

Received: May 2023 Accepted: June 2023

DOI: <https://doi.org/10.58262/ks.v11i3.050>

## The Reality of Verbal Indications Among Fundamentalists: A Study on Explaining the Cause of Disagreement

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### Abstract

*This research addresses the cause of disagreement in the issue of the reality of verbal indications among fundamentalists and the reason for this disagreement. The locus of disagreement in the matter, which was in whether verbal indications impart certainty or not, has been clarified. The disagreement has manifested in two schools of thought: some believe that verbal transmission indications only suggest conjecture, while others believe these indications provide definitive certainty. Subsequently, the reasons for disagreement in this matter are elucidated, stemming from two causes: the first pertains to prioritizing rational evidence over transmitted evidence, linked to foundational doctrinal principles. The second cause relates to whether individual reports impart knowledge, associated with foundational rules. The research concludes with several recommendations, including focusing on the study of reasons for disagreement in foundational matters and illustrating their interconnectedness. It also suggests studying the impact of linguistic context on the meanings of legal terms, as scholars differ on the implications of certain terms, and a comparative analysis between jurisprudential schools regarding the implications of verbal indications, particularly concerning their definitive and conjectural meanings. May God grant success.*

**Keywords:** *The Reality of Verbal Meaning, Fundamentals of Jurisprudence, Cause of Disagreement.*

### Introduction

Understanding the causes of disagreement is among the most important sciences that a jurist, mufti, and judge must be familiar with, comprehend their meanings, and recognize their outcomes. Ignorance in these matters is inexcusable. Thus, some scholars have stipulated that one cannot be a jurist until they grasp the locations, causes, and effects of disagreement on jurisprudential branches and related issues. If one is unaware of the science of disagreement and its sources, they cannot be deemed a jurist until a camel passes through the eye of a needle. Such a person merely transmits jurisprudence to others, without the ability to derive rulings from existing principles, compare the future with the present, or associate the seen with the unseen. Errors are quick to reach them, mistakes frequently occur, and jurisprudence is far from them. (Al-Subki, 2012)

To shed light on the causes of foundational disagreement, I have written this academic paper titled: "The Reality of Verbal Indications among Fundamentalists: A Study in Explaining the Cause of Disagreement".

The research problem lies in explaining verbal indications and the locus of scholars' disagreement on this issue, along with the concept of "the cause of foundational disagreement".

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The research aims to understand the reality of verbal indications among fundamentalists, the locus of disagreement among scholars, and its cause.

The importance of the research is evident in revealing the scholars' endeavors to ascertain the truth, not for whimsical purposes, but to uncover the pure truth, understand the doctrines of scholars and their evidence, and how they derive the aspects of evidence they use to establish their viewpoints on contentious issues. Its importance also lies in its novelty, focusing specifically on studying the causes of disagreement in foundational matters.

In my review of previous studies, I have not found an original study that focused on the aspect of the cause of disagreement in this issue and compiled it in a single framework

## **Research Methodology**

In writing this paper, I relied on the inductive and analytical methods:

**The Inductive Method:** In gathering the scientific material, I adopted the approach of induction, examining foundational books and extracting relevant content, attributing the texts to their sources. When quoting verbatim, I enclosed the text within quotation marks "...". I referenced hadiths from their reliable sources, attributing them accordingly. If a hadith was from the two Sahihs or either of them, I cited it as such; otherwise, I extracted it from the reliable books, mentioning the page, volume, chapter, and hadith number if numbered, clarifying its authenticity or weakness.

**The Analytical Method:** I analyzed the collected texts related to the issue, and through this method, the reasons that influenced the matter became apparent

## **Clarification of Research Terminologies**

**Verbal Indication:** As understood by the listener from the speaker's speech, it refers to the entirety of the named object, a part of it, or its necessary implication (Al-Qarafi 2015). Another definition states it as a word that, when uttered, conveys its intended meaning due to the known association established for it (Ibn al-Humam 2022). Logicians have defined it as a word that indicates meaning when expressed (Al-Qarafi 2015).

**Concept of the Cause of Foundational Disagreement:** I have not found a specific definition for the causes of disagreement in a titular consideration among early scholars; this is because there is no science with this terminology, nor are there dedicated compositions by early scholars on the causes. However, one can discern the cause through their discussions in matters of disagreement when they specify or hint at it during the discussion of opinions with their evidence.

Therefore, the causes of disagreement are a chapter within the science of disagreement and a part of it. It is necessary to define the science of disagreement as an independent art and science with its books and classifications. The preceding is a conceptual and practical definition of disagreement.

Thus, I define "the cause of foundational disagreement" as what identifies the subject of contention in foundational matters and the basis of the scholars' positions in their opinions on these matters

## **Scholars' Opinions and Their Evidences in the Research Issue**

There is no disagreement among fundamentalists that the legal evidence is a transmitted report, whether it comes through the Quran or the purified Sunnah. Similarly, there is consensus among all Muslim sects on the necessity of adhering to what is in the Quran, which is the recited text among us (Ibn Hazm

2010). Scholars also agree that the Quran and the Mutawatir Sunnah are of the same level, each being a definitive proof (Ibn Qudamah 2020). Furthermore, there is unanimous agreement among scholars that the implication of some words for their meanings is potential, not definitive, and can have more than one meaning, which is due to the nature and ruling of language (Al-Sadiq 2009).

Scholars have agreed to divide this implication into three categories: congruent implication, which is the word's indication of its complete meaning; contained implication, which is the word's indication of a part of its meaning it was established for; and necessary implication, which is the word's indication of a necessary consequence external to the subject for which the word is used (Jiftaji 1981).

However, scholars have differed regarding whether certain verbal legal indications provide certainty. Some scholars definitively state that verbal legal evidence does not provide certainty or definiteness. The scholars' disagreement on this matter falls into two opinions:

The first school of thought posits that verbal transmission indications only suggest conjecture absolutely (Al-Razi 2015). Some scholars agree with this view, but not categorically, and they have set conditions that take it beyond absolute conjecture to certainty. Certainty for the indications is only achieved through certain conditions, which are as follows: the infallibility of the narrators of the individual words if transmitted individually, otherwise mutawatir suffices; the correctness of their parsing and inflection; the absence of shared meanings, metaphors, specifications, ellipses, prepositions, postpositions, and the like, which necessitate interpreting the word differently from its apparent meaning when isolated; and the absence of rational contradiction. When these conditions are met, the verbal evidence imparts certainty (Al-Zarkashi 2013). Auditory indications only provide knowledge and certainty when accompanied by corroborating evidence.

Proponents of this school of thought argue that the validity of verbal indications depends on the absence of opposing rational evidence, and the absence of such evidence is conjectural, and what is based on conjecture is also conjectural (Al-Shathri 1997). They also reason that reasoning based on verbal evidence is founded on conjectural premises; hence, the reasoning through discourse only suggests conjecture. This is because such reasoning is based on the transmission of languages, grammar, the absence of shared meanings, metaphors, transfer, ellipsis, etc. (Al-Razi 2015).

The second school of thought asserts that verbal transmission indications provide definitive certainty (Al-Amidi 2011), a view supported by the imams of the predecessors and others (Al-Futuhi 2010). They argue that correct rational evidence cannot contradict explicit transmission evidence, and thus, transmission evidence from the Quran is definitive and not undermined by the absence of rational opposition. The possibility of encountering opposing rational evidence is a conjecture not based on evidence, and thus, does not affect the definitiveness of the Quranic evidence. They also suggest that definitive evidence can be based on conjectural evidence, as a layperson must unquestionably follow the opinion of a jurist or a mufti, even though the layperson cannot be certain that the jurist's opinion on the matter is correct or accurate, hence building certainty on a conjectural matter, which is the presumption of the jurist's correctness (Al-Shathri 1997).

## Results

Through the induction of scholars' statements and analysis of the evidence, it has become apparent that the cause of disagreement in this matter can be traced back to two reasons:

The first reason relates to the issue of prioritizing rational evidence over transmitted evidence, which is

connected to foundational doctrinal principles. Those who favor rational evidence over transmitted evidence may conclude that verbal indications are of a conjectural nature. Conversely, those who prioritize transmitted evidence over rational evidence may argue that verbal indications are of a definitive and certain nature. This is a principle established by theologians and considered axiomatic among them, which Ibn Taymiyyah (1991) criticizes as corrupt and invalid as it deviates from the path of Allah and the intent of the Prophet Muhammad (peace be upon him).

The second reason pertains to the issue of whether a single report (Khabar al-Wahid) imparts knowledge, which is related to foundational rules. Those who consider a single report as evidence that imparts knowledge may view verbal indications as imparting certainty and definitiveness. On the other hand, those who regard a single report as not imparting knowledge may view verbal indications as merely suggestive of conjecture.

Therefore, a single report is considered among the verbal or auditory indications. Sheikh al-Islam Ibn Taymiyyah stated: "Hence, the majority of scholars from all sects believe that if a single report is accepted by the nation, either in belief or in action, it obliges knowledge. This is what authors in the principles of jurisprudence from the followers of Abu Hanifa, Malik, Al-Shafi'i, and Ahmad have mentioned, except for a few later scholars who followed a group of theologians in denying this; however, many or most theologians agree with the jurists, scholars of Hadith, and the predecessors on this matter" (Al-Najdi, 2011). He also said: "The report narrated by a single Companion or two, if accepted and believed by the nation, imparts knowledge according to the consensus of the majority of scholars" (Al-Najdi, 2011).

## Discussion

From the aforementioned results, it is evident that there is a consensus among some scholars regarding the impact of the causes discussed. Al-Zarkashi, in "Al-Bahr Al-Muhit," agreed on the effect of this cause on the issue. He stated that if the transmitted evidence leads to affirming something, and the rational evidence negates it, then the transmitted evidence loses its validity in this context. It cannot be said that it is opposed to the rational evidence as one might imagine the opposition between rational and transmitted evidence regarding the same matter (Al-Zarkashi 2013).

Al-Razi pointed out the impact of this cause on the issue when establishing his doctrine. He argued that verbal indications are conjectural because they negate opposing rational evidence. If definitive rational evidence arises negating what the transmitted evidence apparently indicates, then accepting both is impossible due to the impossibility of affirmation and negation coexisting. Similarly, dismissing both is impossible due to the impossibility of the absence of both affirmation and negation. Prioritizing transmission over reason is also untenable because reason is the foundation of transmission. If we deny reason, we consequently deny the foundation of transmission, and thus the transmission itself. Correcting the transmission by denying reason implies denying the transmission itself, hence we understand the necessity of prioritizing rational evidence (Al-Razi 2015).

Sheikh al-Islam Ibn Taymiyyah also agreed on the impact of this second cause on the issue. He referred to the fruit of disagreement in this matter in his response to a group among the extremists of heretics. He argued that it is not correct to derive evidence from the Quran and Hadith for definitive matters based on the claim that verbal indication does not impart certainty. Many heretics claim that it is not permissible to derive evidence from Hadiths accepted by consensus for matters of attributes, fate, and similar issues that require certainty and definitiveness (Al-Najdi 2011).

## Recommendations

In light of the findings of the current research, the researchers conclude with several recommendations:

1. Emphasize the study of the reasons for dispute in foundational issues and clarify the nature of their interrelation.
2. Conduct deeper studies to define jurisprudence and knowledge in Islamic jurisprudence, specifying the concepts and terminologies used according to foundational, linguistic, and jurisprudential perspectives.
3. Undertake more research and studies on the role of Ijtihad and its impact on Islamic ruling and scholars' perceptions in this context, with a focus on understanding the disputes related to validating or invalidating the efforts of a jurist.

Analyze further evidence and texts related to Sharia and foundational principles concerning conjecture and certainty in jurisprudence, and contemplate how these evidences influence the understanding of jurisprudence between certainty and conjecture

## Acknowledgment

The authors are thankful to the Deanship of Scientific Research at Najran University for funding this work under the General Research Funding program grant code: (NU/RG/SEHRC/12/17).

## References

Here are the academic translations for the cited sources:

- Al-Subki, Abdul Wahab. (2012). The Great Classes of Shafi'i. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 222.
- Al-Tawfi, Sulaiman. (2012). Commentary on the Concise of Al-Rawdah. Dar Al-Kutub Al-Ilmiyah, Vol. 2, p. 291.
- Al-Jurjani, Ali. (2013). Definitions. Dar Al-Kutub Al-Ilmiyah, p. 147.
- Al-Juwayni, Abdul Malik. (2013). Al-Burhan in Principles of Jurisprudence. Dar Al-Wafa, Vol. 1, p. 85.
- Al-Najdi, Abdul Rahman. (2011). Collection of Fatwas by Ibn Taymiyyah. Dar Al-Kutub Al-Ilmiyah, Vol. 8, p. 55.
- Ibn Taymiyyah, Ahmad. (1984). Al-Istiqaamah. Dar Al-Fadilah, Vol. 1, p. 58.
- Al-Isnawi, Abdul Rahim. (2009). End of Desire. Dar Al-Kutub Al-Ilmiyah, p. 48.
- Al-Attar, Hasan. (2016). Al-Attar's Footnotes on the Commentary of the Compilation of the Compendiums. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 142.
- Al-Futuhi, Muhammad. (2010). Commentary on Al-Kawkab Al-Munir. Maktabat Al-Abikan, Vol. 1, p. 66.
- Al-Zarkashi, Muhammad. (2013). Entertaining the Hearing in the Explanation of the Compilation of Compendiums. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 39.
- Al-Amidi, Ali. (2011). The Rulings in Principles of Jurisprudence. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 8.
- Al-Zarkashi, Muhammad. (2013). The Encircling Ocean. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 15.
- Sadr Al-Sharia, Ubaid Allah. (2014). Clarification in Solving the Complexities of Elucidation. Dar Al-Kutub Al-Ilmiyah, p. 57.
- Al-Taftazani, Masud. (2012). Explanation of Elucidation on the Clarification of the Text of Elucidation. Dar Al-Kutub Al-Ilmiyah, Vol. 1, p. 32