



Social Changes, Importance and Need of Ijtihad: An Analytical Study

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Abstract: Allah has made the religion of Islam a means of guidance and salvation for all mankind until the Day of Judgment. Now, until the Day of Judgment, no prophet will come, nor will any revelation be revealed, but the guidance, welfare, and salvation of the human race until the Day of Judgment. It depends on the Holy Qur'an and the teachings of the Holy Prophet. But here, the question arises that with the passage of time, changes in society and society keep happening because changes in the conditions of the world are an essential part of human life. In the Qur'an and Sunnah, there is no partial solution to all the problems until the Day of Resurrection, and there cannot be, but the principles of all the problems and orders are there. Therefore, Islam has given human society the authority to make decisions in the light of the Qur'an and Sunnah in accordance with the circumstances and occasions in the light of the principles of the Qur'an and the Sunnah. Therefore, the necessity and importance of Ijtihad cannot be denied with the change of circumstances, and also, Ijtihad is the Jugular Vein of Muslim Ummah. In this paper, considering the social changes, the need for ijtihad will be commented on in light of the sayings of scholars.

Introduction

Social change is a constant process, and Islam is a natural way of life (Din), absorbing all the changes and advancements in its fold without compromising its fundamental principles. To cope with new emerging issues in an Islamic society, Islamic Jurists are always present to answer such questions. If the answer to the question is not available in the Quran and Sunnah (SAW), then competent Islamic Jurists/Faqih is encouraged by Prophet Muhammad (SAW) to use his faculties exhaustively to find out the solution to the question, but it must be kept in mind that struggle to find out legal issue must be subservient to Quran and Sunnah (SAW) and should not be contradictory to these two fundamentals sources of Islam. The process of Ijtihad derives binding force from the Quran and

Sunnah (SAW) and Sunnah of Khulfa-e-Rashidoon (RA). The Holy Prophet (SAW) earnestly gathered the essence of this Quranic persuasion and formulated them into a principle known in Juristic Language as Ijtihad. This was done with the utmost wisdom and foresight so that Islam may be able to maintain its character of Universalities by enabling the Ummah to adjust themselves from Age to Age according to the requirement of the ever-changing conditions of the world. Injunctions of the Quran and precepts of Hadith (SAW) are fundamental sources of Islamic Law. Where scriptures are silent and it does not cover new emerging issues, then Independent opinion becomes necessary to find out the solution to new issues. But this independence should be compatible with

elementary sources of Shariah. As a measure of foresight, the principle of Ijtihad is devised to provide for accommodation of future needs, so the new rulings might be formulated in cases where no specific law existed in the Quran and Sunnah (SAW).

Meaning of Ijtihad

The term Ijtihad is derived from the Arabic Root "Jehd," which means exerting one's utmost effort. Technically and in Islamic Jurisprudential language, Ijtihad is a doctrine that implies the exercise of one's utmost reason to deduce a principle compatible with the Shariah.

Sources of Ijtihad

Following are sources of Ijtihad

Quran as a Source: Surah Al-Ankabut

"As for those who strive in us, we surely guide them to our path." (Quran, Ankabut)

In this verse, Quran provided the sound foundation of the Principle of Ijtihad to meet the growing legal requirements of society in the future. The Quran is a Book of Policy of Sunnah (SAW), is the practical interpretation of the Ahkam, and it is encouraged to make interpretations and deduce Ahkam by way of Ijtihad.

In Surah an-Nisa, Allah Said:

"And when there comes to them tidings of safety or fear, they spread it all around, whereas if they had referred to the Prophet (SAW) and to such other persons as are in authority those among them who can search out the Knowledge of it, would have known it" (Quran, al-nisa)

Sunnah (SAW) as Source

Ijtihad is expressly recognized in the Hadith as how a decision may be arrived at when there is no specific direction in the Quran and Hadith. Actually, Prophet (SAW) trained his companions in such a way that they became so competent/experts in forming their independent interpretation or conducting Ijtihad and to cope

with newly emergent issues and walking with the pace of the Society; rather, they were trendsetters in this regard. The following Hadith is regarded as the basis of Ijtihad in Islamic Jurisprudence:

On being appointed as the Governor of Yemen, Hz. Muaz (RA) was asked by the Prophet (SAW)

"O Muaz, by what Rule would you be guided"? He replied, "By the Law of the Quran, But if you find no direction therein? Asked the Prophet (SAW); then I will act according to the Sunnah (SAW) of the Prophet, replied Muaz. But what if that also does not find? He was again asked. Then I will exercise my judgment and act accordingly, was the reply. The Prophet raised his hands in satisfaction and thankfulness to God and uttered, "Praise be to Allah, who guides the Messenger of His Apostle as He pleases."

According to another tradition, Abdullah Bin Masood was directed by the Prophet (SAW) to make Independent Judgments provided there was no explicit ruling available from Quran and Sunnah (SAW). (Al-Basri, 2011)

This Hadith shows that the Holy Prophet (SAW) approved of the principle of Ijtihad involving the exercise of one's own Judgment when there is no specific direction in the Quran or Sunnah (SAW). It further shows that the Prophet's (SAW) Companions were aware of the principle and that Ijtihad by other men in Prophet's (SAW) lifetime was freely resorted to when necessary in order to meet new circumstances. It was the Holy Prophet's (SAW) sagacity in formulating the principle of Ijtihad that led to the rapid and systematic development of Islamic law during and after his lifetime.

Another Hadith (SAW) regarding the force behind Ijtihad:

"The Hakim and Qadi are rewarded, according to Hadith, doubly, if they are correct, and singly, in case they are mistaken."

This Hadith also makes it clear that the permission for exercise Ijtihad (Faruqi, 2010)

“According to Al-Darmi, whenever Abdullah Bin Abbas (RA) was asked a question, he would answer from the Quran, and if he could find no answer in the Quran, he would answer from the Sunnah (SAW); and if the Sunnah (SAW) was also silent about the question under discussion, he looked to the verdict of Abu Bakr (RA) and Umar (RA) practice, and if he failed to find a solution from these sources as well, he developed his own opinion. (Al-Darmi,2012)

Reward for Mujtahid

According to the following Hadith, Mujtahid will be rewarded for his efforts to find out the solution in the light of Shariah. The extent of the Prophet's (SAW) concern with encouraging the Sahaba (RA) to make Ijtihad and to train them in its use can be seen in his saying. Motivational and emphasizing the Sahaba (RA) for conducting Ijtihad, and it reflects the importance of continuing the process of Ijtihad so that Muslim society could be able to lead the world in providing guidance: “When a Judge (Qadhi) makes Ijtihad and reaches a correct conclusion, he receives a double reward; and if his conclusion is incorrect, he still entitles to receive a Single reward. (Masud, 2013)

Ijtihad is a Cardinal Principle for the Guidance of Ummah

Ijtihad is a process that relates to us our glorious past, guides us in the present situation, and opens new avenues for the future. The process of Ijtihad is not only to find out the solution to present-day issues but also to instill prudence to foresight for the anticipated issues. In the light of the Quran and Sunnah (Saw), it can be deduced that Ijtihad is the struggle through which Allah bestows his guidance and knowledge when a Jurists/Judge/Hakim applies his utmost efforts for finding the solution in Islamic society compatible with Shariah.

Ijtihad in Different Schools of Thought vis

All four Imams had approved the Ijtihad; rather, most of them emphasized the application of

Ijtihad, though there is a difference in magnitude and manifestation in the use of Ijtihad. These founders of Madhabs had actually followed the Sahab (RA) for the use of Ijtihad, and they developed it to new heights.

Plea for Re-Opening the Gate of Ijtihad

Views of Religious Scholars and Intellectuals: Scholars of old Schools of thought are generally satisfied with the termination of the process of Ijtihad sometime between the 4th and the 6th Centuries Hijri. But other scholars don't agree with this view on the basis of their knowledge of the historical and theological aspects of Ijtihad. They hold such an opinion to be either unwise or unauthorized and empirical and advocate their strong view to the contrary. Some of them assert that it was not a sound legal proposition to treat Ijtihad as closed and that the Body which declared the closure had no tangible authority to take such drastic action. They further urge that even if Ijtihad is deemed to have been closed rightly, the process must now be reopened forthwith. A brief comment about the importance of Ijtihad by prominent scholars/Jurists of Islam: (Ahmed, 2010)

1. Imam Abu Hamid Muhammad Al-Ghazali:

Imam Ghazali revived the understanding of Islam, deplored blind faith, opposed rigid conformity, and drew the people's attention towards the real source of guidance, viz; the Book of Allah and the Sunnah of His Prophet (SAW). He revitalized the spirit of Ijtihad, criticized all sects for their weakness and un-Islamic learning, and urged them towards reform; this view regarding Imam Ghazli was expressed by Abul Ala.

2. Shaikh ul Islam Hafiz Ibn Taimiyah:

Hafiz Ibne Taimiya was known for his unmatched scholarship not attained by any Ulama of his time. He received a sound education in religious and secular sciences. He had an ardent desire for the acquisition and comprehension of underlying truths in Quranic Literature. So he studied about a hundred commentaries of Holy Scripture,

including those of Hanbalite and Asharite scholars. His first lecture at the University created a sensational reaction among the learned Divines of the City, who were overwhelmed with admiration and astonishment at the exceptional erudition of the young man. (Ahmed, 2010)

As a fearless social reformer, Ibne Taimiya “not only raised a strong voice against rigid conformity (Taqlid) but successfully undertook Ijtihad also in the manner of the early religious doctors. He drew inspiration direct from the Book and the Sunnah (SAW) and the lives of companions, studied the various schools of juristic thought with a critical mind, and deduced and established a great many injunctions. Thus, he was able to set open the Gate of Ijtihad and demonstrated precisely how to use and fully exploit one’s abilities in that field. Besides him, his great pupil Hafiz Ibne Qayyam concentrated his energies on unraveling the rationality behind Islamic Legislation and produced unparalleled work on the Legislator’s method and technique of Law-Making in Islam. This unique work has been serving as a beacon of light for those who undertook Ijtihad in the past and will continue serving this great purpose in the future also. (Faruqi, 2010)

3. Shah Waliullah Mohaddis Dehlvi: Shah Waliullah, in the preface of Musaffa, writes about the importance of Ijtihad:

“Ijtihad in every age is obligatory (Muslim scholars). By Ijtihad, I mean the full understanding of the Shariah values (Ahkam) based on the fundamentals of Islam, the elucidation of their details, and the compilation and codification of new law, although it may be in conformity with the approach adopted by the founder of a particular school (Faruqi, 2010)

4. Syed Jamaluddin Afghani: Syed Jamaluddin called for a reformed Islam, an Islam that would not continue to provide legitimacy for the debilitating political and economic patterns of Islamic Traditionalism. He advocated the re-opening of the gates of the Interpretation of

Islamic Dogma. In other words, Jamaluddin Afghani strongly advocated the re-opening of the Gate of Ijtihad.

5. Mufti Muhammad Abduh of Egypt: Mufti Abduh was a young teacher at Al-Azhar University and a sincere enlightened modernist. He introduced a broader and more scientific modernist. He introduced a broader and more scientific concept of religious education. When he began to face opposition from conservative elements, he met their charge by expounding his thoughts in the form of a Commentary on the Quran, which he wrote. He also formed a new Religious party named Salafiya, which was left to his disciple Shaikh Rashid Rida of Syria to develop and disseminate.

“The Salafiya uphold the traditions of early Muslim leaders and reject the authority of the Medieval Ulama. They regard themselves as Neo-Hanbalities, and hold that the Gate of Ijtihad is open and that the individual has the right to interpretation of Islamic Theology and Law.” (Ahmed, 2010)

6. Sir Syed Ahmad Khan: Syed Ahmad Khan was a rationalist and modernist. Any principle or tenet of Islam that did not appear consistent with reason was interpreted by him on a rational basis. According to him, compatibility between acts and words of God is a fact and can therefore be rationality provided to be a fact. His controversies over some orthodox views of the Ulama were centered around the theory that Islam does not teach anything which conflicts with reason. He laid unlimited emphasis on taking resort to Ijtihad, which is the inalienable right of every individual Muslim. The Journal Tahzib-e-Akhlaw, edited by Sir Syed, appeared in 1870. It raised a storm of protest when he tried to awaken Muslims with his bold advocacy of socio-religious reforms. In order to disseminate his revolutionary and many-sided new thinking, he wrote:

“Contemporary Muslims are entitled to practice Ijtihad or independent judgment on

modern questions not covered by the Quran and some authentic Hadith.” (Gandhi, 1986)

7. Maulana Abul Kalam Azad: Maulana Azad has left an indelible mark in contemporary history as a distinguished scholar, veteran statesman, and eminent Theologian. He observed for Ijtihad: “I don’t know what Sunnism is and what the Shias believe in. I have full faith in Allah and His Book, and I acclaim the Prophet (SAW). I have also been bestowed with reason, and I go after established facts. What is white remains white. What is black, remain black.” (Malasian, 1976) Maulana Azad considered Ijtihad indispensable for enabling Muslim Society to keep pace with the march of time.

8. Maulana Muhammad Ali of Lahori: Maulana Muhammad Ali is an illustrious writer of Islamic Literature and is well-known for his English Translation of the Holy Quran. Another illustrating book coming from his pen is *The Religion of Islam*, wherein he has written a learned chapter on Ijtihad. He says:

“Reasoning or the exercise of judgment in theological as well as legal matters plays a very important part in the Religion of Islam, and the value of reason is expressly recognized in the Holy Quran. Ijtihad or the exercise of judgment is expressly recognized in Hadith as the means by which a decision may be arrived at when there is no direction in the Holy Quran or Hadith” The Maulana concludes by observing as follows: “The impression prevailing in the Muslim World at present that no one has the right, even in the light of the new circumstances which a thousand years of the World’s progress have brought about, to differ with the four Imams is entirely a mistaken idea. The right to differ with the highest of men below the Prophet (SAW) is a Muslim’s birthright, and to take away that birthright is to stifle the very existence of Islam. Under the present circumstance, when conditions have quite changed and the World has been moving or less stagnated, it is the duty of the Muslim states and Muslim Peoples to apply their own judgment

to the changed conditions and find out the ways and means for their temporal salvation.” (Ali, 2015)

9. Dr. Muhammad Iqbal: Dr. Iqbal, with firm faith in the dynamic character of Islam, is the most outspoken and vociferous advocate of Ijtihad among all the scholars of the Medieval and Modern Ages. He was deeply impressed by the Quranic verse wherein Allah addresses mankind *and to those who exert, we show our path (2:69)*. He says that the teaching of the Quran that life is a process of progress in Creation necessitates that each generation, guided but unhampered by the work of its predecessors, should be permitted to solve its own problems. In his renowned book *The Reconstruction of Religious Thought in Islam*, Dr. Iqbal has elaborately dealt with the theological, historical, and traditional background of the principle of Ijtihad and has condemned the unwise act of closing the Gate. He says:

“The closing of the Gate of Ijtihad is pure fiction suggested partly by the crystallization of legal thought in Islam and partly by that intellectual laziness which, especially in the period of spiritual decay, turns great thinkers into Idols. If some of the later doctors have upheld this fiction, modern Islam is not bound by this voluntary surrender of intellectual independence.” (Iqbal, 2011)

Dr. Iqbal deplored the tendency of false reverence for the past as manifested in the temperament of Legists and Jurists of the Medieval Age and felt that such a tendency was contrary to the inner impulse of Islam. Iqbal agreed with eminent thinkers like Ibn Taimiyah, Ibne Hazm, and many others who held that Ijtihad is a sound principle of Law, open for the Muslim community at all times.

10. Justice Syed Ameer Ali: Justice Ameer Ali was a candid and potent supporter of the validity of Ijtihad at all times and was critical of the attitude of conservatives. Thinkers guided by erroneous notions of closure of the Gate. Justice Ameer Ali’s

advocacy of an individual's right to reason and judgment in Islamic Jurisprudence has been explicitly summarized by Mr. M. Hidayatullah, ex-Chief Justice of India, as follows:

“Ameer Ali saw in Islam's great promise of development and held it to be in conformity with the progressive demands of humanity. He bewailed that the stagnation was principally due to the notion that the right to exercise private judgment ceased with the early Legists, that its exercise in modern times was sinful, and that a Muslim, in order to be regarded as an orthodox follower of Muhammad (SAW) should belong to one or other of the school established the schoolmen of Islam and abandon his judgment absolutely to the interpretations of men who lived in the 9th Century and could have no conception of the necessities of the 20th. He advised breaking these shackles and trusting to reason.” (Ali, 2009)

11. Dr. K.G. Saiyidain: Dr. Saiyidain writes: Many religious persons have been misled into adopting the view that there is no scope for the exercise of the mind in the field of religion, that everything is given ready-made in the Scriptures, that the duty of all subsequent commentators and students is to accept whatever has been said by earlier writers unquestioningly, and not to try and plumb the depths of meanings in a critical spirit. Many of the Theologians closed the door of Ijtihad, the right of the thoughtful individual to exercise his personal thinking and judgment on matters about which he may not be satisfied with the opinion expressed by earlier interpreters and commentators. In fact, it is easier today to exercise Ijtihad because of all the facilities of knowledge and research which have become available to us since. It is all the more necessary to do so because great monumental changes in human life and problems have occurred in the meanwhile.” (Saiyadain, 2012)

12. Maulana Syed Abul Ala Maududi: In his Book *Tajdid-o-Ihya-i-Deen*, his finding are:

“Although the revival of religious education and practice of Shariah are essential for the renaissance of Islam, this is not enough, and something more is required to achieve final success. Matters needed in addition to the above are the full support and backing of modern science, constructive thought, competence in Arts, and Technical skill, which have jointly combined to make the Western Nations stronger than the Muslim peoples.” “The work of revival and reconstruction in modern times demands a new Power for Ijtihad. The insight and power of interpretation displayed by Shah Waliullah and earlier Mujtahids and Mujaddids cannot cope with the present-day situations. The new age, accompanied by new means and powers, has brought with it new evils and produced countless new problems in life, which could not even have crossed the mind of the Shah Sahib and the early Doctors. These conditions were only known to Allah, who imparted these to His Messenger through His Grace. Therefore, the only source of guidance and inspiration for an ideological Movement for the renaissance of Islam in this age is the Book of Allah and the Sunnah of His Prophet (SAW). Thus in the light of this guidance, such an independent power of Ijtihad is needed as may carve out a highway for action.” (Maududi, 2009)

13. Maulana Abul Hassan Ali Nadhwi: “The whole course of Islamic History is lighted up with the crusading endeavors of conscious, determined, brave-hearted men who, like the true Successors of the Prophet (SAW), faced the challenge of the time and restored, revived and kept on moving the Millat by resorting to Jihad and Ijtihad. These two principles, which embody the dynamism of Islam, could never suffer a vacuum in its structure. They remained operative ceaselessly in the body of Islam as living factors, holding the Torch of Religious endeavors aloft in the midst of severest tempests. There are no separate realms of God and Caesar in Islam; the Muslim Caliphate or Imamate calls for a large variety of human qualities. A Caliph or Imam should be, in addition

to possessing a high degree of personal virtues, keenly alive to the needs of Jihad and Ijtihad. Jihad is an Islamic terminology meaning to strive to one's utmost for what is noblest object on Earth. Ijtihad means the ability to cope with the ever-changing pattern of life's requirements. It calls for a deep insight into the should of Islam and a thorough knowledge of the basic principles of Islamic Jurisprudence." (Ali, 2015)

Ijtihad and Islamisation of Laws

It is one of the fundamental articles of our faith as Muslims that Prophet Muhammad (SAW) was the last in the line of Allah's Messengers, and consequently, the Holy Quran is the last of the revealed scripture. From the doctrine of finality of Prophethood, it follows as a necessary corollary that in order to keep pace with the march of time, Islam cannot afford to be stagnant and static. We are living in a rapidly changing and dwindling world. Time and space have been virtually annihilated. Vast contacts and mutual intercourse are taking place on an unprecedented scale between people of different countries at the global level. The conflict of ideologies, the clash of cultures, and the development of internationalism have brought a host of new problems in their wake. In order to be able to keep abreast of the march of time, meet new challenges and resolve unprecedented problems, Islam as a religion has to be dynamic and progressive, which it certainly is. (Masud, 2013)

Ijtihad and Its Role in the Modern Times:

The Holy Book of Allah, the Quran, is the original, primary, basic, and fundamental source of the Shariah. It is the last Book of His revelation for the entire humanity. Hence, its teachings shall ever remain the fountainhead of our Shariah for all times, ages, and people. The Sunnah of the Prophet (SAW) comes next to ordain the necessary priorities, permissions, or prohibitions, sometimes by elaborating and elucidating what has been indicated precisely in the Quran and sometimes by adding something to its commandments and so, in the latter case,

standing on its own sanction and force. (Here, the Sunnah of the Prophet (SAW) assumes the position of the sole basis of legislation in Islam in relation to things not specified in the Holy Quran). So fundamentally speaking, the Quran and Sunnah (SAW) are the eternal sources of the Law for Muslims. These are the NASS, textual postulates, or basic principles for legislation in Islam. There is no alternative for a Muslim but to expound the Nass and apply it, with the help of the principles underlying the dictates of the Quran and the Sunnah by applying the systemized process of Ijtihad to all and every situation, which are numerous and varied in our worldly life. This part of the Shariah includes all the commandments and directives which it is obligatory to deduce by Ijtihad, the process of reasoning based on the Quran and the Sunnah, in the spirit of dedication to the Will of Allah. (Rehman, 1979) He further quotes:

"There are many problems facing Muslim society today in political, economic, and social spheres that can only be solved by resorting to Ijtihad, especially in those matters where there is found no Clear and Direct Nass either from the Quran or the Sunnah of the Prophet (SAS). To quote some of these problems, one may refer to the current commercial transactions and involvements, including insurance, the right of private ownership, the concept of nationalization, modern Fiscal laws and Taxation system of government, the method of election to the assemblies and the head of the State, the system of adult franchise in the context of the practice of western democracy as prevalent in several Muslim countries, and the problem concerning private and public international law, particularly on the points of nationality and domicile of different Muslim countries in the context of the old concept of Dar Al-Islam and many more. It goes without saying that Ijtihad is concerned with matters relating to human actions. (Rehman, 1979)

Improvement in Judgment

An analytical survey of the judgments and views of the companions shows that they based their judgments on reasoning and analogy whenever it was regarded as necessary. Some of the companions, however, took a clear analogical approach toward their judgments. There is evidence to show that some of the companions also took the circumstances and the existing situation into consideration before a final conclusion was arrived at. They changed their decisions when new circumstances and a new situation arose or further facts came to light. The amendment in the law of intoxication and the imposition of Zakah on horses at the time of Umar are good examples of taking into reconsideration the existing practice in different circumstances. Collective and individual interest was also kept in mind. However, the collective interest was preferred to that of the individual. The juxtaposition of the judgments and views of the companions in accordance with the legal principles of Ijtihad discussed by Fuqaha makes it evident that there was a strong agreement among them. The consideration underlying the decision of the companions were systematically organized by fuqaha in terms of specific modes and principles of Ijtihad in other work; the fuqaha developed different categories of Ijtihad in the light of decisions of the Companions on various aspects of life, from time to time.

Ijtihad is a Jugular Vein of Muslim Ummah

The Ijtihad in this age particularly, and for every age generally, is obligatory on Islamic Scholars/Jurists and Hakim to provide the solutions to the issues that popped up in this modern age, and the process of Ijtihad must be continued to walk with the advancement of the world to prove that Islam is a Universal message and a living religion. Ijtihad was started during the lifetime of the Holy Prophet (SAW) and encouraged by him (SAW). Khulafa-e-Rashoon (RA) dedicated their lives to providing facilities to mankind and untiringly finding the solution to the new problem through their verdict; they

spent a considerable amount of time searching for the solution compatible with Shariah, i.e., Quran and Sunnah (Saw):

It is believed by millions of Muslims across the world that Sharia laws are immutable and represent divine will. This is based on a serious misunderstanding. Sharia is not and cannot be immutable. We need theologians with a vision to fulfill the Quran's mission of going beyond the present, which is full of injustice. Our society is replete with gender injustices, and the Quran's central value is justice — justice in all areas of life. Gender justice is as emphatically emphasized as justice in social and economic matters. In order to emphasize gender justice, it is high time that we produce female theologians with profound knowledge of the Arabic language. Even the most conservative Ulama cannot oppose the concept of female theologians. (Yusuf, 2009)

Ijtihad is not Infallible: No Jurist can claim Infallibility. As such, no Ijtihad can be treated as infallible, that is, not liable to error. Maulana Muhammad Ali says; It is a recognized principle of Ijtihad that the Mujtahid may err in his judgment. Hence it is that so many differences in Juristic deductions exist even among the highest authorities. From its very nature, the Qiyas of one generation may be rejected by the following generation. Similarly, an Ijtihad decision reached a thousand years ago in Arabia may not necessarily be held valid in India or Pakistan today in view of considerable change in social and political factors and extensive widening of knowledge in the past thousand years.

“In the second Century Hijri, the four great Imam-Mujtahids gave to the Islamic World their systems of Jurisprudence, each one differing from the other. Imam Malik did not accept all that his great predecessor Imam Abu Hanifa had said, nor did Imam Shafi agree with what his two predecessors had done. Although the first three Imams had practically exhausted the scope of Islamic Jurisprudence, Imam Hanbal further gave to the world the result of his vast learning and

knowledge. No one of the four Imams considered the other as infallible. If these great and eminent leaders of the Islamic World were not infallible, no later jurist could claim infallibility. The findings of Ijtihad are, therefore, liable to err, and they require to be checked and corrected, if necessary, by subsequent Ijtihad. If the door of Ijtihad is closed, the errors will remain unchecked and uncorrected forever.” (Maududi, 2009)

Conclusion

Islam is a complete Code of conduct, vibrant Din, and ready to provide solutions to every issue propped up within the framework of its Fundamentals. This is fast changing world and full of complications, particularly in the Muslim world where Sharia Law is not in vogue, thus creating problems in terms of implementation of Sharia law so Ijtihad, as mentioned above, is a jugular vein of Muslim society to keep pace with the modern-day life otherwise peoples who are already not accommodating Islamic Law will have an excuse for creating false perceptions against Islamic Law. So, it is obligatory for the Islamic Jurists and governments to provide the environment for the Ijtihad.

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