

The Science of *Fiqh*

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Translator's Note

In the name of Allah, the Inspirer of truth

The article you are about to read is an English translation of an Urdu piece on Islamic jurisprudence (*fiqh*) and its foundational principles (*uṣūl al-fiqh*), authored by Muftī Ṭāhir Ghāziābādī (may Allah preserve him). Muftī Ṭāhir is a senior scholar of the Mazāhir 'Uloom seminary in Sahāranpūr, India, where he serves as its Principal and Head Muftī. He is a student of the great jurist and saint Muftī Maḥmūd al-Ḥasan Gangohī, and the teacher of scholars such as Muftī 'Abdur Raḥmān Mangera, standing firmly within a living chain of deep scholarship and spiritual refinement.

Those who have sat in his company describe him as a man of words that are weighed, measured, and filled with wisdom. His presence carries humility as well as quiet awe. His mastery, particularly in the sciences of *fiqh* and *ḥadīth*, is widely recognised by his students and peers alike. This combination of learning, groundedness, and Allah-consciousness gives his writings a clarity and sincerity that are increasingly rare.

In this article, Muftī Ṭāhir presents a concise yet illuminating overview of *fiqh* and *uṣūl al-fiqh*: their definitions, aims, and significance, the historical development of legal theory, and a brief survey of its principal subject areas. He concludes with practical guidance for students who aspire to gain depth and firmness in these essential sciences.¹

This translation is intended to serve both beginners seeking a structured introduction and students of knowledge wishing to refresh and reconnect with what they have previously studied.

May Allah accept the efforts of Muftī Ṭāhir Ghāziābādī, his teachers, his students, and all of us, granting us a deep understanding of the Qur'ān and Sunnah and the ability to live by them.

Imtiyajul Haque

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¹ The original Urdu article can be found here: whitethread.org/articles

The Science of *Fiqh*

In the name of Allah, the Inspirer of truth

Allah, the Exalted, created and commanded us to live according to His divine law. On the Day of Resurrection, He will then take account of us. To holistically educate His servants, Allah sent prophets with revelation, culminating in the final messenger, Muhammad ﷺ and the final scripture, the Holy Qur'ān. The Qur'ān is a comprehensive and complete book that encompasses legislative injunctions and principles. The Prophet ﷺ elucidated these through his words and actions, fulfilling his mission as stated in the Qur'ān:

وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ

“...We have sent down the message to you too [Prophet], so that you can explain to people what was sent for them, so that they may reflect.” (Nahl, 16:44)

The Qur'ān and the Sunnah constitute the primary sources of Islamic law. Deriving legal rulings from these sources requires profound knowledge, as Allah states:

وَتِلْكَ الْأَمْثَلُ نَضْرِبُهَا لِلنَّاسِ ۗ وَمَا يَعْقِلُهَا إِلَّا الْعَالِمُونَ

“Such are the comparisons We draw for people, though only the wise can grasp them.”
(‘Ankabūt, 29:43)

The Companions (*ṣaḥābah*) of the Prophet ﷺ, some more than others, were endowed with this expertise. They subsequently transmitted this knowledge and nurtured the Followers (*tābi‘īn*). By the end of the Followers’ era, the scholars and jurists systematically and holistically codified juridical rulings derived from the Qur'ān and Sunnah. They also established the methodological principles (*uṣūl*) for extracting rulings, ensuring that new and emerging issues could be addressed within the framework of Islamic law. The rulings derived by the jurists are termed “*fiqh*” (Islamic jurisprudence), while the principles they formulated are known as “*uṣūl al-fiqh*” (principles of jurisprudence).

An elaboration on these two disciplines is presented below.



The Science of *Fiqh* (Islamic Jurisprudence)

Definition and Evolution of *Fiqh*

The term “*fiqh*” literally means “to understand” or “to comprehend”. The Qur’ān has used *fiqh* in this lexical sense.

Technically, its definition has evolved across different historical periods, reflecting the scope of its subject matter:

1. “*The knowledge of what benefits and harms the soul.*”

مَعْرِفَةُ النَّفْسِ مَا لَهَا وَمَا عَلَيْهَا

This definition, attributed to Imam Abū Ḥanīfah (d. 150), reflects the early era when *fiqh* encompassed creed (‘*aqīda*), physical acts of actions (‘*māl zāhira*), and inward ethics (‘*akhlāq*). Later on, these three parts became stand-alone sciences, with *fiqh* simply focusing on physical actions. This resulted in the following more nuanced definitions.

2. “*The knowledge of practical legal rulings derived from their detailed evidence.*”

الْعِلْمُ بِالْأَحْكَامِ الشَّرْعِيَّةِ الْعَمَلِيَّةِ الْمَكْتَسَبُ مِنْ أَدِلَّتِهَا التَّفْصِيلِيَّةِ

This definition excludes disciplines not rooted in Sharī‘ah, as well as topics such as creed and ethics. “Detailed evidence” refers to the Qur’ān, Sunnah, *ijmā‘* (consensus), and *qiyās* (analogical reasoning). The word “derived” requires the jurist to extract legal rulings from the evidence. Hence, whoever is incapable of doing so is not worthy to be called a jurist (*faqīh*). Since there has been a decline in this level of juridical expertise, a third definition of *fiqh* was coined.

3. “*The knowledge of practical legal rulings along with their evidence.*”

الْعِلْمُ بِالْأَحْكَامِ الشَّرْعِيَّةِ الْعَمَلِيَّةِ مَعَ أَدِلَّتِهَا

According to this definition, a jurist is anyone who knows the rulings of Sharī‘ah with their proofs and possesses the ability to determine them from the primary sources. Nowadays, *fiqh* is commonly understood with this definition.

Subject Matter and Scope of *Fiqh*

The subject matter of *fiqh* is the actions of legally responsible individuals (*mukallaf*), and their legal status, such as lawfulness (*ḥilla*), unlawfulness (*ḥurma*), preferability (*istiḥbāb*), and dislike (*karāha*).

Fiqh is a comprehensive discipline that addresses all facets of human life, categorised as follows:

1. Worship (*Tbādāt*) - Rulings governing the relationship between Allah and the servant. This includes worship such as prayer, fasting, charity, pilgrimage, ritual sacrifice, *i'tikāf*, oaths and vows.
2. Marital and Family Law (*Munākaḥāt*) - Rulings related to non-financial interpersonal matters, such as marriage, divorce, child-care and custody, inheritance, and wills.
3. Financial Dealings (*Mu'āmalāt*) - Rulings governing financial interactions, including sales, leases, partnerships, and loans.
4. Judicial Procedures (*Murāfa'āt*) - Rulings related to adjudication, including the processes of judgment, litigation, legal testimony and representation.
5. Criminal Law (*Uqūbāt*) - Rulings on crimes and punishments, including prescribed *ḥudūd* punishments, discretionary punishments (*ta'zīr*), retaliatory punishments for murder, bodily harm, and other crimes.
6. Constitutional Law (*Dustūrī Qawānīn*) - Rulings concerning the rights and duties of the state and its citizens. These are discussed in the Chapter of Leadership (*Kitāb al-Imārah*).
7. International Law (*Siyar*) - Rulings and regulations governing relations between states. These are discussed under the heading of *Jihād* and *Siyar*.

Objectives and Purpose of *Fiqh*

1. To easily understand the rules and guidance related to practical human life from the Qur'ān and Sunnah.
2. To develop the ability to derive and explain rulings from the Qur'ān and Sunnah correctly, so that new issues can be solved.
3. To protect society from harmful customs and traditions that oppose the Qur'ān and Sunnah.

The Necessity and the Importance of *Fiqh*

The necessity and importance of *fiqh* is clear from its purposes mentioned above. The Qur'ān and Sunnah demonstrate the importance and significance of *fiqh* in numerous instances.

Zayd ibn Thābit رضي الله عنه (d. 45) reported: The Messenger of Allah, peace and blessings be upon him, said:

نَضَرَ اللَّهُ امْرَأً سَمِعَ مِنَّا حَدِيثًا فَحَفِظَهُ حَتَّى يُبَلِّغَهُ
فَرُبَّ حَامِلٍ فِقْهِهِ إِلَى مَنْ هُوَ أَفْقَهُ مِنْهُ وَرُبَّ حَامِلٍ فِقْهِهِ لَيْسَ بِفِقْهِهِ



“May Allah brighten the face of a person who hears a tradition from us and he memorises it until he can convey it to others. Perhaps he will convey it to one who understands better than him, and perhaps one who conveys knowledge does not understand it himself.” (Abū Dāwūd: 3660)

Mu‘āwiyah ؓ (d. 60) reported: The Messenger of Allah, peace and blessings be upon him, said:

مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُفَقِّهْهُ فِي الدِّينِ إِنَّمَا أَنَا قَاسِمٌ وَاللَّهُ يُعْطِي

“To whomever Allah wills goodness, He grants him understanding of the religion. Verily, I am only a distributor, but Allah is the giver...” (Bukhārī: 71)

The parable of the ‘Qur’ān and Sunnah is that of a jungle. *Fiqh* is the torch that illuminates the correct path to understanding the rules therein. This is why our elders made the initial stages of the *Dars-e Nizāmī* focused on the study of *fiqh* and *uṣūl al-fiqh*, and then *tafsīr* and *ḥadīth* later. All the scholars of *tafsīr* and *ḥadīth* were followers (*muqallid*) of a *mujtahid* scholar. This fact alone demonstrates the essential place of *fiqh*.

There are also numerous statements and incidents from scholars that highlight the importance of *fiqh*, stemming from the in-depth understanding of hadiths that jurists possess. For example, Imam Tirmidhī (d. 279) said:

... وَكَذَلِكَ قَالَ الْفُقَهَاءُ وَهُمْ أَعْلَمُ بِمَعَانِي الْحَدِيثِ

“...the jurists are more knowledgeable regarding the meaning of hadiths.” [Tirmidhī, 3:307]

Imam Abū Yūsuf (d. 182) narrates an interesting incident between him and his teacher, Sulaymān al-A‘mash (d. 148):

سَأَلَنِي سُلَيْمَانُ الْأَعْمَشُ عَنْ مَسْأَلَةٍ فَأَجَبْتُهُ عَنْهَا فَقَالَ لِي: مِنْ أَيْنَ قُلْتَ هَذَا
قَالَ: قُلْتُ لَهُ: لِحَدِيثٍ حَدَّثْتَنَاهُ أَنْتَ ثُمَّ ذَكَرْتُ لَهُ الْحَدِيثَ فَقَالَ لِي:
يَا يَعْقُوبُ إِنِّي لَأَحْفَظُ هَذَا الْحَدِيثَ قَبْلَ أَنْ يَجْتَمِعَ أَبَوَاكَ فَمَا عَرَفْتُ تَأْوِيلَهُ إِلَّا الْآنَ

“Sulaymān al-A‘mash once asked me a question regarding a particular issue. I answered him, and he asked, ‘Where did you get that from?’ I replied, ‘From a hadith you yourself narrated to us.’ Then I reminded him of the hadith. Upon hearing this, he said, ‘O Ya‘qūb, I have memorised this hadith since before your parents had even come together, yet I never understood its meaning until this very moment.’”²

² Ibn Abī ‘l-‘Awwām, Abū ‘l-Qāsim ‘Abdullāh b. Muḥammad al-Sa‘dī. *Faḍā’il Abī Ḥanīfah wa-Akhbārih wa-Manāqibih*. 1 vol. (Makkah al-Mukarramah: al-Maktabah al-Imdādiyyah, 1st ed., 1431 AH / 2010 CE): 302.



Imam al-Shāfi‘ī (d. 204) said:

كَمِيعُ مَا تَقُولُهُ الْأُمَّةُ شَرْحٌ لِلسُّنَّةِ وَكَمِيعُ السُّنَّةِ شَرْحٌ لِلْقُرْآنِ

“Everything the Imams say is an explanation of the Sunnah, and all of the Sunnah is an explanation of the Qur’ān”³

The Source of Fiqh

The term “*tafsīliyyah*” in the definition of *fiqh* refers to its derivation from the Qur’ān, Sunnah, *ijmā‘*, and *qiyās*. These four are the agreed-upon sources of *fiqh*, with the first two considered the core foundations. This adds to the beauty and importance of *fiqh* as it is considered the “fruit of the Qur’ān and Sunnah”.⁴

³ Al-Zarkashī, Abū ‘Abdullāh Badr al-Dīn Muḥammad b. ‘Abd Allāh b. Bahādur. *Al-Burhān fī ‘Ulūm al-Qur’ān*. 4 vols. (Cairo: Dār Iḥyā’ al-Kutub al-‘Arabiyyah, 1st ed., 1376 AH / 1957 CE; reprint, Beirut: Dār al-Ma‘rifah, same pagination): 1:6.

⁴ For further explanation, refer to the introduction of *Miṣfāt al-Yanābī‘*. Muftī Muḥammad Ṭāhir, *Miṣfāt al-Yanābī‘ Sharḥ Mishkāṭ al-Maṣābīḥ*, vol. 1 (Saharanpur: Dār al-Ta‘līmāt, Mazāhir ‘Ulūm, Sha‘bān 1442 AH / April 2021 CE).

The Science of *Uṣūl al-Fiqh* (Principles of Jurisprudence)

Definition and Purpose

Uṣūl al-fiqh, as defined by Qāḍī Bayḍāwī (d. 685), is:

هُوَ مَعْرِفَةُ دَلَالِ الْفِقْهِ إِجْمَالًا وَكَيْفِيَّةُ الْإِسْتِفَادَةِ مِنْهَا وَحَالُ الْمُسْتَفِيدِ

“The recognition of the evidence of *fiqh* (*dalā'il al-fiqh*) generally (*ijmālan*), the methodology of deriving rulings from them (*kayfiyyat al-istifadat minhā*), and the state required for such derivation (*ḥāl al-mustafid*).”⁵

This definition brings the following to light:

Dalā'il al-Fiqh – This refers to the evidences of Sharī'ah; some of which are agreed-upon and some which are not. The agreed-upon are the Qur'ān, Sunnah, *ijmā'* (consensus), and *qiyās* (analogy), whilst the differed-upon include *āthār al-ṣaḥābah* (transmissions of the Companions), *shar' man qablanā* (the laws of the past nations before the Prophet Muhammad ﷺ), *istiḥsān* (juristic preference), *istiḥāb* (presumption of continuity), *istiṣlāḥ* (consideration of public benefit), *sadd al-dharā'i'* (blocking the means), and *urf* (custom). On the other hand, *Uṣūl al-Fiqh* is the science through which law is derived from these evidences. An example of both is a cooking pot and a spoon; the evidence of *fiqh* is the pot, and *uṣūl al-fiqh* is the spoon that is used to extract what is in the pot.

Ijmālan – This refers to discussing the evidences of *fiqh* in a general and broad sense, without a detailed mention of the derived rulings from these evidences.

Kayfiyyat al-Istifadat Minhā – This refers to explaining the methodology used to derive rulings from evidence. For example, an affirmative (*muthbit*) text takes precedence over a negative (*nāfi*) one, an abrogating text (*nāsikh*) is given preference over the abrogated (*mansūkh*), an explicit wording (*naṣṣ*) is given priority over the apparent meaning of a text (*zāhir*), and the direct expression of a text (*ibārat al-naṣṣ*) is preferred over the indirect indication (*ishārat al-naṣṣ*).

Ḥāl al-Mustafid – This concept relates to how non-*mujtahid* jurists benefit from and operate within the framework established by *uṣūl al-fiqh*. Since deriving law actually falls within the remit of a *mujtahid*, a non-*mujtahid* can only truly benefit from *uṣūl al-fiqh* through a *mujtahid*, hence why the science also mentions the conditions of *ijtihād* and other related matters.

In summary, *uṣūl al-fiqh* is the science that discusses the evidences of Sharī'ah, the process of extracting legal rulings, and the qualities and conditions of those who do so.

⁵ Al-Bayḍāwī, Qāḍī al-Quḍāt 'Abdullāh b. 'Umar. *Minhāj al-Wuṣūl ilā 'Ilm al-Uṣūl*. Edited and annotated by Muṣṭafā Shaykh Muṣṭafā. (Beirut: Dār al-Risālah, n.d.): 16.



Objectives and Purposes of *Uṣūl al-Fiqh*

The objectives and benefits of *uṣūl al-fiqh* are as follows:

1. Understanding the methods and principles for extracting legal rulings from Shar‘ī evidence.
2. Gaining inner conviction and peace of mind by gaining sound knowledge of the evidence behind legal rulings.
3. Critically evaluating strong and weak evidence.
4. Refuting misinterpretations and distortions of the Qur’ān and Sunnah and addressing the doubts raised by those who misrepresent the texts. *Uṣūl al-fiqh* is of great importance because, through this science, errors in deduction and inference can be correctly identified and clarified.
5. Developing the necessary capability to resolve contemporary issues; a task that is impossible without expertise in *uṣūl al-fiqh*. Many modern problems are linked to concepts such as ‘urf, *maṣāliḥ mursalah* (unrestricted public interest), *darūrah* and *ḥājah* (necessity and need), *sadd al-dharā’i’*, and *qiyās*. No sound judgment can be formed on such matters without mastery of this science.

The Need and Importance of *Uṣūl al-Fiqh*

The previously mentioned objectives and aims of *uṣūl al-fiqh* clearly highlight their critical importance and necessity. If one is deprived of *uṣūl al-fiqh*, one may slip away from the straight path and fall into deviation and misguidance. This is because guidance is found in the Qur’ān and Sunnah, but without *uṣūl al-fiqh*, it is neither possible to extract rulings from the evidences, nor to distinguish between correct, incorrect, strong, weak, or preferred proofs.

The First Book in *Uṣūl al-Fiqh*

Just as the development of *fiqh* is credited to the Hanafi jurists, so too is *uṣūl al-fiqh*.

Imām Shāfi‘ī, who said, “In matters of *fiqh*, people are dependent upon Abū Ḥanīfah”⁶ wrote the *Risālah*, which is often cited as the first formal work in *uṣūl al-fiqh*. This work was named such because Imām Shāfi‘ī wrote it in response to certain questions posed by ‘Abdur Raḥmān [Ibn] al-Mahdī. However, it should be noted that Imām Abū Yūsuf had already written on *uṣūl al-fiqh*. Though his work no longer exists,

قَالَ الشَّافِعِيُّ: النَّاسُ فِي الْفِقْهِ عِيَالٌ عَلَى أَبِي حَنِيفَةَ.⁶

Al-Dhahabī, Shams al-Dīn Abū ‘Abd Allāh Muḥammad b. Aḥmad b. ‘Uthmān b. Qāymāz. *Siyar A‘lām al-Nubalā’*. Edited by a team of editors under the supervision of Shaykh Shu‘ayb al-Arnā‘ūt. 25 vols. (Beirut: Mu’assasat al-Risālah, 3rd ed., 1405 AH / 1985 CE): 6:403.

early scholars have quoted excerpts from it in their writings, which stands as strong evidence that Imām Abū Yūsuf authored the earliest treatise on *uṣūl al-fiqh*.⁷

Methodologies of *Uṣūl al-Fiqh* Books

The methodologies of writing and compilation of *uṣūl al-fiqh* books can be broadly classified into three:⁸

A. Derivational and Theoretical Approach

This approach involves defining the principles of jurisprudence and then supporting them with evidence from the Qur’ān and Sunnah, and subsequently evaluating the rulings given by jurists in light of these principles.

Key works in this methodology include:

- The *Mustaṣfā* by Imām Ghazālī (d. 505)
- The *Burhān* by Imām Juwaynī (d. 478)
- The *Maḥṣūl* by Imām Rāzī (d. 606)
- The *Iḥkām fī Uṣūl al-Aḥkām* by Imām Āmidī (d. 631)

B. Inductive and Applied Approach

This method, famously associated with the Hanafi school, involves examining the rulings issued by jurists and then identifying the underlying juristic principles therein. Here, the principles are derived from the juridical rulings themselves.

Key works in this methodology include:

- *Uṣūl al-Jaṣṣāṣ* by Imām Jaṣṣāṣ (d. 370)
- *Taqwīm al-Adillah* by Imām Dabūsī (d. 429)
- *Uṣūl al-Bazdawī* by Imām Bazdawī (d. 482)
- *Kashf al-Asrār* by Imām ‘Abdul ‘Azīz al-Bukhārī (d. 591)

C. Comprehensive Method

This approach combines both the aforementioned methods. Principles are derived from the Qur’ān, Sunnah and the rulings of the jurists. This comprehensive method is preferred among the later scholars.

⁷ For further detail, refer to *Fiqh Islami: Tadwīn wa Ta’aruf* by Mawlānā Khālīd Saifullah Rahmani. Rahmānī, Mawlānā Khālīd Saif Allāh. *Fiqh Islāmī: Tadwīn wa-Ta’aruf*. 1st ed. (Deoband, Saharanpur, UP: Kutub Khānah Na‘imiyyah, 1429 AH / 2008 CE), 376 pp.

⁸ For further detail, refer to *Uṣūl al-Fiqh al-Islāmī* by Shaykh Wahbah al-Zuḥaylī (d. 1436). Al-Zuḥaylī, Wahbah. *Uṣūl al-Fiqh al-Islāmī*. 1st ed. (Damascus: Dār al-Fikr, 1406 AH / 1986 CE).

Key works in this methodology include:

- *Badī' al-Nizām* by Imām Sā'ātī (d. 684)
- The *Tawdīh wa al-Talwīh* by Imām Ṣadr al-Sharī'ah (d. 750)⁹
- The *Tahrīr* by Imām Ibn al-Humām (d. 863)
- *Musallam al-Thubūt* by Imām Bihārī (d. 901)
- *Uṣūl al-Sarakhsī* by Imām Sarakhsī (d. 490)

Subject Matters of *Uṣūl al-Fiqh*

The classical and later books of *uṣūl al-fiqh* are very well-organised and comprehensive. In particular, two books are particularly useful:

- The *Wajīz* by Imām Zaydān (d. 1435)
- *Uṣūl al-Fiqh al-Islāmī* by Shaykh Wahbah al-Zuḥaylī al-Shāfi'ī (d. 1436)

In later *uṣūl al-fiqh* texts, topics are generally divided under four headings:

1. Sources of law (*uṣūl al-shar'īyyah*)
2. Rulings (*aḥkām*)
3. Principles of extrapolation and language (*qawā'id al-istinbāt/qawā'id al-lughawiyyah*)
4. Miscellaneous (*mutafarriqāt*)

Uṣūl al-Shar'īyyah

These are divided into two types: the principles that are agreed upon (*ittifāqī*) and those that are differed upon (*ikhtilāfi*). Classical texts, such as *Uṣūl al-Shāshī*, usually only detail the former.

Aḥkām

Four elements are discussed in this section:

- *Ḥukm* – There are two different types of rulings. The first are normative rulings (*aḥkām taklīfiyyah*) such as obligatory *farḍ* and mandatory *wājib*. The second are declaratory rulings (*aḥkām waḍ'īyyah*) like the juridical cause (*'illat*) and juridical condition (*shart*).
- *Ḥākim* (rule-giver) – This includes discussions on the recited revelation (*waḥī matlū*), non-recited revelation (*waḥī ghayr matlū*), *ḥasan* and *qabīḥ* (morally good and bad).

⁹ The *Tawdīh*, and its base text, the *Tanqīh*, are both written by Imām Ṣadr al-Sharī'ah al-Maḥbūbī. However, the *Talwīh*, which is a commentary on the *Tawdīh*, is written by Imām Sa'd al-Dīn Mas'ūd al-Taftāzānī (d. 791).

- *Maḥkūm fīh* (the matter being ruled upon) – This includes the issue or object that the ruling is being given about. For example, the conditions and types of prayer and other actions.
- *Maḥkūm ‘alayh* (the subject to the ruling) – This includes discussions on legal capacity, its conditions and circumstances of the person to whom the ruling applies.

Qawā‘id al-Istinbāt /Qawā‘id al-Lughawiyya

This section discusses the principles that are used to explain the Qur’ān and Sunnah. These principles are divided into four:

- *Alfāz* (words) – This discusses the various types of wording, such as *khāṣṣ* (specified), *‘ām* (general), *ḥaqīqah* (literal) and *majāz* (figurative).
- *Ḥurūf* (particles) – This discusses the different types of particles and what meanings they have.
- *Amr wa Nahy* (commands and prohibitions) – This discusses the imperative and prohibitive word forms and *adā’* (fulfilment within the prescribed time) and *qaḍā’* (fulfilment after the prescribed time).
- *Wujūh al-Bayān* (degrees of clarification) - This section discusses the underlying causes or justifications for legal rulings.

Mutafarriqāt

This section deals with the remaining topics of *uṣūl al-fiqh*, such as:

- *Maqāṣid al-Sharī‘ah* (objectives of Sharī‘ah) – This part discusses the *uṣūl al-khamsah* (the five essentials): preservation of religion, life, intellect, property, and lineage. It also includes discussions on *ḍarūrah* (necessity) and *ḥājah* (need).
- *Ta‘āruḍ al-Adillah* (dealing with conflicting evidence)
- *Ijtihād* (independent juridical reasoning) and *taqlīd* (following the reasoning of another jurist)

Method of Attaining Mastery in *Fiqh* and *Uṣūl al-Fiqh*

To gain a deep understanding and expertise in any field, two things are required:

Diligent Effort - This refers to extensive study. It is fundamental, and without it, mastery is impossible. The need for study and research in the Islamic sciences is like the body’s need for food. Imām Ibn al-Nujaym (d. 970), the renowned jurist, shared how he gained mastery in *fiqh*. He would consistently remain awake at night studying, such that every book in the vast city of Cairo had passed through his study. His personal library contained all the major books of *fiqh* and *uṣūl al-fiqh*, which he

meticulously read. He would advise students that mastery cannot be achieved through mere desire. It requires hard work, effort, and perseverance.¹⁰

Accompanying the Experts - This is another extremely essential component to gain mastery and correctly understand the methodology and principles of any field, especially in *fiqh*. Self-study alone, as many past and present examples show, may lead one down an incorrect path. This is why, along with the divine scriptures, Allah sent the prophets.

The Companion, ‘Alī رضي الله عنه (d. 40), has a few lines of poetry:

“My brother, you will never attain knowledge except through six. I will explain them clearly: Intelligence, diligence, relentless effort, adequate means, the company of a teacher, and a long span of time.”¹¹

ولم أزل هذا لأن الفقه أول فنوني، طال ما أسهرت فيه عيوني وأعملت بدني أعمال الجد ما بين بصري ويدي ووطنوني،¹⁰ منذ زمن الطلب أعتني بكتبه قديما وحديثا، وأسعى في تحصيل ما هجر منها سعيا حثيثا، إلى أن وقفت منها على الجمل الغفير، وأحطت بغالب الموجود في بلدنا (القاهرة) مطالعة وتأملا بحيث لم يفتني منها إلا النزر اليسير، ما ستراه عند سردها، مع ضم الاشتغال والمطالعة لكتب الأصول من ابتداء أمري

Ibn Najīm, Zayn al-Dīn b. Ibrāhīm b. Muḥammad al-Miṣrī. *Al-Ashbāh wa-al-Naẓā'ir ‘alā Madhhab Abī Ḥanīfah al-Nu‘mān*. Annotated and hadiths verified by Shaykh Zakariyyā ‘Amayrāt. 1st ed. (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1419 AH / 1999 CE): 15.

¹¹ Al-Zarnūjī, Burhān al-Dīn. *Ta‘līm al-Muta‘allim fī Ṭarīq al-Ta‘allum*. 3rd ed. (Beirut: Dār Ibn Yir, 1435 AH / 2014 CE): 52.

