

Survey of Consensus Argument and its Relevant Viewpoints

¹Hosein Ahmari and ²Seyyed Aziz Allah Hoseini

¹Mashhad Branch, Islamic Azad University, Mashhad, Iran

²Jiroft Branch, Islamic Azad University, Jiroft, Iran

Abstract: The consensus definition from Sunnite viewpoint is “the consentaneous of Prophet Mohammad nation’s clergymen on a juridical order” and from Shiah viewpoint is “the consentaneous of some Muslims that they reveal the Imam’s words. The consensus difference from Sunnite and Shiah viewpoint is that argument criterion and consensus validity besides Shiah is detection from Imam but from Sunnite viewpoint, consensus validity is through Islamic nation consentaneous. The most important ways of Imam’s words detection from consensus are sensational method (initiatory consensus) favoural method and sensational method. The consensus divisions are as the acquired and narrated consensus a consensus that clergyman studies and researches on the Ulema’s opinions personally and it is called acquired consensus and that quoted acquired consensus by others is called narrated consensus. The compound consensus whenever there were only two opinions between the Ulema in a theorem it is concluded that they would negate third opinion with together and it is called compound consensus technically. The difference between consensus and narration is that news and narrations show Sunnah and we can impute to textual principles about them such as verbal principles and literal principles but consensus is a non-textual reason and it should content with appointed quantity. After survey the book and Sunnah we would study on the third reason namely consensus. In this direction, first consensus definition is considered then consensus historic background is mentioned. After that consensus argument is studied and finally consensus kinds are surveyed.

Key words: Non-textual, consensus technically, ulema, clergymen, juridical

INTRODUCTION

For consensus, two important meanings have been mentioned in word, one means intention and purpose for doing works and the other means opinion’s unification and occurrence. The consensus idiomatic definition in jurisprudence principles knowledge is close to its second meaning. Nevertheless, the Sunnite’s Ulema viewpoint and the Shiah’s Ulema is different in this setting and each one has presented separated definition from consensus which is quoted briefly and then we would compare these two viewpoints (Lahiji, 1993).

Consensus definition from Sunnite viewpoint: “Ghazali” one of Sunnite fundamentalists, writes about consensus definition the consentaneous of the Holy Prophet’s nation on a work from religious works, namely consensus means the consentaneous of the Holy Prophet’s nation on a work from juridical works but after that explains that the Holy Prophet’s nation are only the nation’s Ulema and clergymen, not people’s accumulation. Therefore, based on the Sunnite’s Ulema opinion “consensus means the consentaneous of the Holy Prophet’s nation clergymen after death of that holiness and at the juncture of time into a juridical statement”.

Consensus definition from Shiah viewpoint: Researcher Helli writes about consensus definition consensus means the consentaneous of some people that their indult is valid about juridical problems (Shiah’s clergymen). But recent fundamentalists such as Mirzaye Qomi have defined consensus like this the consentaneous of some Muslims that they reveal the Imam’s words.

It is obvious that the consentaneous of all nations or all Islamic nation Ulema is not necessary in this viewpoint. However, it is told that consensus definition has not affirmed for Shiah pioneers in detection of Imam’s words but by referring to their words we can obtain that also this pointhas been accepted with them.

The comparison of two viewpoints: As for the mentioned definitions it is obvious that consensus besides Sunnite and Shiah Muslims is totally different because whatever has been more paid attention for the Sunnite’s Muslims is all Muslims or their clergymen’s consentaneous and this consentaneous can be an evidence and it is scored as an independent resource for writs but in Shiah’s belief whatever has real value and consensus argument evidence is detection of Imam’s words and the Ulema’s consentaneous don’t have any value lonely while it doesn’t show Imam’s viewpoint. Conversely, if from

some limited people consentaneous can accept Imam's consentaneous it will have validity and argument. By this explanation we can tell that actually consensus from Shiah's viewpoint is not an independent resource versus book and Sunnah but it reveals and shows Sunnah. Namely Sunnah either is narrated by news and narrations or by consensus can access to it.

THE HISTORY OF CONSENSUS

The root of consensus problem appearance is in politic and belief problems (Ardebili, 1999). After the death of Holy Prophet, the disagreement was made between Muslims for caliph's determination and its substitute. Based on valid resources narration of Sunnite and Shiah, despite Holy Prophet Mohammad had been affirmed the problem of Imam Ali caliphate during his prophecy period frequently and in his last life time year had been enforced on this point once again when he returned from Hajatolveda (the last Journey of prophet to determine Imam Ali as his substitute) in a place to name of "GhadireKhom" and Muslims also declare allegiance to Imam Ali. After the death of Holy Prophet, a group of Muslims assembled in a place to name of Saghife Bani Saede and without being Imam Ali and other companion of the Holy Prophet grandee chose the caliph. The above-mentioned group acclaimed that in Quran and Holy Prophet Sunnah have not been expressed any order about caliphate after Holy Prophet and they justified their own work which Muslims have consentaneous about determination of first caliph and the Holy Prophet was said "my nation don't get together on a wrong work".

Based on the Sunnite belief, it was the first case that consensus was expressed as an independent reason versus book and Sunnah. We should pay attention that the discussion of Holy Prophet caliphate was a belief and speech problem which cited a document in support of consensus but after that consensus was used as one of deduction references of juridical and legal writs.

CONSENSUS ARGUMENT

As stated here, every one of the Shiah and Sunnite Ulema had presented special definition from consensus that shows two different concepts. However, every two classes know consensus as an argument but consensus argument evidence from Shiah and Sunnite viewpoint is totally different. The Sunnite nation knows consensus validity through Muslims or clergymen consentaneous but Shiah nation knows consensus validity and argument through detection of Imam's viewpoint. Therefore, each group have presented different reasons for consensus argument. From the Shiah Ulema viewpoint, all reasons

which were represented for Imam's Sunnah argument, the consensus argument reason is totally different from Sunnite and Shiah viewpoint. The Sunnite nation know consensus validity through Muslims or clergymen consentaneous but Shiah nation knows consensus validity and argument through detection of Imam's viewpoint (Feyz, 1995). Therefore, each group have presented different reasons for consensus argument. From the Shiahlema viewpoint, all reasons which were represented for Imam's Sunnah argument will be the consensus argument reason, namely we can cite a document in support of Tathir paradigm and Olelamr paradigm and also through Saghaleyn subalternate cabala because consensus is actually one of access tools to Imam's Sunnah.

CONSENSUS KINDS

Fundamentalists into different validations have been introduced divisions for consensus that can refer to initiatory, kindness and conjectural consensus divisions which it was explained in last subjects. Another division which is posed in this setting is consensus division into acquired and narrated consensus. Other beneficial kinds are compound consensus, evidence consensus and silence consensus that we explain these kinds in this section briefly.

The acquired consensus (educated): The acquired consensus is some thing that clergyman researches on the Ulema's votes and promises personally and by collecting their viewpoints obtain their consentaneous and educates on consensus. This consensus is more than what passed and if they reveal the Imam's words absolutely has argument for clergyman who obtained it.

The narrated consensus (conveyed): Whenever a jurisconsult acquires a consensus through research on the Ulema's viewpoints and narrates consensus realization for others this consensus than to war whoop is scored as "acquired consensus" and than to others is "narrated consensus" because they didn't educate on consensus them selves but consensus being has been narrated for them. The consensus narration is done by two ways: one of consensus narration through subalternate news and the other consensus narration through unity news. In both consensus it is possible that consensus narration was done directly or by some intermediates, namely that person who educated on consensus, narrates it directly for us or narrates consensus being for other person or people and represent them for other people and it is narrated for us by help of one or some in termediates. The narrated consensus

which was narrated through subalternate news, namely many other groups has been narrated that would have the value like acquired consensus because it is impossible that these people has been colluded with together for lie and falsity therefore, it is disruption and certain for human which such consensus has been occurred whatever, he has not educated on that consensus personally (Ramyarof, 1983). But about narrated consensus argument which was narrated as unity news there is divergence of views between fundamentalists and a group validated it like acquired consensus and the other group had not known it as an argument.

The compound consensus: Whenever there would be only two viewpoints between the Ulema in a special problem we can conclude that the Ulema have consentaneous which the third promise is not for these two viewpoints and so the third promise is denied totally. Such consensus is called “compound consensus”. For example there are two promises about noon prayer in Friday, one of them is “sanctity” and reading well Hamd and sura and the other is its “Estehbab”. Then issuing Fatwa to “incumbency” of reading loudly is adverse of compound consensus. Based on the most people’s viewpoints who know consensus as an argument, disagreement with compound consensus is not allow able and compound consensus is also valid because Imam’s consentaneous with one of two promises is certain and third promise would be adverse with Imam’s viewpoint definitely and disagreement with Imam (Zeraat, 2001).

The silence consensus: Whenever one or some known jurisconsults would issue an order about a problem and it is published between the Ulema and takes some information about it and times passes but none of the Ulema don’t oppose with that and say nothing about it we can use that they also agree with this viewpoint and this order is consensus. This consensus kind is called “silence consensus”. There is divergence of view about the consensus argument and most Shiah’s fundamentalists doesn’t know it an argument because silence is not

always a sign of satisfaction but maybe there are other reasons such as reservation, ignorance to order, default and belief to non-incumbency of order expression for others politic problems, etc. from the Sunnite’s Ulema have been narrated different votes about this subject.

CONCLUSION

Whenever something acclaimed about being consensus and there would be verbal reason such as paradigm from Quran or a narration in that setting or there would be intellectual reason which is possible it were the consensus evidence or documentary of that paradigm or narration or intellectual order such consensus is called the evidence consensus or the documentary consensus. Therefore, evidence consensus can’t detect Imam’s word definitely it wont have argument because maybe all jurisconsults who had consensus on this order they reached to a conclusion about that narration or paradigm but the jurisprudence of the Ulema is not an argument for others because that clergyman who had faced with evidence consensus would damage to narration’s document validation or doesn’t accept paradigm or narration implication over memorized order.

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