

Proof of Interest in Creative Thinking in the Islamic Jurisprudence

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Abstract— The purpose of this paper is to show an interest in creative thinking in Islamic jurisprudence. And it is through the revelation of the Qur'an verses that, have learned about creative thinking and the importance of creative thinking in human life. And to explain the importance of creative thought in the Sunnah of the Prophet, through the hadiths that urged him, and the Prophet, may God's prayers and peace be upon him, urged creative thinking. The paper would also deal with the skills of some creative thinking, such as Ijtihad, Shura, and some events that have been solved by creative thinking, which reflect the importance of creative thinking in solving problems in today's world.

Keywords— Islamic Jurisprudence, creative thinking, Shura, Sunah

INTRODUCTION

The Qur'an urged thinking and considered it a human necessity. and some Islamic scholars considered thinking an obligation Islamic (Imam Qutb,1958). and the reference to the necessity of thinking about the universe, souls, all things, and the living, came in many verses from the Book of God Almighty, calling for reflection and deep consideration of things.

Where it was stated in the Qur'an about the understanding:

﴿ وَهُوَ الَّذِي أَنْشَأَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ فَمُسْتَوْذَعٌ وَمُسْتَوْدَعٌ ۗ قَدْ فَصَّلْنَا الْآيَاتِ لِقَوْمٍ يَعْقِلُونَ ﴾ .

(Al-Qur'an. Al An'am 1:98)

And urged the Qur'an to look deep and think deeply, as stated in the Qur'an :

﴿ كَلِّ انظُرُوا مَاذَا فِي السَّمَاوَاتِ وَالْأَرْضِ ۚ وَمَا تُعْجِبُ الْآيَاتِ وَالنُّذُرِ ۚ عَنْ قَوْمٍ لَا يُؤْمِنُونَ ﴾ .

(Al-Qur'an. Yunus 2:101)

And urged the Qur'an to take the lesson as stated in the Qur'an

﴿ لَقَدْ كَانَ فِي قَصَصِهِمْ عِبْرَةٌ لِأُولِي الْأَلْبَابِ ۗ مَا كَانَ حَدِيثًا يُفْتَرَىٰ وَلَكِنْ تَصْدِيقَ الَّذِي بَيْنَ يَدَيْهِ وَتَفْصِيلَ كُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً لِقَوْمٍ يُؤْمِنُونَ ﴾

(Al-Qur'an. Yusuf 2:111)

It is noted that the preceding verses contained guidance to models of mental activity, such as reflection foresight, understanding, remembrance, reason, and reason (Jamal,2004). which include mental capabilities in each of them, but it is intended to be exercised, and guidance for the implementation of consideration and thought in-depth, and the use of methods Different and varied thinking. which indicates the capacity of mental capabilities that God Almighty has entrusted to a man in their ability to develop, and to use them at their highest levels. (Al-Alwani, 2004).

And all of this requires a mature mindset with its formal and objective conditions, knowledge of reality,

and the variables of the age and its life, political and economic requirements(Mohsen, 1404 AH). This does not mean that everyone who claims that he is from the people of conservation is allowed to strive in the provisions of religion, but the meaning is that Islamic jurisprudence with its tools needs creative thinking in dealing with judgments and downloading them to the facts Accidents. (Mohsen, 1404 AH).

OBJECTIVE

- a. Diagnosis of proof of the interest of the Holy Quran in creative thought
- b. Show proof of Sunnah 's interest in creative thought
- c. Explanation of some creative reasoning skills in Islamic jurisprudence.

This paper explores some facts that suggest the interest of Islamic jurisprudence in creative thought. The Islamic religion, as Imam (Sayyid Qutb) pointed out, is the religion of work, balance, and creativity. There are many people who do not know the Islamic faith that existed a thousand and five hundred years ago after God revealed the Qur'an to the Messenger. But the Islamic faith is compatible with any time and place, and creative thinking has existed since the beginning of Islam, and not as others have believed since the beginning of the past century.

Proof of interest in creative thinking in the Islamic Jurisprudence

The creative thinking from the point of view of Islamic jurisprudence, "The ability to look at the evidence, and learn the origins of deduction and the means of Ijtihad through knowing the foundations of Ijtihad and fully knowing the purposes Sharia." (Jamal, 2005).

Urging the *Qur'an* to think creatively

It was stated in the *Qur'an* that thinking is an *Islamic* obligation and pointed to the necessity of thinking about the universe, the soul, and the surrounding things from a person, and he referred to thinking about God's creativity in his creation. (Abdel Wahab, 2017)

قال تعالى : (أَفَلَا يَنْظُرُونَ إِلَى الْإِبِلِ كَيْفَ خُلِقَتْ {17} وَإِلَى السَّمَاءِ كَيْفَ رُفِعَتْ {18} وَإِلَى الْجِبَالِ كَيْفَ نُصِبَتْ {19} وَإِلَى الْأَرْضِ كَيْفَ سُطِحَتْ {22} فَذَكِّرْ {20} إِنَّمَا أَنْتَ مُذَكِّرٌ {21} لَسْتَ عَلَيْهِمْ بِمُصَيِّرٍ

(*Al-Qur'an. Alghashia*17,18,19,20,21)

The *Qur'an* urged the expansion of thinking by reflecting on the origins and origins of man and that humanity belongs to one father.

(قَالَ تَعَالَى (وَهُوَ الَّذِي أَنْشَأَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ فَمُسْتَوْذَعٌ مُسْتَوْذَعٌ قَدْ فَصَّلْنَا الْآيَاتِ لِقَوْمٍ يَفْقَهُونَ

(*Al-Qur'an. Al An'am* 2:98)

And the *Qur'an* showed that creative thinking skills are to consider and meditate on what God created in the heavens and the earth.

(قَالَ تَعَالَى (أَوَلَمْ يَنْظُرُوا فِي مَلَكُوتِ السَّمَاوَاتِ وَالْأَرْضِ وَمَا خَلَقَ اللَّهُ مِنْ شَيْءٍ وَأَنْ عَسَى أَنْ يَكُونَ قَدِ اقْتَرَبَ أَجَلُهُمْ فَتَلْقَاهُمْ فِي حَبِيدٍ بَعْدَهُ يَوْمُونَ

(*Al-Qur'an. Al-A'raf*2:185)

The *Qur'an* revealed stories and lessons so that people can think of them, such as the case study in modern science, with the aim of taking results and lessons.

قال تعالى (لَقَدْ كَانَ فِي قَصَصِهِمْ عِبْرَةٌ لِأُولِي الْأَلْبَابِ ۗ مَا كَانَ حَدِيثًا يُفْتَرَىٰ وَلَكِن تَصَدِيقَ الَّذِي بَيْنَ يَدَيْهِ وَتَفْصِيلَ كُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً لِّقَوْمٍ يُؤْمِنُونَ)

(*Al-Qur'an. Yusuf* 2:111)

The *Qur'an* gives an urge to think and meditate on the grace of night and day and that in the creation of day and night to signify the existence of God Almighty and his ability.

(قال تعالى (يُقَلِّبُ اللَّهُ اللَّيْلَ وَالنَّهَارَ ۚ إِنَّ فِي ذَلِكَ لَعِبْرَةً لِّأُولِي الْأَبْصَارِ

(*Al-Qur'an. Al-Nur* 2:44)

The *Qur'an* also forbade disrupting the mind in the performance of its function and urged most of its verses to think and use the mind, and it came in its verses forbade trying to disrupt the mind.

قال تعالى (وَلَقَدْ ذَرَأْنَا لِجَهَنَّمَ كَثِيرًا مِّنَ الْجِنِّ وَالإِنسِ لَهُمْ قُلُوبٌ لَّا يَفْقَهُونَ بِهَا وَلَهُمْ أَعْيُنٌ لَّا يُبْصِرُونَ بِهَا وَلَهُمْ آذَانٌ لَّا يَسْمَعُونَ بِهَا ۗ أُولَٰئِكَ كَآلُ الْإِنْعَامِ بَلْ هُمْ أَضَلُّ ۗ أُولَٰئِكَ هُمُ الْعَافِلُونَ

(*Al-Qur'an. Al-A'raf* 179)

The *Qur'an* considered that not using the mind is a slander and a sin that can be held accountable for man.

(قال تعالى (وَقَالُوا لَوْ كُنَّا نَسْمَعُ أَوْ نَعْقِلُ مَا كُنَّا فِي أَصْحَابِ السَّعِيرِ

(*Al-Qur'an. Al-Mulk* 2:11)

Urging the *Sunah* to think creatively

There are many and many hadiths that refer to the Prophet of God, may the grace of God and peace be upon him. It is helpful, as the hadith points out (من حسن إسلام المرء تركه ما لا يعنيه), which means that the believer must step away from matters that are not important, and this leads to rest and commitment in thinking and imagination in matters that are beneficial to him and his human society (Al-Kubaisi 2006).

(قول النبي صلى الله عليه وسلم: (تفكروا في آلاء الله ولا تفكروا في ذاته فتهلكوا

The dialogue reveals the way of thinking and leads the believer to the right direction to save time and energy, and encourages the believer to step ahead on the right road to thought and imagination until it achieves practical and beneficial results (Sahih Al-Bukhari, 1991). The dialogue illustrates the forms and methods of thought and imagination as it directs the believer in a certain way of thinking, and tells the believer why thinking must be in a certain direction in order to obtain the right results for the purpose of thinking (Sahih Al-Bukhari, 1991).

In another case, it reflects the urging of the *Sunnah* of the Prophet to think and be creative, when the Prophet, may God's prayers and peace be upon him, asked the Companion, may God be pleased with him, before he

Where he said to him, "Moaz," How do you act if you are asked to judge in a case? "He said: "Judge the book of God (the *Qur'an*) he said. In the year of the Messenger of God? Moaz said: Strive to think about the principles and foundations of religion, so the Messenger of God, peace, and blessings of God be upon him, rejoiced over Moaz's response, then he said: Praise be to God, who is in accordance with Moaz when God and his Messenger are satisfied (The Biography of the Prophet by Ibn Hisham).

From the context of the hadith, the Prophet, may God's prayers and peace be upon him, ordered the companion, forbid, to implement his opinion, mind, and intellect, to exert effort in the matter presented to

him, to reach a rational ruling, and that was in the era of the Messenger of God, peace, and blessings be upon him, and there was no science of innovation and invention.

And there are hadiths mentioned in the questioning formulation because he said, may God bless him and grant him peace, where the Messenger of God said in the interrogative form: Do you know who is bankrupt? Hasith puts the matter, in the form of a question, on the Prophet, peace, and blessings be upon him, and awaits the answer This came to motivate them to collectively think, to produce and generate the largest possible number of ideas and solutions, until they finally reach the stage of preparing for putting ideas into practice. As happened in the Battle of *Badr* when Muslims were asked to express their views on the positioning of the army and dealing with the source of water available at the battle site and how the Muslim army used this source as an effective weapon in targeting the enemy's army and other positions (Abdel Wahab, 2017).

Some of the creative thinking skills in *Islam*

The *Islamic* religion is considered a religion of balance and creativity, to urge the use of reason and an urge to think and research, and *Islam* called to think about everything God's creation, so *Islam* has many creative thinking skills and I will address the most important. (Abdel Wahab, 2017)

Ijtihad

In the *Islamic* religion: the *Islamic* concept, observed by scholars, jurists, and fundamentalists, varied in terms of its meaning over the centuries, its requirements, its foundations, and the qualifications of those who went there. It's just a kind of mental and intellectual versatility that *Islam* has enriched the flow of thought in human life. After the time of revelation, *Islam* opened the doors of movement, reform, and *Ijtihad* within the context of the laws regulating the flow of thought and culture that *Muslim* scholars called science (principles of jurisprudence). Which is the true approach to the roots of science and mental study, and this constitutes a safety valve to test the equilibrium of that movement and its non-departure from the *Sunnahs* of the Creator, which it has deposited in all its life.

A person is considered to have exerted something when he exerted the mental and intellectual effort in researching, checking, and measuring so that none of his energy could be left (that is, what is called the brainstorming in our modern era, and is considered one of the highest skills of creative thinking. .

Ijtihad is a skill of creative thinking that assumes freedom of research, strengthening the personality with the work of thought, and not adhering to the opinion of others if it seems more likely than him. 1250 AH) in Sciences - (This is the opinion and view of Imam Al-Shawkani, 1173) Applied.

Shura

Shura is considered an *Islamic* terminology that means taking the opinion of others with wisdom and experience from the people of the solution and the contract and consulting them on various matters, and it is among the *Islamic* ethics that is a clear approach in life, as it is one of the great *Sunnahs* that must be followed following the example of the Prophet, peace, and blessings are upon him, who He consulted his companions on various matters and in view of their importance. God Almighty has made a *surah* in the *Qur'an* called *Surah Al-Shura*, and among the verses that focus on this concept, (*AL- Imran*, 159) and in this article we will mention information about the concept of *Shura* in *Islam* . (Salah, 2019)

And by talking about the characteristics of the *Shura* people in the *Islamic* religion as mentioned in an objective interpretation book by Dr. (Salah, 2019). who is a researcher in *Shura* issues, they should be experienced. They must be knowledgeable and knowledgeable who give their opinion based on deep knowledge, and their opinion will not be random. Be honest and able to take responsibility. Be courageous

and be able to express an opinion without fear of anyone. To be from the people of the solution and the contract, and able to make decisions. To be a preponderant mind.

It is one of the important principles of Islam that the *Qur'an* advocated and endorsed by the Prophet, peace, and blessings of God be upon him, and its application, and it is very important in this research that we are exposed to it as one of the tools used to generate ideas and brainstorming and it only comes with the good. And God set it as a basis for the pillars of *Islam*, prayer, and zakat, and God praised the Almighty the believers,

فيما رحمة من الله لنت لهم ولو كنت فظا غليظ القلب لانفضوا من حولك فاعف عنهم واستغفر لهم وشاورهم في الأمر فإذا عزمت فتوكل (على الله إن الله يحب المتوكلين)

(*Al-Qur'an. Al-Imran 2:159*)

And the Prophet, may God bless him and grant him peace, confirmed it in many situations. It was narrated from *Abu Hurairah*, may God be pleased with him: "I have not seen anyone more advising to their companions than the Prophet, may God's prayers and peace be upon him, The *Shura* gathering people to draw the right thing by offering a set of opinions on an issue in order to guide them to a decision, i.e. choosing what each of them has and extracting what they have.

It means turning different opinions and opinions expressed and choosing them from those who have brains and understandings, in order to reach the rightness from them or (to their correctness and best way to work with them until the best results are achieved)

And on the authority of the Prophet, may God's prayers and peace be upon him, "No people have ever consulted them except guiding them. (Salah, 2019)

The term *Shura* in *Islam* refers to the most important creative thinking strategies in modern sciences of creativity, which are brainstorming, by taking the opinion of those who possess knowledge, skill and news and collect their ideas to reach a wise decision.

Shura refers to the principle of decentralization in management sciences, through which responsibilities are distributed and away from bureaucratic complications and embodying balance in decision-making, creating equality and respecting the opinions of others. (Salah, 2019) .

of the Prophet, and by listing stories and incidents that have been dealt with by the process of creative thinking.

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