

VU LEARNING HUB

vulearninghub.xyz

HIGHLIGHTED HANDOUT

ISL3667

Textual Study of Islamic Fiqh

ISL3667 by VU Learning HUB

Prepared for VU students • Free study resources

<https://vulearninghub.xyz>

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.*

Contents

Unit 1: Foundations of Fiqh	3
Topic 1: What Is Fiqh?	3
Topic 2: Sources of Islamic Law	4
Topic 3: The Sunnah as a Source	4
Topic 4: The Four Schools of Fiqh	5
Topic 5: Usul al-Fiqh: Principles of Jurisprudence	6
Unit 2: Fiqh of Worship: Textual Studies	7
Topic 6: Purification (Taharah)	7
Topic 7: Prayer (Salah): Rulings	7
Topic 8: Fasting (Sawm): Rulings	8
Topic 9: Zakah: Rulings	9
Topic 10: Hajj: Rulings	10
Unit 3: Fiqh of Social Life: Textual Studies	10
Topic 11: Marriage (Nikah): Rulings	10
Topic 12: Divorce and Family Dissolution	11
Topic 13: Inheritance (Mirath)	12
Topic 14: Trade and Transactions (Mu'amalat)	13
Topic 15: Criminal Law (Hudud and Qisas)	13
Unit 4: Contemporary Applications	14
Topic 16: Fiqh of Minorities and Citizenship	14
Topic 17: Bioethics in Fiqh	15
Topic 18: Fiqh of Worship in Modern Contexts	16
Topic 19: Islamic Finance: Fiqh in Banking	17
Topic 20: Studying Fiqh: Method and Manners	17
Glossary of Key Terms	18

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 - *saving one life as saving humanity.*

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.