

THE COMMON SOURCES OF ISLAMIC JURISPRUDENCE AMONG SHIA AND SUNNI

By

Dr. Zahid Ali Zahidi •

Shia شيعية and sunni سني are two major sects of Islam. Yet they have a long history of differences in some basic faiths as well as in jurisprudence. Hundreds of books have so far been written and countless debates have been taken place to respond to these debatable issues from both sides. But all of them have proved to be in vain. Perhaps the beginning of these differences goes to the early history of Islam when after the sad demise of the prophet of Islam the issue of the leadership arose. After a bitter debate between ansar أنصار and muhajirun مهاجرون of Madina over the successor of the prophet at Saqifa Banu Saida سقيفة بنو سعدة, at last allegiance were paid to Abu Baker.¹ Later on, common people of Madina also joined the same decision. But a small group of people gathered at the house of Fatima, the daughter of the deceased prophet to show their support to Ali b. Abi Talib the cousin and son-in-law of the prophet.² Apart from Banu Hashim بنو هاشم, the tribe of the

*-Assistant Professor, Department of Islamic Learning, University of Karachi.

¹-Ibn Hisham, Siratun Nabi by Ibn Ishaq written by ibn Hisham, tr. Amjad Mailasvi, p.532, Maktaba-e-Rahmania, Lahore.

²-Ibid p.529

Intermuslim unity

consciousness". The foundations for this growth in "divine-human-cosmic" awareness are developed in his *The Cosmotheandric Experience: Emerging Religious Consciousness* (Maryknoll NY: Orbis Books, 1993).

- 34- Among accessible publications dealing with this theme from an interfaith dialogical perspective are the following: David Tacey, *Edge of the Sacred: Transformation in Australia* (North Blackburn VIC: HarperCollins, 1995) and *Re-enchantment: The New Australian Spirituality* (North Blackburn VIC: HarperCollins, 2000); Rod Cameron, *Alcheringa: The Australian Experience of the Sacred* (Homebush NSW: St Paul's, 1993) and *Karingal: A Search for Australian Spirituality* (Homebush NSW: St Paul's, 1995).

Intermuslim unity

- 25- Importantly, Panikkar's book is entitled *The Intra-Religious Dialogue*. He emphasizes the importance of the intra-religious preparation for the dialogue and then the intra-personal soliloquy that follows the interfaith dialogue with the other(s).
- 26- DP 41. Panikkar also stresses that interfaith dialogue involves the risk and challenge of conversion. As he states, the truly religious person is not a fanatic who has all the answers but a pilgrim who is open to the experience of grace and truth. One may lose one's life or even lose faith in one's own tradition--but one may also be born again and one's own tradition transformed. *The Intra-Religious Dialogue*, 62f.
- 27- See Catherine Cornille, ed., *Many Mansions: Multiple Religious Belonging and Christian Identity* (Maryknoll NY: Orbis Books, 2002); and Peter Phan, *Being Religious Interreligiously* (Maryknoll NY: Orbis Books, 2004), 60-81. Some thirty-five years ago, Panikkar expressed his religious situation in the following terms: "I 'left' as a Christian; I 'found' myself as a Hindu; and I 'return' a Buddhist, without having ceased to be a Christian". See *The Intra-Religious Dialogue*, 42.
- 28- As one example of Indigenous-Christian dialogue, see Joan Hendriks, "Indigenous and Christian: An Australian Perspective" in Damien Casey, Hall, Gerard and Hunt, Anne, eds., *Foundations of Christian Faith* (Southbank VIC: Social Science Press, 2004), 171-177.
- 29- Paul Knitter, *Introducing Theologies of Religions* (Maryknoll NY: Orbis Books, 2002), 10; Phan, *Being Religious Interreligiously*, 78.
- 30- "We assert that a common set of core values is found in the teachings of the religions and that these form the basis of a global ethic". Hans Küng & Karl-Josef Kuschel, eds., *A Global Ethic: The Declaration of the Parliament of the World's Religions* (London: SCM Press, 1993), 14.
- 31- Hans Küng & Helmut Schmidt, eds., *A Global Ethic and Global Responsibility* (London: SCM Press, 1998), 9.
- 32- *The Intra-Religious Dialogue*, 32.
- 33- Panikkar calls for a "cosmotheandric" or "new religious

Intermuslim unity

2000).

- 18- The Intra-Religious Dialogue, 1.
- 19- Raimon Panikkar, *The Intra-Religious Dialogue*, 23-40. See also his *Myth, Faith and Hermeneutics* (New York: Paulist Press, 1979), 232-256. Dialogue seeks truth by trusting the other, just as dialectics pursues truth by trusting the order of things, the value of reason and weighty arguments. Dialectics is the optimism of reason; dialogue is the optimism of the heart. Dialectics believes it can approach truth by relying on the objective consistency of ideas. Dialogue believes it can advance along the way to truth by relying on the subjective consistency of the dialogical partners. Dialogue does not seek primarily to be duo-logue, a duet of two logos, which would still be dialectical; but a dia-logos, a piercing of the logos to attain a truth that transcends it. *Myth, Faith and Hermeneutics*, 243.
- 20- See Panikkar's "The Rules of the Game in the Religious Encounter" in *The Intra-Religious Dialogue*, 61-71. In summary: it must be free from apologetics (in relation to one's particular tradition or religion in general); one must be open to the challenge of conversion; the historical dimension though necessary is insufficient; it is not merely a congress of philosophy, a theological symposium, let alone an ecclesiastical endeavour; it is a religious encounter in faith, hope and love; intra-religious dialogue is primary.
- 21- See DM 28-35; DP 42. See *Interreligious Dialogue: The Official Teaching of the Catholic Church*, 566-579 & 608-642.
- 22- Although not dealing explicitly with interfaith dialogue, an interesting presentation of optimum conditions for dialogue and desired outcomes is provided by David Bohm, *On Dialogue* (London: Brunner-Routledge, 1996).
- 23- Panikkar, "Faith and Belief: A Multireligious Experience" in *The Intra-Religious Dialogue*, 41-59.
- 24- "On Dialogue with Unbelievers" [*Humane Personae Dignitatem*], Secretariat for Unbelievers, promulgated by Paul VI (1968), in Flannery, 1002-1014.

Intermuslim unity

- hereafter NA. See LG 16; GS 92; AG 9, 11, 15; NA 2. Documents available in Austin Flannery, ed., *Vatican Council II: The Conciliar and Post-Conciliar Documents* (Northport NY: Costello Publishing Co., 1975).
- 8- See, for example, *Redemptor Hominis*, n. 6. Encyclical Letter of John Paul II (1990), available (accessed 28th July 2005) on: <http://www.wf-f.org/RedemptorHominis.html>
 - 9- NA 2-3.
 - 10- AG 11.
 - 11- This is stated unequivocally by Vatican Commissions and in papal pronouncements published in Francesco Gioia, ed., *Interreligious Dialogue: The Official Teaching of the Catholic Church 1963-1995* (Boston: Pauline Books & Media, 1994): *Secretariat for Non-Christians, Dialogue and Mission* (1984), hereafter DM; Pope John Paul II's Address to the Secretariat (1987) and his Encyclical Letter *Redemptoris Missio* (1990), hereafter RM; the Commissions for Interreligious Dialogue and Evangelization, *Dialogue and Proclamation* (1991), hereafter DP; and the Declaration by the Congregation for the Doctrine of the Faith, *Dominus Iesus* (2000), hereafter DI. See DM 13; RM 55; DP 6, 55; DI 22.
 - 12- DM 13.
 - 13- DP 43-49.
 - 14- RM 21
 - 15- RM 28
 - 16- See Jacques Dupuis, *Christianity and the Religions: From Confrontation to Dialogue* (Maryknoll NY: Orbis Books, 2002); Gerard Hall, "Jacques Dupuis' Christian Theology of Religious Pluralism" in *Pacifica: Australasian Theological Studies* 15/1 (February 2002): 37-50.
 - 17- Other examples of Trinitarian Theologies of Interfaith Dialogue are: Raimon Panikkar, *The Trinity and the Religious Experience of Man* (London: Darton, Longman & Todd, 1973); Gavin D'Costa, *The Meeting of Religions and the Trinity* (Maryknoll NY: Orbis Books,

REFERENCES

- 1- Ut Unum Sint: Encyclical Letter of John Paul II (1995), n.28.
- 2- Raimon Panikkar, "The Category of Growth in Comparative Religion" in *The Intra-Religious Dialogue* rev. ed. (New York: Paulist Press, 1999), 85-102.
- 3- The three Abrahamic traditions, stemming from the same historical root, understand themselves in terms of their primordial revelations; but they too often define themselves in opposition to the other traditions. Speaking for Christianity, the truth of our understanding of the fullness of divine revelation in Jesus Christ has been used as a battering stick against other traditions--especially Judaism and Islam--whose primordial religious experiences could not and do not allow for belief in divine incarnation nor, its corollary, a trinitarian God. See Gerard Hall, "Interreligious Perspectives on Incarnation" in *The Australasian Catholic Record* lxxvi:4 (October, 1999): 430-440.
- 4- David Klemm, "Toward a Rhetoric of Postmodern Theology" in *Journal of the American Academy of Religion* 55:3 (1987): 456.
- 5- See, for example, David Lochhead, *The Dialogical Imperative: A Christian Reflection on Interfaith Encounter* (Maryknoll NY: Orbis, 1988) who distinguishes four ideologies for interfaith encounter: ideology; hostility; competition; partnership.
- 6- For a discussion of the Church's changing relationship to the world, especially other religious traditions, see Gerard Hall, "Catholic Church Teaching on its Relationship to Other Religions since Vatican II" in *Australian E-Journal of Theology*, Vol. 1 (August 2003): [Accessed 28th July 2005]
http://dlibrary.acu.edu.au/research/theology/ejournal/aet_1/Hall.htm
- 7- Lumen Gentium: The Dogmatic Constitution on the Church, hereafter LG; Gaudium et Spes: The Pastoral Constitution on the Church in the Modern World, hereafter GS; Ad Gentes: The Decree on the Church's Missionary Activity, hereafter AG; Nostra Aetate: The Declaration on the Church's Relations with non-Christian Religions,

Intermuslim unity

slave in Egypt, then along comes Moses and says, 'There's another way—we're going to be free!'"

Many people involved in interfaith dialogue in conflict areas around the world noted that one act of terrible violence can wipe out in a moment what takes the parties a long period of painstaking work to build. It is not unlike what happens to a village that experiences a natural disaster. The violent spasm destroys and spreads ruin quickly, but leaves some things intact. And, just as the storm passes, allowing the villagers return to rebuild, reinforce, and renew, so too do interfaith peace builders recommit themselves to nonviolent alternatives to resolving their differences.

Intermuslim unity

5. Short-term evaluation would assess output, i.e., was the service delivered? In this case, did the teacher-training take place as planned? Measurement would include number and type of meetings, number and type of attendees, meeting content and process.
6. Then outcome would be assessed—what was the effect of the program on the participants? Post-testing repeats the pretesting questionnaires to note changes in relevant attitudes, knowledge, beliefs, and behaviors. This is the time for qualitative evaluation as well. Face-to-face interviews add a great deal to an understanding of how the participants experienced the program. What was helpful? What made an impression on them? How could the training be improved for the next time: What would they want to have had more of? Less of? In what way do they think they have changed? What are they doing or planning to do differently? Open-ended face-to-face interviews can yield important feedback that would not emerge either in a group or on paper.
7. Mid-term assessment in this example is behavioral: Was a curriculum developed for teaching some aspects of what the teachers had learned? Did the trained teachers develop any type of interfaith dialogue programming? What did they do? What helped or hindered the achievement of mid-term goals?
8. The long-term goal of disseminating positive attitudes would repeat the pre-intervention assessment, looking for lowered incidence of hostility between groups (such as less graffiti, vandalism, or hate-based violence in the school), as well as increases in positive (or decreases in negative) interfaith references in school newspapers and other public communication.

When it does its job well, religion offers an alternate vision of reality. It insists that the current reality—violent conflict—is not the only one possible. Religion gives people food for their imagination, and the ability to consider another possibility. As one of our participants said, "you're a

Intermuslim unity

- b. The expression of more positive attitudes toward interacting peacefully with members of the other religions;
- c. Increased knowledge and understanding of the other religions.

Mid-term goals for the trained teachers might be:

- d. To develop a curriculum (and materials) for teaching what they have learned;
- e. To become sources of interfaith dialogue programming;
- f. To increase in amount and quality of interfaith activity by the teachers themselves.

A long-term program goal might be:

- g. Over time, to see that the teachers' experiences with interfaith dialogue will be reflected in an increase in positive, tolerant ideas expressed in the school community.
4. Specific evaluation approaches are part of developing strategies aimed at reaching the goals. Whenever possible, pre-testing should be done to develop a baseline for quantitative measures. Thus, before the intervention one would collect the following data:
- a. Questionnaires about the attitudes, knowledge, and beliefs participants have about the other religions;
 - b. Information on the amount and quality of interfaith interaction teachers have in their own lives;
 - c. Attitudes participants have toward peaceful interaction with members of the other group.

Baseline measures would be taken on the long-term goals as well, for example, the number of incidents of hate-based

activity on school grounds, the quality of school-sponsored interfaith activities (e.g., clubs, extracurricular activities), or the number of positive and negative interfaith references in student publications.

Intermuslim unity

12. When evaluation becomes a more standard part of programs, its staff and managers will begin to think more like social scientists. That is to say, they will think about goals and measurable criteria that evolve over time, and include a control group whenever possible (e.g., a waiting list control, evaluated over time before they are exposed to the program).
13. It is important to bear in mind the power of a "grand gesture." The visual and public action of a celebrity or political figure (such as President Sadat's trip to Israel) carries considerable weight, and with it the ability to transform the context of a conflict. In a similar but subtler fashion, including or consulting major religious figures in public peacemaking efforts lends credibility to those efforts.

For purposes of evaluation, interfaith dialogue is a particular type of social change program. Therefore, these are the steps toward meaningful evaluation:

1. Build evaluation in from the beginning, to be an integral component of program planning.
2. Begin with a "theory of social change" which makes explicit the assumptions behind your project. For example, the following assumptions might underlie a program of teacher training in interfaith dialogue: 1) teachers influence the attitudes and behavior of their students. 2) Teachers influence by serving both as role models and as sources of information. 3) Schools are microcosms of the larger society.
3. The next step in evaluation is to specify both short and longer-term goals (outcomes and impacts). In our example, short-term goals would include the following changes in the teachers who participate in the intervention:
 - a. The expression of more positive ideas about the other religions;

Intermuslim unity

- b. Number of post-program meetings;
 - c. Number of program spin-offs;
 - d. If the program is targeted to a particular audience, who the participants are, what their standing in the community is, how "senior" they are, and so on.
10. Technology—both hardware and software—can be borrowed from other fields. Examples of hardware would include the use of videotape for purposes of evaluation, training, and general information dissemination. Software applications would include adapting evaluation approaches that have been used effectively for other programs of social change, such as programs for reducing gang violence in urban areas, or strategies for changing health beliefs and behaviors among certain demographic groups.
11. In addition to evaluating a program's context and the nature of its intervention procedures, personality variables should also be evaluated. Certain character traits, behaviors, or social roles are important to program effectiveness, such as a person's status within his or her religious community. The measurement of status or reputation is community-specific, of course. In some faith communities it might be based on scholarship; in others, leadership of a large congregation; and in still others, a reputation for effective community activism.

In discussing the traits that make for effective staffing for interfaith dialogue programs, our interviewees focused on attitudes they observed but could not measure, such as possessing a sense of security in one's religious identity coupled with a curiosity about others'; the ability to listen to and consider contradictory views with an open mind; integrity; a capacity for empathy, the ability to appreciate other participants' anger and pain—and, perhaps more importantly, channel it into something constructive; and a willingness to be changed personally by the encounter.

Intermuslim unity

shared in a less intimate setting. Therefore, the evaluation of most types of interfaith programs should include a personal interview with both participants and staff. Ideally, the interview would combine both structured and open-ended elements. It would also include both attitudinal and behavioral indices.

7. Since programs of interfaith dialogue are programs of social change, media activity can serve as a crude, but broad-based measure of change in the general society. In recent years, there has been a proliferation of "mediawatch" tracking efforts that have grown increasingly sophisticated. Today, the media can be monitored for increases in articles that focus on peace or cooperation, for decreases in the number of articles that incite violence, for the language it uses in describing a particular religious group, or for virtually any other relevant criteria. The mass media play a role in setting the agenda and influencing the issues people talk about; programs of interfaith dialogue exist in that environment. It is an important contextual factor.

Media monitoring can be supplemented by "man in the street" interviews. This additional source of data provides a check on whether the media are impacting or reflecting popular opinion; it is particularly helpful in places where freedom of the press is not guaranteed and where the population questions the media's credibility.

8. Additional means are available for evaluating programs aimed at academic elites. As change agents within their own societies, their ideas exert influence mainly through their writing and lecturing. Therefore, one outcome measure appropriate to an interfaith dialogue program for academics would include an assessment of participants' work products—articles, papers, and books—before and after the intervention. Does their work indicate changes in attitudes, ideas, information, or action plans?
9. Simplest measures of success include:
 - a. Number of program participants;

Intermuslim unity

interventions, and observes and assesses its own outputs, outcomes, and impacts.

2. Specificity is a crucial key to effective evaluation. Thus, a program goal should not be described merely as "teaching conflict resolution skills." Rather, the program activity should describe the specific skills to be taught and the specific teaching method to be used. For example, one basic skill might be "active listening," in which the listener summarizes and repeats what has been said to make sure he has understood fully what is being communicated.
3. Evaluation must be an integral part of program planning from the beginning, and should be an ongoing process throughout the life of the project, providing feedback to program managers and staff that enable them to adjust and improve their work in real time. Repeated evaluations are also necessary after the program is completed to assess medium- and long-term outcomes.
4. Although the primary goal of evaluation is specific to the program it serves and is geared toward local and changing needs, it is nevertheless helpful to begin with a list of dimensions to be evaluated (see Table 1). This kind of list permits the accumulation and sharing of knowledge in the field.
5. The power of face-to-face contact in the evaluation process cannot be overstated. The importance of dealing directly and personally with participants was repeatedly emphasized at both program and evaluation levels. At the program level, many program directors were convinced that powerful change occurred predominantly through the process of interpersonal encounter. Getting to know individuals from the other side as fellow human beings was perceived by nearly all program directors to be a transformative experience.
6. Similarly, when evaluation is conducted privately and personally, the participant often yields observations and comments about his experience with the program that would not have been

Intermuslim unity

conflict resolution, such as guidelines for resolving conflict or rituals for reconciling relationships that have potential application across religious boundaries. Interfaith programs between conflicted groups can mobilize these and other religious elements in the service of increasing mutual tolerance—a process that begins with the ability to interact without fear or aggression, and progresses, through empathy and understanding, to mutual respect.

Effective evaluation of interfaith dialogue programs depends upon identifying variables that can be measured. There are some obvious and simple measures of success, such as the number of participants attending, or the number willing to return or who refer others to the program. There are also quantitative measures of attitude change, which rely on self-report to questionnaires. Both of these are important. But what really makes a difference is what people do following the program that they did not do before. Behaviors of various sorts can be observed and quantified once they have been identified as target behaviors.

Conclusion

We therefore begin the evaluation by seeking out those at the source of the dialogue programs—people currently working in the field. How do they make ongoing program decisions? What methodologies do they use to assess their own progress? How do they know what works? More than 20 directors of interfaith programs and others involved in interfaith work were interviewed either in person, by phone, or via e-mail for this report. Despite their differences, the data yielded common themes regarding the program dimensions to be evaluated and how that might be done. Their insights form the basis for the following recommendations:

1. Evaluation should direct the way change takes place. It is through effective evaluation that a program articulates clear goals and objectives, describes specific steps taken in

Intermuslim unity

people whose occupations are thought to have influence over smaller groups of people, in a more personal way. Mid-level programs might be aimed at teachers, for example, or local clergy. *Grassroots* participants or activists are individual citizens. Their experience is more intimate, having an impact on their families, friends, customers, and others with whom they have personal relationships.

The interfaith gathering itself did not resolve the conflict, but it was an important step toward changing attitudes about the issues and may have helped lay the groundwork for cooperatively building peace in the future.

The foundation of interfaith dialogue is the recognition that in order to achieve sustainable change in the ideas and actions of a religiously identified community, religious actors and institutions must genuinely support that change.

Mutual tolerance is essential for conflict prevention and resolution, and interfaith programs are designed to increase tolerance between participants through encounters with one another in an atmosphere of relative security and mutual respect. These programs foster empathy, and help participants form real relationships and develop a more complex and sophisticated understanding of each other.

Although some peace building projects emerging from faith-based organizations closely resemble secular peace building efforts, in most cases the religious orientations of the organizations and individuals involved shape the peace building they undertake. For example, religious mediators often make very explicit use of religious language and texts, such as prayer, when addressing conflict. This spiritual element encourages looking beyond one's personal interests toward a greater good.

Most religions are committed to working for justice and peace, and have long-standing and well-established structures or processes for doing so. They may also have religion-specific approaches to

Intermuslim unity

solving, not proselytizing. In his introduction to *Interfaith Dialogue and Peace building*, David Smock lists a variety of ways interfaith dialogue has been organized and targeted:

- High-level religious leaders (elites) have convened to speak collectively as advocates for peace;
- Elite interfaith bodies have engaged in conflict mediation between combatants;
- Grassroots participants have come together across religious divisions to promote cross-community interaction and to develop participants into agents of reconciliation;
- Theological and scriptural similarities among hostile religious groups have been highlighted to mitigate the hostility engendered by theological differences;
- Dialogue during conflict has been organized as a step toward ending the conflict or, in the post-conflict period, as a step toward reconciliation;
- Conflict resolution training for an interreligious group has served as a vehicle for interfaith dialogue.

Some writers note, however, that even this expansive definition of "dialogue" or "conversation" is too narrow if confined to the merely verbal. They argue that demonstrable deeds of reconciliation are usually much more effective than engaging in conversation. But these deeds may also be classified under the rubric of interfaith dialogue, in the broadest of senses, because they share one underlying feature: reverence, the shared devotion to high ideals. Reverence enables participants from different faith traditions to jointly affirm transcendent ideals such as honor, justice, compassion, forgiveness, and freedom.

One way of categorizing programs is along the dimension of the participants' occupations: *Elites* are people in top-level positions in politics, religion, academia, and other fields who have the potential to influence widely the group's ideas, practices, and values. *Mid-level*

Intermuslim unity

guaranteed is that without it, diplomatic efforts have no chance of working. Religion is here to stay; ignoring it won't make it disappear."

Formal intervention in areas of conflict by interfaith groups has taken place in contemporary times since 1965 at least, when the Appeal to Conscience Foundation was founded by Arthur Schneier and a group of high-level clergy representing Catholic, Protestant, Orthodox Christian, Jewish, and Muslim faiths. (Formal interventions are those planned and designed as an intervention, in comparison to informal interventions that might occur, for example, when a friendship that has developed between people of different faiths turns out to be helpful in resolving conflict.) The primary approach of the Foundation is to reach out as a neutral third party to religious leaders in areas of conflict and thereby facilitate interfaith communication.

There are many other approaches to interfaith dialogue and peace building, but so far there has been very little research on their effectiveness. This is unfortunate, because those who design and implement interfaith programs need feedback to determine how to maximize their efforts and resources.

Given the range of approaches and techniques currently practiced and the wide variety of geographic, political, and social contexts in which they take place, it is increasingly important to develop methodologies to evaluate what works.

At its most basic level, interfaith dialogue involves people of different religious faiths coming together to have a conversation. "Conversation" in this sense has an expansive definition, and is not limited to verbal exchange alone. In his seminal work, *Habits of the Heart*, sociologist Robert Bellah placed conversation at the very heart of civilization, defining cultures as "dramatic conversations about things that matter to their participants."

The notion of interfaith dialogue encompasses many different types of conversations, settings, goals, and formats. But it is not an all-encompassing concept: interfaith dialogue is not intended to be a debate. It is aimed at mutual understanding, not competing; at mutual problem