



Fiqh and Shariah (A)

This lecture deals with the difference between the Fiqh and Shariah and how to interpret the commands/laws of Allah (SWT) that he has given us to be followed.

There are six basic rules in Fiqh or Islamic law.

Rule 1: Enter into Islam Completely

Allah (SWT) said in the Quran, “O We believe, Enter into Islam completely”. So, for Muslims, it is important to enter in Islam from the tops of their heads to the tips of their toes so that they are completely submerged in Islam. It’s the first and very easy law to understand.

Rule 2: Every Act of Worship is Haram

Except if we’ve got proof of it from the Quran or the Sunnah.

So, we cannot do any act of worship unless it is approved by Allah (SWT) and Prophet Mohammad (PBUH). Therefore, any act of worship which is not approved by Allah (SWT) and Prophet Mohammad (PBUH) will be called “Biddah”. It will become an innovation in Islam.

When some people asked the Prophet Mohammad (PBUH) that they will offer Salah all night and will not marry the whole of their lives and fast all day and devote ourselves to us then the Prophet Mohammad (PBUH) face turned red and He said, I have more Taqwa (piety) than you, the one who moves away from my Sunnah is not from me.

Rule 3: Everything from the Worldly Affairs is Halal

In this case, everything from the worldly has been made permissible except for which we got the proof from the Quran and Sunnah to stop and to stay away. For example, if somebody will ask that wearing a jacket is impermissible in Islam as it was never worn by the Prophet Mohammad (PBUH) and his companions then we can ask him to bring any proof from Quran or Sunnah where it is being declared as impermissible to wear.

Being not used by the Prophet Mohammad (PBUH) and his companions doesn’t make a thing impermissible. Similarly, the Prophet Mohammad (PBUH) might have not eaten rice in his life, then it doesn’t make rice as haram food.

Rule 4: A Worldly Matter is Placed into one of Five Categories

1. Farz – It is mandatory, if we don't do then we will be sinful. For example, prayers 5 times a day is farz, if we don't offer prayers then we will be sinful.
2. Mustahab – It is originated from the word Hub, which means muhabba, means this act was being loved by Allah (SWT) and Prophet Mohammad (PBUH) so it's not farz, but it is highly recommended and preferable and we will get extra reward for it but if we don't do then we are not sinful.
3. Mubah – Means doing or not doing won't make a much difference. There is no reward or sin for doing it. E.g Eating an apple is not sinful nor rewarding act.

Scholars of Fiqh are very intelligent people as they have complete knowledge of Tafseer, hadith, opinions of the companions, asbab UL nasal, knowledge of Asma waRijaal. And based on this knowledge, they tell us what Allah (SWT) wants? They have to look at all the evidence from the Quran and Sunnah and tell Allah's (SWT) will. They tell us how the Shariah should be acted upon? Like how to pray? How to fast? What will invalidate our prayer? What will invalidate our fast?

4. Makrooh – It is from the word Karahiyat means something from which we feel disgusted, these acts are not likened by Allah (SWT) e.g. Eating onions and then go to the masjid is makrooh. If we do a makrooh act, then we are not sinful, but leaving a makrooh act is being rewarded.
5. Haram – If we do haram acts, then it is sinful, but if we leave them then it is rewarding worthy.

Rule 5: Things are Made Haram or Makrooh Using the Quran and Sunnah or the Scholars Deducing through Analogy

Sometimes we have clear evidence that one thing is haram and sometimes with that analogy, other things can be made haram too. For example, when scholars find out the alcohol is coming with different names, and they find out that alcohol is haram for its effects and intoxication. It clouds one's judgment and actually takes you away from who you are. There is a hadith of Prophet Mohammad (PBUH), that's what intoxicates or haram in large quantity, even a small quantity of that is haram. Even one sip of that is haram.

What is harmful to our body is also impermissible in Shariah. Allah (SWT) said, do not kill yourself with your hands. So, any act which takes your life in danger is impermissible in Islam, whether it's a drug or a suicide.

So, after the Quran and Sunnah, Scholars can deduce through analogy and that should also be followed.

Rule 6: Make Things Easy

Make things easy for people and don't make them difficult. Hazrat Ayesha (RA) said that whenever a matter brought in front of the Prophet Mohammad (PBUH), He used to pick the easier of the two options as long as both were permissible in Shariah.

When we are traveling, we are allowed to shorten or join the prayer.

Watch Out for These Activities

Such gatherings should be avoided where these activities are involved:

1. Intoxicants – every kind of intoxicants whether alcohol, weed, heroin etc. is impermissible
2. Gambling – Even bet on games is impermissible
3. Free- Mixing (male & female) – Allah (SWT) said, don't go near Zina.
4. Wastage of time – Any game which doesn't have any purpose and wastes your time is not appreciated.
5. Compromise on Modesty – Any activity in which male or female has to compromise his / her modesty is impermissible
6. Extravagance – Spending a lot of money unnecessarily
7. Fortune telling – Every kind of fortune telling whether its palm reading, tarot reading etc. is impermissible
8. Mocking Islam – Making fun of Islam in any way is impermissible
9. Causing Harm – Anything which can harm ourselves is not respected