

Prof. Oliver Leaman

Ayāt al-aḥkām and *maqasid al-shari`a*: understanding the relationship

The *āyāt al-aḥkām* in the Quran are many and various, and they are presented in different ways in different places. One feature of them that is intriguing is that sometimes they are provided with a rationale and sometimes the only rationale is that they are divinely commanded. Is there a reason for this disparity? Of course, the fact that God orders us to do something provides us with sufficient justification for knowing how to behave. On the other hand, the Quran often claims it is based on reflection and reason, and so we might expect it to point to explicit principles when it urges or forbids some forms of conduct. When something is regulated there is often a rule that is being enforced and it has a point to it that we can understand. Some jurists use this idea to argue that we can determine the *maqasid al-shari`a* in general, the principles that lie behind the law. If we can then we are in a position to be more creative in our application of the rules, since we could argue that in a particular case the intention of the law allows us to act in a way that seems to obviate the ordinary interpretation of the law. This might well be regarded as taking the importance of flexibility too far, and yet at the same time it is vital that rules are capable of changing as the lived experience of believers alters over time. We tend to see religions as upholders of tradition and yet the reason that some religions have lasted for so long is because they are capable of adapting to new conditions.

This point about allowing for the possibility of change is worth bearing in mind, and yet it will be argued here that looking at the intentions of the law is a slippery slope. It can easily lead to a situation in which the law is interpreted in dubious ways. It will be argued that the mixture of reasons and absence of reasons for the *āyāt al-aḥkām* is significant. It brings to our attention the fact that for believers not everything is open to our understanding. Some *āyāt* that are relevant here will be compared, some with explicit rationales and some without, and it will be argued that there is a principle behind this distinction, and it is there for a reason. A significant regulative *aya* here is 3:7 which is often taken to refer to distinguishing between clear and allegorical *ayat*. It has a wider application though to the *āyāt al-aḥkām* and it will be argued that this throws light on the distinction between *āyāt* with explicit rationales and those without.



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