

# Modes Of Compatibility In The Contradiction Of Texts: Ibn-E-Hazm's Point Of View

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## ABSTRACT

The Holy Qur'an and Hadith are the basic and ultimate sources of explaining the rules of Sharia. Both of these sources are proven by revelation from Allah Almighty. When these two are proved by revelation, there is no contradiction between them: if the hadith is a prophetic argument in mentioning and explaining the Sharia's rules, then from the point of view of reasoning, both Qur'an and Sunnah are equal in explaining the Sharia and there is no difference between them. One text cannot be rejected on the basis of the presence of other, but the two co-operate in explaining the details of the sharia. Ibn Hazm also considers them to be equal in reasoning. Both of these are Sharia's texts and the status of Ijma is after them. Imam Ibn-e-Hazm claims that the texts never contradict each other, but if there is an apparent conflict between them, then there are four ways to resolve the contradiction. In this article, these four modes and ways have been elaborated.

**Keywords:** Modes, Compatibility, Contradiction, Text

## Introduction

Qur'an and Hadith are the ultimate and decisive sources in explaining the Sharia rules. The both sources are proven by revelation and there is no difference and contradiction between them. Hadith has the decisive status in explaining the Sharia's laws and customs. Quran and Hadith have the same status in formation and explanation the Sharia because these both are interlinked with each other, Hadith explain the Quranic verses and Qur'an provide its shelter to

Hadith. Imam Ibn-e-Hazm also has the same belief that Qur'an o Hadith are the basic sources of Sharia and there is no difference and contradiction between them. Ijma'h comes after Qur'an and Hadith.

According to Imam Ibn-e-Hazm's views, Qur'an and Sunnah are from Allah Almighty and revelation is the only source of these both, so, this is just impossible to be existed the contradiction between them. If the contradiction or difference seems in somewhere in Qur'an and Sunnah, Imam Ibn-

e-Hazm adopted the way of compatibility. He showed vividly the modes of compatibility that eradicate the apparently disagreement of texts.

### Literature Review

The topic of interrelation of Qur'an o Hadith is as old as Quran and Hadith. It is remained a favourite subject matter of Muslim scholars from starting era of Islam to date. This topic is mentioned in classical books of Muslim scholars and everyone can find easily the Arabic, Urdu and English literature on this subject. Imam Shatbi in his book, *Al-Mawaf'qat*, Allama Ibn-e-Qayyam in "A'ilm Al-Mu'awaqeen" and Imam Shaf'ee in "Al-Risalat" has discussed the narrative of classical approaches on interrelation of Qur'an o Hadith. Imam Ibn-e-Hazm had his unique stance on the compatibility in conflict of texts and there is no research had been done on Ibn-e-Hazm stance. In this article, the distinctive position of Ibn-e-Hazm is explained with reference to conflicting texts and their compatibility.

### Equality of the Qur'an & Sunnah in the obligation of obedience

Hadith has the decisive and influential status in narrating and explaining the Sharia's laws and customs, besides this, Quran and Hadith have the same status in formation and explanation the Sharia because these both are interlinked with each other. There is no difference between them, nor can the presence of one negate the other, rather both help each other in explaining the Shari'ah. Imam Ibn-e-Hazm also has the same belief that Qur'an o Hadith are the basic sources of Sharia and Ijma'h comes after Qur'an and

Hadith. The superiority of the Qur'an over the Hadith and the dignity and status of the Holy Qur'an over the Hadith is its credibility. The only reason for this is, the Qur'an proves the authority and decisive status of the Prophet's Hadith. Ibn-e-Hazm narrated:

ولا خلاف بين المسلمين في أنه لا فرق بين وجوب طاعة قول الله عز وجل (وأقيموا الصلاة وآتوا لركاة وأطيعوا الرسول لعلكم ترحمون) وبين وجوب طاعة رسوله صلى الله عليه وسلم في أمره أن يصلي المقيم الظهر أربعاً والمسافر ركعتين وأنه ليس ما في القرآن من ذلك بأوجب ولا أثبت مما جاء من ذلك متقولاً نقلًا صحيحاً عن النبي صلى الله عليه وسلم وإن كانوا قد اختلفوا في كيفية الطريق التي بها يصح النقل فقط<sup>1</sup>

"Muslims do not have any difference in the fact that the saying of Allah Almighty, (وأقيموا الصلاة وآتوا لركاة وأطيعوا الرسول لعلكم ترحمون) and the saying of the Prophet, peace be upon him, that the resident should pray four rak'ahs of Zuhr and the traveler should pray two rak'ahs. There is no difference found in regard to obligation of obedience. It is also worthy and accepted fact that the commandments mentioned in the Qur'an are not more obligatory than the commands mentioned in the authentic ahadith, they are equal in terms of obligation. Although the difference is found between the

<sup>1</sup>Ibn e Hazm, Abū Muhammad, 'Alī bin Aḥmad, *Al-Ihkam*, Fī Oussoul Al-Ihkam, (Al-Qāhirah: Darul Hadees, 1404), Vol, 2 p.22.

Qur'an and the Hadith in terms of the quality of the transcription.”

Ibn-e-Hazm considered the Hadith as same as the Qur'an and did not observe any difference between the two in terms of the obligation of obedience. He argued from this verse.

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ<sup>2</sup>

“He who obeys the Messenger (Muhammad ), has indeed obeyed Allah.”

Beside this, the Qur'an & Sunnah are also equal in terms of revelation, and this also shows that they are equal in status. Holy Qur'an says:

وَمَا يَنْطِقُ عَنِ الْهَوَىٰ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ<sup>3</sup>

“And he does not say anything by his own desire. It is but a divine revelation, which is revealed to him.”

If the Qur'an & Sunnah are equal in terms of revelation, so, they have the equal prestige in reasoning. Thus, no other argument can compete with this principle. Ijma and all the other sources of the Shari'ah are definitely after them.

### **Association of Qur'an & Sunnah to Ibn-e-Hazm**

Ibn-e-Hazm believes that Qur'an & Sunnah has the equal status and position in Sharia's laws and according to him:

“The knowledge obtained from Khabar-e-Wahid is definite. It is accurate to make specially the common

law of the Qur'an from Khabar-e-Wahid. There can never be existed any conflict between the Qur'an & Sunnah, even if there seems an apparent conflict, they will be made consonant and none of them will be rejected. If there is no way to consonance, then one of these texts may be believed abrogating and other text may be accepted abrogated. If there is no way to judge the time period of both of them, then no one can be declared abrogating or abrogated. In the absence of awareness of the abrogating, there will be made a search in this regard to a third text which implies a new ruling, and then this new ruling will be followed.<sup>4</sup>

It is vibrant from this Ibn-e-Hazm's statement that we can never terminate the association of the Sunnah with the Holy Qur'an.

### **Non-confliction in the Qur'an and the Sunnah**

The association of Qur'an and Sunnah has been verified with strong arguments that sometimes Sunnah explained the Qur'anic rulings, sometimes it elucidates the tentative rulings, in this way, Sunnah has the equal status with Qur'an. Imam Ibn-e-Hazm argues in another way to affirm the equality of the

<sup>2</sup>Al Qur'an:4/80

<sup>3</sup>Al Qur'an:3/53

<sup>4</sup>Ibn e Hazm, Al-Ihkam, vol,2 p.35.

Qur'an and the Sunnah, that, there is no conflict between the texts. He says:

There has never been seemed such a conflict between Qur'an & Sunnah that one of them had to be completely abandoned, and there should be no way to be followed. In this situation, the Qur'anic verses never contradict each other, nor do the ahadith ever contradict each other. It is an accepted fact that in explaining and elucidating the issues and rulings of the Islamic Sharia, all the texts are same and backing each other. The reason behind is that when the origin and foundation of these texts is divine revelation, then how is it possible for conflict to occur in them?<sup>5</sup>

Imam Ibn-e-Hazm's this claim is upto reason and according to the common sense. There is no doubt about the divine revelation of the Qur'an, in the same way, those ahadith which have been narrated by righteous narrators and their chain of transmission is connected with Holy Prophet Muhammad (Peace be upon Him), then they will be definitively attributed to Prophet Muhammad (Peace be upon Him), so, there will be no doubt to be a divine revelation.

When it is proved from the texts that the Qur'an & Sunnah are definite revelations, then there can be absolutely no conflict between them, because when the origin of the Qur'an & Sunnah is the same, how can there be a conflict in the presence of this holy and absolute source. Holy Qur'an affirms above said arguments:

وَلَوْ كَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا كَثِيرًا<sup>6</sup>

“And had it been from anyone besides Allah, they would

certainly find much contradiction in it.”

### Opinion of Ibn-e-Hazm in conflicting Texts

This is accepted fact that there is no actually contradiction in texts but sometimes it seems an apparent contradiction in the texts and sometimes it appears that the two texts are standing in opposition to each other. To eradicate these kinds of contradictions, different opinions of Muslim scholars have been found. Some scholars adopted the aspect of preference and they prefer some texts over others in the sense that they have rejected some texts and declared others as Rajah. By existing all these opinions Imam Ibn-e-Hazm has a unique and different views from other Muslim scholars on the contradiction of texts. He does not refute any text, but follows all the texts. He does not believe it correct to give preference to some over others in the apparent contradiction of the texts. He says in this regard:

"إذا تعارض الحديثان أو الآيتان أو الآية والحديث فيما يظن من لا يعلم ففرض على كل مسلم استعمال كل ذلك لأنه ليس بعض ذلك أولى بالاستعمال من بعض ولا حديث بأوجب من حديث آخر مثله ولا آية أولى بالطاعة لها من آية أخرى مثلها وكل من عند الله عز وجل وكل سواء في باب"<sup>7</sup>

“When two hadiths or two verses or a verse and a hadith contradict each other to an illiterate person, it becomes obligatory on every Muslim to

<sup>5</sup>Ibid, vol,2 p.20.

<sup>6</sup> Al Qur'an:4/82

<sup>7</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.21.

follow all the arguments because none of them is preferable, Neither one of the hadiths is more obligatory than the other, nor the obedience of one verse is more important than the other. This all is from Allah and are equal in terms of obligation.”

While Ibn-e-Hazm refutes the contradiction of the texts, he declares that its following is obligatory; moreover, he claims that there is no contradiction in the texts, rather they support each other. Ibn-e-Hazm has presented the synchronization of the texts to endorse his claim and the authenticity of his declaration. This is the reason that he applies his all efforts to make the compatibility between apparent contradictions in texts. That’s why, Ibn-e-Hazm does not declare it correct to give preference one text on other. He narrates:

وقال بعض أهل القياس نأخذ بأشبه  
الخيرين بالكتاب والسنة وهذا باطل  
لأنه ليس الذي ردوا إليه حكم هذين  
الخيرين أولى بأن يأخذ به من الخيرين  
المردودين إليه بل النصوص كلها  
سواء فيوجب الأخذ بها والطاعة لها  
فإذا قد صح ذلك بيقين فما الذي جعل  
بعضها مردودا وبعضها مردودا إليه؟  
وما الذي أوجب أن يكون بعضها  
أصلا وبعضها فرعا وبعضها حاكما  
وبعضها محكوما فيه؟.....وإذا كانت  
النصوص كلها سواء في باب وجوب  
الأخذ بها فلا يجوز تقوية أحدها  
بالآخر وإنما ذلك من باب طيب النفس  
وهذا هو الاستحسان الباطل

“Some believers of Qiyas argue that they will accept the hadith which is more in accordance

with the Sunnah out of two conflicting ahadith. It is untrue because the verse which they have made a standard for judging between these two ahadith, has no more right to be accepted than these two ahadith. All the texts are equal in the sense of obedience and acceptance. When it is definitely true, then why is it possible to make some of them the standard and return some to them? And what is the basis for making some of them the original and some of them as branches or some of them as rulers and some of them as subordinates? When all the texts are deserved to be obeyed, then it cannot be right to judge one source by another. It will be only personal liking and dislikings that is the false form of Istehsan.”

### Modes of compatibility to Ibn-e-Hazm

Imam Ibn-e-Hazm claims that contradiction never exists in texts, and if their apparent contradiction seems between them, so, there are four ways to resolve this conflict and that apparent contradiction will not be keep outside from these four types of compatibility. Let suppose if these complete four types of compatibility do not conform, at least one of them will definitely be found. After stating these four modes, Imam Ibn-e-Hazm has also described the examples of each of them. Hazm writes in this -e-Ibn<sup>8</sup> regard:

<sup>8</sup> Ibn e Hazm, Al-Ihkam, p.22.

فإذا ورد النصان كما ذكرنا فلا يخلو ما يظن به التعارض منهما وليس تعارضا من أحد أربعة أوجه لا خامس لها إما أن يكون أحدهما أقل معاني من الآخر أو يكون أحدهما حاضرا والآخر مبيحا أو يكون أحدهما موجبا والثاني نافيا فواجب ههنا أن يستثنى الأقل معاني من الأكثر معاني .....الخ<sup>9</sup>

### First Reason

The first reason of specification is that sometimes two texts contradict each other in this way that one text has less meaning and the other has more meanings, one describes the forbidden and the other the permissible or one describes positive and the other mentions negative. The solution of this situation is that the minority will be negated by the majority, because what remains after the elimination of the minority contains the command of the majority. Ibn-e-Hazm describes several examples of this kind of compatibilities.

### First Example:

Holy Prophet Muhammad (peace be upon him) said:

لا ينفرن أحد حتى يكون آخر عهده  
بالببيت<sup>10</sup>

“None amongst you should depart until he performs the last circumambulation round the House.”

On the other hand, the menstruating woman was allowed to return without the final circumambulation.

<sup>9</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.23.

<sup>10</sup> Imam Muslim bin Hajāj, Al-Sahīh, Al-Muslim, Kitāb ul Hajj, Hadith Number: 1327.

<sup>11</sup> Imam Bukhārī, Muhammad bin Ismā‘īl, Al-Jāmi‘ Al-Sahīh, Abwābul Umrah, Hadith Number: 1785.

وأن عائشة حاضت، فنسكت  
المناسك كلها غير أنها لم تطف بالببيت<sup>11</sup>

“Aisha got her menses and performed all the ceremonies (of Hajj) except the Tawaf.”

Hence, the menstruating woman was exempted from the order of circumambulation.

### Second Example:

Holy Prophet Muhammad (peace be upon him) said:

ان دمائكم واموالكم واعراضكم حرام  
عليكم كحرمة يومكم هذا<sup>12</sup>

“No doubt! Your blood, your properties, and your honor are sacred to one another like the sanctity of this day of yours.”

Regardless of this, it is allowed to kill the mischief-maker in the Haram.

### Third Example:

Almighty Allah says in Holy Qur’an:

وَأُمَّهَاتِكُمُ اللَّيْءِ أَرْضَعْنَكُمْ<sup>13</sup>

“(You are forbidden to marry) your foster-mothers.”

This verse is general in ruling in fostering, even if only one or two sips of milk are drunk, it will prove breastfeeding but Prophet Muhammad (peace be upon him) exempted one or two sips of milk from fostering.<sup>14</sup>

### Fourth Example:

<sup>12</sup> Al-Jāmi‘ Al-Sahīh, Kitāb ul Hajj, Hadith Number: 1739.

<sup>13</sup> Al Qur’an:4/23

<sup>14</sup> Al-Sahīh, Al-Muslim, Bāb Fi almassah, Hadith Number: 1327.

Marrying polytheist women is forbidden for Muslim men in the Holy Qur'an and it is permissible to marry women of the People of the Book. These are manifestations of the difference between the particular and the general, then the majority is specified with the minority. Ibn-e-Hazm says:

“We look that minority has been exempted from majority in these issues. In them, some arguments become evidence of permissible with some arguments, and some of them become evidence of forbidden. Sometimes the hadith is being compared to the verse, and sometimes the verse is contradicting with verse and hadith with the hadith. We are absolutely unconcerned in this regard as to which of the two texts came first and which came later, or the one with the meaning of the majority came first or later, both the beginning and the delay are equal and no one will left on the basis of others but both will be followed.”<sup>15</sup>

### Second reason of compatibility

Apparently, the second reason of confliction is that one Text make obligation one ruling generally and second Text make obligation this (general) ruling specifically or vice versa, one Text make forbidden in general

and second Text make forbidden particularly. The example of first reason is:

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي  
الْقُرْبَىٰ <sup>16</sup>

“Indeed Allah decrees the commands of justice and kindness, and of giving to relatives.”

Allah commands in another verse:

وَبِالْوَالِدَيْنِ إِحْسَانًا <sup>17</sup>

“and (that ye show) kindness to parents.”

In the second verse, kindness and good manners towards parents is commanded and this is included in the general ruling of the first verse because parents are also relatives.

Allah says in one place:

وَلَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمْ النِّسَاءَ مَا لَمْ  
تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً وَمَتَّعُوهُنَّ  
عَلَى الْمَوْسِعِ قَدْرَهُ وَعَلَى الْمَقْتَرِ قَدْرَهُ <sup>18</sup>

“There is no sin upon you if you divorce women while you have not touched them or appointed their bridal money; and give them some provision; the rich according to their means, and the poor according to their means.”

In second verse, Allah says:

وَالْمُطَلَّاتِ مَتَاعٍ بِالْمَعْرُوفِ حَقًّا عَلَى  
الْمُنْتَهَى <sup>19</sup>

“And for divorced women also, is a complete provision in

<sup>15</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.23.

<sup>16</sup> Al Qur'an:16/95

<sup>17</sup> Al Qur'an:17/23

<sup>18</sup> Al Qur'an:2/236

<sup>19</sup> Al Qur'an:2/341

reasonable manner; this is a duty upon the pious.”

First verse is a part of second verse and included in it. An example of a verse that makes things forbidden is:

أَوْ دَمًا مَّسْفُوحًا أَوْ لَحْمَ خِنزِيرٍ<sup>20</sup>

“Or blood flowing from blood vessels, or the flesh of swine are prohibited.”

In second verse, He says:

حُرِّمَتْ عَلَيْكُمْ الْمَيْتَةُ وَالِدَمُ<sup>21</sup>

“Forbidden for you are carrion, and blood.”

In described verses, a ruling has been made obligatory generally in some verses and the same ruling has been made obligatory in a specific way in some other verses. Or in a verse, something has been prohibited generally, and then some people have been singled out from this ruling.

In first verse, flowing blood is described and only blood in second verse. We see that when the general command is declared which is close to the specific, it will not be against it, so, it cannot be defined as particular or specific. Specification will be declared if the ruling of specific will be opposite to general ruling. But if the command of specific will be compatible to general, the command will exist of specific ruling. And the stating of specific ruling is only for because the further arrangements have been done of permissible or forbidden in it. For example, good behavior is required in all circumstances but it is required with parents particularly.

In same way, adultery is prohibited generally and with the neighbor's wife is particularly prohibited. It is obligation to give clothes to a divorced woman, but if the woman whose Haq-Mehar has not been fixed nor physical relation been established, then it is essential to give her particularly. Now, we can judge that there is no contradiction in these verses. The person who assumes contradiction is actually convinced with the contrary meanings. For example, he says that in the verse *وَبِالْوَالِدَيْنِ إِحْسَانًا*, the good behavior with parents has been declared as the core obligation for children, so, the meanings of this verse are that Islam allows to misbehave with others than parents and kind behave is only attached with parents exclusively. This person is deriving the meaning what the Text is not revealing for and then he supposes the conflict between Texts and, fact is, there is no contradiction between them.<sup>22</sup>

### Third reason of compatibility

The third reason for the combination and compatibility is that one of the two texts makes an act obligatory with a certain condition or a certain time or on certain persons or at a certain place or with a certain number or any of them with particular condition. In the second text, an act is prohibited which is related to the first text or related to its gender or species, and is not limited to the time or place or specific persons. The verse is bright example of above said statement:

<sup>20</sup> Al Qur'an:6/48

<sup>21</sup> Al Qur'an:5/3

<sup>22</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.24.



وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ  
اسْتَطَاعَ إِلَيْهِ سَبِيلًا<sup>23</sup>

“and performing the Hajj (pilgrimage) of this house, for the sake of Allah, is a duty upon mankind, for those who can reach it.”

The order is given to those who have the sources to Hajj In this verse, while Holy Prophet (peace be upon him) said:

لا تسافر المرأة ثلاثاً، إلا ومعها ذو  
محرم<sup>24</sup>

“A woman should not set out on three (days' journey) except when she has a Mahram with her.”

Hajj is mentioned in Qur'anic verse and a woman's journey is discussed in Hadith, while both possibilities exist in the above stated verse and Hadith, now, either the Hadith will be declared as the attributed part of the verse and then the meaning of the verse will be that Hajj is obligatory on every person who can afford to go there, man or woman, however, if a woman does not have a husband or a Mahram accompanied her, Hajj has not obligatory status for her, most of the jurists have the same stance.

Allah says in Qur'an:

وَإِذَا حُيِّتُمْ بِتَحِيَّةٍ فَحَيُّوا بِأَحْسَنَ مِنْهَا  
أَوْ رُدُّوهَا<sup>25</sup>

“And when you are greeted with some words, greet back with words better than it or with the same.”

On the other hand, Holy Prophet (peace be upon him) also commanded to be silent during sermon of Friday. There are many examples in which one text proves a command in a particular situation, time and place while other text contradicts it in gender or species. Ibn-e-Hazm declares the both texts are obligatory. On the other hand, one text will make the other text's commands specific, however, it is important to keep in mind that there must be a reason for this matter, why we declare one as particular and the other as specified. Greeting was ordered in the above mentioned verse, on the other hand, in the following hadith, silence was ordered during the Friday sermon.

إذا قلت للناس انصتوا وهم يتكلمون، فقد لغوت على  
نفسك يعني يوم الجمعة<sup>26</sup>

"When the Imam is delivering the Khutba, and you ask your companion to keep quiet and listen, then no doubt you have done an evil act."

Apparently, two conflicting orders have been given during the sermon, one is to answer the greeting and the other is to remain silent and to listen the sermon. One text does not have priority over the other, in this case, the first reason of following is to exempt the few from the bulk. Ibn-e-Hazm has the opinion that the few period is to greeting on the prayer time in the discussing issue, although the order of silence has been issued, answering the greeting will not disturb the hearing of the sermon.<sup>27</sup>

<sup>23</sup> Al Qur'an:3/97

<sup>24</sup> Al-Sahih, Lil-Muslim, Kitāb ul Hajj, Hadith Number: 1338.

<sup>25</sup> Imam Nisāie, Ahmad bin Shoaib, Sunan Nisāie, Hadith Number: 824.

<sup>26</sup> Al-Jāmi‘ Al-Sahīh, Kitāb ul Hajj, Hadith Number: 934.

<sup>27</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.27.

It is cleared from above said stated position of Ibn-e-Hazm that even if there is a contradiction, its solution is very easy, because where two arguments have been existed; Ibn-e-Hazm regarded one text to be a reference to the other. It is general command in a sense in the text and both texts are be collected in a particular way and are be separated from each other. Therefore, with the help of other arguments, the specified will be declared as preferred.

#### **Fourth reason of compatibility**

If the thinking eye ponders on three ways which have been described on concurring of texts of Ibn-e-Hazm, the process of both arguments become very clear by following both arguments. In the first reason, the distinct text is completely followed. In the second reason, it is followed after exempting the specific ruling. In the third reason, one of them is accepted as specified based on arguments or make compatibility between them. In the second reason, the both texts have been followed without making them compatible and not finding any common object except that the contradiction is associated with the contrary meaning. It is obvious that the words are not essential for contrary meaning, although the Zahiri scholars always rely on the apparent words.

There is a huge conflict in the fourth case of compatibility. In some cases, one text is also abrogated. It happens when one text is standing on the opposite side from the other in regard of commandments or both have the complete discrepancy. For example, one text makes forbidden and second makes permissible, one makes the obligation and second makes optional. In this regard, Ibn-e-Hazm says that when one text is proved to be the latest in terms of revelation and its abrogation is also established, so, it must be followed and it will be invalid to follow the

abrogated text. The certain proof is essential for abrogation. It is prohibited to issue a fatwa without accepted arguments. A text will be called abrogated only when it is proved to be abrogated by another text. This ruling will be issued in the event that it is proved that one text is abrogated by the other. When the abrogation is not proven, Ibn-e-Hazm says about it that if such a latest text is introduced that is not existed before, then the latest text will also be considered as common as earlier. The text that was compatible before these two arguments will not be considered as regular.

Ibn Hazm says:

“It is not in our hand to think about this matter, that if none of these two testimonials had appeared, then the text that was compatible with our method before their appearance would be followed and the other would be abandoned and It is not permissible against it. Its argument is that we were already following on the compatible hadith, then we started to follow the latest text, so it is proved with certainty that we abandoned the previous routine. After that, the abrogation of this additional matter was not proved to us by any argument. Therefore, we cannot abandon a certain thing on the basis of doubt and do not

consider it valid due to the violation of reality.”<sup>28</sup>

Because Allah Almighty has forbidden it:

إِن يَتَّبِعُونَ إِلَّا الظَّنَّ وَإِنَّ الظَّنَّ لَا يُغْنِي مِنَ الْحَقِّ شَيْئاً<sup>29</sup>

“They follow nothing but conjecture, and conjecture is of no use in (the matter of) Truth.”

### Conclusion

1. Imam Ibn-e-Hazm believed in equality of Qur’an and Sunnah in term of status and rank and did not differentiate between them.
2. The Qur’an and the Sunnah can never be in conflict with each other.
3. If there seems to be a conflict, they will be compatible and none of them will be rejected.
4. If the compatibility is not possible, so, one of them will be considered as abrogating and second will be considered as abrogated.
5. If there is no awareness of its date of revealing age, either it belongs to early period or later, then they cannot be declared abrogating and abrogated.
6. In the nonexistence of knowledge of the abrogator, a reference will be made to a third text which may lead to a new ruling in this regard, and its new ruling will be followed.

### Conclusion

Qur’an and the Sunnah, both are the basic sources of Sharia. It remains an important and favorite topic of jurisprudence whether there is any kind of conflict between them or not, on which the jurists have mentioned their arguments in their own way. This discussion is mentioned in the important books of fiqh. In this article, Ibn-e-Hazm Zahri’s opinion on "Contradiction of Texts" has been illuminated. This subject can be worked on with reference to several important personalities, some of which are as follows:

1. Imam Ibn-e-Taymiya’s opinion on contradiction of texts.
2. Allama Ibn-e-Qayyam’s opinion on contradiction of texts.
3. Imam Shatibi’s opinion on contradiction of texts.
4. Shah Waliullah’s opinion on contradiction of texts.

<sup>28</sup> Ibn e Hazm, Al-Ihkam, Vol, 2 p.29.

<sup>29</sup> Al Qur’ān:53/28