

Speech of

Mr. Mustafa Ahmad Zarqa

At the ceremony of conferring upon him the Prize

Winner of the King Faisal International Prize
in Islamic Studies (1404H/1984)

Your Royal Highness, the King
Your Highnesses, the Princes
Your Excellences the Ministers
My Eminent Colleagues
Eminent Assembly

The most endeared of our heritage is “Fiqh”^{*} of the Shari’a which comprises its constitution along with its comprehensive provisions that control all social aspects of human existence and set up guiding landmarks along the straight and righteous path of whoever seeks it, in his human and social life; these landmarks are safeguards on one’s dignity, freedom and rights as long as he respects the dignity, freedom and rights of others.

Besides these guiding landmarks, the Islamic Shari’a has set forth decisive provisions that ensure justice and restore the corrupted to the right path.

The Shari’a is the law of order as well as the law of faith human behavior, mercy and peace, as it is discerned by the utterance of Mohammad, God Bless Him and give Him Peace: “He whom God wish good, endow him perception in Fiqh, the faith.”

And if the Manatiqa^{**} defines man as “a rational being” and defines the word ‘rational’ by ‘thinking’, Ibn Muskaweh, on the other hand, was more successful and precise, in his book ‘Al-Akhlaq’^{***} when he established the fact that what distinguishes man from animal is his ability to perceive ‘the moral conception’ and his adherence to it.

Animal perception can never reach the level of ‘moral conception’ with which we perceive the meanings of justice, duty, the permissible and impermissible as norms that control the behaviours of communities. This conception which Ibn Muskaweh had successfully established in defining the particular human characteristics, coincides with university curricula in some advance countries of today, specially, when admissions to the faculties of ‘Law’, unlike other faculties, are granted only to distinctive undergraduate candidates, for they consider that pursuing the studies of law is a top specialization that is given priority to all other specializations.

*Jurisprudence

** Logicians

***’Human Morality”

Should we wonder, what is ‘Law’? We would say it is a constitution without which no human life is possible, or we dare say it would be jungle life, when “the survival of the fittest” prevails.

This law or system, I n its absolute conception, is nothing but the moral conception

and its rules when imposed in a compulsory way, and when these rules, eventually, require people's abidance by them, in conformity with law and order laid by the state.

And if Islam is the religion of faith, worship of God, Almighty and law i.e. a legislation to safeguard justice and rights, then the perception in fiqh of the faith as cited by Mohammad, God Bless Him and give Him Peace, is the absolute is the absolute righteousness, because it is the super perception that distinguishes man from animal, it is the embodiment of the moral conception.

This is the purport of what Mohammad, God Bless Him and Give Him Peace, says "I was sent to conclude the best of morals".

The more the rules of law, in certain nations, are deep rooted, their fiqh prevalent, and their communities adherent to them, the more advanced, the nations become, in the criteria of human life.

It has never been known in the history of mankind, of a fiqh that surpasses the Islamic One, in respect of depth, originality and comprehensiveness of thought.

This great Fiqh, is the most endeared treasure of our heritage; it represents the Islamic Law, which was obeyed, faithfully, in whole and in part, by our predecessors and, eventually, entrusted to us. The more we abide by it, serve it, develop it and invest its potentials in meeting the human needs, throughout the ages, the more loyal and adherent we become to this Fiqh.

And as our huge Fiqh legacy and its different schools of thoughts and sects, grew, in the past, by way of "Ijtihad"*, which is its spirit and essence, we have now to restore our treasure Fiqh to the right Ijtihad, after that long pause, to enable it cope with issues of the hour and to enable it offer wise solutions to the problems that we encounter in our evolving life.

However, the Ijtihad we want, today, it no doubt, different from that of the past, for then, it was individually practiced. But today, it must be communally practices by a Fiqh academy, which ought to be provided with authoritative trustworthy, pious and wise Shari'a jurists, assisted by trustworthy Ulema of all specializations, among which those might be medicine, economics, sociology and politics. This is due to the fact that individually practiced Ijtihad will no longer do, not to mention, that it has its disadvantages.

The Ijtihad we want is the communal Ijtihad rather than the impulsive one; the Ijtihad that requires qualified staff and their continuity, for knowledge is attained by Ulema and is lost by their absence, as cited in the authentic Hadith.

* Formation of an independent judgment in legal or theological question.

The observer can discern, today, that the level schooling is in constant decline, and that universities as well as the secondary schools are no longer capable of keeping to the reasonable level of graduating students under the pressure of such a great number of students and their relative expectancies of the so-called degrees.

One of the Islamic obligations, today, from the Islamic point of view, is the founding of a Shari'a academy with its own set of regulations and curricula, which would be accessible only to brilliant students in thought as in Islamic commitment; these students are to be provided with all facilities as well as convenient atmosphere that would facilitate developing their juristic perceptions and who, would, eventually graduate as commendable 'Ulema' in quality rather than in quantity.

As the commendable resolutions of many Islamic countries, are centered today, on a the adoption of Shari'a, along with its complete principles, it seems necessary to hasten in founding such an academy.

To conclude, I express my thanks and gratitude to those in charge of this praiseworthy feat. The King Faisal International Prize, which is indeed, a glorious deed of Saudi Arabia, that had over-shadowed the four quarters of the world,, in its appreciation and encouragement of knowledge and learned men. I also extend my thanks to the Selection Committee which honoured me by their nomination.

I pray God Almighty, to be well-thought of and Guide my steps to proceed in the service of the eternal Islamic Shari'a and its great Fiqh and generously reward our benign predecessors who has passed onto us this treasure of Fiqh, which is a great sign in human perception.

Peace, Mercy and Blessings by Upon You.

Mustafa Ahmad Zarqa