

Is I’liyya (Causation) Two Types: Standardized and Variable?

To Amjad Omar

(Translated)

Question:

Assalamu Alaikum our Esteemed Sheikh,

I have a question about what has been mentioned about causation in the book “Islamic Personality” (Volume 3); it was mentioned that the conditions for causation should be connected and related, but what is the difference between them? Also, towards the end of the topic on achieving the benefits and fending off the corruption, it was mentioned that the justification of cutting off the hand does not benefit the cause and it cannot be a standard. So, is there a relationship between the latter and the previous conditions? Can we understand in general that causation is two types: standardized and variable? Baraka Allah feekum.

Answer:

Wa Alaikum Assalam wa Rahmatu Allah wa Barakatuh,

1. The meaning of the causation being related is that it cannot be a reason because it is considered as a restricted cause, and this means that it does not go beyond the text it is mentioned in, so it cannot be used as a standard. For example:

• ﴿وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا﴾ “[As for] the thief, the male and the female, amputate their hands” (Al-Maida: 38), here the theft is the cause of the amputation...

• «وَزْنَا مَا عَزَّ فَرَجْمَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ» “Maai’z committed adultery so he was stoned by the Rasuul (saw)”, here the adultery of the married person was the cause of the stoning...

Even though the letter (fa’) in these texts shows causation, it is still a restricted causation that doesn’t go beyond it, so these situations represent a cause. Based on this, the meaning of being related is just as we mentioned previously that it is not a reason, it rather goes beyond to other what has been mentioned in the text; thus, it can become a standard.

2. As for the meaning of being connected, the Hukm seizes to exit when a so-called justification is present. It is what the interpreters say about the license to break the fast during travel that the justification is hardship. Those opposing this refuted by saying that a person bearing the hardship nowadays does not get the license to break his fast even if his hardship is more than the person travelling in especially comfortable situations such as in an airplane, car or others. This and other examples are not justifications and do not pose as standards because the Hukm is absent with a so-called justification such as the hardship in this example.

3. As for what has been mentioned in the topic of fending off corruption and achieving the benefits and that making the stealing of someone’s property as a justification for legislating the punishment for maintaining the private property is simply not correct. This is because theft is the causation for amputating the hand but not for maintaining the private property, as the verse reveals: ﴿وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا﴾ “[As for] the thief, the male and the female, amputate their hands”. So, the term “thief” is an obvious description which led to the amputation since the amputation is due to the theft, not due to transgressing private property. Looting is transgression against private property but does not lead to amputation, and extortion is transgression against private property but does not lead to amputation, rather, for each there is a different punishment. That’s how the thief’s hand gets amputated and it’s not used as a standard because the theft is the cause of the amputation and not the cause which is standardized.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

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Link to the Answer from the Ameer’s Page on Facebook:

<https://web.facebook.com/AmeerhtAtabinKhalil/photos/a.122855544578192/900877746775964/?type=3&theater>

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