

FURUD AL 'AIN AND FURUD AL KIFAYAH

Abdulrahman al-Sālimi

“Let there arise out of you an ummah (band of people) inviting to what is good, enjoining what is right and forbidding what is wrong”

The Holy Qur'an, Āl 'Imran – 104.

If we ponder over the above Qur'anic verse we will observe that it calls for the creation of a group - or elite class - of people to perform three tasks: inviting to what is good (*khair*), enjoining what is right (*ma'ruf*) and forbidding what is wrong (*munkar*). In doing so, they can look forward to attaining felicity and success.

In view of the momentous responsibilities this group is expected to undertake, it would be useful to establish what precisely these tasks involve.

The first thing we should note is that the “group inviting to what is good” is referred to as an “*Ummah*”.



While it is true that dictionary definitions of “*Ummah*” include the meanings of “group” or “class”, the fact that this word is more commonly understood to mean the Islamic Nation suggests that the elite class symbolises the whole Nation, since its mission is to represent the Nation and convey the Messenger of Allah (PBUH)’s Message to it. This it duly did and the Nation responded by embracing Islam.

So the *din* (Islamic religion) was founded on the Message, and the ‘ulama (scholars) who inherited the knowledge passed down from the Messenger of Allah became the representatives of the *Ummah* (Nation) with responsibility for teaching, safeguarding and propagating the Faith.

From this we can conclude that applying the term *Ummah* to the community of scholars and propagators of the Faith demonstrated two things - firstly, that they were acting on behalf of the Nation and secondly, that their mission was of crucial importance.

Although they appeared to be charged with performing three tasks, in reality they had only one task – a single task comprising the combined functions of inviting to what is good, enjoining what is right and forbidding what is wrong.

Enjoining what is right and forbidding what is wrong is in fact a definition of inviting to what is good. “What is good” is an all-embracing concept which includes sound faith and beliefs, a commitment to the Good Life (“right”) and a rejection of a life of corruption and depravity (“wrong”). In fact, inviting to what is good goes even further than this. Another Qur’anic verse – “Strive together as in a race towards all that is good...”. is an injunction expressed in the plural form, indicating that the invitation to do good is addressed to the whole of humanity. This implies seeking common ground and offering guidance beyond the boundaries of the Islamic *Ummah*, while at the same time promoting what is right and setting a worthy example within the Muslim community.

From this we can understand that the term “‘ulama” does not apply solely to religious scholars who only teach the elements of the Faith and the correct way to worship; it is also applicable to numerous other groups of people who are conversant with the religious and temporal sciences and



the belief systems of other nations and peoples. Naturally, they comprise a wide range of different classes and groups, not just one. This is the way it should be, since the credibility of Islam's invitation to what is good can only be judged by comparing it with the messages of other religions within a common context. From there it will be possible to develop persuasive arguments and use common ground as a springboard to broader horizons.

We and the followers of other faiths and cultures will thus be able to work together. And when the Qur'an refers to "evidence" or "bearing witness" we can get a sense that the "invitation to good" has reached the highest possible level.

The Qur'an also says: "It is a *Dhikr* (Message) for thee and for thy people, and soon shall ye be brought to account". Qur'an scholars interpret *Dhikr* as meaning the Qur'an, but it would be wrong to think that it is just a synonym for a book; after all, the Qur'an also says: "We have sent down the *Dhikr*; and We will assuredly guard it from corruption". So Allah, Glory be to Him, the Most High, has also given us His guarantee that He will safeguard the *Dhikr* – or text of the Holy Qur'an – for us.

For the *Ummah*, its mission and its scholars, success and felicity can only be achieved if:

1. The *Ummah* conveys the Message faithfully and with the utmost diligence.
2. An elite class is trained and educated to convey the Message to the coming generations and the world.
3. The Message contains the three elements of *khair* (good), *ma'ruf* (right) and avoidance of *munkar* (wrong) and evil practices.
4. We recognise that we can only attain felicity through success within ourselves and in our dealings with others.
5. We recognise that to attain felicity in this sense it is essential not only to follow the Qur'an, but also to use *ijtihad* (interpretative judgement) and creative thinking in the interests of progress and in response to the changing demands of the world of today. This is the meaning of *furudh al kifayah* (collective obligations).



Furudh al 'ain (individual obligations) are textual injunctions stipulated in the Qur'an and apply to every individual Muslim without exception, while *furudh al kifayah* are a response to the demands of time, place and circumstances and it may be permissible for some individuals to perform them on behalf of the whole group or community.

Furudh al kifayah are designed to serve two purposes – to supply a need and to improve the life of the *Ummah* and help enable it to overcome difficult situations. In former times the 'ulama applied these *furudh* (obligations) to religious matters such as *salat al janazah* (the funeral prayer), *salat al istisqa'* (the prayer for rain) etc.

Sometimes *furudh al kifayah* were extended to include “greater and lesser *masalih* (benefits/interests)”, such as the formation of armies to defend holy places and territories, or the pursuit of learning in certain fields needed by the *Ummah* in which there was a shortage of trained personnel, such as medicine, languages or comparative religion. (These two latter disciplines would enable the *Ummah* to defend and safeguard the interests of Islam, help propagate the Faith and establish relations with other nations in the interests of Muslims and the peoples of the world as a whole).

If issues were not covered by a specific textual injunction but nevertheless regarded as necessary, some 'ulama would determine *furudh al kifayah* on the basis of *qiyas* (analogy), which they applied according to established *fiqh* (jurisprudence/doctrine) principles. Alternatively, they would class them as “*tahqiq al manat*” (“ascertainment of effective cause”). This approach was common among scholars until the seventh century AH, though some regarded it as “theoretical”. The community's general *masalih* were not classed as *furudh al kifayah* or “essential needs” but as being among the *maqasid al kulliyah* (general objectives) of the Shariah.

We can derive the five principles of the *maqasid al kulliyah* or “vital interests” from studying the Qur'an and the Sunnah. They are: the rights of the *nafs* (life), 'aql (mind), *din* (religion), *nasl* (progeny) and *milk* (property) – that is, the elements needed to maintain and safeguard human life from the point of view of its continued existence, its knowledge and learning, its



religion (including morality and regularity of habits), its family, and its wealth and property honourably acquired. Anything that contributes to these can be classed as being among the *maqasid* of the Shariah, which means that *furudh al kifayah* are concerned with the “*dhururat al Shar’iyyah*” (“Shariah necessities”), as well as certain matters related to acts of worship. Issues such as economic and social development and efforts to achieve a better life fall into the *maqasid* category and are relevant to the Nation’s mission, and the sovereignty, progress and prosperity of the Islamic *Ummah* and the wider world.

Let us strive through our actions to promote our *Ummah* to the world and to those who are working for the good of mankind. Let us make every effort to improve our lives and contribute to modern civilization and the world of today. It is to this end that *Al Tasamoh* magazine seeks to serve the cause of progress, entente and mutual understanding between peoples.