

UNITED WISDOM

Ijtihad: The Work of Understanding Changing Conditions

Traditions and Worldviews

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> *“Ask those who possess knowledge of the Scriptures.”*
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> *Quran, 16:43, an excerpt; source English translation by Dr. Mustafa Khattab, The Clear Quran. Editorial English rendering of the approved Russian version, not the published English wording. The verse concerns human messengers; its appeal to knowledgeable people does not state every qualification required of a mujtahid.*

About this article

An old rule lies beside a description of a new case. Repeating the answer seems reliable; declaring it obsolete seems bold. First, however, establish what happened and why it matters. Ijtihad connects such work with qualified derivation of religious and legal judgements within Islamic tradition. We examine sources, method, a jurist's preparation and accurate descriptions of circumstances. Usul al-fiqh—the principles of legal inquiry—analogy and limits of authority receive particular attention. We then consider why the historical dispute about “closing the gate” cannot become one prohibition for every era and school. Comparison with Aristotle and a Catholic normative document clarifies different relations between general rules, interpretation and authority. This article issues no fatwas and does not propose replacing religious judgement with personal preference. Its contemporary application is learning to prepare a question, distinguish an answer's grounds and notice where specialist competence is needed.

I. Why “effort” is not enough

A difficult conversation, careful contract reading and finding a lost document all take effort. Not every effort to understand is ijtihad in its technical sense. Egypt's Dar al-Ifta, in “The craft of Issuing Fatwas,” on qualifications, defines it through a scholar's work with recognised sources and requirements of competence.

An old rule lies beside a new case. In a hypothetical conversation, one participant immediately repeats the old answer. Another wants the rule forgotten: circumstances changed. A third interrupts both: what changed, and why does it affect the decision? Neither reverence for the past nor excitement about novelty replaces that inquiry.

The distinction is not between people who think and those who do not. What work are they doing, on what grounds, and for which conclusion do they accept responsibility? Curiosity does not make us specialists in every subject, however persuasive our reasoning feels.

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Consider an everyday analogy without equating it with religious law. Someone thinks seriously about a complex drawing. Their effort deserves respect. Assessing structural reliability still requires specialist knowledge, checked data and calculation methods. Wanting to understand cannot replace qualification.

Ijtihad adds a religious dimension: the judgement concerns understanding divine prescription, not just effective action. Translating it as free creativity is particularly risky. Any creative move must remain justified within the tradition, its sources and recognised methodology.

Readers are not thereby forbidden to ask questions. Understanding the technical term makes questions more substantive: which sources were used, why was the case classified this way, and what circumstances are known? Asking does not require claiming authority over the final answer.

This preserves two forms of respect. We recognise expertise without calling it arbitrary, and the questioner's dignity without treating them as an empty recipient of orders. Between self-appointed infallibility and silence lies attentive understanding: seeking explanations, clarifying conditions and learning the limits of one's competence.

II. Source, understanding and decision are different levels

In Dar al-Ifta's “Shariah Law,” on fiqh and its sources, fiqh is described as human work deriving and applying religious and legal judgements. Ijtihad is connected to sources, not independent legislation according to taste. This is an institution's account within a particular juristic tradition, not a neutral definition of every Islamic position.

Separate three questions. What counts as a foundation? How is it understood? How does that understanding relate to this case? Each transition can fail: unreliable testimony, a reliable text misread, or an accurately understood text applied to inaccurately described circumstances.

Take our nonreligious example of a promise. Someone agrees to deliver an object by a certain hour. The promise, its interpretation and a conclusion about fulfilment differ. A disputed time requires reconstructing the agreement. Delivery elsewhere raises whether location was part of it. One party's confidence cannot settle either question.

Religious inquiry is far more complex: sources, their relationships and methods have histories. The analogy shows a structure, not a means of issuing rulings. It reveals the intervening work. Between text and answer lie many checks, not emptiness.

“Everything is already written there” may conceal unresolved meaning and scope. “Everyone understands differently” may conceal criteria of better and worse interpretation. Possible disagreement does not establish the absence of discipline.

Human fallibility does not make all conclusions equal. An interpretation attending to a relevant text differs from one omitting it. A verified case differs from an invented one. Recognising interpretation as work requires scrutiny, not exemption from it.

Usul al-fiqh examines these principles: which grounds permit inference and how they are used. A source reference, interpretive method and scope of authority are not independent decorations. Their connection determines whether an answer is justified within a particular legal tradition.

III. Qualification protects the subject and the questioner

The skills listed in “Shariah Law” include the Quran and Sunna, Arabic, legal theory, disagreements between schools and actual circumstances. This brief list is not a sufficient self-training programme for religious qualification. It reveals work erased by “Just read it.”

An isolated word may not explain a text. Meaning depends on context, genre, audience and other statements. Choosing a convenient phrase without examining its relation to the remaining grounds risks producing the answer wanted in advance.

Recognising ignorance matters too. Beginners may miss complexity because they do not yet know the distinctions needed. Experienced researchers may take longer because they notice additional circumstances, not because they are indecisive. Speed and simplicity do not establish quality.

Respect for qualification must not become worship of status. A recognised title warrants attention to training. A particular judgement can still need clarification: were circumstances conveyed correctly, was the opinion accurately reported, and does it concern this case? Competence differs from infallibility.

Qualification also protects the questioner. An unsupported answer may change someone else's life while its confident speaker avoids the consequences. The weightier the conclusion, the less justification for presenting a guess as a settled judgement. Modesty means responsibility, not cowardice.

Our contemporary application concerns talking to specialists. Prepare documents, identify uncertain facts and separate a desired outcome from the situation's description. Ask about the answer's scope. This valuable nonspecialist work improves the question while distinguishing participation in understanding from authority to judge professionally.

IV. A new situation begins with an accurate description

“Conditions changed” settles nothing. Which conditions: a name, structure, use or consequences? Apparent novelty may hide a familiar relation; a familiar word may hide a changed process. Look beyond the wording.

Consider hypothetically sending a digital document. One person equates it with handing over a paper copy. Another sees information reaching unlimited recipients. Before evaluation, determine who received access, whether further copying is possible, and what agreement was intended. “Document” answers none of these.

This article does not determine the transfer's religious status. The example separates a fact about an action's mechanism from a normative judgement. A technician can explain access changes. A jurist must understand that explanation, but it does not issue the religious judgement for them.

“The craft of Issuing Fatwas,” its opening and professional qualifications, treats knowledge of circumstances as part of a mufti's responsible work. It supports that general principle; our digital example is contemporary analysis, not taken from the source.

Description is not wholly independent of the question. Obligations to another person involve consent, promises, available actions and consequences. A thing's mechanism requires different details. Name the inquiry's subject before gathering information, rather than adding irrelevant detail.

Distinguish known facts from assumptions too. “They probably agreed” does not report consent. “Everyone does it” does not accurately describe a practice. Turning uncertain information into a premise makes even careful reasoning concern a case that may never have existed.

Absent participants matter. Conflict is naturally described from one's own position. Identify circumstances known only through that account and those independently confirmed. This need not presume deceit: good faith does not remove incompleteness. One person remembers a deadline, another its condition. Reconstructing the agreement together may help. Accurately conveying the other's position makes immediate victory harder but the question more faithful to reality. Even the person whose account was incomplete benefits: they receive an answer about the actual relationship rather than comfort built on an omitted detail.

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V. Analogy needs a relevant ground of similarity

Dar al-Ifta lists analogy, qiyas, among juristic means. Its justification and relation to other methods belong to specialist theory; one similar word cannot reconstruct them. Our example only explains the general logical difficulty of transferring an answer.

Two objects look alike. That suggests inquiry, not an identical judgement. Similarity must concern a feature relevant to the question. Two sealed boxes have the same size, but one belongs to the sender and the other is temporarily in their custody. Whether they may give away the contents depends on ownership, not size.

Analogy begins by explaining the chosen feature. Why did it support the previous decision? Is it present here? Does a difference defeat the transfer? Without these questions, analogy remains a rhetorical impression.

Its appeal is understandable: familiarity reduces uncertainty. But that feeling must not govern the answer. A new case may resemble several old cases with conflicting outcomes. Choosing the nearest analogy needs justification, not just convenience.

Watch scope too. Similarity in one respect need not extend to others. An object may resemble another in transfer method but differ in recoverability. A decision addressing the first has not answered the second. Good analysis sustains that mixed picture without demanding total identity or incomparability.

In everyday application, this can calm disputes. Instead of “It is exactly the same,” say, “I see this similarity; does that difference affect the decision?” Analogy becomes revisable. This is not independent ijtihad, but discipline in asking about a possible transfer of grounds.

Comparison may ultimately help only to formulate the question. That is a real result: it can reveal a participant, obligation or consequence without settling a decision. Demanding an immediate answer from every analogy encourages overextended similarity. Name its contribution. Paper-document storage, for example, may recall a confidentiality promise without explaining digital distribution. Further facts and analytical tools are needed. Retain the comparison's contribution without demanding everything from it. Such limits make analogy useful for inquiry, not just expressive debate.

VI. Disagreement between schools does not permit any convenient answer

Juristic plurality is often described through extremes: every disagreement is a defect to remove immediately, or different answers permit selecting only the advantageous one. Both ignore methods and a judgement's particular setting.

In point 3 of the Amman Message, recognition of schools is connected to qualifications and fatwa methodology. This contemporary normative document concerns mutual Muslim recognition. It neither establishes identical understandings throughout history nor cancels differences.

A specifically Shi'i example, Ali al-Sistani's guide on following a jurist, distinguishes foundations of faith from practical prescriptions and describes ijtihad, following an expert and precaution. Its requirements belong to this Twelver Usuli tradition. They cannot silently become rules for all Islam or convenient personal combinations across schools.

These examples show disagreement within structured work. Do two answers concern the same question, circumstances and methodological framework? Sometimes different conditions explain apparent contradiction. Sometimes substantive disagreement remains and must be acknowledged.

“Both experts are educated” explains why their positions deserve attention but does not decide between them. “I prefer the second” states preference, not yet grounds. Respect for plurality distinguishes those statements.

Our contemporary conclusion concerns honesty in selecting sources. When seeking clarification, state the framework, previous answers and relevant circumstances openly. Hiding inconvenient information to obtain a desired reply changes the consultation's subject. The convenient answer concerns the prepared description, not necessarily reality.

VII. Was the “gate” once closed for everyone?

A common narrative has ijtihad first existing, then its gate closing, then reopening. The simple sequence needs questions: who closed it, for whom, in what sense, and which work ceased? Otherwise one expression becomes a universal explanation of centuries.

Wael B. Hallaq's scholarly article “Was the Gate of Ijtihad Closed?” puts a widespread historical assumption under examination. We read the available abstract and bibliographic record, not the whole article. We therefore do not attribute conclusions unexamined in the full text.

That limit matters to our argument. Demanding careful inference from jurists while pronouncing on history from a title would be strange. Confidently repeating a scholar's name can reproduce the mistake research should help avoid.

The contemporary guides discussed explicitly name ijtihad, methods and competence. This establishes such concepts and professional requirements in these particular sources. It does not establish continuity of every past practice, a date of disappearance, or identical conditions in all schools.

A fuller historical answer needs jurists' texts from different eras, evidence of their work and precise ranks of independence. Finding decisions within a school may differ from founding a school; applying recognised judgement differs from revising initial methods. Merging them makes claims of cessation or continuation ambiguous.

We leave the strong historical narrative open and identify verified contemporary positions separately. The concept remains useful: it concerns disciplined understanding in named sources, not a verdict on Islamic legal history from a popular metaphor.

Distinguish genres too. A call to restrict an activity establishes its author's stance, not universal compliance or disappearance. Later descriptions may express a school's ideal, polemic or classification of authorities. Moving from description to actual practice needs checking. Outside religion too, formal rules and working arrangements can diverge. Divide the “gate” into specific historical questions rather than seeking one universal date. A more complex answer can distinguish declaration, institutional norm and actual activity.

VIII. Translation and confident paraphrase do not replace competence

A Russian-language reader often encounters translation rather than Arabic. Translation matters: without it inquiry might not begin. Yet it includes decisions about meaning, nuance and connections. Overlooking those decisions mistakes interpretation for immediate access to the original.

In Dar al-Ifta's response on deriving prescriptions from Quran translations, the institution connects this work with linguistic and specialist preparation. We report its competence requirements without issuing a separate religious instruction or judging readers' faith.

Distinguish reading for acquaintance, research, and a conclusion another person is expected to act upon. The first needs honest limits. The second needs comparison, terminology and context. The third carries greater responsibility: incomplete understanding can produce another's practically consequential error.

The same boundary applies to confident paraphrase, including automated text. Coherent language shows readability, not appropriate source selection, interpretive qualification or accurate application. Professional sound does not establish these without checking.

A hypothetical assistant finds two translations: one uses “obligation,” the other “recommendation.” Before practical inference, establish whether the difference reflects the original term, context or translation. Choosing the more pleasing wording as final puts preference before inquiry.

Responsible translation use preserves usefulness and limits. Prepare questions, locate a passage, understand a specialist's explanation better. An effortless Russian sentence does not prove an effortless source. Good reading sometimes produces a more precise question, not an immediate independent decision.

IX. General rules, interpretive method and limits of authority

Usul al-fiqh connects legal inference with grounds and recognised uses, not merely finding a suitable quotation. In Dar al-Ifta's accounts, qualification and source work condition inference. A person's reputation differs from an argument's authority: which grounds does the school recognise, and how do they reach this case? Traditions need not assign identical weight to identical methods.

In *Nicomachean Ethics* V.10, Aristotle discusses general law's inability to list every particular case. Equitable correction concerns what the legislator would say knowing the circumstances. This concretely parallels accurate case description. But ijtihad concerns religious sources and juristic method; Aristotle's human legislation does not authorise intuitively correcting divine prescription. Similar tasks retain different grounds.

Dei Verbum, §§9–10, connects Scripture, Tradition and the teaching office in Catholicism, limiting interpretation to service of the word. This challenges a false choice: either sources speak without interpretation or every interpreter becomes a source. Yet the Catholic teaching office and a mufti are not one institution. Subjects, authority structures and communities' relations to decisions differ.

Within Islamic law, al-Sistani's guide specifies a Twelver Usuli frame for ijtihad and following a jurist. It cannot govern every Shi'i tradition or be read through a Sunni account of analogy without scrutiny.

The practical result is modest: explain a reference's role and an expert's authority scope. Readers may ask how grounds lead to conclusions. Asking begins understanding; it does not confer the qualification required to issue an answer.

X. Fidelity requires understanding's labour

Ijtihad shows why fidelity to a tradition's grounds may require effort. Repetition does not guarantee correct application to a new case. Changed circumstances do not authorise replacing grounds with a convenient result. Work takes place between these simplifications.

Source, method, qualification and reality's description matter. Omitting any weakens the answer. An accurate quotation cannot repair an invented case. A detailed case cannot replace source knowledge. Reputation cannot guarantee someone else's accurate report of an expert.

Contemporary readers can distinguish roles: facts they can prepare, information specialists must supply, and matters requiring the particular tradition's religious grounds. This resists both arbitrary self-confidence and mechanical obedience to wording whose meaning remains unexplored.

Return to our table. The rule and new situation no longer appear rivals. Work connects them: what happened, why it matters, and who can justify a decision? An answer may take time, but this is understanding, not empty delay. Sometimes the most responsible first step is making the question answerable.

Circumstances may change afterwards. Our nonreligious digital document first reaches one recipient, then becomes accessible to others. The previous explanation concerned the reported conditions; a new circumstance does not automatically make it wrong from the start. Nor is continued application already justified. Name the change and examine whether it affects the original grounds. Return a specific question to the specialist rather than demand confirmation of a preferred result. This does not determine religious status. It shows responsibility after receiving an answer: retain its conditions rather than make a limited explanation timeless.

Independence already exists in preparing such a question: gathering circumstances, acknowledging limits, and not making an expert guess what is hidden. Responsibility precedes the answer and continues through accurate communication of it.

What this means in practice

Choose a nonreligious situation applying an old rule to changed conditions: shared work, a promise or a common resource. This is our clarity exercise, not training in fatwas or a reproduction of Islamic legal methodology.

Write the rule and source. Describe the situation without evaluative language. Replace “They irresponsibly failed” with what was agreed, done and undone, and which circumstances are known. Separate facts from assumptions. Name missing facts instead of filling them with convenient versions.

List changes from the previous case. Does each affect the rule's ground? A new messaging format may preserve a promise's content; changed ability to fulfil it may matter. An immediate answer is unnecessary: identify the question requiring examination.

If using analogy, name its feature. Deliberately seek a difference that could defeat transfer. This reduces choosing a familiar story merely because it supports your desired result. Strong analogy withstands differences instead of demanding they be forgotten.

Identify where competence is missing. Sometimes participants can clarify an agreement; sometimes a technician, lawyer or religious jurist of the relevant tradition is needed. Prepare an accurate description without hiding answer-changing circumstances. A good question is the questioner's real contribution.

Finish with a limited conclusion: what is established, what is unknown, what action is justified in your ordinary nonreligious situation, and what needs a separate decision? Leaving part to an expert does not remove independence. Independence includes one's limits and responsibility towards those affected.

Key quotation

> *“Do not follow what you lack reliable knowledge of.”*
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> *Quran, 17:36, an excerpt; source English translation by Dr. Mustafa Khattab, The Clear Quran. Editorial English rendering of the approved Russian version, not the published English wording. This ethically limits unsupported following; it is not the complete method of legal inference.*

Connections across traditions

These are our analytical comparisons. Historical influence is not asserted without evidence.

Subject	Positions and supporting texts	What can be compared	Where the boundary lies
General and particular	Dar al-Ifta: describing a case — Aristotle, *Ethics* V.10	Applying a general proposition requires relevant circumstances.	Aristotle concerns human law; ijtihad does not permit arbitrary correction of revelation.
Source and authority	Usul al-fiqh: Dar al-Ifta — Dei Verbum 9–10	Interpretive authority must explain its relation to recognised sources.	Catholic teaching authority and Islamic jurisprudence differ institutionally and theologically.
Different legal frames	Dar al-Ifta: qualifications — Al-Sistani: opening of *Islamic Laws*	Inference requires preparation and method, not personal desire.	The Sunni account does not cover the whole Twelver Usuli model; that model does not represent all Shi'a.

Subject	Positions and supporting texts	What can be compared	Where the boundary lies
Questions and normative grounds	Dar al-Ifta: fiqh and sources — Plato, *Euthyphro* 10a–11b	A judgement's grounds differ from approval alone.	Plato's dilemma about gods replaces neither Islamic method nor qualification to issue fatwas.
Knowledge and scrutiny	Quran 17:36 — AN 3.65	Familiar confidence requires examining grounds and consequences.	The sutta evaluates qualities and actions; the verse does not supply its criteria, and neither replaces usul al-fiqh.
History and normative requirements	Hallaq: gate-closure question, abstract — Amman Message, point 3	Historical explanation and qualification requirements are different genres.	An abstract does not prove a complete historical conclusion; a contemporary document does not describe every era.

Sources

Primary texts, normative documents and research commentary are distinguished in the descriptions. This heading does not make a reference study a primary text.

1. **Egypt's Dar Al-Ifta. The craft of Issuing Fatwas.** Definition and roles, qualification, case description and professional responsibility. Its historical account of cessation of ijtihad is not accepted as a universal established outcome. Official text.

2. **Egypt's Dar Al-Ifta. Shariah Law.** Sections on fiqh, sources, juristic preparation and circumstances. The institution's position is not extended to every school. Official account.

3. **The Three Points of the Amman Message, V.1.** Point 3: qualification and fatwa methodology. A contemporary normative document, not complete historical agreement. Document.

4. **Ali al-Sistani. Islamic Laws, Chapter One: Following a Jurist (Taqlīd).** Opening rulings and footnote 1: a specific Twelver example of ijtihad and following a jurist. Official guide.

5. **Wael B. Hallaq. Was the Gate of Ijtihad Closed?** *International Journal of Middle East Studies*, 16(1), 1984, 3–41. DOI: 10.1017/S0020743800027598. Only the available abstract and historical question are used; the full article was not read. Bibliographic record and abstract.

6. **Egypt's Dar Al-Ifta, Fatwa Council. Deriving legal rulings from the translations of the Quran.** 12 July 2017. The position on linguistic and specialist preparation is used without the article issuing its own fatwa. Official response.

7. **Quran, 16:43. Primary religious text; English translation by Dr. Mustafa Khattab, The Clear Quran. An appeal to those knowing the Scriptures in a discussion of human messengers.** Text and passage used.

8. **Quran, 17:36. Primary religious text; English translation by Dr. Mustafa Khattab, The Clear Quran. The requirement not to follow what one does not know.** Text and passage used.

9. **Aristotle. Nicomachean Ethics, V.10, 1137b; English translation by W. D. Ross. Primary text: equitable correction of an overly general law.** Text and passage used.

10. **Second Vatican Council. Dei Verbum, §§9–10. Primary Catholic normative document: Scripture, Tradition and the teaching office.** Text and passages used.

11. **Plato. Euthyphro, 10a–11b; Project Gutenberg English edition. Primary dialogue: piety and divine approval.** Text and passage used.

12. **AN 3.65, Kālāma / Kesamutti Sutta; translated by Thanissaro Bhikkhu. Primary Buddhist text: qualities and actions evaluated through harm, benefit and the judgement of the wise.** Text and passage used.

Tags

ijtihad, fiqh, usul al-fiqh, Islamic law, qualification, mujtahid, mufti, fatwa, source, method, interpretation, circumstances, analogy, qiyas, authority, madhhab, tradition, taqlid, Twelvers, Usulis, Dar al-Ifta, Ali al-Sistani, Wael Hallaq, Amman Message, Quran, competence, Aristotle, equity, Dei Verbum, responsibility

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