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Fiqh

What is Fiqh?

Linguistically:

- To understand or have a deep comprehension of something

Technically:

- “Knowledge of the legal rulings (of the Shariah) related to actions, derived from their particular evidences” (The Accessible conspectus, Pg 4)

Why Fiqh?

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ

“Say if you love Allah, then follow me; Allah will love you and forgive your sins. And Allah is All-Forgiving, Most Merciful.” (Quran 3:31)

- Fiqh is the way to loving Allah ^{جل جلاله}.
- The Nabi Muhammad ^{صلی الله علیه وسلم} is the beloved of Allah ^{جل جلاله}.

Ibn Atāillah al-Askandarī:

“That which is stored in the innermost recesses of the heart, finds expression on the outermost limbs.”

- “When we study the sacred law (Fiqh) to manifest our love for Allah ^{جل جلاله} and for Rasūlullāh ^{صلی الله علیه وسلم}, we elevate our actions from ritualistic practice to a deep expression of inward love.”

The Importance of seeking Knowledge:

قَالَ رَسُولُ اللَّهِ ﷺ: «طَلَبُ الْعِلْمِ فَرِيضَةٌ عَلَى كُلِّ مُسْلِمٍ وَمُسْلِمَةٍ».

Rasūlullāh صلى الله عليه وسلم said: “Seeking knowledge is an obligation upon every male and female Muslim.”

قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ سَلَكَ طَرِيقًا يَلْتَمِسُ فِيهَا عِلْمًا سَلَكَ اللَّهُ بِهِ طَرِيقًا إِلَى الْجَنَّةِ».

Rasūlullāh صلى الله عليه وسلم said: “Whoever takes a path upon which to obtain knowledge, Allah makes the path to Paradise easy for him.”

The obligations of Knowledge:

'Ilm an-Nāfi'

- Seeking beneficial knowledge is both regarding this life and the next.
- We must ask ourselves, what are our obligations/duties in this life?

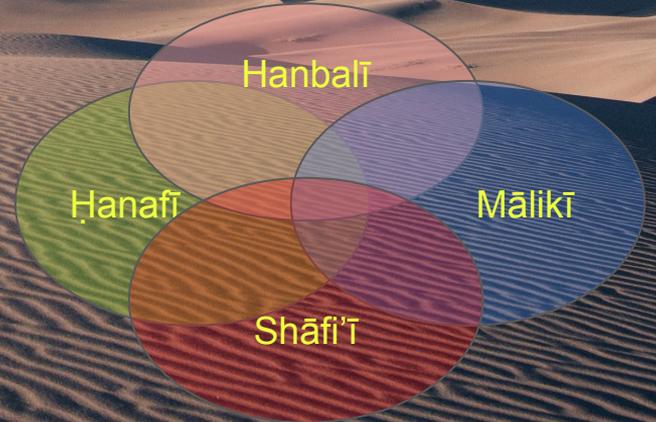
What are the Farā'id?

- Fard 'Ain: Personal Obligatory Knowledge
 - Inward
 - Outward
- Fard Kifaya: Communal Obligatory Knowledge
 - If one person fulfills it, the duty is lifted from the community.



The Madhabs:

- Sunni Islam: There are 4 Imams of Sacred Law (Fiqh)
- About 75% concurrence, the differences of opinion are a mercy from Allah جلاله
- Differences come from scholars' differing on the meanings of the sources.
- Ambiguities preponderate, as a result of Divine wisdom, that's why it is a mercy. In difficult circumstance other AUTHENTIC opinions may be followed
- Generally, authentic scholarly opinions are traceable back to the Saḥāba and the salaf.





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Fiqh
Lesson 3

أركان الإسلام

Rukun/Arkān:

Linguistically:

- A rukun (رُكْن) is the strongest part of something

Technically:

- Rukun (رُكْن) is part of the essence, without which the essence will not be realised
 - Eg. A chair with with four legs, if legs are missing then the chair is unstable, or not viable to called a chair.
- The pillars of the faith are what makes a successful Afterlife viable
- When the Pillars are maintain, the religion becomes resilient and the felicity of the Afterlife is safeguarded. This is based upon sound ahādīth in Bukhāri and Muslim.

Madhhab Imam

Imam Muhammad ibn Idrīs
al-Shāfi'ī
767-820

Some Senior Shāfi'ī scholars

The Imam (Usul)

Imam al-Ḥaramayn
al-Juwaynī
1028-1085

**Shaykhān of the Shāfi'ī
madhhab**

Late 1100s, 1200s (6th/7th century Hijri)

Imam al-Nawawī

1233-1277 (7th century H)

Imam al-Rāfi'ī

1160-1226 (7th century H)

**Authoritative
Explainer**

11400s (9th century Hijri)

**“Shaykh al-Islam”
Zakarīyya al-Anṣārī**

1420-1520

**Role in Clarifying the
Mu'tamad Views**

1500s (10th century Hijri)

Ibn Ḥajar al-Haytamī

1503-1566 (10th century H)

Imam al-Ramlī

1511-1595

**Some Scholars of
Note**

**Imam al-Shirāzī
(Irāqī)**

1002-1083

**Imam al-Ghazālī
(Khorasānī)**

1058-1111

al-Khaṭīb al-Shirbīnī

1513-1570



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Fiqh
Lesson 4

Categories of Actions:

- Farḍ or Wājib is an obligation.
 - Generally interchangeable in the Shafi'ī school.
- Mandūb/Mustaḥab/Sunna is that which is encouraged.
- Mubāḥ/Jā-iz is that which is permissible.
- Makrūh is that which is discouraged or disliked.
- Ḥarām is that which is prohibited/forbidden.

The status of an action can change: Example Basmala

- Farḍ or Wājib: When reciting Fātiḥa in ṣalāh.
- Mandūb/Mustaḥab/Sunna: When beginning and ending a meal.
- Mubāḥ/Jā-iz: Before or after exercise.
- Makrūh: To make dhikr in the restroom.
- Ḥarām: Before drinking alcohol or committing any other sinful act.



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Fiqh
Lesson 5

On the authority of Abu Hurayrah (may Allah be pleased with him), who said that the Messenger of Allah (ﷺ) said:

Allah (mighty and sublime be He) said: Whosoever shows enmity to someone devoted to Me, I shall be at war with him. My servant draws not near to Me with anything more loved by Me than the religious duties I have enjoined upon him, and My servant continues to draw near to Me with supererogatory works so that I shall love him. When I love him I am his hearing with which he hears, his seeing with which he sees, his hand with which he strikes and his foot with which he walks. Were he to ask [something] of Me, I would surely give it to him, and were he to ask Me for refuge, I would surely grant him it. I do not hesitate about anything as much as I hesitate about [seizing] the soul of My faithful servant: he hates death and I hate hurting him. It was related by al-Bukhari.

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "إِنَّ اللَّهَ عَزَّ وَجَلَّ قَالَ: مَنْ عَادَى لِي وَلِيًّا، فَقَدْ آذَنَنِي بِالْحَرْبِ، وَمَا تَقَرَّبَ إِلَيَّ عَبْدِي بِشَيْءٍ أَحَبَّ إِلَيَّ مِمَّا افْتَرَضْتُ عَلَيْهِ، وَمَا بَرَّأَ عَبْدِي يَقْتَرِبُ إِلَيَّ بِالتَّوَافِلِ حَتَّى أُحِبَّهُ، فَإِذَا أَحَبَبْتُهُ، كُنْتُ سَمْعَهُ الَّذِي يَسْمَعُ بِهِ، وَبَصَرَهُ الَّذِي يُبْصِرُ بِهِ، وَيَدَهُ الَّتِي يَبْطِشُ بِهَا، وَرِجْلَهُ الَّتِي يَمْشِي بِهَا، وَإِن سَأَلَنِي لِأَعْظِيئَتِهِ، وَلَوْ بِنُفْسِي لَأُعْطِيئَهُ، وَمَا تَرَدَّدْتُ عَنْ شَيْءٍ أَنَا فَاعِلُهُ تَرَدُّدِي عَنْ نَفْسِ عَبْدِي الْمُؤْمِنِ، يَكْفُرُهُ الْمَوْتَ وَأَنَا أَكْرَهُ مَسَاءَتَهُ"

رواه البخاري

Do we not want to be close to Allah جل جلاله? Do we not wish to be of His جل جلاله beloved ones? We are striving to know what we can do to show Allah جل جلاله that we love Him جل جلاله. To manifest the sincere love in our hearts.

وَلَتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

"Let there be a group among you who call to goodness, encourage what is good, and forbid what is evil—it is they who will be successful."

Shahāda:

- When we talk about the Shahāda in Fiqh, we are referring to the action of Shahāda,
 - That is something which is physically demonstrated and can be observed within this reality.
 - It is the physical testification of faith in two aspects which require some details which fall within the realm of faith (imān/aqīda).
- Though there is an understanding that a person born to Muslim parents is a Muslim, there is a strong view that one should utter the Shahāda aloud at least once in their lifetime.
 - The majority view is that such a person is Muslim by default and does not need to utter the Shahāda aloud.
- For someone who embraces Islam:
 - It is also not necessary for someone who outwardly practices Islam.
 - It is highly recommended to say the Shahāda aloud to avoid any ambiguities, and complications when it comes to matters of burial, inheritance, etc.
- For someone who has uttered it within himself, but has never said it or openly practiced Islam, his reality is with Allah, and the people are to regard this person as a non-Muslim based on what is apparent.
- Saying it aloud has conditions:
 - Sanity
 - Utter both clauses
 - Willingly uttered

Importance of the Shahāda:

- Without the Shahāda, no other deeds are accepted.
 - A christian/jew/athiest/agnostic can make all the salāhs or fast the entire month of Ramadān and it wouldn't be counted.
 - These are actions based on what we said before.

“That which is stored in the innermost recesses of the heart, finds expression on the outermost limbs.”

-Ibn Atā-'illah al-Askanderī

- It is important not to delay a person's shahāda.
 - There is an opinion of the 'ulamā that it is impermissible for one to delay the shahāda of another person.

The Meaning: Ash-hadu, ila and the name Allah

- Ash-hadu (testify) means to believe with certainty.
- Ilā means god
 - Does not matter if it is being used in reference to a false god or the one true God.
 - In the shahāda it means that there is no true god or no god worthy of worship other than Allah.
- It could be that some religions such as Hinduism presents other gods, thus this formula means that those other gods would be rejected.
- This was very relevant in the times of the early Arabs.
- Allah being singularly (tawḥīd) affirmed is the most fundamental and unique feature of Islam.
- British Historian and Philosopher, Arnold Toynbee also recognised this
- The name Allah is the supreme name of the One True God.



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‘Abd-ar-Rahmān ‘the Servant of the God of Mercy.’ Yet this worshipper of a compassionate God would have testified that, if the pilgrimage is merely the symbol of a fraternity transcending differences of colour and class, this unity between true believers is, in turn, merely a translation into action here on Earth of their true belief in the unity of God. Islam’s creative gift to mankind is monotheism, and we surely dare not throw this gift away.



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What the philosopher and historian Arnold Toynbee is highlighting in the passage is

- The monotheism of Islam permeates every aspect of a Muslim's life.
- The Shahāda is the testament to this monotheism.
- The gift of Monotheism is that it transcends differences and unifies humanity.

This is Islam's gift to the world.





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GOD'S ATTRIBUTES

NECESSARY

Existing
Oneness
Pre-Eternal
Infinite
Self-Dependent
Dissimilar to creation
Ability
Will
Knowledge
Life
Hearing
Seeing
Speech

IMPOSSIBLE

Non Existing
Duality/Plurality
Beginningness
Finite
Dependent
Similar to creation
Inability
Lack of will
Ignorant
Dead
Deaf
Blind
Mute

POSSIBLE

To bring something
into existence or not

Jibrīli Hadith

- Islam

- al-Shahada
- al-Salawāt al-ḥams
- al-Zakāt
- al-Sawm
- al-Hajj

- Īmān

- Allah
- His Prophets
- His Angels
- His Books
- The Last Day
- All Good and Evil is from Him

- Ihsān

- Worship Allah as though you see Him. If you cannot, know that He sees you.

Who was that?

That was the Angel, Jibril, and he came to teach you your Religion.

فَسَقُطُ ٱلْيَوْمِ يَأْسَ ٱلَّذِينَ كَفَرُوا مِن دِينِكُمْ فَلَا تَحْشَوْهُمْ وَأَحْسِنُونَ ۗ ٱلْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي
وَرَضِيْتُ لَكُمُ ٱلْإِسْلَامَ دِينًا

“...Today the disbelievers have given up all hope of ‘undermining’ your faith. So do not fear them; fear Me! Today I have perfected your faith for you, completed My favour upon you, and chosen Islam as your way...”