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## Understanding Reality and Its Impact on Jurisprudence and Fatwa, Based on the Verse So We understood it for Solomon"

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### Abstract

*The research explores the understanding of reality and its impact on jurisprudence and religious edicts, drawing inspiration from the Quranic verse, "So We understood it for him, Solomon." It addresses challenges in the construction of legal judgments, formulated in the form of inquiries such as: What is the relationship between the jurisprudence of reality and legal rulings? Is it permissible for anyone who comprehends to take a lead in issuing religious edicts or legal judgments? The research delves into how Islam considers the knowledge of the reality and the conditions of people in legislating judgments, aiming to highlight the significance of understanding reality in constructing judicial rulings and formulating religious edicts. It also emphasizes the rules and guidelines established by jurists and scholars to achieve a proper understanding of religious texts, benefiting from the foundational approach in dealing with divine texts and deriving rulings from them. Particularly, in our present era marked by significant developments in scientific, technological, economic, social, and political aspects, the diligent scholar is compelled to be knowledgeable about the legal rulings in contemporary issues and emerging challenges. This can only be achieved through the jurisprudence of reality and a genuine understanding of it.*

### Introduction

Praise be to Allah, who has bestowed upon us a noble Sharia that reveals clear rulings. I bear witness that there is no deity but Allah, alone without any partners, a testimony through which we seek insight into the truth and inspiration. I also bear witness that our Prophet and Master, Muhammad, is the servant of Allah and His Messenger, who conveyed the message of the Creator with knowledge and understanding. May Allah's blessings and peace be upon him, his pure and noble family, and his enlightened companions who reached the heights of understanding legal judgments, and upon those who followed them with excellence, aspiring to attain the loftiest goals of truth and righteousness. And now, to proceed...

Indeed, a correct understanding of reality is an indispensable necessity in jurisprudence and religious edicts. Especially in our current era, which witnesses a notable advancement in scientific, technological, economic, social, and political aspects. This compels the diligent scholar to be knowledgeable about the legal rulings in contemporary issues and emerging challenges. Such understanding can only be achieved through the jurisprudence of reality and a genuine comprehension of it. The jurisprudence of reality has a significant impact on guiding the Islamic society in the right direction, connecting it with the provisions of Islamic Sharia, which shield it from deviation and error, protecting it from the danger of sliding away from the religion and the pitfalls. Therefore, it is imperative for the diligent scholar deriving legal judgments to have a true understanding of reality and to keep abreast of it from all perspectives. This is because it aids in extracting legal rulings and applying them to emerging situations where there is no explicit text.

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To what extent is understanding reality important, and what are the key aspects that assist in its understanding? These are the aspects that this research, with the help of Allah, aims to address, starting from the divine saying: "So We understood it for him, Solomon".

### **First: The Significance of the Topic**

Discussions about the jurisprudence of reality, its scopes, and the necessity of being well-versed in it have become widespread. This applies to those engaged in jurisprudence, practicing legal judgments, and formulating religious edicts across various fields. The research has expanded, and discussions highlight the importance of considering the jurisprudence of reality as one of the fields of Islamic jurisprudential sciences. It explores the paths of diligence to reach legal rulings, comprehend their meanings, and grasp their implications.

Jurisprudence of reality serves as a tool for understanding the implications of religious texts from one perspective. It also serves as an exposition of the effects of applying legal rulings, distinguishing between actions aligned with Sharia and neglecting them. Therefore, scholars, both in the past and present, have urged the jurist to have a profound understanding of and awareness of reality, scrutinizing it thoroughly before issuing judgments or religious edicts. The eminent scholar Ibn al-Qayyim emphasized the necessity of jurisprudence of reality, alluding to its principles and importance through his theoretical statement:

"The Mufti (religious scholar giving legal opinions) and the judge cannot issue the right verdict and judgment except through two types of understanding: The first is understanding the reality, the jurisprudence of it, and deriving true knowledge about what has happened through evidence, signs, and indications until he comprehends it thoroughly (Almeida et al., 2019)

The second type is understanding the obligation in reality, which is understanding the divine decree that Allah has ruled in His book or through the tongue of His Messenger, peace be upon him, concerning this reality. Then, one applies either of them to the other. Whoever exerts effort, dedicates their capacity to this, and empties their scope into it, will not be devoid of double rewards or a reward." (I'lam al-Muwaqqi'in by Ibn al-Qayyim, 1/69.)

Given this, the importance of understanding reality increases in deducing the religious rulings that every accountable individual requires. Al-Khatib al-Baghdadi stated: "The jurist needs to be connected to knowledge about everything related to the matters of this world and the hereafter, as well as understanding seriousness and humor, benefit and harm, matters ongoing among people, and well-known customs among them." (Al-Faqih wal-Mutafaqqih by Al-Khatib al-Baghdadi, 2/334). Understanding and being well-informed about reality assist in regulating religious edicts in contemporary issues and emerging situations, subjecting them to Sharia rulings.

### **Second: Reasons for Choosing the Topic**

For anyone seeking to formulate legal judgments, it is essential to examine and understand reality. They must also be aware of the opinions of specialists, depending on the type of case and issue, whether it be political, economic, social, or otherwise.

While judges and jurists possess knowledge of both religious texts and the principles of deduction, the intricacies of specialized matters require expertise. Hence, this research, titled "Jurisprudence of Reality and Its Impact on Judgments and Religious Edicts," was undertaken. The starting point for this research is the divine saying in Surah Al-Anbiya: "So We understood it for him, Solomon." The aim is to study the concept of understanding in the verse, analyze it, and elucidate its importance and position in issuing legal rulings.

The phrase "So We understood it for him, Solomon" encompasses remarkable secrets and unique benefits, making it a fundamental aspect of the legitimacy of religious edicts and judgments.

### **Third: Research Problem**

When constructing judicial rulings and formulating religious edicts, everyone claims to understand. However, we need a different kind of understanding – an understanding of reality. What is this understanding? The research problem can be articulated through small questions as follows

1. What is the relationship between the jurisprudence of reality and legal rulings?
2. Is it permissible for anyone who comprehends to take a lead in issuing judgments?
3. How does Islam consider the knowledge of the jurisprudence of reality and the conditions of people in legislating judgments and formulating religious edicts?

### **Fourth: Research Objectives**

1. To highlight the importance of understanding reality in constructing judicial rulings and formulating religious edicts.
2. To elucidate the rules and guidelines established by jurists and scholars to achieve a proper understanding of religious texts.
3. To explore the utilization of the foundational approach in dealing with divine texts and deriving rulings from them.

### **Fifth: Research Methodology**

1. Inductive and Descriptive Method: To trace the opinions of scholars and jurists on the subject.
2. Analytical and Comparative Method: To study, analyze, reveal evidence, present arguments, and compare different opinions to determine their strengths, weaknesses, and prioritize among them.

This methodology will involve:

### **Sixth: Research Plan**

After the introduction, the research is divided into three main sections, each consisting of two subtopics. The sections conclude with a conclusion summarizing the key scientific findings. The detailed breakdown is as follows:

#### **Section 1: Jurisprudence of Reality and Its Understanding in Judicial Rulings and Religious Edicts**

\*Subtopic 1.1: Jurisprudence of Reality - Concept and Understanding\*

-Explores the concept and understanding of jurisprudence of reality.

\*Subtopic 1.2: Judicial Rulings and Religious Edicts - Concept and Understanding\*

-Examines the concept and understanding of judicial rulings and religious edicts.

Section 2: Examples of Islam's Consideration of Jurisprudence of Reality and Its Importance in Legislation.

**\*Subtopic 2.1: Examples of Islam's Consideration of Jurisprudence of Reality in Legislation\***

-Presents historical examples of Islam considering jurisprudence of reality in legislation.

**\*Subtopic 2.2: Contemporary Examples of Understanding Reality and Its Importance in Rulings\***

-Explores contemporary examples illustrating the understanding of reality and its importance in legal rulings.

**Section 3: Conceptualizations and Foundational Derivations in Constructing Rulings from the Verse "So We Understood It for Him, Solomon"**

**\*Subtopic 3.1: The Principle of Ijtihad - Understanding Reality Alongside Knowledge Before Issuing Judgments\***

-Investigates the principle of ijthad, emphasizing the understanding of reality alongside knowledge before issuing judgments.

**\*Subtopic 3.2: The Relationship between the Verse "So We Understood It for Him, Solomon" and the Book of Foundational Ijtihad\***

-Explores the relationship between the verse and the foundational book of ijthad.

**Conclusion**

Summarizes the key scientific findings derived from the research.

**Section 1: Jurisprudence of Reality and Its Understanding in Judicial Rulings and Religious Edicts**

**Subtopic 1.1: Understanding Jurisprudence of Reality First Aspect: Concept of Understanding Reality**

The phrase "Understanding Reality" encompasses two main aspects:

**Understanding the Reality of the Inquirer**

This involves acquiring knowledge about the inquirer's situation and the conditions of their locality. For instance, judgments on contemporary issues in a specific country should only be issued after the jurist comprehends the circumstances in that country. Similarly, rulings on matters related to artificial intelligence and the internet require an informed understanding of the realities of these technologies.

**Understanding Global Events**

This entails knowledge of current global events and an insightful interpretation of their realities. The jurist needs to stay informed about what is happening in the world and engage in realistic analyses of these events. As for understanding reality in its first sense, there is no doubt that issuing religious edicts (fatwas) requires the jurist to possess understanding in two dimensions: understanding based on the Quran, Sunnah, and consensus, and understanding based on the realities of people, situations, times, and places. Without this dual understanding, the fatwa may not meet the needs or be applicable, as it would be distant from the reality unknown to the jurist. Ibn al-Qayyim, may Allah have mercy on him, stated: "The jurist, as well as the ruler, cannot issue a fatwa or make a just judgment except through two types of understanding.

The first type is understanding the reality and having jurisprudence in it, deducing the true knowledge of what has occurred through evidence, indications, and signs until he comprehends it thoroughly. The second type is understanding the duty in that reality, which is understanding the divine rulings that have been decreed in the Quran or spoken by the Prophet concerning that reality. Then, one of these types is applied to the other." (Source: "Ilam al-Muwaqqi'in," 1/87)

As for "Understanding Reality" in the second sense, there is both excess and deficiency in it. Some who engage in this understanding may exaggerate it to the point where it overshadows their knowledge of Sharia, and some have gone so far as to prioritize this understanding over the scholars of Sharia and jurisprudence.

Some have criticized many scholars for not understanding the reality sufficiently. On the other hand, there is another group that rejects engagement with the events and realities of the world. The middle ground is the best approach, as extremism in either excess or deficiency is not ideal (Alqahtani et al., 2019)

Sheikh Saleh al-Fawzan stated: "As for engaging with the reality of the era, or what they call 'Understanding Reality,' this should come after acquiring Islamic jurisprudence. A person, through Islamic jurisprudence, looks at the reality of people, what is happening in the world, and the ideas and opinions presented, and he evaluates them against authentic Islamic knowledge to distinguish between their goodness and evil (Todorova, 2019)

Without Islamic knowledge, a person cannot differentiate between truth and falsehood, guidance and misguidance. Someone who starts engaging in cultural, journalistic, and political matters without having insight from his religion is likely to go astray because these matters are often filled with misguidance, false propaganda, embellished speech, and arrogance. We ask Allah for well-being and safety." (Source: "Al-Muntaqaa Min Fataawa al-Sheikh al-Fawzan," 1/297)

## **Second, the concept of "fiqh al-waqi'" (understanding the reality)**

revolves around the ambiguous term due to the social complexities and real-life events that must be considered, which can be classified based on certainty and conjecture. On one hand, the means of understanding reality are not precisely defined, making it easy to investigate and comprehend reality, especially since these means involve some social sciences and others that contribute to understanding reality.

Ibn Bayyah stated, "Perhaps this ambiguity surrounding reality is what led the scholars of Usul al-Fiqh to categorize it under the title of 'tahqiq al-manat.' (realizing the objectives). Abu Hamid al-Ghazali introduced a five-fold criterion to weigh reality and reveal its truth. The reality that must be understood, with jurisprudence applied to it and the derivation of the true knowledge, according to Ibn al-Qayyim's expression, means grasping the reality of what is judged in terms of action, essence, relationship, or affiliation, so that the judgment applied to it in reality is consistent with the details of that reality and applicable to it" (Tambih al-Murajaat on the Foundations of Understanding Reality, Abdullah bin Al-Shaykh Al-Mahfouz bin Bayyah, p. 19.)

Ibn Al Qayem expressed fiqh al-waqi' as the realization of the reality of the issue being consulted upon and examining the evidence related to it with comprehensive understanding. This definition became the cornerstone for researchers who delved into the subject, guiding them in defining and establishing it. Each one of them expressed the evidence and understanding using different phrases with varied connotations depending on the field under investigation.

In general, *fiqh al-waqi'* seeks to understand the people's situations and issues to apply or decree judgment, taking into consideration these circumstances. Al-Shatibi, for instance, spoke about the mujtahid who has a specific perspective in realizing the objectives and referred to him as "the divine scholar" because he looks into what is appropriate for each accountable person individually, depending on the time, without being limited to specific times, and the situation, without being limited to particular situations, and the person, without being limited to specific persons since souls are not equal in accepting actions on a uniform scale (Al-Muwafaqat, Al-Shatibi, 2/25.)

### **Third: Categories of Understanding Reality Regarding the Beneficiary of Judicial Decisions and Fatwas:**

Understanding reality, from the perspective of the beneficiary of judicial decisions and fatwas, can be divided into two levels:

Fatwas and judgments with a private nature (individual and personal):

Specificity here can be individual or related to a particular group, institution, or community that shares a common characteristic around which the judge's decision or the mufti's fatwa revolves. The leader in the judiciary or fatwa should be familiar with the reality of the beneficiary, their circumstances, and the influencing aspects. It is essential to recognize the differences between individuals or groups. This involves methods such as questioning, consultation, and investigation (White et al., 2019)

For instance, Ibn Abbas issued a fatwa when asked about the repentance of a murderer, saying, "There is no repentance for him." When another person asked him the same question, he replied, "He has repentance." When questioned by those around him about the difference in responses, he explained, "As for the first person, I saw determination in his eyes to commit murder. As for the second, he came remorseful after the act, so I did not lose hope in God's mercy for him" (Reported by Ibn Abi Shaybah.)

General Fatwas and Judicial Rulings (Contemporary Issues and Emerging Challenges:)

This type of judgment involves addressing contemporary issues that have a widespread impact on the entire Muslim community or a significant portion of it. In such cases, it is essential to consult experts in the relevant fields, whether they are medical, economic, political, or otherwise. While the jurist possesses expertise in Islamic texts, jurisprudential principles, and the rules of issuing fatwas, the specifics of financial transactions are better understood by economists, medical professionals are more knowledgeable about diseases and their requirements, and so on. As Al-Wansharisi stated, "People turn to experts to know the conditions of people and to differentiate between them based on their specialties and the nuances of excellence and the perfection of the situation" (Al-Ma'yar Al-Ma'ruf, 6/351.)

### **The Second Topic: Judiciary and Issuing Fatwas - Understanding and Concept First: The Concept of Judiciary - Linguistically and Jurisprudentially**

1. Linguistically: \* The term "judiciary" is used to indicate judgment, ruling, and decision. In a linguistic context, it signifies the act of judging or deciding.
2. Jurisprudentially: \* In a legal context, it refers to the manifestation of a legal ruling in a case, particularly when it is obligatory to enforce that ruling.

The term "judiciary" is commonly associated with the legal system established by the state to resolve disputes, administer justice, and ensure the implementation of legal rulings.



- Thirdly: The Concept of Fatwa - Linguistically and Jurisprudentially:

1. Linguistic Concept: \* Linguistically, "fatwa" is derived from the root words "fata" and "fatu." The original letters of this word are "fa," "ta," and the elongated letter "waaw." It has two meanings: freshness and seriousness, and clarifying a ruling or explaining something ambiguous. Ibn Manzur stated: "Al-Fatuwa and Al-Fatuwa: Two names placed in the position of giving a fatwa (Lisan al-Arab, Ibn Manzur al-Ansari 1414 AH, (10/183).))
2. Jurisprudential Concept: \* Jurisprudentially, fatwa is the manifestation of a legal ruling for the one obligated to implement it. Al-Sharbini, in "Moghni Al-Mohtaj," and the author of "Matālib Uli Al-Nahyi," both affirm this definition.

The term "fatwa" in linguistic contexts can have multiple meanings, including:

- Expression and Information: As in the Quranic verse: "They request from you a [legal] ruling. Say, 'Allah gives you a ruling concerning one having neither descendants nor ascendants [as heirs].'" (Quran, Surah An-Nisa: 176). Here, the term "fatwa" means clarification or providing information about the legal ruling.
- Arbitration: For example, in the saying: "Four came to him for arbitration," where "fatwa" means seeking judgment (Al-Nihayah in Gharib al-Hadith wa al-Athar, Ibn al-Athir, 1979 CE, (3/411.))
- Interpretation of Dreams: It can also refer to expressing and explaining dreams. For instance, saying, "I gave a fatwa about a dream he saw," meaning interpreting it for him (Maqayis al-Lughah, Ibn Faris, p. 727 and beyond, and Al-Kulliyat, Al-Kafawi, p. 155.)
- Assistance and Guidance for the Inquirer: Another meaning of "fatwa" is to provide assistance and guidance to the one seeking it. This is evident in the Quranic verse: "O assembly [of jinn and men], inform me about my matter. I have never been decisive in an affair until you witness [for me]." (Quran, Surah An-Naml: 32). In this context, "fatwa" implies seeking more than mere information and clarification; it involves a request for additional care and guidance (Lisan al-Arab, Ibn Manzur 1414 AH, (10/183.))

### Concept of Fatwa in Terminology

Various scholars have provided numerous definitions of the term "fatwa" within the context of religious jurisprudence. These definitions generally revolve around elucidating a legal ruling while differing on some precautionary constraints. Some of these definitions include

"Announcing the ruling of Allah, the Highest, related to the interests of the Hereafter and the worldly matters, is specialized in its necessity for the follower adhering to the jurisprudential school followed." (Al-Furuq, by Al-Qaraft (4/95.))

"The fatwa is an announcement from Allah, the Highest, indicating obligation or permissibility." (Same reference, (4/117.))

1. "The clarification of a legal ruling with its evidence for someone who inquires about it. While these definitions are generally good, they are criticized for not specifying who is qualified to issue the fatwa. Not every statement or clarification about Allah's legal ruling is accepted, as the one providing it might be ignorant, unqualified, or convey a deviant opinion. Therefore, it is necessary to identify the one issuing the fatwa to ensure the precision of the definition".

"After understanding the definition of fatwa among the early and later scholars, as presented in the previous examples, along with highlighting their criticisms and objections, we formulate a definition for fatwa that specifies its concept, regulates its terminology, and addresses the

objections. Thus, we define fatwa as: "The clarification of a legal ruling with its evidence for someone who inquires about it, provided by someone who is qualified to know it, in response to a question, without compulsion".

1. The judge and the Mufti share the commonality that both are obligated to express the legal ruling in a given situation. However, the distinction lies in that the judge is characterized by the obligation and authority to issue and enforce the ruling. The conditions for a judge are traced back to the conditions for a witness, a Mufti, and a guardian, as the judge is someone who informs about the legal ruling based on his knowledge, accepted due to his fairness, and empowered by his authority (Bada'i al-Fawa'id by Ibn al-Qayyim, 4/1334). There are several differences between the judge and the Mufti, summarized as follows: (The Accuracy in Distinguishing Fatwas from Legal Judgments by al-Qarafi, pp. 31-84, The Informative and Supportive Aspects by Ibn al-Qayyim, 1/29-31, and Bada'i al-Fawa'id by Ibn al-Qayyim, 4/827). Indeed, the fatwa is essentially an informative statement that follows the evidence provided by Islamic jurisprudence. On the other hand, the judgment in the legal system involves the establishment of a document based on the legal evidence. It follows the arguments, meaning that the judgment comes after considering various pieces of evidence such as clear proof, admission, and other means of verification.

These points highlight some key differences between qadaa (judgment) and fatwa:

2. Fatwa is not binding, while judgment is obligatory.
3. The judge's ruling is specific and does not extend beyond the parties involved, whereas fatwa is general and can apply to others without considering the one who issued it.
4. The judge's ruling is limited to the three legal categories: obligation, prohibition, and permissibility, aiming to resolve disputes. Recommendations and disapprovals fall under fatwa, not judgment.
5. Fatwa is not affected by familial relationships; it can be issued for a father, mother, son, husband, or brother, unlike judgment, which might face issues due to familial ties.
6. Issuing a fatwa can be private, while judgment is public and relies on legal evidence and formalities.
7. Fatwa has a broader scope than judgment; it can be given by anyone, regardless of their status, gender, or freedom. Judgment, on the other hand, has certain qualifications.
8. Matters that involve judgment also fall under fatwa, but not vice versa. For example, all acts of worship fall under fatwa, as the judge is not bound by it, while the judge is bound by his judgment.
9. The danger of a mufti is greater because his fatwa is a general legal ruling concerning the questioner and others, even though any danger on a mufti is also a danger on the judge with additional responsibilities.
10. If the judge's ruling does not contradict the text or consensus, it cannot be overruled by the ijtihad of another judge. In contrast, a fatwa can be revised based on new ijtihad.
11. The judge can only issue rulings within his designated jurisdiction, while a mufti can give fatwa with or without jurisdiction.

## **Section 2: Examples of Considering Islamic Realities in Legislation:**

### **Subtopic 1: Examples of Considering Islamic Realities in Legislation:**

One noteworthy example of the wisdom in Islamic jurisprudence is how the Divine Legislator, in His wisdom, considered the conditions, needs, and religious and worldly interests of people when



formulating laws and regulations. The legal provisions in Islam are designed to align with human capacities and capabilities. This foundational principle is based on facilitating and alleviating burdens for individuals.

In the Meccan period, the focus was on teachings related to the fundamentals of faith and matters of ethics, such as justice, benevolence, and loyalty. Various practical regulations needed by individual Muslims, Muslim families, and society at that time were emphasized. Legislation in Mecca was limited before the Prophet's migration because Muslims in Mecca were oppressed, and the conflict with the disbelievers during this period did not allow for detailed and specific legislation.

Al-Ashqar mentioned, "Even what Allah legislated in Mecca, such as acts of worship like prayer and charity, was not detailed or explained as it was later in Medina. Zakat in Mecca meant general charity and spending for the sake of goodness without specifying a fixed portion or a specific system." Examples of detailed and specific practical regulations revealed in the Meccan period include the prohibition of consuming animals slaughtered without mentioning the name of Allah and clarification of the prohibited types of animals for consumption ۞. Translation: Allah, the Highest, said: "And do not eat of that upon which the name of Allah has not been mentioned, for indeed, it is grave disobedience. And indeed, the devils inspire their allies [among men] to dispute with you. And if you were to obey them, indeed, you would be associators [of others with Him].

So, eat of that [meat] upon which the name of Allah has been mentioned, if you are believers in His verses. And why should you not eat of that upon which the name of Allah has been mentioned while He has explained in detail to you what He has forbidden you, excepting that to which you are compelled. And indeed do many lead [others] astray through their [own] inclinations without knowledge. Indeed, your Lord is most knowing of the transgressors." (Surah Al-An'am: 121-119)

These verses address the fundamental principles of faith, particularly the Arabs' practice of slaughtering animals in the name of their idols during the pre-Islamic era. The verses clarify the ruling regarding proper animal sacrifice, legislating what is permissible to consume from slaughtered animals and what is prohibited.

Throughout various situations, these rulings were based on the realities of the Arab society during the Jahiliyyah (ignorance) period. The texts addressed other practices related to sacrifices during different circumstances. In the civilizational phase, as Muslims established an independent state, the Islamic State, centered in Medina, the evolving circumstances required detailed legislation. The focus shifted to comprehensive and detailed practical regulations to guide Muslims in their new societal framework. Islamic legislation continued to evolve during the Prophet's era in response to the changing realities faced by the Muslim community.

## **The Second Topic: Contemporary Examples of Understanding Reality and Its Importance in Legal Rulings:**

- Our current era witnesses significant progress in various fields, each with its own set of challenges. This has prompted the need to address these challenges accurately to arrive at a Sharia ruling, as the ruling on something is an outcome of its accurate understanding, as accepted by scholars. Numerous contemporary examples include:
- Virtual Reality Jurisprudence: Considering virtual communities as a unique society with various commercial transactions and economic relationships.

- Understanding the Reality of Industrial Establishments: Examining the materials produced within industrial facilities, consumption goods, and the compounds used in their production.
- Understanding Modern Economic Transactions: Delving into the intricacies of contemporary economic transactions, including inputs and outputs.
- Understanding the Reality of Some University Subjects: Assessing the negative impact of certain academic subjects, such as gender studies, on people in general, and particularly on youth, and their role in promoting deviant sexual behavior.
- Understanding Migration Realities: Focusing on the migration of youth to Western countries, marrying non-Muslims, and assessing whether it achieves the intended purpose Islamically.
- Jurisprudence of Market Realities: Examining the products sold in various markets, including food markets, e-commerce platforms, and others.
- Jurisprudence of Family Realities: Addressing the challenges and issues faced by families.
- Jurisprudence of Neighbor Relations: Analyzing problems arising from the expansion of individual property boundaries.
- It is incumbent upon the Mufti to strike a balance between strictness and hastiness in prohibition and diluting religious principles due to unprecedented new realities. The Mufti should exert effort to provide accurate answers based on comprehensive religious knowledge, a precise understanding of the current reality, and maintaining moderation and fairness.

### **The Third Topic**

Concepts and Juridical Deductions in Constructing Rulings from His Statement, the Highest, "So We understood it, [Solomon".]

The First Point: The Principle of Ijtihad Involves Understanding Reality Alongside Knowledge Before Issuing a Ruling.

The scholars of Usul (principles of Islamic jurisprudence) often refer to the legitimacy of independent reasoning (ijtihad) and its project through this Quranic verse. Most sources provide an overview of the story mentioned in the Quran, and scholars of interpretation exerted efforts to elucidate its details.

The reason for its revelation could be the directive of the Prophet Muhammad (peace be upon him), along with the clarification of his humanity and his being a messenger from his Lord. This is not explicitly mentioned in the sources of Usul.

Imam al-Qaraḥi, may Allah have mercy on him, stated: "These stories were mentioned to confirm the command of the Messenger of Allah (peace be upon him), as stated in the beginning of the Surah in a narrative about the disbelievers: 'Is this except a human like you? So would you approach magic while you are aware?' Allah, the Exalted, presented these stories to clarify that it is not by the supplication of the messengers, and that He favors whomever He wills among humans and others. Nothing goes beyond His decree, and He does not act in negligence but with knowledge.

Therefore, the understanding of Solomon, not David - peace be upon them - was not due to negligence, but 'We are knowledgeable,' indicating the regulation and precision of conduct to

something else" (Al-Furuq, al-Qarafi, (4/188-189.)). This implies that these narratives and reports are not merely for storytelling; they contain lessons and guidance for the entire Muslim community.

Al-Maturidi, may Allah have mercy on him, said: "These reports are mentioned to derive knowledge that was not present before. If Solomon were not specifically endowed with understanding over David, it would only benefit us in terms of governance and knowledge.

We would know that both were granted governance and knowledge, and they ruled based on knowledge. If that were the case, the specification of understanding for one of them indicates that the other was not specified with that. Allah knows best" (Tawilat Ahl al-Sunnah, al-Maturidi, (7/362.))

The second principle highlighted in this context is the principle of *ijtihad* in judicial rulings and fatwas, as well as the reconsideration and reversal of these judgments.

### **Principle of Ijtihad in Judicial Rulings and Issuing Fatwas**

Scholars of Tafsir (Quranic interpretation) and Usul al-Fiqh (principles of Islamic jurisprudence) consider the Quranic verse "So We understood it" as a foundation for *ijtihad*. They derive various rulings related to *ijtihad* in contemporary issues from this verse.

This practical evidence indicates that the Quranic stories are not merely for storytelling and entertainment for the Prophet Muhammad (peace be upon him), as previously mentioned. Instead, they serve greater purposes, aiming to achieve the Quran's primary objective of guiding humanity to what is most upright in their worldly and hereafter affairs.

Tahir ibn Ashur, may Allah have mercy on him, mentioned in his Tafsir regarding this verse: "In the story of David and Solomon, there is a reminder of the principle of *ijtihad* and judicial understanding".

Imam al-Maturidi in his Tawilat Ahl al-Sunnah stated: "They inferred from this verse the permissibility of action and judgment through personal reasoning. Some of them used it as evidence for the correctness of the mujtahid in what he exercises *ijtihad* in, even if he is mistaken. However, the true ruling is what Allah has decreed about it. This indicates the regulation and precision of conduct to something else".

### **Reconsideration by the Mujtahid if He Errs**

One of the established principles among Usuli scholars is the return of a mujtahid, whether a jurist or a judge, if he realizes that another opinion is correct or if a more suitable judgment exists for the questioner or the litigant than what he initially ruled. They base this principle on the incident highlighted in the Quran where David ruled on a matter, and Solomon later understood it differently, leading to the reconsideration of the judgment.

This principle emphasizes the importance of humility and openness to correction, as even the most knowledgeable and pious individuals can make errors in judgment. It aligns with the Quranic narrative to show the human aspect of the prophets and their capacity for learning and correction.

This concept also reinforces the dynamic nature of Islamic jurisprudence, allowing for continuous refinement and adaptation to the changing circumstances and contexts faced by the Muslim community over time.

## **Conclusion**

The research has provided several key insights, summarized in the following points:

### **Prophets as Human Guides**

Allah did not make the prophets angels; rather, they were human beings to whom revelations were sent. They led lives similar to those of the people, engaging in daily activities, marrying, and having children.

This closeness allowed them to understand the conditions of the people, guide them in applying the religion in their daily lives, and serve as role models for their communities. Similarly, their heirs should emulate this closeness to the people, understanding their realities, to effectively apply the divine law and embody exemplary behavior.

### **Conscious Jurists and Understanding the Reality**

A conscious jurist comprehends the significance of his religious responsibilities and actively inspects the conditions of the people. This involves visiting various institutions such as educational, medical, governmental, markets, workshops, and gardens to gain a comprehensive understanding of the people's world. Only through such interaction can a jurist issue a ruling that genuinely aligns with the realities of the people's lives.

### **Understanding the Reality**

Understanding the reality is an indispensable aspect for a knowledgeable jurist or supervisor. This understanding can be acquired through direct or virtual interaction with the real world. In the era of advanced technology, it is crucial to be aware of the mysteries within it. Therefore, it is necessary to address contemporary issues and challenges that have become an integral part of people's lives today.

### **Dual Understanding: Texts and Reality**

Jurists' understanding is twofold: understanding the textual sources and understanding the reality upon which the rulings of the texts will be applied. This comprehension is attained through consistent reflection, critical thinking, examination of arguments, and evidence. The levels of understanding among the jurists vary, and it is essential to recognize the diversity of their intellectual capacities.

### **Potential for Error in Juristic Judgments**

Jurists involved in judicial decisions and issuing fatwas may either be correct or make mistakes. In both cases, they are rewarded for their sincere efforts. Recognizing the potential for error emphasizes the importance of humility and continuous learning, reflecting the human aspect of even the most knowledgeable individuals. In conclusion, may Allah's peace and blessings be upon our Prophet Muhammad, his family, and his companions. All praise is due to Allah, the Lord of all worlds.

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