

First in  
Class  
First in  
Life



# Cosmo School

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## Chapter-2=Lesson-23

### **The Fourth Source of Shariat: 'Al-Qiyas'**

#### INTRODUCTION

The fourth source of Shariat is Qiyas. The word 'Qiyas' means to guess, compare, measure, suppose, conjecture, etc. In the Islamic terminology, the act of resolving an issue of a later age in an individual capacity by using the intellect on the resemblance of the laws or principles which are founded on Al-Quran and Sunnah is called 'Qiyas'. In other words, Qiyas is to solve a problem-the solution of which is not available in Al-Quran, Sunnah and Ijma, by applying personal reasoning in accordance with the Islamic principles.

**Example: Using bus, plane, rickshaw for transport, using sewed cloths-these are not forbidden in Quran, Hadith or Ijma.**

- 1) Write the meaning of Qiyas.
- 2) Write the definition of Al-Qiyas.
- 3) What should we do if we can't find the solution of any problem direct in Quran or hadith?
- 4) Write an example of using Qiyas.
- 5) What is the dynamic/scientific source of shariat?

#### IMPORTANCE OF QIYAS

Qiyas is one of the sources of the Islamic Shariat. Its place is next to Ijma. For the perfection of the Islamic Shariat, the importance of Qiyas is unlimited. Man's life and society are in constant change. New and newer still civilizations and cultures emerge in course of changes and evolutions. As a result, there crop up many queries, problems and complications. All such problems have got to be resolved in the light and on the basis of civilizations and cultures. Islam is capable of solving these new problems very scientifically. For, Islam is a dynamic code of life. It is a perfect and universal code of life. A complete direction for all men to come till the Qiyamat has been provided in it. The issues of Shariat have been presented in Al-Quran and the Hadith in

such a manner by adhering to their instances all the problems of all ages can be solved. And it is this method that is called 'Qiyas'. So, for the Perfection of the Shariat, Qiyas is indispensable.

Qiyas has been marked in Al-Quran and Hadith as a source of the Shariat. Allah the Most High says in Al-Quran –

**Meaning: "Then, O you who have sight! You derive lesson." (Sura: Al-Hashr, Ayat: 2)**

In this Ayat Allah the Most High has directed the Muslims to derive lesson by way of reflection and research. And Qiyas is the outcome of the thought and reflections of the Muslim savants (scholars of Islam).

Qiyas is the last layer of Shariat. It is applicable only when there is no clear solution of a problem in Al-Quran, Hadith and Ijma. Rasulallah (Sm.) has encouraged his Sahabas about Qiyas. For instance, while sending Hazrat Muaz Ibn Jabal (Ra.) to Yamen as a Judge, he asked him, "When a problem will crop up, how will you solve it? Hazrat Muaz (Ra.) Said in reply, (I shall solve it) According to the Book of Allah. Rasulallah (Sm.) asked again, what then if you do not find it there. He [Muaz (Ra.)] said, Then according to the Sunnah of His Prophet. Rasul (Sm.) again said, if you do not find it even there, then how? Hazrat Muaz (Ra.) then said thus, and then I shall deliver the verdict by applying my intellect and conscience. On hearing his replies Nabi (Sm.) said, all praises are due to Allah Who had such replies given to the Prophet (Sm.) by his deputy as pleased His Rasul (Sm.)." (Abu Daud)

Qiyas or 'Private Judgement' by research has been encouraged by the Ayat of Al-Quran and the Hadith of Rasulallah (Sm.) as mentioned above. So, there is no doubt about Qiyas being one of the sources of the Shariat.

- 6) What is called private judgement?
- 7) Why should we practice Qiyas as Islamic shariat?
- 8) Why is Qiyas called a dynamic and scientific method?
- 9) Write the importance of Al-Qiyas as a universal method.

## PRINCIPLES OF QIYAS

New problems used to be solved through Qiyas after the demise of Rasulallah (Sm.) and during the age of the rightly-guided khulafa (Khulafa-i-Rashideen). In the still later ages the use of Qiyas become more extensive. But it is not lawful to exercise Qiyas whimsically, and also for self-interest. The Imams of Shariat have stipulated some principles for the exercise of Qiyas. These are:

- A. Qiyas cannot be applied to such matters as are clearly solved by Al-Quran, Hadith and Ijma.
- B. Qiyas must not be opposed to Al-Quran, Sunnah and Ijma.
- C. The method and laws of Qiyas must remain within the bounds of human knowledge.
- D. It is outside the scope of Qiyas to formulate any law opposed to the principles of jurisprudence that have been determined by Al-Quran, Hadith and Ijma.

In fact, Qiyas is a scientific and logical source of the Islamic Shariat. Qiyas has rendered Islamic law dynamic and lent universality to it. It is now possible through Qiyas to offer necessary regulations and principles on the novel and non-conventional issues of current globalization.

- 10) Write the principles of Al-Qiyas.
- 11) In which case we can't use Al-Qiyas?