. Disagreement may be motivated by an egotistical desire to test the affection of loved ones or to achieve a personal goal. It may also stem from showing off one's knowledge, understanding, and intelligence. This type of disagreement falls within the satanic approach (that ignores the command of Allah/God). This refusal leads to disbelief, deviation, error and arrogance. As mentioned in the verses of the Qur'an: "Do not then follow your own desire, lest you swerve from justice,"¹³ in another verse, "many people lead others astray by their own desires without having any real knowledge" (6:119). From a religious perspective, one may be motivated to search the truth and right knowledge with sincerity. Selfishness and egoism may not be behind them, such as the Muslim attitude towards secularism, communism, Christianity, Judaism, Paganism, Atheism, Hinduism, and Buddhism. Disagreement may stem from an ideological perspective; for instance, a secular person believes the separation and removal of religion from worldly affairs. A Muslim, on the other hand, believes that religion and worldly matters are inseparable because every child is born with virtue and religion, which guides him/her to understand the goal of life. Contradicting arguments may confuse a person from his/her faith. A true believer must reject attempts to associate a partnership with one God/Allah, and tries to dismiss the application of the Shari'ah in people's affairs.

Additionally, a believer should not condone illegal sexual intercourse, or efforts to separate religion from worldly functions. The point being stressed here is that while the practice of disagreement has a long history, 'the differences of opinions' as causes, are modern phenomena, used by politicians, intellectuals and scholars against one another to attain goals that are political, religious and ideological. It is the fact that such disagreements are inevitable unless there is recourse to agreed-upon criteria for resolving them and discipline to regulate the methods of deduction and ethical norms that would govern the conduct of handling the differences. Otherwise, there would be a tendency to a schism and ultimate failure in achieving the success of humanity in this world and hereafter. Egoism and selfishness can be removed through God-consciousness, God-fearing, sincerity, tolerance, sacrifice, and mutual understanding.

BRIEF HISTORY OF CHANGE AND ETHICS OF DISAGREEMENT IN ISLAMIC THOUGHT

Research shows that the precursor of the current wave of change and disagreement can be found throughout the history of humanity. Taha Alwani's (2011) historical survey considered disagreement

in bringing change/s as an early root of a contemporary method. Alwani found that the disagreement approach was used and acknowledged by all companions of the Prophet Mohammad (peace be upon him) who was, in fact, their source of solace, consolation, and guidance to the way and the truth whenever they were perplexed.¹⁴ During the periods of shahaba of the Prophet and four Caliphs of Islam, Muslims were actively involved in similar activities through the process of *ijtihad*. Shahaba, after the arrival of Madina, expressed their different interpretations of the texts available to them and he either approved or provided alternative solutions and finally, any disagreement or friction automatically during their time disappeared. During the battle of the confederates, for instance, the Prophet (peace be upon him) said: ‘do not perform Salah *al-`Asr* until you reach to Banu Quraiza.’ However, before reaching the said place, some shahaba performed *Salah al-`Asr*, and some others do not, which indicates that one group of shahaba understood and adopted the literal meaning of his text while the other group adopted the contextual meaning, and Prophet (peace be upon him) approved both groups.¹⁵ The Prophet warned his companions about the dangers of disagreement and said: “People before you perished only because of their disagreement about the scripture.”¹⁶

After the age of the Companions of the Prophet and their eminent successors (during the periods of the Umayyad and Abbasid), the Islamic scholars used *al-ijtihad* as their preferred method through disagreement to develop Islamic thought, Islamic jurisprudence, and socio-cultural aspects. They regarded it as a tool of legitimacy for the cause of solving conflict and challenges faced by society. However, in Islamic jurisprudence, there appeared some thirteen schools of thought who recorded works in their various forms, the juristic principles, and methodologies in developing Islamic thought and ruling and all of them identified with *ahl-al- Sunnah wa al-Jama`ah*.

At present, the four schools of thought are still the predominant schools in the Muslim world. These are Hanafi School, Maliki School, Shi`ite school and Hanabilite School. The imams whose schools have lasted to this day and who have followers throughout the world and applied different methodologies and juristic principles in assessing issues and making a legal judgment by *ijtihad*, are Abu Hanifah, Malik, Ahmed ibn Mohamad ibn Hanbal and al-Shafi`i. However, all this resulted in a mutual exchange of ideas between Iraq and Hijaz. Nonetheless, we find that the three scholars Malik, al-Shafi`i and Ahmad ibn Hanbal were quite similar in their methodology even though they differed in some approaches in using deduction. These three great imams are considered as jurists of hadith who established precedents of the Companions of the Prophet while Abu Hanifa Noman ibn

Thabit was the inheritor of the jurisprudence of upholders of independent reasoning.¹⁷ Imam Abu Hanifah stated that

“I first resort to the Book of God to find evidence, if I do not find any in the Qur’an, I resort to the Sunnah of the Prophet of Allah (peace be upon him) if I do not find anything in it, I resort to the statements of his companions . . . if the line of enquiry descends to the rank of Ibrahim . . . , I am entitled to endeavor to use my *ijtihad* in the same way as they had done.¹⁸

Imam Malik adopted a different approach to solving the challenges in developing Islamic rulings. He was a man of the Hijaz and a proponent of the school of Said ibn al-Musayyib. He said that whenever someone comes to us with an argument, we abandoned what Jibril brought to the Prophet Mohammad (peace be upon him) and argued with him. The principles of the school of thought of al-Shafii, are based on the Qur’an and Sunnah. If there is no clear evidence in the Qur’an and Sunnah, the *al-qiyas* (analogy) to Imam Shafi, can be used to develop the rulings.¹⁹ Imam Shafii was critical of the Hanafiyyah for their non-compliance with many of the Sunnah practices, because the hadith on which they failed to meet some of their conditions such as the popularity of a hadith. He also did not confine himself to the hadith of the people of the Hijaz, as Malik did.

With regard to the principles of the Hanbali school of thought, when evidence is available in the texts of the Qur’an and Sunnah, Ahmad ibn Hanbal did not consult any other source. His priority was to accept the opinions of the companions of the prophet; if there are any differences between the companions, he chose the closest view of the Qur’an. In his view, the analogy should only be resorted to as a source of law when passing judgment on an issue cannot be settled by referring it to any one of the sources and principles mentioned above.²⁰

In the third and fourth centuries, after the eras of the Companions and the successors of the Companions, blind imitation (*taqlid*) began to flourish and analytical thought (*ijtihad*) in Islamic jurisprudence came to an end. People in the fourth century can be divided into two groups, namely scholars, and the general public. The general public depended on the scholars who transmitted their ideas such as purification, prayers, fasting and Hajj and so forth from the original sources. The scholars who used an analogy for interpreting the texts of the Qur’an and Sunnah in developing rulings such as a Shafii or a Hanafi were called Mujtahidun and Fuqaha.

After the fourth century, the situation had changed significantly. There was a discord between political and intellectual leadership. Al-Ghazali (d.505 AH) noted that after the departure of the Prophet Mohammad (peace be upon him), the Companions of the prophet and their successors were

leaders, scholars, and jurists who had a profound knowledge of the Qur'an and Sunnah, and they actively engaged in tackling problems and passing legal judgments. After some time, the *Khilafah* passed to people who did not deserve to be rulers and who lacked the competence even to formulate their decisions. Scholars were enticed by ambitious rulers (using blandishments) to accept the positions of judges and high government officials. They declined because they did not want to compromise their integrity. Muslim scholars in these times were influenced by the Greek Classics and turned eagerly to argumentations and scholastic theology. The scholars classified processes of argumentation and developed the art of discovering contradictions and discrepancies in the pronouncements of others and interpretations of the texts from literal, contextual and historical perspectives. Consequently, they came up with many classifications and methods of deduction by their logical argumentations.²¹ The analysis of al-Ghazali shows that the disagreement is the real disease, which afflicted the Muslim ummah throughout the history of Islam in developing Islamic theology, Islamic rulings, and Islamic thought. This disagreement, though a disease of the Ummah helped Muslims in formulating different types of methods and rulings to resolve conflicts and contradictions.

In contemporary times, disagreement is being used by many religious groups in the name of God, such as *Tabligh Jama'ah*, *Jama'at-i-Islami* in the subcontinent, and *Ikhwan al-Muslimin* (brotherhood) in the Arab world. The primary differences between them are mainly methodological approaches and functional aspects of Islamic understanding, not the fundamental beliefs of Islam. *Tabligh Jama'ah* is struggling to convey the message of Islam through da'wah processes while both *Jamat-i-Islami* and *Ikhwan al-Muslimin* believe that Islam as a complete way of life must be implemented in every sphere of life at the state level to establish justice and peace as they claim. Their manifestations show that their whole struggle is to bring a positive change in socio-cultural and eco-political aspects for safeguarding the fundamental rights of human beings and for establishing the kingdom of God on earth living together with peace, unity and co-existence. Disagreement or discord has many advantages. However, it also has adverse effects because it subverts and stresses the goals of Islam. It destroys the contemporary Islamic awakening, which has revitalized the hopes and aspirations of Muslims. In this respect, all religious scholars should reconcile their views to understand Islam as a comprehensive and rational way of life for the betterment of the entire humanity. Muslims may use the approaches of disagreement during the early period of Islam as an inspiration. The situation today demands a sincere attempt to identify the real causes of disagreement

by respective authorities to establish peace and justice for all of humanity as servants and vicegerent of God/Allah.

CAUSES AND FACTORS OF DISAGREEMENT IN THE CONTEXT OF CHANGE

The causes of differences of opinion naturally differ from one ideology to another, one perception to another, one age to another, and one problem to another. Today, there are various causes of differences that would cause disunity, divergence, discord and dispute among Muslims. Some reasons are discussed below:

To study why disagreements are becoming so frequent and what motivates the scholars, politicians and professionals of such disagreements requires an inquiry of its root causes and factors that affect social, psychological, cultural, religious and political aspects of human life. However, disagreements are a means to solving the challenges facing society today. A groundbreaking study on disagreements of opinion found motivation for political interest instead of the betterment of humanity as a whole. Research shows that there are various causes and factors involved in disagreements of opinion. It is, of course, true that disagreement is most often associated with intellectual and political differences, but there are also methodological, judicial and some external causes and factors that sometimes lead conflict between two groups/individuals or sometimes bring positive changes with solutions. There are various reasons for differences throughout the history of Islam on various issues such as the differences over hadith, intellectual, judicial, sociopolitical, theological, ideological and methodological in interpreting the texts of the Qur'an and the Sunnah of the Prophet of Islam (peace be upon him).

Concerning the differences over Hadith, for instance, sometimes a scholar formulated his judgment by a hadith available to him, which might be contradictory to a hadith never exposed to him. Differences of view would also happen when one narrator heard only partial hadith while another heard in its entirety. Most of the juristic differences among the early Islamic scholars would occur when one heard only part of a hadith while another heard it in full. One narrator listened to a hadith in one context while another heard in another context with different words or sentences.

A jurist formulated his judgment according to the meaning of the verse and hadith available to him. He might also resort to qiyas from a proper judgment made by the Prophet, or a different hadith from that open to one scholar but not to another scholar. This would result in a different decision on the same issue. Disagreements also occur where a jurist received hadith, which he

considered defective and thus prevented him from making a legal ruling, or where the original text of a hadith has been changed through misspelling, missing word/s, and interpolation during translation. Occasionally, there were textual variations in versions of the same hadith to the extent that a keyword might be missing from one text, or the entire meaning of the hadith will be changed because of the missing word/s.²² The causes of differences in opinion naturally vary from one ideology to another, one perception to another, and one age to another and from one problem to another.

Today, there are various causes of differences that would cause disunity, divergence, discord and dispute among Muslims. To study why disagreement in the context of change is becoming so frequent and what motivates Muslim scholars requires an inquiry of its roots. It is believed that disagreement can be advantageous and positive for the human benefit through mutual understanding, accommodating everyone and valuing views of others, which is a key rationale used by the early as well as the contemporary Muslim scholars. Disagreements can happen between political parties to stimulating political interest. These types of disagreement destroy lives, families, society, and nations. The examples of the Palestinian struggle is directly related to political and survival factors. The political disagreement might explain why Palestinian youths, including women, carry out suicide bombings against Israeli civilians.²³ However, there were certainly no hidden malevolent motives behind these differences, unless there were hypocrites who created the seeds of discord in the community for their personal interest.

During the lifetime of the Prophet (peace be upon him), disagreement of shahaba had been settled through the revelation and the interpretation of the Messenger of Allah (peace be upon him). The texts of the Qur'an and Sunnah were the main tools for resolving the differences during the period of the Companions of the Prophet. In the absence of the texts, shahaba used the method of *ijtihad*. Nevertheless, their disagreement did not prevent them from practicing the rulings of the Shari'ah, which was the beauty of Islam. Hatred as one of the factors is not to accept others' views or opinions. It manifests in various ways such as envy and searching for power and dominating others in the shape of an aggressive assertion of idiosyncratic acts with harshness and cruelty, in the form of symbolic destruction of all objects, i.e., the distraction. Lack of knowledge also contributes to differing between one another and ignorance causes confusion and division. In the absence of proper religious guidance, people divert from the right path because they are sometimes influenced by other people's perceptions such as consciousness, feeling, and beliefs. Some people close their eyes not to

see the truth, do not listen to lessen the truth and do not use intellect (aql) to understand the reality. Such attitudes invariably lead to religious disagreement and confusion. James said, “we must honestly study what God’s word says, then accept truth with readiness of mind.”²⁴ Personal evil desire and self-will also prevent a person from accepting others’ views because of his/her pride and arrogance. Mathew said, “serving God requires the sacrifice and effort.”²⁵ In Thessalonians, it is stated that “some people rejected truth because they just enjoy unrighteousness. They want preachers to justify their sins.”²⁶ In Acts, it is mentioned that “some people seek to please their authorities.”²⁷ All such attitudes contribute to religious division, disagreement, and confusion, which must be avoided.

EFFECTS OF DISAGREEMENT IN CONTEMPORARY SOCIETY

The escalating acts of disagreement by Muslim scholars have had advantages and disadvantages for humanity as a whole and Islam and Muslims in particular. The *ijtihad* exercised by the early, as well as the contemporary Muslim scholars in developing Islamic rulings for socio-cultural and economic-political development and the betterment of humanity, brought tremendous changes with their different views and opinions. The Muslim populations throughout history felt secure, enjoyed their freedom and rights. This *ijtihad* gives a positive impression of the Muslims as being a creative and innovative, broad-minded, missionary- nation, and cooperative and accommodating community to the non-Muslims. However, disagreements of understanding the texts of the revelation carried out by the Muslim scholars have contributed to produce various sects and groups among Muslims, which have tarnished the image of Islam and Muslims. The Muslim populations throughout the world involved in war, violence, and conflicts among themselves, give a negative impression of the Muslims and Islam as being narrow-minded, emotional and bloodthirsty to the non-Muslims.

Due to disagreement on various issues, many Muslim political parties were involved in cruel conflicts, which led to unprecedented human suffering. While these disagreements are intended to find a solution for the well-being of humanity, they affect ordinary Muslims and civilians and peace-loving people. The genuine Islam-loving people are targeted in the name of counter-terrorism laws and measures and innocent travelers with Muslim names are harassed at entry points of immigration in many countries. Muslims, especially those with beards and hijabs (head cover) and Muslim names who wish to apply for a job, are viewed with suspicion and often treated as criminals. After the recent changes in the Arab world, especially in Egypt, Tunisia, and other Muslim countries, the genuine Islamic parties have become a target of major secular ruling government’s operations.

Consequently, Islamic parties have a feeling that secular governments are a significant threat to their security and well-being. These disputed perceptions for political or personal interests and forceful actions are the root causes for change and changeability, which must be resolved through mutual understanding, respect and co-existence and value-based disagreement. These disagreements in the absence of ethical values for bringing changes in the Muslim world have not yet given any hope or optimism for a peaceful world order for humanity.

ETHICS OF DISAGREEMENT IN DEVELOPING ISLAMIC THOUGHT

Understanding the ethics of disagreement in developing Islamic thought is essential to establish peace and justice from an Islamic perspective. Ethics of disagreement is concerned with ‘what is changeable and what is unchangeable’ in any given religious tradition, which is a core discussion topic in the contemporary study of religion. A disagreement of Islamic scholars is good for society, as mentioned by the Prophet of Islam (peace be upon him). However, in contemporary times, three groups of Muslims exist with differences of opinions. The first believes and supports anything that arrives from the West without verification.

The second group rejects anything that comes from the West, and the third neither accept nor reject blindly without verification with Islamic teaching. There are also ideological differences of opinion among Muslims as a liberalist, an extremist and a moderate. The first and second tarnishes the image of Islam and Muslims because of their lack of knowledge of the Shari’ah or personal or political interest. Such viewpoints contribute to misunderstanding and misread the religiously legitimized Islamic political movements or Islamic revivalism as a threat in the contemporary Muslim world. In the context of change, Islamists and Islamic revivalists are essentially concerned with the relationship between religion and social reality. However, the question arises, why do we have a disagreement of opinion? One reason is that ‘the divergences of opinion’ results from ‘a different interpretation of the text, be it religious or of any other type.’ Such differences are creating disunity and war between Muslims and therefore, Muslim scholars should bear the responsibility for that. From an Islamic perspective, it is not hard for Muslims to find ethics of disagreement that allows for diversities to live side by side towards unity, co-existence and justice.

In situations where an ethics of disagreement has not developed disagreements shall not remain in the private sphere but will transgress and create turbulence among people in society and civilization. Sharing the religious-based values may become significant for co-existing with unity

and establishing justice and peace for all humanity. Now the question of what is changeable and what is unchangeable according to religious guidance is crucial because religious idealism or a particular worldview cannot be imposed on others. However, in Islam, there is a comprehensive guideline with a motivation for bringing a positive change to various aspects of life as mentioned in the Qur'an: "Verily Allah/God will not change the condition of a people until they change it themselves (with their own souls)" (13:11).

Differences of opinions in Islam can be considered as a means to be innovative and sacred and it must be safeguarded. Disagreement is a natural manifestation of variety as the Qur'an says:

"If your Lord had so willed, he would have made mankind one people, but they will not cease to differ, except those on whom your Lord and Sustainer has bestowed His mercy, and for this did He create them."²⁸

Therefore, Muslims should hold fast to the rope which Allah throws for them, and they should not divide among themselves (3:103). Muslims should not be people who are divided amongst themselves and fall into disputations after receiving clear signs (3:105). In another verse, 4:59, God/Allah commands that His order gives humans freedom of thought and choice; their intellect does not belong to them, but their God, Allah, gives trust. Humans are not allowed to diminish their intellectual and sensorial abilities, which are divine gifts, let alone to misguide or mislead as the Quran advised: "if you differ in anything amongst yourselves, refer it to Allah and the Last Day." It is based on the Qur'an and Hadith; anything which goes beyond that is unacceptable. Obeying divine guidance is an obligation for humans in general and for believers in particular as ordained by God, Allah:

"you who believe! Obey Allah (based on the Qur'an) and obey the Messenger Mohammad (peace be upon him) (based on the Sunnah) and render not vain your deeds".

In Islam, God prevents believers from making disagreement with evil desires like disbelievers and advises not to dispute with one another that may cause one to lose courage and strength and instead unite for a brighter future.²⁹ The disbelievers, polytheists, and idolaters had deviated from the right path guided by their prophets. God advised Muslims not to associate any partnership with Allah and not to follow people who fragmented their religion, distorted the true teachings of books of God and teachings of their prophets, left the true Islamic monotheism, became sects and followed their vain desires (Q.30:31-32). The Qur'an declares: "Those who were given the scripture Jews and Christians did not differ except out of mutual jealousy after knowledge has come to them" (Q.3:19). Furthermore, the immediate text of the same verse commands that Islam only permits Muslims to

stand up for their rights and defend their faith, religion, and freedom. It also emphasizes to resort to peace, advocate tolerance and disregard the ignorant. As mentioned in this verse of the Qur'an:

“So if they dispute with you Mohammad (peace be upon him), say: I have submitted myself to Allah in Islam . . . if they follow you, they are rightly guided; if they turn away, your duty is only to convey the message” (Q.3:20).

Another verse says: “and be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment” (Q.3:105). No matter what wrong Muslims perceive as being done against them, they must not lash out against an entire population of people. They must obey God/Allah, His Messenger and those of who are in authority as He admonishes as mentioned in the Qur'an:

“if you differ in anything amongst yourselves, refer it to Allah and His Messenger if you believe in Allah and the Last Day. This is better and more suitable for final determination”

(4:59). God/Allah's words are the final decision and the ruling judge as the verse says: “in whatsoever you differ, the decision is with Allah . . . such is Allah, my Lord in Whom I put my trust, and to Him, I turn to all of my affairs and in repentance” (Q.42:10). Practicing and maintaining an ethical manner during argumentation ordained by God is essential as the Qur'an says: “Produce your proof if you are truth” (2:111). Allah asked His prophet to challenge opponents by bringing a book from Allah, which is a guide for humanity but they are not able to bring anything because they follow their lusts that force them to go astray, and the one who follows his lusts is devoid of guidance from Allah (28:49). Hence, when arguing with those with evil desires, the Qur'an commands that those who argue about God without any authority, abstain from these people and seek refuge from Allah (40:56). In certain situations, one needs to be patient with what they say and leave them with dignity (73:10). On improving the relationship, the revealed book of God conveys a clear message to people in general and Muslims, in particular, who wish to shield their lives from chaos in this world and the hell-fire in life after death and fulfill the trust of God, other fellow humans, and creatures. As mentioned in the Talmud, saving human life and understanding the real purpose, duty, and responsibility of his/her life is obligatory. Given man's responsibility to establish the kingdom of God by using his intellectual and sensorial knowledge, we believe that this fundamental perception motivates a man to protect life, wealth, honor, and human dignity with peace, justice, and co-existence. People should not put aside for the purpose of aggressively pursuing positions, especially pursuing political positions, rather than shared interests the very essence of disagreement that is ethical values.

Disagreement with arrogance according to religion, in any form/way, is prohibited, as discord is evil as narrated by Abdullah ibn Abbas ³⁰ and it causes injustice against one's self. God/Allah destroyed many former nations because of their egotistical approaches and denial of the reality. God/Allah condemns scholarly people who contended with one another after all evidence of truth had come to them as the Qur'an says: "they take to divergent views; and some accepted the faith while some rejected the truth" ³¹. The Qur'an motivates people to accept individual differences and strive for peaceful co-existence with respect and tolerance on the basis of the common interest, our love and servitude to Allah and care for his creation and humanity. Al-Qur'an also warned against divisions and aggression and ordained to live unitedly under the banner of religion. God/Allah commanded a similar order to all other prophets of Allah such as Prophet Noah, Abraham, Moses and Jesus as for establishing the religion, and to no be divided therein as mentioned in the Qur'an for instance,

"Son of my mother! Seize me neither by my beard nor by the hair of my head! Truly I was afraid that you would say, "you have caused a division among the Children of Israel and you did not respect my word" (20:94).

Another verse says:

"God/Allah has ordained for you (Mohammad peace be upon him) the same religion, which He ordained for the Prophet Nuh and that which We have inspired in you and that We ordained for Ibrahim, Musa and Isa saying you should establish religion and make no divisions in it" (42:13).

Vain desires mislead people from the right path and make them arrogant for reconciliation without having any real knowledge ordained by the Qur'an: "do not follow vain desire for it will mislead you from the right path" (38:26), another verse says: "many people lead others astray by their own desires without having any true knowledge" (6:119).

Based on the above, Islamic scholars commented that various types of desires exist; one desire comes from the ego and love of self, which is called egotistical desire. It promotes corruption and leads to deviation and error. It never realizes the reality even after understanding the true knowledge. In this situation, truth appears as falsehood and falsehood appears as truth. In their hearts is a disease of doubt and hypocrisy. They think that they deceive God/Allah and those who believe, while they only deceive themselves, and perceive not it (2:8-9). Their evil desires have made them deaf, dumb and blind, so they will not see the right path and the light of the Qur'an (2:18). Allah/God has set a

seal on their hearts and their ears, and on their eyes, there is a covering, so they are not ready to accept God's guidance, which them to succeed in this world and hereafter (2:7). The Qur'an declares:

“if others come to believe in the way you believe, they will indeed find themselves on the right path; and if they turn away, it is only they who will be deeply in the wrong or in a schism (2:137).

Islam permits Muslims to differ in a constructive manner for solving problems and obstacles faced by man and society and defend their lives, properties and freedom. It also emphasizes to resort to peace, advocate tolerance and disregard ignorant. As mentioned in this verse of the Qur'an: “you shall spend in the cause of God; make not your own hands contribute to your destruction. But do good, God loves those who do well.”³² No matter how Muslims differ with their views and opinions, they must not lash out against an entire population of people. They must have faith in God as He admonishes those who oppress others and transgress beyond the bounds of what is right and what is wrong.³³ Peaceful desire fulfil the truth through the blessing of God, Allah and safeguard him/her from the impact of evil desires on his/her opinions and beliefs before he is totally caught in the snares of error.³⁴ Such a person may see the light of God's guidance after realization of his/her wrong opinions and beliefs to accept the truth.³⁵ The person also declares openly that he/she left to follow the evil desire; otherwise it would not be among those who are rightly guided (2:137).

The Prophet of Islam (peace be upon him) instructed his Companions and those who come after them about the dreadful and outrageous consequences of disagreement and warned them against it. Abdullah ibn Abbas narrated that during the midday rest, while I was there, the Prophet of Islam (peace be upon him) heard two men arguing loudly over the meaning of the Qur'anic verse, which was not in an ethical manner. The Prophet went out with anger showing on his face and said: “People before you perished only because of their disagreement about the scriptures.”³⁶ The Prophet of Islam often motivated and advised Muslims to abstain from discord and unnecessary disagreement, which would harm the whole nation as he (peace be upon him) said and reported by Abu Hurairah:

“Do not bother with what I have omitted. Those before you perished only because of their excessive questioning and their disputes over their prophets. When I enjoin anything on you, carry it out to the best of your ability and if I forbid you from anything, let it alone.”³⁷

The Prophet of Islam (peace be upon him) also proscribed Muslims to abstain from the divisions of religious sects. A hadith from *al-Tirmidhi, Ibn Majah and Abu Daud* reported by Abu Hurairah, where the prophet of Islam (peace be upon him) said:

“The Jews and the Christians divided into seventy-one or seventy-two religious sects, and this nation will be split into seventy-three religious sects, all will be in Hell except one, and that is on which my companions and I are today” (who will follow the Qur’an and Sunnah).

The Prophet of Islam also warns Muslims not to follow their egotistical desire to make divisions amongst themselves after understanding the truth as did the polytheists, pagans, idolaters and disbelievers in the Oneness of God/Allah and other religious matters. As described in the Qur’an

“and they divided not till after knowledge had come to them, through selfish transgression between themselves . . . do not follow their desires but say: I believe in whatsoever Allah has sent down of the Book” (42:14-15).

The Prophet of Islam (peace be upon him) also proscribed Muslims from asking too many questions and involving in unnecessary differences or debate concerning the issue/s of the Shari’ah, which has already been settled by the Qur’an and Sunnah of the Messenger of Allah. A hadith reported by al-Bukhari and Muslim, Abu Hurairah narrated that he heard from the Prophet of Islam (peace be upon him) who said:

“abstain from what I have prohibited, and what I have commanded, follow and practice according to your ability. Because those who had been destroyed before you because of asking many questions and their differences with their prophets.”³⁸

Narrated by Abdullah ibn Umar, one day I called upon the Messenger of Allah (peace be upon him) during the midday rest. The Prophet heard two men were arguing loudly over the meaning of a verse. He went out with anger showing on his face and said: “people before you perished because of their disagreement about the scripture.”³⁹ A hadith reported by Muslim from Jundub bin Abdullah Bajali, where the Messenger of Allah said, “Recite and study the Qur’an so long as your hearts are united on it, but when you have differences over it, stop it.”⁴⁰

Instances of the differences of opinion can be found in the context of understanding texts during the periods of the Companions of the Prophet, successors of the Companions, thinkers, theologians, philosophers and intellectuals who were concerned about the ethics of agreement in legitimating Islamic rulings and developing the society and nation. Concerning the disagreement between two groups of the Companions for not performing *Salat al-`Asr* until they reach the place of *Bani Quraizah*, recorded by both *al-BukhĒri and Muslim*, ordained by the Prophet Mohammad (peace be upon him) during the battle of the Confederate as he said: “do not perform *Salat al-`Asr* until you reach the place of *Bani Quraizah*.” However, when the time of prayer came while on their way, one group differed with another. One group understood the literal meaning of his command and did not perform *salat* until they arrived, while the second group accepted the meaning of injunction,

which they considered suitable for that situation and the Prophet of Islam (peace be upon him) did not disapprove of either group. The above hadith shows that both groups respected each other's opinions, and the prophet of Islam also accepted their disagreement in such a way that later on became the principle of the *SharĒ'h*.⁴¹ Another disagreement is about Prophet Mohammad's (peace be upon him) sighting of Allah with his naked eyes during the night of M'iraj, narrated this hadith by Muslim, Ibn Abbas differed with the narration of Aisha. Ibn Abbas believed that Prophet Mohammad (peace be upon him) saw Allah with his naked eyes during the night of M'iraj. His justification by the verse 53:11& 13 is that the prophet certainly saw Allah as mentioned in the Qur'an:

“The Prophet's mind and heart in no way falsified that which he saw” and “for indeed he saw him at a second descent.”

While when Aisha rejected the view of Ibn Abbas was shocked and commented that

“the hair on my head stood up,” “whoever claims that Mohammad (peace be upon him) saw his Lord on the night of M'iraj, brought a big lie on Allah.”

Her justification by verse 6:103 is that he could not see his Lord as the Qur'an said:

“No vision can grasp Him. But His grasp is over all vision; He is above all comprehension, yet is acquainted with all things.”

This disagreement between Ibn Abbas and Aisha is related to the *aqidah*, which resulted from a deferent interpretation of the text, no question of the authenticity of hadith.

With regard to the reality of the death of the Prophet of Islam,⁴² ordained by God, Prophet Mohammad (peace be upon him) will die just as other prophets also died as the Quran informs:

“Mohammad (peace be upon him) is no more than a Messenger. Many were the messengers who passed away before him. If he dies or were slain, will you then turn back on your heels? Whoever turns back on his heels, not the least harm will he do to God.”⁴³ This is evident in the verses, “every soul shall have a taste of death.”⁴⁴

It is also reiterated in another verse,

“wherever you are, death will find you out, even if you are in towers built up strong and high”⁴⁵ “truly you will die one day, and truly they will too die one day.”⁴⁶

The first disagreement among the Companions after the death of the prophet was about the reality of his death because Umar bin Khattab believed that it was a false rumor spread by the hypocrites and threatened to punish them.⁴⁷ Umar interpreted the verse, ‘the Prophet is a witness over you’ by his independent understanding that the prophet will be remaining alive until the end of the Ummah, which was the wrong interpretation. However, when Abu Baker recited the verse 3:144,

Umar said, “it seems to me as if I had never read this verse before.”⁴⁸ Another disagreement happened after his death among the Companions regarding the place where the Prophet should be buried. One said to bury his body in the mosque; another said to bury him with his Companions. In this situation, a hadith narrated by Abu Bakar, who heard from the Messenger of Allah, “when a prophet had died . . . be buried the place where he had died.”⁴⁹

Immediately after his death, another disagreement occurred among the Companions about the appointment of the successor of the Prophet, whether from Muhajir or Ansar.⁵⁰ Ibn Ishak described that great strife was about to occur because it was not possible to easily fill the vacuum.⁵¹ But, all the Companions had agreed to elect Abu Bakar to be the first caliph of Islam based on the Quranic criteria, which is *Taqwah* (God fearing). This is mentioned in the Qur’an: “verily the most honored of you in the sight of Allah is the one who is the most righteous of you.” (Q.49:13). In this crucial situation, there was no text, but only applying ethics of disagreement, exercising the qualities of wisdom and experiences and preferring the one above the other on the basis of virtues, knowledge, sincerity and *taqwa*.

About the denial of the payment of Zakat⁵², when Abu Bakar took over the responsibility of *khilafah*, some Muslims refused to pay zakat⁵³ and the first caliph declared war against people who differentiate between *salah and zakat*, and considered them as apostates. He decided to continue fighting until they agreed to pay zakat. Umar bin Khattab was instinctively against the permissibility of the war. Abu Hurairah described that when Abu Bakar argued, “whoever makes a separation between *salah and zakat*, I will certainly fight,” Umar then immediately commented that Allah opened the heart of Abu Bakar, who was right.⁵⁴ Ibn Zayd says that ‘establishing *salah* and paying *zakat* was prescribed together and no separation between two.’⁵⁵ Based on the discussion above, if differences of opinion occurred among the Companions, they immediately referred the disputed issue to the Qur’an and the Sunnah. The basis of their differences was the judgment of the revelation and life of the Prophet (peace be upon him). Their commitments and obedience were based on mutual trust in the genuineness of each other’s judgment and mutual respect among fellow Muslims, who differed.⁵⁶ In understanding the reality and finding the truth, God-consciousness and sincere avoidance of personal whims motivated them to abstain from the use of offensive and insulting language and to discuss issues respectfully, politely, honestly, amicably and harmoniously with the standard norms of behavior.⁵⁷

After the period of the Companions of the Prophet and their eminent successors, the four main schools of thought i.e. *hanafi*, *shafii*, *maliki* and *hanbali*, had differences of opinions on various issues and aspects of methodologies and approaches but maintained the ethical values, virtues, and good relationships. Their differences of views about Islamic rulings mostly were either based on revelation or intellectual exertion with good manners. Imam Abu Hanifah, for example, said:

“Firstly, I have taken the evidence from the Qur’an, if I do not find any reference therein, I resort to the Sunnah, and grant the authentic precedents, if I do not find anything in both Quran and Sunnah, I resort to the statements of his companions and I did not go beyond this to the statements of others. If others can differ, I am also entitled to endeavor to use my analogy or *ijtihad* in the same way as others had done.”⁵⁸

As Shafii mentioned in his book ‘*al-Risalah*’ that

“the Qur’an and Sunnah are the main sources of Islamic jurisprudence. If there is clear evidence from them, the legist may resort to *qiyas* from these two. If analogical deduction from the original sources proves to be sound, it should be accepted as such and a basis for proof.”⁵⁹

Imam Malik adopted a different approach and said:

“if someone comes to us with an argument, we refer to the texts of the Qur’an brought by Jibril to the prophet Mohammad (peace be upon him).”⁶⁰

He was careful in using his analogy, if there is any contradiction with the revelation, avoid it as the Qur’an says: ‘it is an abomination or immoral and impious’ (6:145).⁶¹ Imam Ahmad ibn Hanbal also applied the same methods as the other three Imams. In his opinion, the analogy should only be resorted to as a source of law when there is a necessity of passing judgment on an issue which cannot be settled by referring to the primary sources and principles.⁶² Regarding public welfare and public interest, for instance, both Abu Hanifah and Shafii were a concern and developed two different terms with the similar objectives such as *al-Istihsan* and *Maslaha mursalah*. *Al-Istihsan*, for example, used by Hanafi scholars as a method, derives from *hasuna*, which means being good or beautiful. It is a juristic preference for providing something better or more appropriate according to the circumstances for human benefit. The aim of *Istihsan* is to avoid any rigidity and unfairness in Islam that might result from the literal application of the law. The decision, for instance, made by Umar bin Khattab is to enforce the *hadd* penalty of the amputation of the hand for theft during a widespread famine while many companions of the Prophet opposed his decision earlier but later on everyone accepted it in the sense of providing ease and comfort to the public. In traditional Islamic jurisprudence, this example is considered as the principle to bring a beneficial new ruling by Islamic

scholars.⁶³ *Maslaha al-Mursalah* used by the Shafii scholars as a method means benefit or interest or welfare. It is a proper and harmonious decision with the objectives of the lawgiver, which secures public interest and prevents harm, even though there is no indication of its validity in the Shari'ah. For example, the Companions decided to issue currency, to establish prisons, and to impose a tax on agricultural lands although no textual authority could be found for these measures.⁶⁴ However, the objectives of both *istihsan* and *maslaha al-mursalah* are similar, which provide a public reason by allowing liberties to be maintained and developing a new ruling for human benefit. Both scholars strictly kept their views with respect and honor without insulting one another. The Qur'an warns against insulting the sacred beliefs of others: "Insult not those whom they (disbelievers) worship besides Allah, lest they insult Allah wrongfully without knowledge."⁶⁵ This verse addresses public reason and common sense, which is also related to ethical values. This example can be a principle for contemporary Muslims, who may change the conditions of modern society. Having said that, we should not forget that the objectives of both *istihsan* and *maslaha al-mursalah* are in line with the aims of the Shari'ah, which are to achieve the success of worldly life and life after death. The objectives of the Shari'ah are providing the benefits of individuals and the community, and the laws of it are to protect these interests and facilitate improvement and the perfection of the condition of human life.

Throughout the history of Islam and Muslims, more notable instances can be found relating to the ethics of disagreement, mutual respect, and mutual trust among the Islamic scholars. Two great caliphs of Islam, Abu Bakar, and Umar differed on various issues such as the question of the female prisoners, the distribution of liberated lands and equality of financial provision for Muslims. Regarding female prisoners of war, the opinion of Abu was to keep them under Muslim custody while Umar during *khilafah* revoked his decision and allowed them to back their families. On the topic of liberated lands, Abu Bakar distributed them while Umar retained them in the state's control as trusts or endowments. Concerning financial provision for Muslims, Abu Bakar thought that stipends should be distributed equally while Umar held that it should be allocated on a priority basis for various categories of Muslims.⁶⁶ With regard to the appointment of a successor, Abu Bakar appointed Umar as his successor while Umar did not appoint anyone. Their differences of opinion increased their love and respect for one another. Abu Bakar remarked about Umar that he named him as his successor, who is the best of God's adherents. Their differences were by words, but their hearts were united because the aim of their lives was to get the pleasure of Allah, not to get the power or

the position of this world.⁶⁷ While Umar had a feeling about Abu Bakar that one night of Abu Bakar is better than the whole life of him and his family.⁶⁸ About the issue of raising a hand and the authenticity of hadith, there was a discussion between Al-Awzai and Abu Hanifah in Makkah. Awza asked Abu Hanifah to raise a hand before and after *ruku`*. Abu Hanifah replied that there is no authentic hadith in this regard either by saying or action of the Messenger of Allah. Awzai referred to al-Zuhr, who reported from al-Salim, from his father regarding the issue. Abu Hanifah said that Hammad referred to Ibrahim, who narrated from Alqamah from Aswad, who narrated from Abdullah ibn Masud that messenger of God raised his hands at the beginning of salah and did not repeat this action again. However, in the end, Abu Hanifah said that “ours is no more than an opinion. We do not oblige anyone into accepting it. Whoever has better judgment, let him advance it.”⁶⁹ About the completion of the period of three months for divorced woman by the word *quru`I* (mentioned in the Qur’an 2:228) and which has more than one meaning, differences occurred between the Hanafi school of thought and Shafii school of thought. The Hanafi school agreed to consider the meaning of *haid* (women’s monthly period) based on many hadith narrated by Umar ibn al-Khattab, Ali, Ibn Masud, Abi Musa, Mujahid, Qatadah, al-Duhak and Ikrama. The Shafii school of thought accepted the meaning *Tahar* (the period of purification) and also referred to several hadith recounted by `Aysa, Ibn Umar, Zaid bin Thabit, al-Zuhri, and Aban ibn Usman. One could see in this regard; the argumentation is based on authentic hadith of the Prophet, and there is no criticism against one another but with mutual respect and understanding. In fact, they did not impose their views one upon another to accept them.⁷⁰

Concerning reform and construction of the socio-economic-political system, two different ideological based Muslim political parties exist. One relies on a secular worldview, which separates religion from worldly affairs. The other is the Islamic worldview, which encompasses both the worldly as well as life after death as the Qur’an says that when a person struggles to achieve the success of *al-akhirah*, he/she should not forget the part of his/her worldly life. However, it is part of people’s God-given nature to strive to obtain what they need in life. In the course of our striving for life and survival, there are opposing forces around us. In any situation, the divine revelation reflects our God-given human nature and affirms the centrality of morals, conscience, and an understanding of life’s mysteries and laws.

Similarly, it also affirms our God-given ability to develop the earth in creative ways, thereby establishing the value of constructive thought and work and laws of the Shari’ah that enable us to

realize the true meaning of life and his/her responsibility. The Quran says: “whatever good deed you send ahead for your own selves; you shall find it with God; behold God sees all that you do. “(2:110).

Based on the discussion above, it is clear that disagreement is perceived as a way of solving a problem from a religious point of view. God/Allah has ordained differences between human beings in their mental capabilities, their languages, the colors of their skin and their perceptions and thoughts. Religion is not a private property of an individual and it is therefore forbidden for him to manipulate it or confuse people with his/her egotistical desire. Human intellect as a tool to differentiate between what is right and what is wrong is a gifted element by his/her creator and therefore, it is not permissible for him to misuse after knowing the truth. He, who engages in disagreement for personal interest or conflict because of egoism after understanding the truth, will be punished and destroyed.⁷¹ Such differences could quickly degenerate into disputes and schism and became a negative and evil force producing more rifts in the Muslim society. In this way, differences of opinion can change from being a constructive force to being an element of destruction. However, if intentions are sincere and differences are confined to their proper limits, and people are trained to observe the proper ethics and standard norms of expression, such differences could generate intellectual vitality and become a positive force. It could improve creativity and innovation for finding suitable solutions for humanity. In this way, differences of opinion can change from being elements of destruction to being a constructive force. A disagreement of views in developing Islamic thought and Islamic rulings, can be allowed as a tool and legitimized under the following conditions and norms: differences of opinion must be verified by the revealed book of God and the authentic *ahadith*,

- a) differences of opinion must not be disputed to the tenets of Islamic beliefs but must be confined to subsidiary issues,
- b) each disputant must have evidence or proof to authenticate his/her argument, otherwise, it would be invalid,
- c) the espousal of a divergent opinion should not lead to anything false and fabricated, otherwise, it would be abandoned straight away,
- d) interpretation of the texts must be the explicit connotation of a word as understood in accordance with the accepted rules of the language and the speech norms of the Arab,⁷²
- e) differences of opinion must not be contradictory with a juristic principle established by a consensus of the Islamic scholars and a’immah,

- f) the purpose and context behind the text must be observed in the circumstances in which it was revealed,⁷³
- g) differences of opinion must be for the satisfaction of God/Allah and the betterment of humanity with sincerity.

Today it is essential for Muslim scholars to make a clear declaration to all communities that differences of opinion have been observed according to the conditions mentioned above and norms to safeguard humanity from destruction and disunity. Islam and Muslims condemn all types of egoistical approaches and evil desires. It rejects differences carried out by individuals, groups, organizations, or states to gain political, religious, or ideological causes. They believe that most of the differences of opinion occurring in the present Muslim world are because of a misunderstanding of religious teachings, the absence of trust one upon another, hatred, aggression, and state terrorism or state-sponsored terrorism, all of which stem from individual self-interest. Nothing is for the cause of religion or humanity. In the contemporary context, Ibn Burhan says:

“Divine laws are policies through which God/Allah regulates the affairs of His servants. The way of dealing with people in this regard varies according to the differences in time. Each period requires a type of regulation that caters to the general welfare unique to that time. In the same way, each nation has a form of the rules which is in its general interest, even though it may result in vitiating rights when applied to others.”⁷⁴

In the contemporary Muslim world, according to Taha Jabir, Muslim scholars, professionals, civil society, politicians and rulers should develop and incorporate the ethics and standard norms of dealing with differences. They must be acutely aware of the enormous dangers and threats as well as the malicious strategies which are constantly being engineered by the enemy of Islam and Muslims. Muslims should be used by the enemy of Islam to eliminate those who are in the vanguard of the Islamic awakening and *dawah*. These strategies are targeted against all who strive for the cause of Islam irrespective of their school of thought or any differences in their orientation. In this situation, any disagreement among Muslims, any attempt to perpetuate conflicts or any flouting of the norms of proper behavior amounts to subversion of the objectives of the Ummah and is a crime that cannot be justified or excused.⁷⁵ For achieving the goals, we, Muslims, need to maintain a deep consciousness of God, both openly and secretly, seek His pleasure in times of both agreement and disagreement. We also need to understand the full meaning of Islam and must remove personal whims and negative influences. We should be aware of our duty to preserve the brotherhood and sisterhood and solidarity of Muslims, which must be for the sake of God and humanity. We must be realistic as

Islam is a practical and comprehensive way of life to fulfill the need and demands of men and society today.

CONCLUSION

Changing the mindset and society has become a contentious issue through the differences of the views in contemporary Muslim society. The question arises, how should it be done? From an Islamic perspective, disagreement is only acceptable if there is proper ethics of disagreement, which is called “*adab al-ikhtilaf*”, either it is a particular worldview or religious tradition/ruling. Understanding and allowing for differences require some degree of flexibility and humbleness, which should neither be a liberal nor an extreme but a moderate approach. An ethics of disagreement is essential for bringing social, political, economic, cultural, and educational changes through proper knowledge, rationality and argumentation and for living religiously in a pluralistic and diverse society. We need a change because the world is constantly shifting, but not always for good. Religious and theological studies must develop an evocative discourse on the ethics of disagreement in the Muslim as well as in the Western academic world that may guide all professionals, scholars, and thinkers to live in a harmonious and healthy environment. Having said that, what Muslims need today is to be realistic, flexible, rational, moderate and tolerant for the common good for all in interpreting the divine texts according to people’s needs and demands. The objectives of the *SharĤ`ah*, which are concerned about basic human rights, had been developed by early and later Islamic scholars such as *al-ØĒfĒi*, *al-×anĒfĒ*, al-Ghazali, Shah Wali Allah, al-Shatibi and al-Shawkani and can still guide us for the betterment of society.

Therefore, Muslims need to identify talented scholars, who have the substantial knowledge of the holistic *SharĤ`ah* as well as conventional, sincerity, piety and uprightness and who can develop constructive thought about differences to achieve complete change and sustainable development. They should produce scholarly talent and a dynamic young generation who will carry out social and personal responsibilities with a moderate approach. For overhauling the intellectual crisis and differences of opinions, Muslims need to correct the manner of thinking and adopt the ethics of disagreement for the one who differs from another to strengthen the mutual bond and affection, protect mutual respect, love and brotherhood. Establishing integrated educational and higher learning institutions are essential to prepare and empower graduates to understand the essence of the Islamic beliefs, culture, civilization, the real goal of life, and objectives of the *SharĤ`ah*. Such thinkers and scholars will present Islam as a balanced and

complete way of life for living side by side with peace, justice and co-existence. As a result, Muslim minds and hearts would be creative, innovative and open to face challenges such as political, economic, social, educational and other trials related to human life so they can exchange and transmit their views and opinions with others. With the slogan of “Changing the system within the system,” Muslims should work together to bring changes in their mind, worldview, behavior, and action and adopt standard norms and ethical values into the present system and lifestyle. Finally, the Qur’an commands: “Verily Allah/God will not change the condition of a people until they change it themselves (with their own souls).” (13:11).

ENDNOTES

- 1 Malise Ruthven, *Islam in the World*, (Oxford University Press), 1984, p.172-173
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- 3 Raghieb. *Mufradat al-Qur`an*, (vol.1), p.p. 79-80
- 4 Taha Jabir al-Alwani, *The Ethics of Disagreement in Islam*, (IIIT, Washington and London), 2011, p. 1.
- 5 Taha, p.13
- 6 Muhammad Awwamah. *Adab al-ikhtilaf fi al-`Ilm wa al-Din*, (p.p. 14-17), 1996.
- 7 Taha. p.18
- 8 Taha, p.12
- 9 Taha, p.12
- 10 Taha, p.p. 12-14
- 11 Q. 4,35
- 12 Q. 2,137
- 13 Q. 4,135
- 14 Taha, p. 11
- 15 Taha, p. 11
- 16 Ibn Hazm, *al-Ahkam*, vol.5 p.66
- 17 Taha, 2011. p.70
- 18 Taha, 71
- 19 Taha, 2011, p. 74-75
- 20 Taha, p.13
- 21 Taha, p.p. 57-60
- 22 Taha, p.86-87
- 23 Md Yousuf Ali, *Understanding Suicide Attack*, (*Journal Ideologies*, vol. 10, issue 30 Winter 2011), p. 240
- 24 James I, 19-21; Acts 17,11
- 25 Mathew, 13,20-22
- 26 Timothy 4,2-4, Thessalonians,2,10-12
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- 28 11,118-119
- 29 Q.8,46
- 30 Ibn Qutaybah. *Tawil Mukhtalif al-Hadith*, p.22; *al-Awasim min al-Qawasim*, p.78
- 31 Q.2,253
- 32 Q.2,195
- 33 Q.42,42

- 34 Taha, p.15
- 35 Taha, p.15
- 36 Ibn Hazm. Al-Ahkam, vol. 5, p.66
- 37 Transmitted this hadith by Ahmad in his Musnad, Muslim, al-Nasâ'î and Ibn Majah
- 38 Muhammad Abu hasan Yahya, al-Ikhtilaf fi Ulama al-Mdhahib, P.183)
- 39 Muhamamd Yahya, p.183 and also Ibn Hazm, al-Ahkam, vol. 5, p.66
- 40 Muhammad Yahya. P. 183
- 41 Taha, p.p. 21-22
- 42 Ibn Hisam. Al-Sirah al-Nababiyyah, (vol.2, p.p. 661-666), also see; al-Tirmidhi, al-Tirmidhi fi al- Sunan, vol. 2, p.327, abwab al-Janaiz, no of hadith, 1018). See; Abdur Rahman al-Murashli. Al-Khilaf yamnau al-Ikhtilaf, (Beirut,Dar an Nafaes, 2009), p.p. 22-23.
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- 44 Q.3,185, 21,35 & 29,57biyy
- 45 Q.4,78
- 46 Q.39,30
- 47 Abdur Rahman al-Murashli. P.p. 22-23
- 48 Muhammad Hasan, p.p. 162, 179, refer to Adab al-Ikhtilaf fi al-Islam, (Abhath al-Nadwat allati Aqadat ha al-Munazzamatu al-Islamiyyah li al-Tar biyyah wa al-Ulum wa al-Thaqafah bi al-Tawun ma` Jamiah al-Zaitun, December 49 Muhammad Hasan, p.179 50 Muhammad Hasan, p.163
- 51 Ibn Hisham. Sirah, vol. 2, p.p. 656-661
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- 70 Muhamamd Hasan Yahya, p.190
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