

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The Foundation for Islamic Education  
Villanova, PA

The Second Annual Conference  
Towards the Unity of the Muslim *Ummah*  
*Development of the Fiqhi Schools*

October 3<sup>rd</sup> – 5<sup>th</sup>, 2003

“And honor your covenant to Allah and do not go your separate ways”  
(Al-Imran 2: 103)

Praise be to Allah, and peace be upon His Messenger, Muhammad, and upon those who follow His Sunnah until the Day of Judgment.

### **Intended Audience of the Conference**

- The Imams of Islamic Centers, those who are working in the field of Islamic daw'ah, teachers/instructors, intellectual leaders, and people of influence who are helping to spread the message of Islam.
- Muslims, particularly the youth, with special interests in Islamic education.
- Academicians interested in Islamic Studies as a field of specialization regardless of their faith.

### **Introduction and Background**

One of the important challenges that faces the Imams of Islamic Centers, particularly those who live in the Western societies, is the conflicting pressures exerted by groups within their community that want to see Islamic observance and interpretations closely followed or to be dominated by a particular school of thought or *fiqhi madhhab*. Some may believe that such methodology and procedures are the only true and recommended way and that deviation from it is absolutely wrong and unacceptable. These differing opinions may cause clashes between individuals and groups within the communities themselves, as well as towards their leader. Unless the leader is highly qualified in the field of Islamic education, he will experience substantial difficulty in attempting to provide guidance and may not be able to avoid conflicts and divisions among his congregation.

It is also possible that some Imams, as a result of having limited Islamic education, may be biased or unduly influenced by a particular school of thought. They may be unaware of any scholarly critique of their own school or the existence of other scholarly work that may contradict or strengthen their beliefs. In such cases, they too become part of the

problem, instead of being the resource for solutions. In fact, one may even find some researchers or scholars who are or have become biased towards a favorite established school through blind imitation. Such scholars may feel that they are free from *taqlid* (blind imitation) and contributing new interpretations or learned opinions, while in reality they have restricted themselves within the bounds of that school. Whether we admit it or not, all of us, researchers or scholars, are influenced by our intellectual heritage and bend our approach toward a favorite school(s) of thought. Even when we admit that we follow a certain school without being restricted by its practice, we are not totally free from its bias. Therefore, in order to be open to carefully considered ideas and interpretations, we must keep continuous vigil to avoid the blind repetition of what we have inherited from the past and follow evidence through reason to logical conclusions.

The above discussion regarding groups and individuals is equally valid when describing some institutions of higher learning, especially those which have been established to promote a particular school of thought to their students. The graduates of these schools will be limited in their education to the practice of that particular school and when they assume the leadership of Islamic centers, they will be deeply rooted in a strong bias to the narrow focus of their program. They will lack objectivity in their approach and lack tolerance toward other schools.

It behooves us at this point to acknowledge that such bias and lack of reason contradicts the basic premise of “goodness” that is deeply rooted in Islamic social law. Fanatic arguments that accuse other Muslims of deviatory behavior may lead to violence and even conspiracy to inflict physical harm.

Our children, particularly those attending colleges and universities, are frequently exposed to many intellectual challenges. They require support from learned Islamic sources to deal with social and political pressures, misconceptions, and the emergence of new topics of reform. Both Islamic and non-Islamic sources on campus may raise questions about the observance of Islam and even the legitimacy of the faith. Muslims are portrayed in terms of fanatic stereotypes by the media which enhances societal suspicion and questions the Islamic thought and way of life.

These challenges are not easily overcome through preaching or even by logical intellectual reasoning. Those who may introduce such approaches will be viewed as or accused of being shallow or lacking fundamental “Shar’i” knowledge. These challenges require documented studies based on Islamic principles and jurisprudence that encompass all aspects of the issues in question and seek to discern their basis. Documentation must include evidence from the Qur’an, authentic teachings of the Prophet (*peace be with him*), and other established literature that is well accepted by Muslim scholars. This is the only methodology that can clarify the common ground between various scholarly interpretations and established Islamic opinions. Although it is expected that these contemporary studies will vary in their assessment of the strengths and weaknesses of established schools of thought, they must give them due respect and attention.

It is important to recognize that there are inherent differences between people in their ability to reason, organize their thought process, and arrive at independent decisions. This approach requires time and effort, which explains why the majority simply choose to follow one or another of the established schools. We should be reminded that only those schools whose principles fall within the bounds of the Qur'an and the approval of the Sunnah are considered legitimate. Therefore, despite their differences, we should all unite in their overall acceptance as part of the "Covenant to Allah". Their interpretations should be looked upon as a source of enrichment, not a cause for turning away from each other. Yet such position would not prevent us from evaluating their opinions and the adherence towards the most accurate in the light of the shar'i evidence and its *maqasid*.

We may not be exaggerating if we conclude, after careful examination of the literature, that more than 90% of religious disputes that exist between Muslims have no legitimate grounds or reason even to be raised. The nature of arguments in these disputes is either baseless or in the arena of tolerance. Examples of baseless arguments are: the use of *ahadith ahad* (unsubstantiated ahadith) to support certain doctrines; or promote issues that were never raised during the time of the Prophet (*peace be with him*) or his companions who certainly had greater insight and their faith set forth by Allah, *subahanhu wa ta'ala*, as a standard to others. On the other hand, in the spirit of cooperation, many arguments may be described by this known quotation: "my opinion is basically true but could stand for correction, while the opposing opinion is basically false but may contain the truth". This discussion regarding differences and reconciliations of such percentage are not only limited to the followers of the Sunni doctrines, but also extend to involve differences between the Sunnis and the main factions of the Shi'is of the Zaidi and the Imami schools when we consider the main principles of these schools. Nonetheless, many of the Sunni and the Shi'a who are not well acquainted with the historical development of Islamic jurisprudence may find such a statement peculiar. Such matters are resolved by the authority of evidence and proof which is exactly the intention of this conference. Therefore, one of the objectives of this conference is to address the main aspects associated with the development of jurisprudence and the emergence of the fiqhi schools. (These aspects are listed in the following paper, "The Conference Objectives".) During these discussions, we will enhance our understanding of the basic issues uniting all Muslims, recognize the differences without being offended, and be enlightened in a positive manner.

We must recognize the significance of our unity in this critical time. The forces opposing Islam are becoming more vocal and openly discussing the need to reformat the Muslim mind and rewrite the curricula for Islamic studies. We admit that some or even many changes are needed in the curricula, as has been promoted periodically by many accomplished Islamic reformers and scholars. However, that task falls squarely upon contemporary Muslim scholars who must take charge of developing and implementing these reformations to ensure the continued vitality of the religion. The proposed topics for presentation in this conference are but an extension of these efforts to help us begin to face the current challenges and address the needed change.

### **The Approach of the Conference**

This conference is intended to convey knowledge, encourage open dialogue, unite the audience in its mutual understanding and prepare them for future challenges facing Islam. To accomplish these objectives, two main requirements were considered, after Allah's guidance.

First, a presentation of documented studies in a clear, simple and sequential format. They describe the evolution of the intellectual schools of thought, related to ahkam and fihi schools, from the dawn of Islam to the end of the third century Hijri, when the development of the basic foundation of Islamic Studies reached its full maturity. Presentations will describe the establishment of the recognized fihi schools and show their profound effect on past and contemporary Islamic thought and intellect.

Second, the presenters have been chosen from among a group of highly qualified scholars representing various schools of thought and fihi associations. Their selection has ensured that all necessary topics and intellectual approaches of various schools of thought are communicated to the audience with skill and mature objectivity.

### **Invited Conference Guest Speakers**

1. Dr. Adel Muhammad Salih Abul-Ula, King Abdul-Aziz University
2. Dr. Ahmad Ash-Sherbini Nabhan: American Open University
3. Dr. Ahmad Saif: Institute for Arabic and Islamic Sciences
4. Dr. Akbar Muhammad, University of Columbia
5. Dr. Anwar Majid Ishqi, King Abdul-Aziz University
6. Dr. Azizah El-Hibry, University of Virginia
7. Dr. Ingrid Mattson, Islamic Society of North America
8. Dr. Jafar Sheikh Idris, American Open University
9. Dr. Jamal Badawi, St. Mary University
10. Dr. Jerald F. Dirks
11. Dr. Khalid Abu al-Fadl, University of California
12. Dr. Khalid Blankenship: Temple University
13. Dr. Louay Safi: IIIT
14. Dr. Maher Hathout, MPAC
15. Dr. Mahmoud Ayyub: Temple University
16. Sheik Muhammad Al-Amin Ash-Shinqiti
17. Sheik Muhammad Al-Hanuti, Fiqh Council of North America
18. Dr. Muzzammil Siddiqui, ISNA
19. Dr. Robert Crane
20. Dr. Salah Sultan, American Islamic University
21. Dr. Seyyid Hussein Nasr: Georgetown University
22. Dr. Suhail Al-Ghannuchi: Muslim American Society
23. Dr. Suleiman Nyang, Howard University
24. Dr. Taha Jabir Al-Ulwani: GSISS
25. Dr. Tariq Ramadan
26. Dr. Zahid Bukhari: Georgetown University, ICNA

Mustafa A. Ahmed, Ph.D.

[www.fiesite.org](http://www.fiesite.org)