

Speech of Dr.
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Co- Winner of the 2004 King Faisal International Prize
For Islamic Studies
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In the Name of Allah, the Merciful, the Compassionate

Praise be to Allah, the Cherisher and Sustainer of the Worlds, and Peace
and Prayers be Upon the Prophet Muhammad, the Seal of the Prophets
and the Messenger of Mercy, and all his family, companions and
followers until the Day of Judgment

Your Royal Highness, Prince Sultan Ibn Abd Al- Aziz
Second Deputy Premier, Minister of Defense and Aviation
And Inspector General
Your Royal Highnesses

Your Excellencies
Distinguished Guests

Al-Salam alaikum,

One of the features of the Islamic Shar'ia, indeed one of its most distinctive features, is its embodiment of a set of highly respected, rich and comprehensive rules and maxims that, if comprehended and appropriately applied in our individual and societal life, would bring a great beneficence to all mankind. This beneficence is illuminated in a most concise manner in many verses of the Holy Qur'an. For example, Allah says: "Let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety;" this glorious verse establishes justice as a fundamental base of Islam. Allah also says: "No bearer of burdens can bear the burdens of another person," thus setting another basic Islamic rule that only the wrongdoer is to be held accountable for his wrong deeds, and that no innocent person shall be blamed for them. And yet another example is His saying: "Speak fair to the people," which sets the rule for proper manners and attitudes towards others, be it in the sphere of the family, at work, in commercial transactions or even during intellectual debates.

Similarly, many maxims of Islamic jurisprudence are found in the Prophet's sayings, or Hadith, many of which carry - in the shortest expression - the widest meanings; meanings that guide us through the walks of life. Take for instance the Prophet's saying that: "Actions are judged only by intentions," which means that each person is rewarded or punished according to that which he intends. This is a far reaching maxim of Islamic jurisprudence that applies both to worshiping and dealings. Another example is the Prophet's saying: "Harm may neither be inflicted nor reciprocated in Islam," which also stands as a firm maxim in Islamic laws. Still another example is the Prophet's saying: "Profit follows responsibility: a golden maxim that calls for applying the principles of justice and balance in Islamic economy.

All of these are examples of fundamental rules and maxims that have been originally extracted by Muslim scholars since the dawn of Islam, and developed gradually through the centuries. Some of these maxims are elicited in their Quranic or Hadith source e.g., the maxim stating that: "Certainty is not dispelled by doubt." Other maxims have been extrapolated from the Qur'an and Hadith, e.g., the maxim which states that: "Hardship begets facility: and here the strength of the extrapolation gives the maxim its power. And there is another category of maxims that scholars have arrived at through a process known as extraction or takhrij, and this category actually includes hundreds of maxims, knowledge of which will relieve a modern scholar of Islamic jurisprudence from expatiation and presumptions. However, when it comes to using extraction for the "jurisprudence of momentous events or nawazir and other contemporary issues, it is important to avoid conflicting already firmly established maxims.

My own involvement in the study of maxims of Islamic jurisprudence has been a compassionate one. I have simply adored that Subject and dedicated the past 23 years of my life researching it. My research started with a master's degree, followed by my first book [in Arabic] on: The Maxims of Islamic Jurisprudence, in which I was able, with the help of Allah, to cover the subject from more than one perspective. Fortunately, that book was well received, encouraging me to continue my strife which led to another book [in Arabic] on: The Collection of Maxims in Islamic Financial Dealings in Islam, which has been crowned by this prestigious prize. One of my dearest aspirations has always been to see this subject receiving the attention it deserves, particularly with regards to authentication and development of maxims from both theoretical and applied standpoints. I hope, God willing, to see this accomplished soon.

On this happy occasion, I must thank each and every one that has had a role in directing me. In particular I would like, as I stand before you, to express my utmost gratitude and thanks to three of my late mentors: firstly, the great scholar and promulgator of Islam Shaikh Abul Hassan Al-Nadvi who supported me when I was a student at Naduatul Ufarna in India; secondly, Dr. Ahmad Fahmi Abu Sinna, another giant of Islamic Jurisprudence, who directed me as I was writing my first book and thirdly Shaikh Mustafa Ahmed Al-Zarga, also one of the greatest scholars of his time who - during the last 15 years of his life - was closely following my work, and continuously encouraging me. May Allah have mercy on them all.

Last but not least, I would like to express my deepest thanks and appreciation to the patrons of the King Faisal International Prize for bestowing this great honour on me. Praise be to Allah, and peace and prayers be upon our Prophet Mohammed.

Wa Al-Salam alaikum, wa rahamtullah wa barakatu