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HANDOUT

ISL3667

Textual Study of Islamic Fiqh

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ISL3667 - Textual Study of Islamic Fiqh

A structured study handout compiled from the course's lecture topics. Read each topic's objectives first, study the key concepts, then use the summary and exam tips for revision.

ISL3667

Textual Study of Islamic Fiqh

Based on 45 lecture topics

Compiled for VU students as a structured study guide

*Concepts are summarized in the writer's own words;
use alongside your lecture videos for best results.*

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Course Introduction

Fiqh - Islamic jurisprudence - is the scholarly discipline deriving practical rulings from the Qur'an and Sunnah: how to pray, trade honestly, marry justly, and live as a Muslim. A 'textual study' means engaging fiqh through its primary texts, understanding how rulings are extracted from revelation.

This course introduces fiqh's foundations: its sources (Qur'an, Sunnah, ijma', qiyas), its schools (Hanafi, Maliki, Shafi'i, Hanbali), and its methodology (usul al-fiqh). Students then study textual evidence for key rulings in worship, family, transactions, and contemporary issues - learning not just what the rulings are, but how scholars derive them.

The goal is principled literacy: understanding fiqh as a reasoning tradition that applies eternal guidance to changing life, and gaining the tools to follow scholarship with insight rather than imitation alone.

How to use this handout: Each topic lists its learning objectives, explains the key concepts in simple words, defines important terms, gives an example where helpful, and closes with a summary plus exam tips. Topics marked **Very important** deserve extra revision.

Unit 1: Foundations of Fiqh

Topic 1: What Is Fiqh?

Learning Objectives

- Define fiqh
- Distinguish shari'ah and fiqh
- Explain fiqh's scope

Key Concepts

Fiqh literally means 'deep understanding'; technically, it is the science of deriving practical Islamic rulings (ahkam) from detailed evidences. It covers worship (ibadat) and social dealings (mu'amalat) - the how of Muslim life.

Shari'ah vs. fiqh: Shari'ah is the divine guidance itself (perfect, immutable); fiqh is human scholarly understanding of it (fallible, developing). This distinction preserves both reverence for revelation and humility about interpretations.

Scope: purification, prayer, fasting, zakah, hajj (ibadat); marriage, divorce, inheritance, trade, crimes, governance (mu'amalat). Fiqh is thus comprehensive - a complete way of life's legal-moral framework.

Key Points

- Fiqh: deriving practical rulings from evidences.
- Shari'ah is divine; fiqh is human understanding of it.
- Scope: worship and social dealings - comprehensive.

Key Terms

Fiqh: Islamic jurisprudence.

Shari'ah: Divine guidance/law.

Hukm (ahkam): Legal ruling(s).

Example

- *The Qur'an commands prayer: fiqh details its valid form.*

Summary: Fiqh turns divine guidance into detailed practice.

Exam Tips

- ★ Very important: shari'ah vs. fiqh.
- ★ Remember the literal meaning.

Topic 2: Sources of Islamic Law

Learning Objectives

- List the primary sources
- Explain each source's role
- Discuss secondary sources

Key Concepts

Primary sources: (1) The Qur'an - the supreme authority; (2) The Sunnah - the Prophet's words, acts, and approvals, explaining and supplementing the Qur'an; (3) Ijma' - consensus of qualified scholars, binding when established; (4) Qiyas - analogical reasoning extending rulings to new cases by shared effective cause ('illah).

Secondary/auxiliary: istihsan (juristic preference), maslahah (public interest), 'urf (custom), sadd al-dhara'i (blocking means to harm) - tools for new situations, used with discipline within schools.

Hierarchy matters: Qur'an and authentic Sunnah override all; ijma' and qiyas operate within their bounds. Textual study means tracing each ruling to its evidences.

Key Points

- Four primary sources: Qur'an, Sunnah, Ijma', Qiyas.
- Secondary tools handle new situations disciplinarily.
- Qur'an and Sunnah are supreme.

Key Terms

Sunnah: The Prophet's example.

Ijma': Scholarly consensus.

Qiyas: Analogical reasoning.

Example

- *Oivas: wine's prohibition extended to all intoxicants by shared 'illah.*

Summary: Four fountains feed fiqh; all flow from revelation.

Exam Tips

- ★ Very important: the four sources in order.
- ★ Remember the qiyas example.

Topic 3: The Sunnah as a Source

Learning Objectives

- Define sunnah
- Explain hadith sciences

- Discuss sunnah's functions

Key Concepts

The Sunnah - the Prophet's (PBUH) statements, actions, and tacit approvals - is revelation's living commentary: 'We sent down the Reminder so you may explain to people' (16:44). It details the Qur'an's commands (how to pray), restricts generalities, and legislates independently by divine authority.

Hadith sciences protect authenticity: isnad (chain) criticism, matn (text) analysis, grading (sahih, hasan, da'if), and the great collections (Bukhari, Muslim - the sahihayn; the four sunan). This rigorous authentication is unique among religious traditions.

Functions: bayan (explanation), takhsis (specification), and tashri' (independent legislation) - e.g. the prohibition of eating predatory animals comes from sunnah.

Key Points

- Sunnah: the Prophet's words, acts, approvals - revelation's commentary.
- Hadith sciences authenticate rigorously (isnad, matn, grading).
- Functions: explain, specify, legislate.

Key Terms

Hadith: A report of the Prophet's sunnah.

Isnad: The chain of narrators.

Sahih: Authentic hadith grade.

Example

- *Prayer's detailed form comes from sunnah. not the Qur'an alone.*

Summary: The Sunnah authenticates and applies the Qur'an.

Exam Tips

- ★ Very important: 16:44.
- ★ Remember grading terms.

Topic 4: The Four Schools of Fiqh

Learning Objectives

- Name the four madhabs
- Summarize their founders and methods
- Explain ikhtilaf

Key Concepts

The four Sunni schools: Hanafi (Abu Hanifah, d. 767 - Iraq; reason and analogy emphasized; largest following, dominant in South Asia), Maliki (Malik, d. 795 - Madinah; practice of Madinah as evidence), Shafi'i (Al-Shafi'i, d. 820 - systematized usul; Qur'an-sunnah textualism), Hanbali (Ahmad ibn Hanbal, d. 855 - hadith-centered).

Ikhtilaf (legitimate scholarly difference): where evidences allow multiple readings, schools differ - all valid, all rewarded. The Prophet's companions differed; unity embraces diversity within methodology.

For students: follow qualified scholarship (taqlid for non-scholars is legitimate), respect all schools, and understand that differences reflect evidence-interpretation, not sectarianism.

Key Points

- Hanafi, Maliki, Shafi'i, Hanbali - founders, regions, emphases.
- Ikhtilaf: legitimate difference, all valid.
- Respect all schools; follow qualified scholarship.

Key Terms

Madhhab: A school of fiqh.

Ikhtilaf: Legitimate scholarly difference.

Taqlid: Following qualified scholarship.

Example

- *Hanafi predominance in Pakistan shapes local practice.*

Summary: Four schools, one methodology of sincere evidence-following.

Exam Tips

- ★ Key point: match founders to schools.
- ★ Remember ikhtilaf concept.

Topic 5: Usul al-Fiqh: Principles of Jurisprudence

Learning Objectives

- Define usul al-fiqh
- Explain its key topics
- Discuss its purpose

Key Concepts

Usul al-fiqh is fiqh's methodology: the principles for interpreting texts and deriving rulings - the 'grammar' of legal reasoning. Al-Shafi'i's Al-Risalah founded it systematically.

Key topics: categories of rulings (wajib, mandub, mubah, makruh, haram); textual indications (commands, prohibitions, general/specific); abrogation (naskh); and ijtihad's conditions (who may derive rulings: mastery of Arabic, Qur'an, sunnah, usul, and objectives).

Purpose: disciplined derivation preventing arbitrary rulings; transparency (rulings traceable to evidences); and adaptability (methodology for new issues). Textual study applies usul constantly.

Key Points

- Usul: the methodology of deriving rulings.
- Ruling categories: wajib to haram.
- Discipline, transparency, adaptability.

Key Terms

Usul al-fiqh: Principles of jurisprudence.

Ijtihad: Independent legal reasoning.

Naskh: Abrogation of rulings.

Example

- *Classifying smoking: scholars derive makruh/haram via usul tools.*

Summary: Usul makes fiqh a disciplined science, not opinion.

Exam Tips

- ★ Very important: the five ruling categories.
- ★ Remember Al-Shafi'i's role.

Unit 2: Fiqh of Worship: Textual Studies

Topic 6: Purification (Taharah)

Learning Objectives

- Explain taharah's importance
- Detail wudu from texts
- Discuss ghusl and tayammum

Key Concepts

'Purification is half of faith' (Muslim) - taharah precedes worship. The Qur'an commands washing for prayer (5:6): faces, arms to elbows, wiping heads, feet to ankles - the textual basis of wudu, detailed by sunnah (order, repetition, supplications).

Ghusl (full bath): required after major impurity; the Qur'an commands it (5:6) with sunnah detailing method. Tayammum (dry ablution with clean earth): the Qur'an's concession (5:6) when water is unavailable or harmful - ease within obligation.

Fiqh details: nullifiers of wudu, valid water, method - each traced to texts. The principle: Allah intends ease, not hardship (2:185).

Key Points

- Wudu's Qur'anic basis (5:6); sunnah details method.
- Ghusl for major impurity; tayammum as concession.
- Principle: ease within obligation.

Key Terms

Taharah: Ritual purification.

Wudu: Ablution before prayer.

Tayammum: Dry ablution.

Example

- 5:6 - the wudu verse detailing washed limbs.

Summary: Purification: textual commands with merciful concessions.

Exam Tips

- ★ Very important: 5:6.
- ★ Remember tayammum conditions.

Topic 7: Prayer (Salah): Rulings

Learning Objectives

- Detail salah's rulings from texts

- Explain conditions and pillars
- Discuss congregation

Key Concepts

The Qur'an commands prayer generally; the sunnah specifies: five times ('pray as you see me pray' - Bukhari), conditions (purification, covering, qiblah, time, intention), pillars (standing, recitation of Al-Fatihah, bowing, prostration - 'no prayer without Al-Fatihah'), and nullifiers.

Congregation: highly emphasized - 'bow with those who bow' (2:43); the Prophet warned against abandoning it; mosques as community centers. Friday (Jumu'ah) prayer is obligatory (62:9), replacing noon prayer.

Fiqh richness: travelers' shortening, sick persons' concessions, women's rulings - the law's flexibility serving its purpose: prayer maintained in all circumstances.

Key Points

- Conditions, pillars, nullifiers from Qur'an and sunnah.
- Congregation emphasized; Jumu'ah obligatory (62:9).
- Concessions for travelers and the sick.

Key Terms

Rukn (arkan): Pillar(s) of an act.

Shart (shurut): Condition(s).

Jumu'ah: Friday congregational prayer.

Example

- *'Pray as you see me pray' - sunnah as praver's manual.*

Summary: Salah's rulings: detailed, congregational, accommodating.

Exam Tips

- ★ Very important: 62:9.
- ★ Remember pillars vs. conditions.

Topic 8: Fasting (Sawm): Rulings

Learning Objectives

- Detail fasting rulings from texts
- Explain exemptions
- Discuss Ramadan's virtues

Key Concepts

The Qur'anic charter (2:183-187): fasting prescribed as for earlier peoples, for taqwa; Ramadan the month of the Qur'an; the sick and traveler make up later; ransom (fidyah) for the chronically unable; night-time eating permitted; Laylat al-Qadr better than a thousand months (97:3).

Nullifiers: eating, drinking, intimacy deliberately - with expiation for deliberate breaking; forgetful eating doesn't break (sunnah's mercy). Intentions are made nightly.

Exemptions show the law's wisdom: pregnancy, nursing, old age, illness - ease (2:185: 'Allah intends ease for you'). Voluntary fasts (Mondays, white days, 'Ashura) supplement the obligatory.

Key Points

- 2:183-187: the fasting charter - purpose, exemptions, concessions.
- Nullifiers and the forgetfulness mercy.
- Voluntary fasts supplement Ramadan.

Key Terms

Fidyah: Ransom for unperformed fasts.

Laylat al-Qadr: The Night of Decree.

I'tikaf: Mosque retreat in Ramadan.

Example

- 2:185 - '*Allah intends ease for you*'.

Summary: Fasting: prescribed worship with built-in mercy.

Exam Tips

- ★ Very important: 2:183-187.
- ★ Remember exemption categories.

Topic 9: Zakah: Rulings

Learning Objectives

- Detail zakah rulings
- Explain nisab and rates
- List recipients

Key Concepts

Zakah's textual basis: commanded alongside prayer throughout the Qur'an; 'take from their wealth charity to purify them' (9:103). The sunnah specifies nisab (minimum thresholds: e.g. 85g gold, 595g silver, 5 camels, 40 sheep) and rates (2.5% on cash/trade goods, 5-10% on crops, 20% on buried treasure).

Conditions: Muslim, free, full ownership, nisab held for a lunar year (hawl). Recipients: the eight categories (9:60) - the poor, needy, administrators, hearts to reconcile, freeing captives, debtors, in Allah's path, travelers.

Fiqh extends to modern wealth: stocks, salaries, pensions - scholars apply principles (growth-potential wealth is zakatable). Zakah institutions systematize collection and distribution.

Key Points

- Nisab thresholds and rates from sunnah.
- Conditions: ownership, nisab, lunar year.
- Eight recipient categories (9:60).

Key Terms

Nisab: The minimum zakatable wealth.

Hawl: One lunar year of possession.

Sadaqah: Voluntary charity beyond zakah.

Example

- 9:60 - the eight zakah recipients.

Summary: Zakah: precise, purposeful wealth purification.

Exam Tips

- ★ Very important: 9:60 categories.
- ★ Remember nisab concept.

Topic 10: Hajj: Rulings

Learning Objectives

- Detail hajj rulings
- Explain its pillars
- Discuss conditions of obligation

Key Concepts

'Pilgrimage to the House is a duty to Allah for those able to find a way' (3:97). The Qur'an and sunnah detail the rites: ihram (from miqat), tawaf (seven circuits), sa'i (Safa-Marwah), standing at Arafat (the hajj's essence - 'hajj is Arafat'), Muzdalifah, stoning, sacrifice, and farewell tawaf.

Conditions of obligation: Islam, maturity, sanity, freedom, capability (physical and financial, with safe passage) - once in a lifetime. Umrah (lesser pilgrimage) is meritorious year-round.

Fiqh manages millions: scholars address crowding (stoning times, tawaf delegation), health, and modern logistics - classical rites applied to contemporary scale.

Key Points

- 3:97 - obligation on the able.
- Pillars: ihram, tawaf, sa'i, Arafat standing.
- Conditions: capability; once in a lifetime.

Key Terms

Ihram: Pilgrim sanctity.

Tawaf: Circumambulation of the Ka'bah.

Arafat: The plain of the hajj's climax.

Example

- 'Hajj is Arafat' - the rite's essence in one phrase.

Summary: Hajj: Abrahamic rites with precise rulings for millions.

Exam Tips

- ★ Very important: 3:97.
- ★ Remember Arafat's centrality.

Unit 3: Fiqh of Social Life: Textual Studies

Topic 11: Marriage (Nikah): Rulings

Learning Objectives

- Detail marriage rulings
- Explain its pillars
- Discuss spouses' rights

Key Concepts

Marriage is 'a solemn covenant' (4:21). Pillars: offer and acceptance (ijab wa qabul), guardian (wali) and witnesses in most schools, and dower (mahr) - the wife's right (4:4). The Prophet encouraged facilitation: 'the most blessed marriage is the easiest.'

Textual rights: kind treatment commanded (4:19 - 'live with them in kindness'); maintenance (nafaqah) is the husband's duty; the wife's property is hers alone. Polygyny is permitted with strict justice (4:3), which the Qur'an itself notes is difficult (4:129) - monogamy the practical norm.

Prohibited marriages (4:23): close kin, milk kinship, and others - the text's detailed list. Compatibility (kafa'ah) and consent are emphasized in sunnah.

Key Points

- Pillars: offer/acceptance, witnesses, mahr (4:4).
- Kind treatment commanded (4:19); maintenance duty.
- Prohibited degrees detailed (4:23).

Key Terms

Nikah: Marriage contract.

Mahr: The bridal dower.

Wali: Marriage guardian.

Example

- 4:19 - 'live with them in kindness'.

Summary: Marriage: covenantal, consensual, rights-bearing.

Exam Tips

- ★ Very important: 4:19 and 4:21.
- ★ Remember mahr as wife's right.

Topic 12: Divorce and Family Dissolution

Learning Objectives

- Detail divorce rulings
- Explain the waiting period
- Discuss reconciliation emphasis

Key Concepts

Divorce is permitted but 'the most hated of permitted things to Allah' (hadith) - a last resort. The Qur'an regulates it: pronouncement in purity, the waiting period ('iddah - three cycles, 2:228) allowing reconciliation and clarifying pregnancy, and the limit of three pronouncements (2:229-230).

Procedure ethics: 'retain in kindness or release in kindness' (2:229); witnesses (65:2); no expelling wives from homes during 'iddah (65:1); provision for the divorced (2:241). Khul' (wife-initiated separation) is established in sunnah.

Wisdom: the detailed procedure slows anger, protects women, preserves family where possible, and dignifies separation where necessary.

Key Points

- Permitted but hated; last resort.
- 'Iddah: waiting period for reconciliation and clarity.
- Kindness commanded throughout (2:229); khul' option.

Key Terms

Talaq: Divorce.

'Iddah: The waiting period.

Khul': Wife-initiated separation.

Example

- 2:229 - *'retain in kindness or release in kindness'*.

Summary: Divorce law: reluctant permission with protective procedure.

Exam Tips

- ★ Very important: 2:229.
- ★ Remember 'iddah purpose.

Topic 13: Inheritance (Mirath)

Learning Objectives

- Explain inheritance's textual basis
- Detail fixed shares
- Discuss its wisdom

Key Concepts

Inheritance law is uniquely detailed in the Qur'an (4:11-12, 4:176) - precise fractions for spouses, parents, children, siblings - because the Prophet called it 'half of knowledge' and disputes destroy families.

Fixed sharers (ashab al-furud): e.g. husband 1/4 (with children) or 1/2; wife 1/8 or 1/4; mother 1/6 or 1/3; daughters 1/2 (one) or 2/3 (multiple), with sons receiving twice daughters' shares - balanced against males' maintenance obligations.

Principles: distribution after debts and bequests (up to 1/3); no bequest to fixed heirs; the system is mandatory, not optional - 'these are Allah's limits' (4:13). Fiqh handbooks (and software) compute complex cases.

Key Points

- Qur'anic fractions (4:11-12, 4:176) - uniquely detailed.
- Fixed sharers with specified portions.
- After debts/bequests; mandatory limits (4:13).

Key Terms

Mirath: Inheritance.

Ashab al-furud: Fixed-share heirs.

Wasiyyah: Bequest (max 1/3).

Example

- *Daughters' shares with sons' double - balanced by maintenance duties.*

Summary: Inheritance: divine fractions preventing family disputes.

Exam Tips

- ★ Very important: 4:11-12.
- ★ Remember debts-first order.

Topic 14: Trade and Transactions (Mu'amalat)

Learning Objectives

- Outline commercial fiqh
- Explain valid sale conditions
- Discuss prohibited elements

Key Concepts

'Allah has permitted trade and forbidden riba' (2:275). Valid sales require: mutual consent (4:29 - 'do not consume wealth unjustly except by mutually consented trade'), known price and goods, ownership/deliverability, and lawful subject matter.

Prohibited elements: riba (interest), gharar (excessive uncertainty - e.g. selling unborn calves), gambling (maysir), fraud, and trade in haram goods. These protect both parties and market integrity.

Classical contracts (salam - advance payment, istisna' - manufacturing, mudarabah/musharakah - partnerships) provide templates; Islamic finance adapts them to modern banking - fiqh's ongoing textual application.

Key Points

- Valid sale: consent, known terms, ownership, lawful goods.
- Prohibited: riba, gharar, gambling, fraud.
- Classical contracts template modern Islamic finance.

Key Terms

Gharar: Excessive uncertainty.

Maysir: Gambling.

Mudarabah: Profit-sharing partnership.

Example

- *4:29 - trade by mutual consent.*

Summary: Commercial fiqh: consent, clarity, and fairness as worship.

Exam Tips

- ★ Very important: 2:275 and 4:29.
- ★ Remember gharar.

Topic 15: Criminal Law (Hudud and Qisas)

Learning Objectives

- Outline the penal framework
- Explain hudud
- Discuss qisas and safeguards

Key Concepts

Islamic penal law: hudud (fixed penalties for specific offenses - theft, adultery, false accusation, intoxicants, highway robbery, apostasy in classical lists) with Qur'anic texts; qisas (retributive justice for homicide/injury - 'a life for a life', 2:178, with forgiveness/diyah options); and ta'zir (discretionary penalties).

Safeguards are stringent: adultery requires four witnesses (24:4); theft's hadd has conditions (minimum value, secure storage, no need); doubt averts hudud ('avert punishments by doubts' - hadith). Classical jurists made application rare and careful.

Objectives (maqasid): protecting religion, life, intellect, lineage, property - punishment as deterrence and justice, with repentance and mercy emphasized.

Key Points

- Hudud: fixed; qisas: retributive with forgiveness option; ta'zir: discretionary.
- Stringent evidentiary safeguards; doubt averts hudud.
- Objectives: protecting the five necessities.

Key Terms

Hudud: Fixed penalties.

Qisas: Retributive justice.

Diyah: Blood money/compensation.

Example

- 24:4 - four witnesses for adultery charges.

Summary: Penal fiqh: deterrent, just, and heavily safeguarded.

Exam Tips

- ★ Key point: the safeguard principle.
- ★ Remember the three categories.

Unit 4: Contemporary Applications

Topic 16: Fiqh of Minorities and Citizenship

Learning Objectives

- Discuss Muslim minorities' fiqh
- Explain citizenship rulings
- Address loyalty questions

Key Concepts

Millions of Muslims live as minorities; fiqh addresses: obeying just laws (covenant/contract ethics - visas and citizenship are undertakings), political participation (voting, office - permitted by many scholars as

public benefit), and religious practice accommodations.

Classical categories (dar al-islam/dar al-harb) are reframed by contemporary scholars: many classify Western states as dar al-'ahd (abode of covenant) given citizenship contracts and religious freedom - permitting normal civic life.

Principles: fulfill contracts (5:1), be just witnesses (5:8), contribute positively - minority fiqh enables confident, constructive citizenship.

Key Points

- Citizenship/visa as binding covenants (5:1).
- Political participation permitted for public benefit.
- Contribute positively; fulfill contracts.

Key Terms

Dar al-'ahd: Abode of covenant.

'Ahd: Covenant/contract.

Fiqh al-aqalliyyat: Jurisprudence of minorities.

Example

- 5:1 - 'fulfill contracts' - covering civic undertakings.

Summary: Minority fiqh: covenantal, constructive citizenship.

Exam Tips

- ★ Key point: 5:1 application.
- ★ Remember dar al-'ahd.

Topic 17: Bioethics in Fiqh

Learning Objectives

- Outline Islamic bioethics
- Discuss end-of-life issues
- Address reproductive ethics

Key Concepts

Sanctity of life is paramount ('whoever saves a life, it is as if he saved all mankind' - 5:32), balanced with: necessity permitting prohibitions, no harm (la darar), and intention.

End-of-life: withdrawing futile treatment is widely permitted (not killing); euthanasia is prohibited; brain-death criteria are debated among scholars - showing fiqh engaging medicine's frontiers.

Reproductive: contraception permitted by most; abortion debated by fetal stage (many permit before ensoulment at 120 days for valid reasons, prohibit after); IVF permitted within marriage using spouses' gametes. Fiqh councils issue collective rulings on new technologies.

Key Points

- Life's sanctity (5:32) balanced with necessity and no-harm.
- Futile treatment may be withdrawn; euthanasia prohibited.
- Reproductive rulings by stage and principle.

Key Terms

La darar: 'No harm' - key legal maxim.

Ensoulment: Fetal ensoulment (~120 days).

Fiqh council: Collective scholarly body.

Example

- 5:32 - *savina one life as savina humanitv.*

Summary: Bioethics: sanctity of life applied to medicine's frontiers.

Exam Tips

- ★ Very important: 5:32.
- ★ Remember la darar.

Topic 18: Fiqh of Worship in Modern Contexts

Learning Objectives

- Address prayer in difficult contexts
- Discuss fasting at extremes
- Explain scholarly flexibility

Key Concepts

Modern questions: prayer times near the poles (scholars: follow nearest normal region or Makkah time), praying on planes/space (combine, estimate direction), fasting in 22-hour days (same solutions) - fiqh's principles solving unprecedented cases.

Workplace/school: negotiating prayer breaks and Friday prayer - rights-based approaches in many countries; tayammum and combining prayers ease difficulty.

Method on display: texts' objectives (prayer maintained, hardship removed) extended by analogy - the tradition's adaptability proving itself each generation.

Key Points

- Polar prayer/fasting: scholarly time solutions.
- Travel/work concessions ease practice.
- Objectives-based analogy solves new cases.

Key Terms

Jama': Combining prayers.

Qasr: Shortening prayers in travel.

Mashaqqah: Hardship (brings ease).

Example

- *Astronauts' prayer: scholarly rulings for orbit.*

Summary: Classical principles answer space-age questions.

Exam Tips

- ★ Key point: the method illustrated.
- ★ Remember hardship-ease.

Topic 19: Islamic Finance: Fiqh in Banking

Learning Objectives

- Explain Islamic banking basis
- Describe key contracts
- Discuss criticisms

Key Concepts

Islamic finance applies commercial fiqh: no riba, no gharar, asset-backed transactions, profit-loss sharing. Key contracts: murabahah (cost-plus sale), ijarah (leasing), mudarabah/musharakah (partnerships), sukuk (asset-backed securities).

Practice: Islamic banks are major institutions (Gulf, Malaysia, Pakistan's growing sector); Shari'ah boards certify compliance; standards bodies (AAOIFI, IFSB) harmonize.

Criticisms: some products mimic conventional ones ('shari'ah arbitrage'); scholars debate form vs. substance; the industry's challenge is authenticating risk-sharing substance over interest-replicating forms - fiqh's ongoing self-correction.

Key Points

- No riba/gharar; asset-backed; profit-loss sharing.
- Murabahah, ijarah, mudarabah, sukuk.
- Debate: substance vs. form.

Key Terms

Sukuk: Islamic asset-backed securities.

AAOIFI: Islamic finance standards body.

Shari'ah board: Scholarly compliance body.

Example

- *Sukuk fundina infrastructure Islamically.*

Summary: Finance as fiqh's modern laboratory.

Exam Tips

- ★ Key point: contract names.
- ★ Remember the substance debate.

Topic 20: Studying Fiqh: Method and Manners

Learning Objectives

- Explain how to study fiqh
- Describe scholarly manners
- Encourage continued learning

Key Concepts

Method: learn from qualified teachers (fiqh is transmitted, not self-derived); start with a reliable primer of one's school; study evidences (dalil) alongside rulings; understand before debating; and recognize one's level - laypeople follow, students learn, scholars derive.

Manners (adab): humility before revelation, respect for scholars and schools, avoiding harshness in disagreement ('difference of my ummah is mercy' - hadith), and prioritizing practice over polemics.

The path: this textual introduction opens fiqh's door; walking further means systematic study with teachers - 'whoever Allah wills good for, He gives him understanding of religion' (Bukhari).

Key Points

- Learn with qualified teachers; start with primers.
- Study evidences with rulings; know your level.
- Humility, respect, practice over polemics.

Key Terms

Adab: Manners/etiquette.

Dalil (adillah): Evidence(s).

Tafaquh: Deep study of religion.

Example

- *Studying wudu's evidences, not just its steps.*

Summary: Fiqh is studied with teachers, humility, and practice.

Exam Tips

- ★ Key point: the learning hierarchy.
- ★ Remember adab in disagreement.

Glossary of Key Terms

Fiqh: Islamic jurisprudence: deriving practical rulings.

Shari'ah: Divine guidance itself.

Sunnah: The Prophet's words, acts, and approvals.

Ijma': Scholarly consensus.

Qiyas: Analogical legal reasoning.

Madhhab: A school of fiqh.

Ikhtilaf: Legitimate scholarly difference.

Usul al-fiqh: Principles of jurisprudence.

Ijtihad: Independent legal reasoning.

Taharah: Ritual purification.

Nikah: Marriage contract.

Mahr: The bridal dower.

'Iddah: The post-marital waiting period.

Riba: Interest/usury.

Gharar: Excessive uncertainty in transactions.