

مناهج مركز فقهاء (المذهب الحنبلي)

Introduction

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and Companions. To proceed:

Due to the importance of the science of creed and Tawhīd (monotheism), and because the correct scientific methodology requires starting with what is most important, the Fuqahā' Office decided that the first course within the curriculum of the Fiqh Qualification Certificate should be this course: The Major Fiqh or (Al-Fiqh Al-Akbar). This name is one of the names given to the science of creed, and it is a term that was coined in the second century of the Hijri calendar when Imam Abu Hanīfah named his book that compiled the beliefs of the Muslim predecessors: (Al-Fiqh Al-Akbar), indicating that it represents the greatest aspects of Islamic Sharia. We have chosen the book: Al-'Aqīdah Al-Muyssarah (The Creed Made Easy) by Shaykh Dr. Ahmad ibn 'Abdur-Rahmān Al-Qādi -may Allah reward him- as the primary reference for this course due to its compatibility with the requirements of the course. It is a study of the principles of faith and a comprehensive overview of the correct belief. The course was then reviewed and assessed by several specialists, including Dr. Sāmi ibn 'Ali Al-Qulayti, Professor of Creed, Religions, and Contemporary Ideologies at Taybah University, Dr. Fawz bint 'Abdul Latīf Kurdi, Assistant Professor of Creed and

Contemporary Ideologies at King Abdulaziz University, and Dr. Ahmad Al-Qādi.

Objectives of the course:

1. Introducing the overall belief of Ahl as-Sunnah wal Jamā'ah to the student, supported with evidence.

2. Increasing the student's faith concerning the soundness of the beliefs of the Salaf (the righteous predecessors), and that it is a moderate path between sects.

3. Providing the student with an overview concerning the main opposing sects with regard to the issues of belief.

Course Topics:

Characteristics of creed and its fruits.

Belief in Allah: His existence, His lordship, His divinity, and His names and attributes.

Belief in the angels.

Belief in the revealed books.

Belief in the messengers.

Belief in the Last Day.

Belief in Al-Qadar (predestination).

The Qur'an

Seeing Allah in the Hereafter.

The reality of Imān (faith).

Imāmah (leadership) and Jamā'ah (the Muslim community).

The Companions.

The Awliyā' (Allies of Allah).

Comprehensive principles

Religion and methodology are integral parts of creed.

We implore Allah Almighty to benefit Muslims with this course, and May Allah's peace and blessings be upon our Prophet Muhammad.

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Characteristics of creed

- Tawhīd (Islamic monotheism).
- Tawqīf (being based upon textual proofs).
- Concordance with sound natural disposition.
 - Concordance with clear reason.
 - Comprehensiveness.
 - Compatibility and freedom of contradiction.
 - Moderation.
 - Fruits of the characteristics of creed.
 - Achieving servitude to the Lord of the worlds/and liberation from slavery to creatures.
 - Achieving the pursuit of the Messenger of the Lord of the worlds and freeing oneself from religious innovations and innovators.
 - Psychological comfort and inner peace.
 - Intellectual contentment and safety from contradicting reason.
 - Meeting the needs of the soul and the body, and integration between belief and behavior.

- The foundation of creed.
- Belief in Allah.
- Belief in the angels
- Belief in the revealed books.
- Belief in the messengers.
- Belief in the Last Day.
- Belief in Al-Qadar (predestination).

{But righteousness is to believe in Allah, the Last Day, the angels, the Scripture, and the prophets.}

The Prophet (ﷺ) said to Gabriel (peace be upon him) when he asked him about faith: "It is to believe in Allah, His angels, His books, His messengers, the Last Day, and to believe in predestination with its good and bad aspects." Muslim

{Whoever disbelieves in Allah, His angels, His Books, His messengers, and the Last Day has indeed gone far astray.} (136)

Belief in Allah is: the firm belief in Allah Almighty's existence, and that He is the Lord of everything, Who deserves to be worshiped alone apart from whatever else, and is described with attributes of perfection, and is exalted above imperfections.

- Belief in Allah.
- His existence.
- His lordship.
- His divinity.
- His names and attributes.

What are the impacts of belief in Allah on the individual and society?

{That is because Allah is the Truth}

- Existence of Allah.
- Its evidence.
- Sound natural disposition.
- Clear reason.
- Perceived senses.
- Sound legislation.
- Deniers.
- The Duhriyyūn (atheists/those who assume that time governs everything in existence).
- Naturalists.
- The Sudfiyyūn (adherents of the theory of coincidence in creation).
- Communists.
- Individuals with aberrant views.

{Adhere sincerely to the true religion in all uprightness. This is the natural disposition with which Allah has created mankind.}

{Were they created by none, or were they the creators [of themselves]?}

Indeed, the signs given to the messengers, the response to those who call upon Him, and the relief granted to those in distress are all tangible proofs that testify to His existence.

{If it had been from anyone other than Allah, they would have found in it much contradiction.}

{And they say, "There is nothing but our life of this world: we die and we live, and nothing causes us to die except time."}

Those who believe that the world came into existence by the act of (nature).

Those who believe that beings came into existence through coincidence.

Those who say "there is no God, and life is matter".

{They denied them wrongfully and arrogantly, although their hearts were convinced that they were true. See then how was the end of those who spread corruption!}

It is firm belief in Allah Almighty alone as the Lord; the Creator, the Sovereign, and the Commander.

- Belief in the lordship of Allah.
- The core of lordship.
- Creation.
- Sovereignty.
- Command.
- Kawni (universal/cosmic).
- Shar'i (legislative).
- Evidences.
- Fitrah (natural disposition).
- Sensory perception.
- Reason.
- Legislation.
- Those who are misguided concerning it.

- Dualism and Manichaeism.
- Adherents of the belief of Trinity.
- Some polytheistic Arabs.
- The Qadariyyah sect that denies Allah Almighty's attributes.

{Pharaoh said, "So who is the Lord of you two, O Moses?" He said, "Our Lord is the One Who gave everything its form and then guided it."}

{Allah is the Creator of all things.}

{nor does He have any partner in His dominion,}

{Whenever He wills something to be, He only says to it, "Be", and it is.}

{Indeed, in the creation of the heavens and earth; the alternation of the night and day; the sailing of the ships in the sea for the benefit of people; the sending down of rain from the sky by Allah, thereby reviving the earth after its death; the spreading of all kinds of creatures therein; the directing of the winds and clouds between the sky and earth—in all these, there are signs for people of understanding.}

{Allah has never begotten a son, nor is there any god besides Him. Otherwise, each god would have taken away what he had created, and each would have tried to gain supremacy over the other. Glory be to Allah far above what they ascribe to Him!}

{And if you should ask them: "Who created the heavens and earth?" they would surely say: "They were created by the All-Mighty, All-Knowing."}

- Firm belief that Allah alone is the true god, deserving of worship apart from all else.

- Belief in 'Uluhiyyah (divinity).

- Meaning of 'Ilāh (god).

- The one worshiped.

- Essence of worship.

- Perfection of love, humility, submission, and glorification.

- The implications of the fulfillment of this Imān (belief).

- Dedicating all forms of worship to Allah alone.

- Types of worship.

- Worship of the heart.

- Worship of speech.

- Worship of the body.

- Worship involving wealth.

- What is the relationship between belief in Divinity and belief in Lordship?

Effects of associating partners with Allah (Shirk).

- Non-forgiveness of sins.

- Forbiddance of entering Paradise.

- Having one's deeds rendered worthless.

- Non-sanctity of one's life and wealth.

- Those who are misguided about it.

- Idol worshipers.

- The Qubūriyyūn (grave worshipers).

- Sorcerers.

- Blocking the means to Shirk.

{Indeed, We sent to every community a messenger, [saying]: "Worship Allah and shun false gods."}

{And among people there are some who take others as equals to Allah: they love them as they should love Allah.}

{The mosques are for Allah alone, so do not supplicate anyone along with Allah.}

{Say, "Indeed, my prayer, my sacrifice, my living and my dying are all for Allah, Lord of the worlds.}

[Saying], "We feed you only for the face [i.e., approval] of Allah. We wish not from you reward or gratitude.}

{Allah does not forgive associating partners with Him}

{Whoever associates any partners with Allah, Allah has forbidden Paradise for him}

{if you associate others with Allah, your deeds will surely become worthless, and you will certainly be among the losers.}

{kill the polytheists wherever you find them}

- Blocking the means to Shirk.
- Excessive veneration of the righteous.
- Fascination by the graves of the righteous.
- Taking them as places of worship.
- Building structures over them.
- Traveling for visiting them.
- Emulating the polytheists in their unique characteristics.

- Making images.
- Uttering words that involve Shirk.
- Making oaths by other than Allah.
- Considering human will equal to Allah's will.
- Attributing actions occurring in the cosmos to other than Allah.
- Engaging in polytheistic acts.
- Wearing threads (as charms) to ward off or remove affliction.
- Hanging amulets and similar items.
- Reciting polytheistic Ruqias (incantations) and Azeemas (spells), and using Tiwalah (kind of magic that causes love between a man and a woman).
- Believing in bird omens and pessimism.

(Beware of extremism, for indeed, extremism destroyed those before you.) Ahmad and At-Tirmidhi

(Act contrary to the polytheists) Agreed upon

(If any righteous pious man dies among them, they build a place of worship above his grave and place those images. They are the most evil creatures in the sight of Allah.) Agreed upon

(Behold! Do not take graves as mosques; for indeed I forbid you to do that.) Muslim

(Do not leave any statue without effacing it, or any prominent grave without leveling it.) Muslim

(A journey should not be made except to three mosques) Agreed upon

(Whoever swears by other than Allah has disbelieved or associated partners with Allah.) At-Tirmidhi

Based upon the statement of the Prophet (ﷺ) to the one who said to him, "What Allah wills and you will": (Do you make me an equal to Allah! Say: What Allah alone wills) An-Nasā'i

According to a Qudsi Hadīth: (But the one who says: 'We have been given rain by such-and-such a star' he has disbelieved in Me and believed in the stars.) Agreed upon

The Prophet (ﷺ) saw a man with a brass ring on his hand. He said: (What is this ring?) He said: It is for Wāhinah (a disease causing weakness to the hand). He (ﷺ) said: (Take it off, for it will only increase you in weakness. Should you die with it on your hand, you will never be successful.) Ahmad and Ibn Hibbān

(Whoever hangs an amulet has committed Shirk) Ahmad and Al-Hākim

(Indeed, incantations, amulets, and Tiwalah (love-potions) are Shirk).

(Tiyarah (believing in bird omens) is Shirk. Tiyarah is Shirk.) Abu Dāwūd and At-Tirmidhi

- Types of Tawassul (seeking nearness to Allah through intermediaries).
- Involving Shirk.

- Calling upon the deceased besides Allah Almighty for fulfilling needs and alleviating distress.

- Involving Bid'ah (religious innovation).
- Seeking nearness to Allah through means not prescribed by Allah.

- Permissible.
- Through belief in Allah.
- Through doing righteous deeds.
- Through one of His names.
- Through one of His attributes.
- Through seeking supplication from a righteous person.

'Umar (may Allah be pleased with him) said: (O Allah, whenever we faced drought, we used to make Tawassul to You through our Prophet and You would grant us rain. Now, we make Tawassul to You through the paternal uncle of our Prophet, so grant us rain.) Narrated by Al-Bukhāri

- Belief in Allah's names and attributes.
- Definition: To firmly believe that the most beautiful names and most sublime attributes belong to Allah Almighty, affirming what He has affirmed for Himself in His book or affirmed through His Prophet's Sunnah, of the attributes of perfection and qualities of majesty, without comparing, asking how, distortion, or denial; and negating what He has negated for Himself in His book or negated through His Prophet's Sunnah of

the attributes of imperfection and deficiency, or likening to the creation.

- Its rules.
- Categories of attributes.
- Examples of established attributes.
- Those who are misguided in this issue and reply to them.

{Allah has the Most Beautiful Names, so call upon Him by them, and leave those who deviate concerning His Names. They will be recompensed for what they used to do.}

{There is nothing like unto Him, and He is the All-Hearing, the All-Seeing.}

- Rules related to Allah's names and attributes.
- Names and attributes are Tawqifi (bound to Sharia texts).
- Attributes not spoken about in Sharia texts.
- If the meaning is correct: the meaning is affirmed, not the wording.
- If the meaning is incorrect, both the wording and the meaning are rejected.
- The names of Allah Almighty have reached the pinnacle of beauty.
- The names are proper nouns indicative of His essence and descriptions of Him.
- His attributes are perfect, without any deficiency whatsoever.

They are true in the true sense of meaning, so they should be affirmed according to their apparent meaning.

- Violations.
- Denial of Allah's attributes.
- Likening Allah to His creation.
- Introducing Bid'ah.
- Using His names for others.
- Requirements.
- Supplicating to Him with His names.
- Preserving His names.
- Understanding their meanings.
- Pondering on their meanings.
- Acting upon their implications.

{To Him belongs the most sublime similitude in the heavens and earth.}

{Do not follow that of which you have no knowledge}

- Belief in Allah's names and attributes.
- Categories of attributes.
- Dhātiyyah (attributes of essence): those related to Allah Almighty's sacred essence.

Fi'liyyah (attributes of action): those related to Allah Almighty's will and wisdom.

Examples of Allah's attributes.

- Al-'Uluww (highness/elevation).
- Al-Istiwā' (Rising over the Throne).
- Speech.

Those who have deviated regarding the issue of Allah's names and attributes.

- Ahl At-Tamthīl (Those who liken Allah's attributes to that of His creation).

- Ahl At-Ta'tīl (Those who deny Allah's attributes).

- Ahl At-Ta'wīl (Those who apply allegorical interpretation to Allah's attributes).

- Ahl At-Tajhīl (Those who declare Allah's attributes as unknowable).

{There is nothing like unto Him: He is the All-Hearing, the All-Seeing.}

{and there is none comparable to Him.”}

The misconception of Ahl At-Tamthīl and replying to them:

The misconception of Ahl At-Ta'tīl and replying to them:

The misconception of Ahl At-Ta'wīl and replying to them:

The misconception of Ahl At-Tajhīl and replying to them:

- Belief in the angels.
- Honored slaves.
- Created from light, possessing wings and having huge diverse forms.
- They line up, constantly engaged in glorifying and praising Allah: They are inspired by Him to glorify Him and act upon His commands, and are granted the strength to carry this out.

- They belong to the Unseen world, beyond the perception of human senses in this worldly life, except for those whom Allah Almighty wills otherwise.

- They are entrusted with various tasks alongside their continuous primary function of worshipping and glorifying the Lord.

- Descending with the revelation.
- Caring for the fetus.
- Protection of humans.
- Keeping records of the deeds of humans.
- Keeping the believers firm and supporting them.

- Taking the souls in death.
- Questioning the dead in their graves.
- Blowing the Trumpet.
- Guardianship of Hellfire.
- Asking forgiveness for the believers.

Belief in the angels includes the following aspects: 1. Belief in their existence. 2. Belief in the names of those angels whose names have been revealed to us. 3. Belief in their attributes which we are informed about. 4. Belief in their actions as reported about them.

{They never disobey whatever Allah commands and do whatever they are commanded.}

{They say, “The Most Compassionate has begotten offspring!” Glory be to Him! In fact, those [angels] are His honored slaves. They do not speak

before He speaks, and they only do as He commands. He knows what is ahead of them and what is behind them. They cannot intercede except for whom He pleases, and they are fearful in awe of Him.}

(Angels are created from light)

{All praise be to Allah, the Originator of the heavens and earth, Who made the angels messengers with two, three, or four wings. He increases in creation whatever He wills. Indeed, Allah is Most Capable of all things.}

(I have been permitted to tell about one of Allah's angels who bears the Throne that the distance between the lobe of his ear and his shoulder is a journey of seven hundred years.)
[Narrated by Abu Dāwūd]

{We are indeed those who stand lined up in rows, and we are indeed those who glorify Allah."}

{To Him belongs all those who are in the heavens and earth. Those [angels] who are with Him are not too proud to worship Him, nor do they ever grow weary. They glorify Him day and night tirelessly.}

{Then We sent to her Our Spirit [Gabriel] and he appeared before her in the form of a perfect human being.}

What are the effects of the belief in angels?

The firm belief that Allah Almighty has sent down books with the truth to His prophets as guidance, mercy, admonition to people, serving as

an argument against them and clarification for all things.

- Implication of believing in Allah's books.
- Believing in such books whose names are known to us specifically and believing in general in those whose names we do not know.
- The Qur'an.
- The Torah.
- The Gospel.
- The Zaboor (Psalms).
- Affirming such of their reports that were not distorted.
- Ruling according to the Sharia of the Qur'an.
- Believing in the book in entirety, not in some parts thereof apart from others.
- Prohibition of concealing, distorting, disagreeing about them, or trying to make some of Allah's words seem contradictory to others.

The previous books were not safe of distortion, unlike the Qur'an, as Allah Almighty has taken it upon Himself to preserve it.

{We have revealed to you [O Prophet] the Book in truth, confirming the scriptures that came before it and as a criterion over them.}

{We sent down the Torah which contains guidance and light}

{And We gave him the Gospel that contained guidance and light.}

{and We gave David the Psalms.}

{We have revealed to you [O Prophet] the Book in truth, confirming the scriptures that came before it and as a criterion over them. So, judge between them according to what Allah has revealed, and do not follow their desires in disregard of the truth that has come to you. To each of you We have ordained a law and a way of life.}

{Do you then believe in part of the Scripture and deny another part? Then what is the recompense for those who do so among you except disgrace in this life, and on the Day of Resurrection they will be subjected to the severest torment.}

{And [remember] when Allah took a covenant from those who were given the Scripture, “that you should make it clear to people and not conceal it.” But they cast it behind their backs and sold it for a small price. How terrible is their deal!}

What are the effects of belief in the divine books?

The firm belief that Allah Almighty has chosen men from among people, inspired them with revelation, and sent them as bearers of glad tidings and warners, conveying His messages to His creation that they should worship Him alone and shun all false deities, out of mercy to them and as a means of establishing the argument against them.

- Aspects included in belief in the messengers.
- Believing that their messages are from Allah, by His absolute will and wisdom.

- Believing in all the Messengers of Allah, specifically those who we know by their names, and generally in those whose names we are unaware of.

- Trusting them and accepting the information they have given us about Allah Almighty.

- Obeying and following them, and referring judgment to them.

- Showing loyalty, love, respect to them, and invoking Allah's peace upon them.

{That was Our argument which We gave Abraham against his people. We elevate in ranks whom We will. Your Lord is All-Wise, All-Knowing. We granted him Isaac and Jacob – each of them We guided as We previously guided Noah, and among his descendants: David, Solomon, Job, Joseph, Moses, and Aaron. Thus, do We reward those who do good. And Zachariah, John, Jesus, and Elias – each was among the righteous. Also, Ishmael, Elisha, Jonah, and Lot – each of them We preferred over all other people [of their times].}

{When a sign comes to them, they say, “We will never believe until we are given the like of what was given to the messengers of Allah.” Allah knows best where to place His message.}

{We have sent messengers before you; of them are some whose stories We have told you, and some We have not.}

{O people, the Messenger has come to you with the truth from your Lord, so believe; it is better for

you. But if you disbelieve, [know that] all that is in the heavens and earth belongs to Allah.}

{We did not send any Messenger but to be obeyed by Allah's permission.}

{Say, "If you love Allah then follow me; Allah will love you.}

{But no, by your Lord, they will not believe until they accept you [O Prophet] as a judge in their disputes and find no discomfort within their hearts about your judgments, but accept them wholeheartedly.}

{so that you may believe in Allah and His Messenger, support and revere him.}

"None of you truly believes until I become dearer to him than his father, his children, and all people." Narrated by Al-Bukhāri and Muslim

What are the effects of believing in the messengers?

The firm belief that Allah Almighty will delay His slaves until the Day when He will resurrect them from their graves, hold them accountable for their deeds, and reward them accordingly, either with Paradise or Hellfire.

- Aspects included in belief in the Last Day.
- Post-death events.
- Seeing the angels at the time of death.
- Trial in the grave.
- Punishment and bliss of the grave.
- The Hour and its portents.

- The Smoke.
- The Dajjāl (Anti-Christ).
- The Beast.
- The sun rising from the West.
- The descent of Jesus.

Gog and Magog.

- Three landslides.
- Fire gathering the people.
- Resurrection.

Allah Almighty bringing out the people from their graves, alive, barefoot, naked, and uncircumcised, having nothing with them after the second blow of the Trumpet.

- The Great Resurrection.

The standing of people for the Lord of the worlds in a prolonged standing on the vast plains of resurrection, where they can hear the caller, their sight reaches far, the sun approaches them, and sweat overwhelms them. The Cistern is presented, the records are distributed, the scales are set up, and the Bridge is established, in tremendous situations and overwhelming conditions.

- The Reckoning.
- Reckoning of the believers.
- Reckoning of the disbelievers.
- Recompense.
- Paradise.
- Hellfire.

What are the effects of belief on the Last Day?

{If only you could see when the angels take the souls of the disbelievers, beating their faces and their backs, "Taste the punishment of the scorching fire!}

{Those who say, "Our Lord is Allah," then remain steadfast; the angels will descend upon them [saying]: "Do not fear, nor grieve, but receive glad tidings of Paradise which you were promised."}

{The disbelievers claim that they will never be resurrected. Say: "Yes, by my Lord, you will surely be resurrected, then you will surely be informed of what you did. And that is easy for Allah."}

(It will not come until you see ten signs before it - he mentioned - the Smoke, the Dajjāl, the Beast, the rising of the sun from its west, the descent of Jesus son of Mary (peace be upon him), Gog and Magog, and three landslides: one in the east, one in the west, and one in the Arabian Peninsula. And the last of which is a fire that will come out of Yemen, driving people to their place of gathering). Muslim

{We will place the scales of justice on the Day of Resurrection, and no soul will be wronged in the least. Even if a deed is the weight of a mustard seed, We will bring it forth. Sufficient are We as Reckoners.}

{Whoever is given his Record in his right hand, he will have an easy reckoning,}

{Then We made to inherit the Book those whom We have chosen from among Our slaves. But among

them are some who wrong themselves, some follow a middle course, and some are foremost in good deeds with Allah's permission. That is the great bounty. They will enter Gardens of Eternity; they will be adorned therein with bracelets of gold and pearls, and their garments will be of silk. And they will say, "All praise be to Allah Who has taken away from us all sorrow. Indeed, our Lord is All-Forgiving, Most Appreciative, He Who has caused us to settle – out of His grace – in the everlasting home, wherein no weariness or fatigue will touch us." As for those who disbelieve, there will be the Fire of Hell; neither will they be sentenced to death, so that they may die, nor will its punishment be lightened for them. This is how We recompense every disbeliever. They will be screaming therein, "Our Lord, take us out; we will do righteous deeds, unlike what we used to do." [They will be told], "Did We not give you long enough lives to take heed for anyone who wished to take heed? And the warner did come to you. So, taste! The wrongdoers will have no helper."}

The firm belief that Allah, the Exalted, has preordained the destinies of all the created beings with His eternal knowledge, written them in the Preserved Tablet, executed them by His will, and brought them into existence by His power.

What are the effects of belief in predestination?
Aspects included in belief in predestination

- Believing in Allah's eternal and everlasting comprehensive knowledge encompassing everything in general and in detail.

- Believing in Allah's writing of the destinies in the Preserved Tablet.

- Believing in Allah's effective will: Whatever Allah wills, it happens, and whatever He does not will, it does not happen.

- Believing in Allah's creation of all beings and His bringing them into existence along with their actions.

- Believing that Allah's will of something and His love for it is not interconnected.

- Believing that there is no contradiction between predestination (Qadar) and legislation (Sharia).

{We have surely created everything in a determined measure}

{and He is All-Knowing of everything.}

{Do you not know that Allah knows all that is in heaven and on earth? That is all [written] in a Record. This is indeed easy for Allah.}

{No calamity befalls the earth or yourselves, but it is already written in a Record before We bring it into existence. That is indeed easy for Allah.}

{For whoever wills among you to take a right course. And you do not will except that Allah wills - Lord of the worlds.}

{Allah is the Creator of all things.}

{It is Allah Who created you and all what you do.}

{If We had willed, We could have given every soul its guidance, but My Word will be fulfilled: "I will certainly fill up Hell with jinn and men all together."}

{Those who associate partners with Allah will say: "If Allah had willed, neither we nor our forefathers would have associated anything with Him, nor would we have made anything forbidden." Likewise, those who came before them rejected the truth until they tasted Our punishment. Say: "Do you have any knowledge that you can present to us? You follow nothing but assumption, and you do nothing but lie." Say, "Allah alone has the most conclusive argument. If He had willed, He could have guided you all."}

- Those who are misguided concerning the concept of predestination.

- Qadariyyah negators (those who deny predestination).

- The extremists:

- Those who deny Allah's knowledge and writing.

- The Mu'tazilah.

- Those who deny Allah's will and creation (of the slaves' actions).

- The Jabriyyah/compulsionists (those who believe that humans are controlled by predestination, without having choice or free will).

- Miscellaneous topics.
- The Qur'an.
- Seeing Allah in the Hereafter.
- Essence of faith.
- Imāmah (leadership) and Jamā'ah (the Muslim community).
- The Companions.
- The Awliyā' (allies of Allah).
- Comprehensive principles.
- Complements of creed.
- Religion and methodology.
- The Qur'an.
- It is the speech of Allah, both in words and meanings.
- It is revealed, not created.
- Allah Almighty first spoke it, and revealed it to the Trustworthy Spirit, Gabriel, who descended with it upon the heart of Muhammad (ﷺ) in portions, so he recited it to the people.
- When people recite it, write it in the Mus'hafs (copies of the Qur'ān), or memorize it in their hearts, all this does not change the fact that it is the speech of Allah in essence.
- The recitation, writing, or memorization are attributed to the doers, and the speech itself is attributed to the Originator.

{If any of the polytheists asks you for protection, give it to him, so that he may hear the Word of Allah}.

{Say, “This has been brought down by the Holy Spirit from your Lord with the truth, to strengthen those who believe, and as guidance and glad tidings to the Muslims.”}

Seeing Allah Almighty on the Day of Judgment

Nature of seeing

- Directly with their eyes.
- Not encompassing Him by the sight.
- Where it takes place.
- On the vast plains of the Resurrection.
- After they enter Paradise.

{On that Day some faces will be bright, looking at their Lord.}

(You will see your Lord as you see the moon when it is full, you will not have any difficulty in seeing Him.) Narrated by Al-Bukhāri and Muslim

Imān (faith)

- Its essence.
- Statement.
- The heart.
- The tongue.
- Action.
- The heart.
- The tongue.
- The body parts.
- Relation with Islam.

When mentioned separately, they are synonymous.

- When mentioned together.

- Imān refers to the inward belief.
- Islam refers to the outward action.
- Imān increases through obedience and decreases through disobedience.
- It is of variable degrees.
- Imān varies.
- Its qualities vary.
- Its people are of variable degrees.
- With regard to its essence.
- With regard to what is obligatory thereof.
- With regard to perfection of faith.
- Making Istithnā' in Imān (saying: I am a believer, if Allah so will).
- Out of doubt in the essence of Imān: disbelief.
- Out of fear of ascribing purity to oneself: obligatory.

For the sake of seeking blessings in referring matters to Allah's will: permissible.

- The effect of major sins on it.
- They decrease it, but it remains in essence.

{The believers are only the ones who have believed in Allah and His Messenger and then doubt not but strive with their properties and their lives in the cause of Allah. It is those who are the truthful.}

(Faith has over seventy branches or over sixty branches, the most excellent of which is saying that there is no god but Allah, and the lowest of which is the removal of what is harmful from the path; and

modesty is a branch of faith.) Narrated by Al-Bukhāri and Muslim

{The Bedouins say, “We have believed.” Say, “You have not believed, but say, ‘We have submitted,’ for faith has not yet entered your hearts. But if you obey Allah and His Messenger, He will not detract anything from the reward of your deeds. Indeed, Allah is All-Forgiving, Most Merciful.”}

{and their faith increases when His verses are recited to them.}

(Faith has over seventy branches or over sixty branches, the most excellent of which is saying that there is no god but Allah, and the lowest of which is the removal of what is harmful from the path; and modesty is a branch of faith.) Narrated by Al-Bukhāri and Muslim

{Then We made to inherit the Book those whom We have chosen from among Our slaves. But among them are some who wrong themselves, some follow a middle course, and some are foremost in good deeds with Allah’s permission. That is the great bounty.}

{Allah does not forgive associating partners with Him but forgives anything less than that for whom He wills. Whoever associates partners with Allah has indeed committed a grave sin.}

- Those who are misguided concerning Imān.
- The Wa’idiyyah (those who hold that punishment is mandatory).

- The Khawārij.
- Committing a major sin leads one to lose his faith and turn into a disbeliever. He is considered a disbeliever in worldly life, and will abide eternally in the Fire in the Hereafter.

- The Mu'tazilah

- The one who commits a major sin is neither a believer nor a disbeliever. He is in a position between the two situations in worldly life and will abide eternally in the Fire in the Hereafter!

- The Murji'ah.

- The Jahmiyyah.

- Imān is the affirmation or knowledge of the heart only.

The Karrāmiyyah.

- Imān is the utterance of the tongue only.

The Murji'ahs from among the jurists

- Imān is the affirmation of the heart and the utterance of the tongue only. As for actions, they are not included within the boundaries of Imān and its essence; rather, they are among its fruits.

Sects

Their doctrine

Reply to the Wa'idiyyah: 1. Allah Almighty has affirmed faith, and kept the bond of faith-based brotherhood effective in the worldly life for the one who commits a major sin: {O you who believe, legal retribution is prescribed for you in cases of murder – a free for a free, a slave for a slave, and a female

for a female. But if one is pardoned by the victim's guardian, then a fair ransom of blood money should be set and paid in the best way.}

2- Allah forgives sins apart from Shirk for whomever He wills, and He will take out from the Fire anyone who has even a mustard seed's weight of faith in his heart, as repeatedly reported in the Hadīths on intercession.

Reply to the Murji'ah: 1. Allah Almighty has referred to actions as faith: {Allah would never let your [acts of] faith go to waste,} i.e. your prayer.

2. The Prophet (ﷺ) negated absolute faith from the one who commits major sins involving actions, saying: (The adulterer is not a believer at the moment of committing adultery, and the thief is not a believer at the moment of stealing, and the wine drinker is not a believer at the moment of drinking wine, and the robber is not a believer at the moment of robbing and taking something valuable by force while the people are looking at it.) Narrated by Al-Bukhāri and Muslim

• Imāmah (leadership) and Jamā'ah (the Muslim community).

- Obligations.
- Pledge of allegiance.
- Listening and obedience to rulers in what is good.
- Prohibitions.
- Rebellion against them.

(He who dies without having sworn allegiance (to a Muslim ruler) has died as someone belonging to the pre-Islamic era of Ignorance.) Muslim

{O you who believe, obey Allah and obey the Messenger, and those of you who are in authority. If you disagree over anything, refer it to Allah and the Messenger, if you believe in Allah and the Last Day; that is better and more commendable in the end.}

(A Muslim person must listen and obey concerning what he likes and hates unless he is ordered to commit a sin. If he is ordered to commit a sin, then he should neither listen nor obey.) Narrated by Al-Bukhāri and Muslim

‘Ubādah (may Allah be pleased with him) reported: (The Prophet (ﷺ) called us, and we gave him the pledge of allegiance for Islam. Among the conditions on which he took the pledge from us was that we were to listen and obey (the orders) both at the time when we were active and at the time when we were tired, and at our difficult time and at our ease, even when somebody is given preference over us, and without disputing those in authority over power, unless you see evident disbelief regarding which you have a proof from Allah.) Narrated by Al-Bukhāri

- The Companions.
- Definition of a 'Companion'.

• He is someone who met the Prophet (ﷺ) while believing in him, and died in such a state.

• Their status.

• The best of people after the prophets.

• Their uprightness.

• They are all upright.

• Their degrees.

• Superiority of the Muhājirīn (Emigrants) over the Ansār (Helpers).

• Superiority of those who spent and fought in Allah's cause before Al-Hudaybiyah peace treaty.

• Superiority of the people of Badr.

• Superiority of the people of Ar-Ridwān Pledge.

• Special degrees of superiority.

The Rightly-Guided Caliphs.

• Those who were promised Paradise.

• Ahlul-Bayt (The Prophet's Household).

• What is due for them.

• Loving them.

• Safety of hearts and tongues towards them.

• Refraining from discussing the disagreements occurred among them.

• Disassociation from the ways of the Rawāfid and the Nawāsib.

{Muhammad is the Messenger of Allah, and those who are with him are firm against the disbelievers and compassionate among themselves.} Complete the verse.

(The best of people is my generation.) Narrated by Al-Bukhāri and Muslim

This is because they combined both emigration and help, and because Allah Almighty has mentioned them first.

{Those of you who spent and fought before the conquest [of Makkah and those who did not] are not equal. They are much greater in rank than those who spent and fought afterward.}

(Who knows, perhaps Allah has looked at the people of Badr and said: 'Do whatever you like, for I have forgiven you.) Narrated by Al-Bukhāri and Muslim

{Allah was much pleased with the believers when they pledged allegiance to you [O Prophet] under the tree. He knew what was in their hearts, so He sent down tranquility upon them and rewarded them with an imminent conquest.}

'Ali (may Allah be pleased with him) said: (The best of this Ummah after its Prophet are Abu Bakr, then 'Umar.) Narrated by Ahmad. Ibn 'Umar said: (During the time of the Messenger of Allah (ﷺ), we used to rate them as such according to superiority: Abu Bakr, then 'Umar, then 'Uthmān.) Agreed upon

(Indeed Allah has chosen Ismā'il, and He chose Banu Kinānah from the children of Ismā'il, and He chose Quraysh from Banu Kinānah, and He chose Banu Hāshim from Quraysh, and He chose me from

Banu Hāshim) (I remind you of Allah with regard to my household) Muslim.

{And those who came after them say, “Our Lord, forgive us and our brethren who preceded us in faith, and do not let there be any ill feelings in our hearts towards those who believe. Our Lord, indeed, You are All-Gracious, Most Merciful.”}

(Do not insult my Companions, for, by Him in Whose Hand my soul is, if anyone of you spends gold equal to Mount 'Uhud (in Allah's cause), it will not be equal to a Mudd or even half a Mudd spent by one of them.) Narrated by Al-Bukhāri and Muslim

- Miracles of the Awliyā' (allies of Allah).
- The Waliyy.
- Every pious believer.
- Miracle.
- An extraordinary event performed by Allah through the hand of one of His Awliyā' as an honor for him, and as a confirmation of the prophet whom he followed.

- In knowledge and spiritual disclosures.
- In power and influences.

{Indeed, the allies of Allah will have no fear, nor will they grieve. Those who believe and fear Allah.}

- Comprehensive principles in establishing theoretical bases and inference.
- Sources of creed, Sharia, and behavior.
- The Qur'an.

- The Sunnah.
- Consensus.
- The methodology in understanding the Qur'an and the Sunnah.

- Following the methodology of the earlier generations and turning away from methodologies based on Bid'ah (innovation in religion).

- Reason and textual evidence.
- No contradiction between clear reason and authentic texts.

Bid'ah (Innovation in religion).

- Definition.
- Worshiping Allah according to ways not prescribed by Him.

- Its types.
- Creed-related/Action-related.
- Strictly/mildly warned against.
- Leading to disbelief/leading to defiant disobedience.

{But whoever opposes the Messenger after guidance has become clear to him, and follows other than the way of the believers, We will leave him to what he has chosen, and burn him in Hell. What a terrible destination!}

- From the complements of creed.
- Enjoining good and forbidding evil.
- Adhering to unity and agreement and shunning disunity and disagreement.
- Noble morals.

{Let there be a group from among you who call to goodness: enjoining what is right, and forbidding what is wrong. It is they who are successful.}

{And hold fast to the rope of Allah all together and do not be divided. Remember the favor of Allah upon you when you were enemies, then He reconciled your hearts, making you brethren by His grace. And you were on the brink of a fiery pit, and He delivered you from it. This is how Allah makes His verses clear to you, so that you may be guided.}
{“You should uphold the religion and make no divisions therein.”}

- Islam.
- General meaning.
- Submission to Allah Almighty through Tawhīd, surrendering to Him through obedience, and disassociation from Shirk.
- Specific meaning.
- What Allah Almighty sent His Prophet Muhammad (ﷺ) with, in terms of guidance and the religion of truth, with which He abrogated what preceded it of religions, so He accepts no religion other than it.

{The true religion with Allah is Islam.}

{We sent down the Torah which contains guidance and light; the prophets who submitted themselves to Allah.}

{Anyone who seeks a religion other than Islam, never will it be accepted from him; and in the Hereafter he will be among the losers.}

(By the One in Whose Hand my soul is, there is nobody of this nation, be he Jewish or Christian, who hears of me and then dies without believing in what I was sent with except that he will be among the people of Hellfire.) Muslim

(Beware! The people of the Book before you were split up into seventy two sects, and this community will be split up into seventy three: seventy two of them will go to Hell and one of them will go to Paradise, and it is the Jamā'ah (majority group of Muslims)) Abu Dāwūd, At-Tirmidhi and Ahmad

Ahl-us-Sunnah follows a middle course

Concerning Allah's attributes

The Mushabbihah (those who liken Allah's attributes to those of the creation)

Ahl-us-Sunnah

The Mu'attilah (those who deny Allah's attributes)

Concerning Allah's actions

The Jabriyyah

Ahl-us-Sunnah

The Qadariyyah

Concerning the divine threat and names of Imān

The Murji'ah

Ahl-us-Sunnah

- The Wa'idiyyah.

Concerning the Companions

The Khawārij

Ahl-us-Sunnah

The Rāfidah

Introduction

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and Companions. To proceed:

It behooves the one aspiring to learn specific knowledge to acquaint himself with the principles of this knowledge, its history, and its stages before studying its issues in detail.

For this reason, the Fuqahā' Center decided that the curricula of the Fiqh Qualification Certificate should include this course: (Introduction to Fiqh).

Objectives of the course:

1. Acquainting the student with the meaning of Fiqh, its virtues, and the ruling of learning it.
2. Evoking the student's desire to learn Fiqh.
3. Making the student aware of the historical stages of Fiqh as a branch of knowledge.
4. That the student hold the imams of Fiqh in high esteem, acknowledging their merit and highly appreciating their efforts.
5. That the student comprehends the differences between the schools of Fiqh.
6. That the student understands the meaning of following a particular school of thought (Madh'hab)

and its ruling and how to differentiate between what is prohibited and what is permissible.

Course Topics:

1. A general definition of Fiqh, including its linguistic, Shar'i (legal), and technical meanings, and its main theme, virtues, and the ruling of learning it.

2. The stages through which Fiqh has gone through.

3. Characteristics of the stage of Tashri' (legislation) and its most important features.

4. Fiqh during the time of the Companions and their prominent jurists.

5. The Fiqh schools during the time of the Tābi'ūn (the Companions' successors).

6. Introducing each of the four schools of thought, including the name of the school's imam and his lineage, his biography, devotion to worship, knowledge, the stages through which the school has passed, and the prominent jurists of the school in each stage.

7. Extinct schools of thought.

8. Features of Fiqh in the present era.

9. Following a certain school of thought, and the stance towards that.

10. Fiqh schools (Ahl al-Hadīth, Ahl ar- Ra'y, Ahl-uzh-Zhāhir, and the Rationalist School)

11. Reasons for scholars' disagreement and the stance towards it.

We implore Allah Almighty to benefit Muslims with this course, and May Allah's peace and blessings be upon our Prophet Muhammad.

‘Āmir ibn Muhammad Fidā’ Bahjat - Head of Fuqahā’ Office for Training and Consultations.

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Fiqh (Islamic Jurisprudence)

Definition

Linguistically

Understanding

Shar‘i (legally)

Knowledge of the issues of the religion

Technically

Knowledge of the subsidiary rulings of the Sharia

Main topic

The actions of the slaves in terms of how the Sharia rulings apply to them

Its merit

Merit of Sharia knowledge in general

Merit of Fiqh knowledge in particular

Ibn Al-Jawzi said: "The greatest proof of something's merit is to look at its fruit, and whoever contemplates the fruit of learning Fiqh, knows that it is the best of all branches of knowledge."

Its sources

Ruling on learning it

What is obligatory to learn thereof on an individual basis

What is obligatory to learn thereof on a communal basis

For further information: Al-Faqīh wa Al-Mutafaqqih

(p 55-148), (570- 605)

Researchers and authors adopted various approaches to classify the stages and phases that Fiqh has gone through. Some have divided it into six stages, while others have added more. However, I have found the quadruple division to be the most suitable for mental organization and for achieving the objectives of this course, with further subdivisions:

Stages of Fiqh

Stage of Legislation (up to 11 AH)

Pre-Schools of Thought (Madh'habs) Stage (up to approximately 100 AH)

Stage of Schools of Thought (up to approximately 1300 AH)

The Present Era (from 1300 AH approximately)

With the beginning of the mission of the Prophet (ﷺ), the Islamic legislation started and continued until he passed away. The features of this stage are evident through the following:

Stage of Legislation

Date

Starting from the mission of the Prophet (ﷺ) up to his demise

The Makkan era

Focus on the fundamentals of religion

Few detailed legislations

Madinan era

Continued emphasis on the fundamentals of religion

Legislation of detailed rulings

Legislation sources

The Qur'an

Initiative

The Sunnah

With posing a question

Due to

Features

Legislation specific to this stage

Limited scope of differences

Gradualness of legislation

in legislating rulings

in legislating a single ruling

Training the Companions on personal reasoning (Ijtihād)

After the demise of the Prophet (ﷺ), legislation ceased, but Fiqh did not. The Companions (may Allah be pleased with them) inferred rulings from the Qur'an and the Sunnah and issued Fatawa to the people. Among the Companions were several jurists from whom Fiqh and Fatwa were

transmitted, albeit with different amounts in abundance. Subsequently, a group of jurists from among the Tābi'īs emerged, who had acquired Fiqh knowledge from the Companions (may Allah be pleased with them). The category of the Companions and the Tābi'īs formed a stage preceding the development of the Fiqh Madh'habs:

Pre-schools of thought stage

The era of the Companions

The era of the Tābi'īs

Sources of Fiqh in this stage

Narrated traditions

Musannaf 'Abdur-Razzāq

Musannaf Ibn Abi Shaybah

Al-Awsat by Ibn Al-Mundhir

Non-narrated traditions

Books on comparative Fiqh

Those from whom Fatwa were transmitted among the Companions of the Messenger of Allah (ﷺ) were 130 individuals.

Those with an abundant record

The Fatwas of each one of them could form a massive volume.

'Umar, 'Ali, Ibn Mas'ūd, 'Ā'ishah, Zayd, Ibn 'Abbās and Ibn 'Umar (may Allah be Pleased with them)

Those with a medium record

The Fatwas of each one of them could form a very small volume.

Abu Bakr, 'Uthmān, 'Umm Salamah, Anas, Abu Sa'īd, Abu Hurayrah, 'Abdullah ibn 'Amr, Ibn Az-Zubayr, Abu Mūsa, Jābir, Mu'ādh, Sa'd ibn Abi Waqqās and Salmān (may Allah be pleased with them)

Those with a small record

After thorough investigation and research, all of their Fatwas could only be compiled into a small volume.

They include: Abu Ad-Dardā', Al-Hasan and Al-Husayn, 'Ubayy ibn Ka'b, Abu Ayyūb, Asmā', Zayd ibn Arqam, Thawbān, Buraydah...(may Allah be pleased with them)

See: I'lām Al-Muwaqqi'īn 1/10

(Fiqh and knowledge has spread among the Muslim nation through the companions of Ibn Mas'ud, the companions of Zayd ibn Thābit, the companions of 'Abdullah ibn 'Umar, and the companions of 'Abdullah ibn 'Abbās.) Ibn Al-Qayyim

Fiqh Schools of the Companions

School

Founder

Madīnah

Zayd ibn Thābit

Ibn 'Umar

Makkah

Ibn 'Abbās

Iraq

Ibn Mas'ūd

'Ali ibn Al-Madīni said: None of the Companions had students who memorized his traditions and preserved his opinions in Fiqh except three: Zayd, 'Abdullah, and Ibn 'Abbās. (As-Siyar by Adh-Dhahabi 4/55, in the biography of 'Alqamah ibn Qays.)

Muhammad ibn Jarīr said: None had well-known companions who wrote down his Fatwas and chosen opinions in Fiqh except Ibn Mas'ud. He used to abandon his chosen opinion for the opinion of 'Umar, hardly differing from him in any of his adopted opinions, and he would give up his own opinion to that of 'Umar.

Ash-Sha'bi said: 'Abdullah would not observe Qunūt (in Fajr prayer). He said: If 'Umar had observed it, 'Abdullah would have observed it. (I'lām Al-Muwaqqi'īn 1/16)

Religion, Fiqh, and knowledge spread throughout the Muslim nation through the companions of Ibn Mas'ud, the companions of Zayd ibn Thābit, the companions of 'Abdullah ibn 'Umar, and the companions of 'Abdullah ibn 'Abbās. The general public learned from the companions of these four. As for the people of Madīnah, they acquired their knowledge from the companions of Zayd ibn Thābit and 'Abdullah ibn 'Umar. The people of Makkah learned from the companions of

‘Abdullah ibn ‘Abbās, and the people of Iraq learned from the companions of ‘Abdullah ibn Mas‘ūd.

Ibn Jarīr said: It has been said that Ibn ‘Umar and a group of the Companions of the Messenger of Allah (ﷺ) who lived in Madīnah after him (Ibn ‘Umar) used to issue Fatwas based on the opinions of Zayd ibn Thābit, and what they had learned directly from him, concerning issues about which they had not memorized a statement from the Prophet (ﷺ). (I‘lām Al-Muwaqqi‘īn 1/17)

Fiqh during the era of the Tābi‘īs

Madīnah

The Seven Jurists

Sālim

Nāfi‘

Az-Zuhri

Makkah

‘Atā’

Tāwūs

Mujāhid

‘Ikrimah

Basra

Al-Hasan Al-Basri

Ibn Sīrīn

Abu Qilābah

Qatādah

Kufa

‘Alqamah then his student Ibrāhīm

Masrūq

‘Ubaydah

Shurayh Al-Qādi

The Four Imams

Abu Hanīfah

80 AH

150 AH

Mālik

93 AH

179 AH

Ash-Shāfi‘i

150 AH

204 AH

Ahmad

164 AH

241 AH

Fiqh Schools of the Companions and their
extensions

Madīnah

Zayd ibn Thābit 45 AH

Ibn ‘Umar 73 AH

Nāfi‘ 117 AH

Sālim 106 AH

Az-Zuhri 124 AH

Mālik 179 AH

Ash-Shāfi‘i 204 AH

Ahmad ibn Hanbal 241 AH

Makkah

Ibn ‘Abbās 68 AH

‘Amr ibn Dīnār 126 AH

Sufyān ibn 'Uyaynah 198 AH

Iraq

Ibn Mas'ūd 32 AH

'Alqamah 62 AH

Ibrāhīm 96 AH

Hammād 120 AH

Abu Hanīfah 150 AH

Some of the imams of extinct Madh'habs

Al-Hasan Al-Basri 110 AH

Sufyān Ath-Thawri 161 AH

Al-Awzā'i 157 AH

Al-Layth ibn Sa'd 175 AH

Sufyān ibn 'Uyaynah 198 AH

Is'hāq ibn Rāhawayh 238 AH

Abu Thawr 246 AH

Ibn Jarīr At-Tabari 310 AH

What does extinction mean? What are its reasons?

Abu Hanīfah

Name and origin

An-Nu'mān ibn Thābit. His origin was disputed, some said he was Persian and others said he was an Arab.

Date of Birth and Death

80 AH-150 AH. He met Anas ibn Mālik.

Worship and piety

It is reported through two ways (of transmission) that Abu Hanīfah read the entire Qur'an in one Rak'ah.

Abu 'Āsim An-Nabīl said: Abu Hanīfah used to be called "Al-Watad", i.e. the stake, because he was very frequently seen standing in prayer.

Once, a man said to Abu Hanīfah: "Fear Allah!" He stood up abruptly, turned pale, lowered his head and said: "May Allah reward you! People are always in need of someone to say to them such things."

Knowledge and Intelligence

Mālik was asked: "Did you see Abu Hanīfah?" He replied: "Yes, I saw a man who, if he were to argue with you about this pillar being gold, he would provide evidence for it."

Ibn Al-Mubārak said: Abu Hanīfah is the most knowledgeable of people in Fiqh.

Ash-Shāfi'i said: All people are dependent on Abu Hanīfah in Fiqh.

History of the Hanafi school of Fiqh and its most famous scholars

Emergence and formation phase
(Until 204 AH)

Abu Hanīfah

Abu Yūsuf

Muhammad ibn Al-Hasan

Al-Asl

Zufar ibn Al-Hudhayl

Al-Hasan ibn Ziyād

Expansion, growth, and spreading phase (until 710 AH)

At-Tahāwi

Mukhtasar At-Tahāwi

As-Sarakhsi

Al-Mabsūt

Al-Kāsāni

Badā'i' As-Sanā'i'

Al-Karkhi

Mukhtasar Al-Karkhi

Al-Qudūri

Mukhtasar Al-Qudūri

Al-Mirghināni

Bidāyat Al-Mubtadi

An-Nasafi

Kanz Ad-Daqā'iq

Stability phase

Ibn Nujaym

Al-Bahr Ar-Rā'iq

Ibn 'Ābidīn

Radd Al-Muhtār

Mālik

Name and origin

Mālik ibn Anas ibn Mālik ibn Abi 'Āmir Al-Asbahi.

His ancestry was disputed after what is mentioned thereof, with agreement that he belonged to Qahtān.

Date of Birth and Death

93 AH - 179 AH. At the time of his death, he uttered the Testimony of Faith, then said: "To Allah belongs the command before and after."

Worship and piety

Mālik's sister was asked: "What was Mālik occupied with at home?" She replied: "The Qur'an, and its recitation."

Ibn Wahb said: "If I wanted to fill my scrolls with Mālik's statements of 'I do not know,' I could."

Ibn Mahdi said: "I have never seen anyone more awe-inspiring, more complete in reason, or more devout than Mālik."

Knowledge and Intelligence

Regarding the Hadīth that reads: "Definitely, people will travel so far in pursuit of knowledge, but they will find no one more knowledgeable than the scholar of Madīnah," Ibn 'Uyaynah said: "That is Malik... and no one like him has been left on earth."

He qualified to issue Fatwas and began teaching at the age of 21, saying, "I did not issue a Fatwa until seventy people testified that I was qualified for that."

Ash-Shāfi'i said: "When scholars are mentioned, Mālik is the star."

History of the Māliki school of Fiqh and its most famous scholars

Emergence phase until 282 AH

Mālik

Al-Muwatta'

Al-Mudawwanah

Ibn Al-Qāsim

Asad ibn Al-Furāt

Suhnoon

Development phase until 616 AH

Ibn Abi Zayd

Ar-Risālah

Al-Qādi ‘Abdul-Wahhāb

At-Talqīn

Ibn ‘Abdul-Barr

Al-Kāfi

Al-Bāji

Al-Muntaqa

Ibn Rushd

Al-Muqaddimāt Al-Mumahhidāt

Al-Qādi ‘Iyād

Al-Mustanbatah

Stability phase

Ibn Al-Hājib

Jāmi‘ Al-‘Ummahāt

Al-Qarāfi

Adh-Dhakīrah

Khalīl

Al-Mukhtasar

Al-Hattāb

Mawāhib Al-Jalīl

Ad-Dardīr

Ash-Sharh Al-Kabīr

Ad-Dusūqi

Al-Hāshiyah

Ash-Shāfi‘i

Name and lineage

Muhammad ibn Idrīs Ash-Shāfi'i. His lineage joins that of the Prophet (ﷺ) in his grandfather 'Abd-Manāf.

Date of birth and death

150 AH in Gaza-204 in Egypt. He traveled to Makkah, Madīnah, and Baghdad

Worship and piety

Ar-Rabī' ibn Sulaymān said: Ash-Shāfi'i used to recite the entire Qur'an sixty times in Ramadan

Al-Husayn Al-Karābīsi said: I stayed overnight once at Ash-Shāfi'i's house. He prayed for about a third of the night, and he did not recite more than fifty verses, if he did, he would recite one hundred verses.

Ar-Rabī' ibn Sulaymān said: Ash-Shāfi'i divided his night as follows: he would spend the first third writing, the second third praying, and the last third sleeping.

Knowledge and Intelligence

He memorized the Qur'an at the age of seven and Mālik's Muwatta' at ten. His Shaykh, Muslim ibn Khālid Az-Zanji, authorized him to issue Fatwas at the age of fifteen.

Ibn 'Uyaynah said: Ash-Shāfi'i was the best of his time.

Ahmad said: No one has ever touched ink and pen without owing a debt of gratitude to Ash-Shāfi'i.

The Shāfi'i School of Fiqh

Establishment phase

Ash-Shāfi'i

Al-'Umm

Al-Buwayti

Al-Mukhtasar

Ar-Rabī' Al-Murādi

Al-Muzani

Al-Mukhtasar

Emergence and spread phase

Ibn Surayj

Al-Qaffāl

Al-Kabīr Ash-Shāshi

As-Shaghīr Al-Marwazi

Khurasan scholars' style

Al-Isfarāyīni

Iraq scholars' style

Al-Māwardi

Al-Hāwi

Al-Juwayni

Nihāyat Al-Matlab

Ash-Shīrāzi

Al-Muhadhdhab

Al-Ghazzālī

Al-Wasīt

Authentication phase

Ar-Rāfi'i

Al-Muharrar

An-Nawawi

Minhāj At-Tālibīn

Second authentication phase

Ar-Ramli

Nihāyat Al-Muhtāj

Ibn Hajar Al-Haytami

Tuhfat Al-Muhtāj

What do you know about the old and new
Madh'hab?

Ahmad

Name and lineage

Ahmad ibn Muhammad ibn Hanbal Ash-
Shaybāni

Date of Birth and Death

164 AH - 241 AH. Ibn Al-Jawzi said: Ahmad
traveled around the world twice for compiling the
Musnad.

Worship and piety

‘Abdullah ibn Ahmad said: My father used to
pray three hundred Rak’ahs every day and night.
When he became ill from those whips, he grew
weak, so he would pray one hundred and fifty
Rak’ahs every day and night.

Ahmad said about himself: Never have I written
a Hadīth except that I acted upon it. I happened to
know that the Prophet (ﷺ) got himself cupped and
gave Abu Taybah a dinar, so I gave the cupper a
dinar when I got myself cupped."

Ar-Rabī' said: Ash-Shāfi'i said to us that Ahmad
is an imam in eight qualities: an imam in Hadīth, an
imam in Fiqh, an imam in language, an imam in the

Qur'an, an imam in poverty, an imam in asceticism, an imam in religious prudence, and an imam in the Sunnah.

Knowledge and Intelligence

'Abdullah ibn Ahmad said: Abu Zur'ah said to me: Your father memorizes a million Hadīths. He was asked: How do you know? He said: I studied with him, and learnt the chapters from him.

'Abdur-Razzāq said: I have never seen anyone more knowledgeable or more pious than Ahmad ibn Hanbal.

Ash-Shāfi'i said: I left Baghdad, and I did not leave behind anyone that was better, more knowledgeable, had better understanding, or more pious than Ahmad ibn Hanbal.

Ash-Shāfi'i said: O Abu 'Abdullah, when you judge a Hadīth as authentic, inform us so that we may refer to it. You are more knowledgeable about authentic narrations than we are.

The Hanbali School of Fiqh

Establishment phase

Until 403 AH

Imam Ahmad

He did not write down his Madh'hab.

As'hāb Al-Masā'il

Abu Dāwūd, Ahmad's two sons and Al-Kawsaj

Al-Khallāl

Al-Jāmi'

Al-Khallāl's boy

Zād Al-Musāfir

Al-Khiraqi

Al-Mukhtasar

Al-Hasan ibn Hāmid

Tahdhīb Al-Ajwibah

Authentication and the revision phase until 885

AHUN

Al-Qādi Abu Ya'la

Kitāb Ar-Riwāyatayn wa Al-Wajhayn

Ibn Qudāmah

Al-Muqni'

Ibn Taymiyyah

Al-Muharrar

Ibn Muflih

Al-Furū'

Al-Mardāwi

Al-Insāf

Stability phase of the School

Al-Hajjāwi

Al-Iqnā'

Ibn An-Najjār

Al-Muntaha

Mar'i Al-Karmi

Ghāyat Al-Muntaha

Al-Buhūti

Kashshāf Al-Qinā'

Some of these names may refer to more than one individual. What are these names?

Establishment

Imam Ahmad
Transmission
As'hāb Al-Masā'il
Al-Jam' (compilation/collection)
Al-Khallāl
Al-Ikhtisār
Al-Khiraqi
At-Taḳīd (establishment of rules)
Ibn Hāmid
Who are they?

Areas of agreement on the issue of Tamadh'ub
(following a particular Madh'hab, i.e., school of
Fiqh)

Condemnation of fanaticism, which is showing
loyalty towards those who follow one's own
Madh'hab and hostility towards followers of other
Madh'habs

Acceptance of the existence of the Four Schools
of Fiqh, without calling to abolish them or neglect
their authored tradition

A follower of a certain Madh'hab who, upon
reaching the level of independent reasoning, holds
an opinion different from the opinion of his imam
due to the preponderance of another opinion, has
acted correctly.

Acceptance of Tamadh'hub in the sense of
studying under a particular fundamental school of
Fiqh, while paying attention to the proof and
seeking the preponderant one

It is permissible for a follower of a particular Madh'hab to adopt the opinion of his imam, attributing it to him and being personally convinced of its preponderance after examining the evidence of supporting the opinions.

Discussion on Tamadh'hub summarized from a PhD thesis at Imam Muhammad ibn Saud University entitled (Tamadh'hub) by Dr. Khālīd Ar-Ruwaytī'

Stance on Tamadh'hub (sticking to a madh'hab)

The view advocating the obligation of Tamadh'hub

Shaykh Muhammad Al-Amīn Ash-Shinqīti said: (Later scholars of Usūl (fundamentals of Fiqh) from all Madh'habs unanimously agree on it being an obligation).

The view advocating permissibility of Tamadh'hub (majority view)

Al-Qādi 'Iyād said: (There is a consensus among Muslims to follow these imams and study their Madh'habs).

Ibn Hubayrah said describing the Four Madh'habs: (The Muslim nation unanimously agrees that it is permissible to follow any of them).

Ibn Farhūn said: (People have unanimously agreed to imitate them... and scholars have agreed on the permissibility to follow them, emulate their Madh'habs, study their books, and learn from their mistakes).

The view advocating banning Tamadh'hub

Ibn Hazm said: (Let it be known to anyone who adopts all the opinions of Abu Hanīfah, or all the opinions of Mālik, or all the opinions of Ash-Shāfi'i, or all the opinions of Ahmad, though having the ability to analyze and examine them... that he has gone against the consensus of the Ummah).

Key features of Fiqh in the present time

Printing of Fiqh books

Establishment of Fiqh councils

Organization of Islamic Cooperation (OIC)

Muslim World League

Emergence of Fiqh encyclopedias

Printed: The Kuwaiti Encyclopedia

Electronic: Jāmi' Al-Fiqh

Emergence of Fiqh magazines

Establishment of Fiqh websites

Emergence of calls for renewal in the fundamentals of Fiqh

Increase in contemporary controversial Fiqh issues

Shariah faculties and Fiqh departments

Increase in academic theses on Fiqh

Overview of Fiqh approaches

Undoubtedly, the Prophetic Hadīth is a principal source of legislation and Fiqh according to all Islamic jurists, but the scholars' share of memorizing and knowing of Hadīth varies.

During the era of the Tābi'ūn, the school of Hijāz stood out due to the abundance of Companions residing there. The abundance of Hadīths with authentic and good chains of narration reduced their reliance on analogy relatively. They only rejected analogy in the absence of textual proof.

This situation contrasted with that of the school of Kūfa or Iraq, where Hadīths were fewer, the residing Companions were fewer, and their scholars had fewer authentic chains of narration compared to the scholars of Hijāz. They received many narrated Hadīths with weak chains of narration, which they did not act upon, instead they preferred analogical reasoning.

This led to their Fiqh being based on the Qur'an and the Hadīths that they judged as authentic, along with analogy and independent reasoning that they frequently used until it became their distinguishing feature, resulting in juristic opinions that disagree with the authentic Hadīths that were not well-known among them.

This resulted in some distinction between the Fiqh of these two schools, leading to the emergence of the school of Ahl Ar-Ra'y and the school of Ahl Al-Hadīth.

Subsequently, a school emerged that vehemently rejected the use of analogy, known as the school of Ahl Azh-Zhāhir (who judge according to the apparent meaning of the text).

When the Mu'tazilah concept entered the Muslim world, a rational approach emerged that prioritized reason over Āhād reports and took an antagonistic stance towards the approach of Ahl Al-Hadīth.

The key features of each of these schools or approaches appear through the following:

Fiqh Schools and Approaches

Ahl Al-Hadīth

Strong emphasis on Hadīth and traditions, whereas Qiyās (analogical reasoning) comes in the second place.

Prioritizing Hadīth over Qiyās, whether it is a Āhād or contiguously transmitted, and whether the issue is uncontrollably widespread or not

Ahl-Ar-Ra'y

Less emphasis on Hadīth compared to Ahl-Al-Hadīth, with a strong emphasis on analogical reasoning

Prioritizing analogical reasoning over Āhād reports in certain cases, such as widespread issues

The Zhāhiriyyah

They only focus on the apparent meaning of the text, rejecting the use of analogical reasoning and the traditions of the Companions.

Opting for Istis'hāb (presumption of continuity) in matters lacking explicit textual evidence

The Rationalist School

Neglecting Āhād narrations and minimizing their importance and authenticity

Emphasis on interest-based considerations, prioritizing reason and interest over Shariah texts

Not considered a major school of Fiqh, but mentioned for its existence in reality and to highlight how it disagrees with the other schools

"The notion widely spread about the people of Iraq not having a sufficient corpus of Hadīth is inaccurate and contradicted by reality." Dr. 'Abdul Majīd Mahmūd in *Al-Ittijāhāt Al-Fiqhiyyah 'Inda As'hāb Al-Hadīth Fi Al-Qarn Ath-Thālith Al-Hijri*

"Al-Hajawi said: There is no doubt that every imam among them conducted personal reasoning, and every imam among them followed the traditions. Although the disagreement may seem fundamental, in reality, it is only in some details where traditions are accepted as authentic by the people of Hijāz but not by the people of Iraq. Thus, the former (the people of Hijāz) act upon them while the latter (the people of Iraq) ignore them either because they had no knowledge of them, or because they did not accept them as authentic." *Al-Fikr As-Sāmi* 1/383.

Yahya ibn Yahya said: I used to visit Ibn Al-Qāsim, and he would ask me, 'From where did you get these?' I would say, 'From Ibn Wahb.' He would say, 'Fear Allah, because most of these Hadīths are not acted upon.' Then I would visit Ibn Wahb, and

he would ask me, 'From where did you get these?' I would say, 'From Ibn Al-Qāsim.' He would say, 'Fear Allah, because most of these matters are based on personal opinion.' Jāmi' Bayan Al-'Ilm wa Fadlih p. 1112.

For further reference on the Rationalist School, see Ibn Qutaybah's introduction to Mukhtalif Al-Hadīth refuting the theologians, including An-Nazhzhām.

Ad-Dihlawi stated in Al-Insāf fi Bayān Asbāb Al-Ikhtilāf p. 93:

I found some of them claiming that there are two groups with no third: the Zhāhiriyyah and Ahl Ar-Ra'y. They argue that whoever uses analogy or deduces rulings belongs to Ahl Ar-Ra'y (lit. People of opinion). No, rather what is meant by opinion is not understanding and reason; this is intrinsic for any scholar. Also, a Muslim can never attribute to himself an opinion that relies on the Sunnah as its basis. The ability for deduction and analogy does not apply to opinion either, for Ahmad, Is'hāq, and even Ash-Shāfi'i are not counted among Ahl Ar-Ra'y unanimously; although they engaged in deduction and analogy. Actually, what is meant by Ahl Ar-Ra'y are those who, after consensus has been reached among Muslims or a majority of them on certain issues, resort to deducing rulings based on the principles established by one of the earlier scholars. They mostly followed an approach of applying

cases to similar ones and refer to a general principle without thoroughly investigating Hadīths and traditions. A Zhāhiri scholar does not depend on analogy or the traditions of the Companions, like Dāwūd and Ibn Hazm. Between these two extremes are the competent researching scholars of Ahl As-Sunnah, such as Ahmad and Is'hāq.

Meanwhile, Abu Hanīfah was considered a follower of Ibrāhīm An-Nakha'i, and derived rulings based upon his opinions.

It is known that Ahl Ar-Ra'y do not reject Hadīth, but the difference between the school of Ahl Al-Hadīth and Ahl Ar-Ra'y appears in the status they give to Āhād reports and Qiyās, especially when they conflict.

On the other hand, the difference between Ahl Al-Hadīth and the Zhāhiriyyah manifests in their consideration of Qiyās, for the Zhāhiriyyah reject Qiyās with varying degrees among them.

As for the Rationalist School, they prioritize rational considerations of public interest over the apparent meaning of the text.

Ahl-Ar-Ra'y

Analogy (Qiyās)

Āhād report

Ahl Al-Hadīth (People of Hadīth)

Analogy (Qiyās)

Āhād report

The Zhāhiriyyah

Istishāb (presumption of continuity)

Apparent meaning of the text

Analogy (Qiyās)

The Rationalist School

Public interest

Text

Differences among scholars

Beginning

The era of the Companions

Reasons

The difference in establishing the authenticity of evidence and the validity of using it

The scholar did not have access to the relevant evidence.

The scholar was not sure of the authenticity of the evidence.

The scholar did not consider the evidence to be a valid proof for a ruling.

The difference in understanding the meaning and implications of the evidence

Factors that might affect the interpretation of evidence, such as other related evidence

The difference in understanding the implications of words

The difference in determining the underlying reason for a particular ruling

Attitude towards it

The difference should not lead to alienation and disputes

In matters of Ijtihād, a scholar who holds a differing opinion should be considered to have a valid reason or justification for his stance.

Refraining from pursuing concessions

Ultimately, only one opinion is correct.

References for further information

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Introduction

Praise be to Allah, and may Allah's peace and blessings be upon the Messenger of Allah, his family, and his companions. To proceed:

This course, (Fiqh of Transactions), is part of the Fiqh qualification program. It covers the most important topics and issues related to financial transactions according to the predominant opinion in the Madh'hab of Imam Ahmad ibn Hanbal. The course consists of two books: a textbook and an exercise book.

Objectives of the course:

1. Understanding Fiqh terminology in the chapters of transactions.
2. Keeping in mind the basic rulings in the Fiqh of transactions.
3. Distinguishing between different types of contracts.
4. Acquiring knowledge of the most common types of named contracts.
5. Differentiating between valid and invalid contracts by applying the essential elements of the contracts and their conditions.
6. Keeping in mind the essential elements and conditions of each named contract.
7. Developing the ability to apply the rulings of transactions to real-life situations.

Course Contents:

- Types of financial transactions and their subcategories.
- Essential elements of sale and its conditions.
- Classification of sales based on various factors.

- Essential elements of Salam sale and its conditions.

- Taking possession and its impact on sales.

- Riba in sales and its forms.

- Option to cancel a sale.

- Conditions in sales.

- A brief study of the following topics, including their essential elements, conditions, and key issues: leasing, loan, Ji'alah (commission), wager, settlement, division, mortgage, guarantee, Kafalah (surety), Hawalah (remittance), partnership, deposit, hunting, reviving wastelands, found property, 'Ariyah, usurpation, gift, endowment, bequest, and manumission.

We ask Allah Almighty to make this course beneficial and may peace and blessings be upon our Prophet Muhammad (ﷺ).

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Transactions

Mu'āwadah

(giving and receiving something)

Documentations

Sharings

Donations

Receiving

without any return

Mu'āwadah

Sale

Exchange of property for property on a permanent basis

Lease

Exchange of property for a temporary benefit

Loan

Giving a property to someone to benefit from and return an equivalent.

Ji'ālah

The commitment of paying money to someone in return for performing an undefined task.

Sabq

A wager that is given in a contest or race.

Sulh (Settlement)

An agreement between two parties to settle a dispute or disagreement.

Division by mutual agreement

Division of something that cannot be divided without causing loss or requiring compensation to a partner.

Essential elements of sale

Two objects of exchange

Conditions

Possibility of delivery or handover

Defined (known)

Through

Seeing

A description sufficient for Salam sale

Excusable unawareness
A little
Necessary or required
In something that is not originally intended
Totally permissible to benefit from
Cases where the conditions are met
The conditions are met
Valid
Conditions are not met
Invalid
Are met in some of the objects of exchange
The transaction is divided
The two contracting parties
The wording
Essential elements of sale
The two objects of exchange
The two contracting parties
Legally eligible to act
Opposite: (not legally eligible to act)
in consideration to others' rights
Bankrupt (someone whose wealth is insufficient
to cover his debts on an immediate basis)
for his own interest
Insane
Minor
Unwise/foolish
Willingly without coercion
(Classification of coercion)
Coerced unjustly: the sale is invalid

Coerced rightfully: the sale is valid, such as
 Preemption
 Sale of a debtor's property to pay off a debt
 Sale of undivided co-owned property at the
 request of a co-owner
 Owner or authorized representative
 by guardianship
 or by agency
 The wording
 Essential elements of the sale
 The two objects of exchange
 The two contracting parties
 The wording
 Effective
 Indicative of the intent
 In words
 In actions
 Not conducive to a prohibited matter
 Engaging in sale after the call to Friday prayer.
 The sale of something known to be used for
 something prohibited
 A Muslim outbidding another
 Categories of sale
 Based on the type of the object of exchange
 Sale of an item: in return for an item, debt or
 benefit
 Sale of a debt: in return for an item, debt or
 benefit

Sale of a benefit: in return for an item, debt or benefit

Based on the type of sold item

Assets

Fruits

Based on the term of payment

Based on the effect of taking possession

Based on the involvement of Riba

Based on the existence of the cancellation option

Based on the conditions attached to the sale

A condition for the sale of a debt for a debt is: the receipt of one of the two objects of exchange

Sale based on the term of payment

Deferring the delivery of the commodity (this type includes Salam sale)

Deferring the payment (sale on credit)

Immediate delivery and payment (absolute sale)

Deferring both commodity and payment

Salam sale

A sale contract where a commodity that is non-existent at the spot yet defined and described is purchased for future delivery in return for a price already paid at the contract session

Essential elements

The two contracting parties

Condition

Price

Condition

Present and paid

Commodity involved in the Salam sale

Conditions

Deferred

A described or defined commodity that is non-existent

that which can be accurately described

Mostly available in its place

Wording

Conditions

Specifying the description of the commodity, including all factors that may affect the price

Mentioning the quantity using the Sharia measure

Mentioning a specific due term that may impact the price

What cannot be disposed of before possession

Categories

What is sold by measure

What is sold by weight

What is sold by number

What is sold by length/cubit

What is sold by description

Possession

Forms

Movable property: by transferring the property

Real estate property: by vacating it

Goods sold by measure, weight, number

Goods sold by length/cubit: by it

Sale

Based on the involvement of Riba
Categories in which Riba involves
Measured and weighed commodities
Banknotes/money

Categories in which Riba does not involve
Commodities other than measured and weighed
goods

Important note:

Riba involved in these categories is the Riba of
sales.

As for Riba of debts: It is an increase in debt in
exchange for a delay in payment, it applies to all
types of wealth without any disagreement among
scholars.

Sale of commodities involving Riba

Measured commodity

for a measured commodity
of the same kind

[immediate exchange of items and equivalence
are required]

for a different kind [only immediate exchange of
items is required]

Selling a measured good for something else
[neither immediate exchange nor equivalence is
required]

Weighed commodity

for a weighed commodity

of the same kind [immediate exchange of items
and equivalence are required]

for another kind [only immediate exchange is required unless one of them is gold or silver]

for something not weighed [neither immediate exchange nor equivalence is required]

Cash

for cash (currency exchange)

of the same kind [immediate exchange of items and equivalence are required]

of a different kind [only immediate exchange is required, not equivalence]

for other than cash [neither immediate exchange nor equivalence is required]

Riba al-Fadl (excess): This refers to the excess in the quantity or value of goods where equivalence is a condition

Riba an-Nasi'ah (deferment): This refers to the delay in payment or delivery in a transaction where immediate exchange is a condition.

Types of Khiyār (option to cancel a contract)

Seeking the best of the two situations to conclude the contract or revoke it.

Khiyār al-Majlis (option of withdrawal before parting)

This option is not available once the buyer and the seller physically separate

Khiyār al-Shart (option of stipulating a condition)

It ends when the stipulated period is over

Khīyār al-‘Ayb (option of withdrawal due to a defect that reduces the value)

He (the buyer) has the choice: (1) to keep the item and receive compensation or (2) return the item and get a full refund.

Khīyār al-Tadlīs (option of withdrawal due to deception that increases the price)

Option of withdrawal due to the difference between the sold item and:

(1) The description given, or (2) The sample seen beforehand

Khīyār al-Ghabn (option of withdrawal due to excessive loss)

This option is established in cases of Najash (giving a higher bid in an auction only to deceive others), a buyer who does not know how to bargain or is ignorant about the market price, and intercepting traders who bring goods from outside the city before reaching the market.

Option of withdrawal due to a disagreement between the buyer and seller

Conditions in sale

Categories

Valid

Contract implication

Adding privilege to the contract, such as documentation

Providing a benefit to the sold commodity

Invalid

Contrary to the implication of the contract

Invalidating the contract

Combining two conditions

Condition of another contract

Suspending the contract

This type includes

Leasing

A binding contract

Essential elements

Lessor

The lessor is generally responsible for any damage to the leased property, unless the damage was caused by the lessee's exceeding of limits or acting negligently:

Eligibility to dispose of the property

Lessee

Eligibility to dispose of the property

Leased item

Conditions

Benefit

Two types

Human (a person)

Hired for a specific time (private)

Not liable for accidental harm he causes

Hired for a specific task: (joint)

Liable for accidental harm he causes

Property item

Lawful, but not intended for worship

Possible to be delivered

Owned by the lessor
Defined
By description
By custom
Rent
Specified by statement or by custom, and it can
be used as a price in the sale
It is due by the contract unless it is deferred
Wording
Must be indicative of the intended meaning
By word
By action
Loan
Essential elements
Lender
Permissible to donate
Borrower
Loaned item
Condition
Known quantity
An item that can be sold
Its type
Fungible
Non-fungible
Returnable
Ruling on increase in it
The equivalent in fungible items
The value in non-fungible items
Wording

Due now even if deferred
Increase in repaying the loan
Two types
Stipulated
Prohibited
Not stipulated
Two forms
Repaying with something better
Permissible
As a gift
Two situations
After repayment
Permissible
Before repayment
Two situations
He used to give him gifts before
Permissible
He did not use to give him gifts before
Not permissible
Unless intended as a reward
or considered part of the debt
Rule:
Any loan that yields a benefit is Riba
Ji'alah
Essential elements
The person offering the reward
Performer of the task
Two cases:
Identified person

- Unidentified person
- Task
- Permissible
- Not necessary to be defined
- The reward offered
- Defined
- Wording
- Sulh (Settlement)
- Two types
 - Settlement based on an admission of a right
 - Settlement based on the nature of the right (donation)
 - Settlement not based on the nature of the right (sale)
 - A settlement based on a denial of a right
 - In regard to the claimant: sale
 - In regard to the defendant: acquittal
 - Musābaqah (contest/race)
 - Essential elements
 - The two contestants/racers
 - Mutual consent
 - Eligibility to dispose of
 - Ability to perform the contest
 - Sabaq (what is set as a prize in a competition or race)
 - Valid as price in sale
 - Presence of Muhallil
 - Field of the race:
 - Camels

Horses

Archery

Racing tool

Specified

Uniformity of tools in type

Division (of property)

Two types

Division by mutual consent

Criteria: (What cannot be divided except with incurring damage or by returning compensation to the partner)

Ruling: sale

Compulsory division

Criteria: (What can be divided without incurring damage or returning compensation to the partner)

Ruling: Partitioned, rather than sold

Documentation

Types

Mortgage

[Documenting a debt with a specific item that can be taken from it or from its price]

Guarantee

[A commitment by an eligible person to what is or will be due upon another person, though it remains in his liability]

Kafālah (surety)

[A commitment by a rational person to present someone who owes a financial obligation to his creditor]

Mortgage

Essential elements

Mortgagor

When the mortgaged item is received, the contract becomes binding with respect to:

Mortgagee

The mortgaged item is a trust in his hand

Mortgaged item

Conditions

Owned by the mortgagor or he is authorized to dispose of it

Defined

Validly saleable

The debt itself

Fixed debt or one that will eventually become fixed [after existing its cause]

Wording

Conditions

Immediately due

With the debt or after it

Guarantee

Essential elements

Guarantor

Consent

Legally capable of payment

Guaranteed person

His knowledge or consent is not a condition

Creditor

His knowledge or consent is not a condition

Guaranteed debt

An established right or will eventually become established

Wording

The creditor has the right to demand payment from either party

(What is the ruling on taking a fee for providing a guarantee?)

Kafālah (surety)

Essential elements

Kafil (surety provider)

Conditions

Consent

Legally capable of offering the surety

Makfūl (a person on whose behalf surety is provided)

His consent is not required

The person to whom the debt/obligation is owed

His consent is not required

Object of surety

Condition

Can be achieved from the surety provider

The wording

Condition

Must be indicative of the intended meaning

Questions on Transactions (1)

1. List the categories of Fiqh of transactions?
2. List the Mu'āwadah contracts you have studied.

3. List the essential elements of a sales contract with an explanation of the conditions for each element.

What does the division of the transaction mean, and when is it to be ruled?

5. What is the excusable ignorance?

6. Mention the types of those prohibited from conducting transactions, along with categories under each type.

7. What is the ruling on a sale by someone coerced for a legitimate reason? Provide an example.

8. There are two types of sales wordings, what are they?

9. Provide examples of prohibited sales due to leading to something forbidden.

10. What is the condition for selling debt for debt, and what are the other types of the two objects of exchange?

11. Explain the essential elements of the Salam contract, along with the conditions for each element.

12. How is possession obtained: for movable property, real estate, measured, weighed, counted, and measured by cubit?

13. What are the sold goods that are prohibited from being disposed of before possession?

14. What are the types of commodities that involve Riba, and is there any difference between Riba in sales and loans regarding this issue?

15. Explain the conditions of selling measured items, weighed items, and money, and the ruling for each case.

16. List the categories of khiyār.

17. What are the categories of conditions in the sale contract? Explain what is included under each category.

18. List the essential elements of the lease (Ijārah) and the conditions for each element.

19. Who is responsible for guaranteeing the damage of the leased item, and what is the difference between a private and a joint-hired worker?

20. List the essential elements of the loan (Qard), and the conditions for each element.

21. What is the difference between the fungible and non-fungible in terms of reality and ruling in the context of loans? What is the ruling on an increase in the repayment of the loan?

22. What are the essential elements and conditions of Ji'alah contract?

23-What are the types of settlement (Sulh) and the classification of each type?

24. What are the essential elements of Musābaqah and the conditions for each element?

25. What are the types of Qismah (division), the criteria for each type, and its ruling?

Partnerships

Types

Hawālah (transference)

[Transferring money from one's liability to another]

Wakālah (agency)

[A contract by an eligible person authorizing another who is similarly eligible to act on his behalf in actions where the deputation is valid.]

Joint venture

[Joint entitlement or disposition]

Musāqāh and Muzāra'ah: [A contract where one party provides trees to another who takes care of them in return for a known shared amount of its fruits]

[A contract where one party provides land and seeds or plants to another, who cultivates it in return for a known shared amount of the produce]

Hawālah (transference/assignment)

Essential elements

Muhīl (debtor/assignor)

Consent

Eligible to dispose of

Muhāl and Muhāl ilayhi (creditor/assignee)

Consent is not required

Muhāl 'alayhi (transferee/new debtor)

Conditions

Established debt
in which Salam sale is valid (1)
Equivalent to the transferred debt
In type, description, time, and quantity
by someone who can afford it
The transferred debt
Defined/known
Wording (involving offer and acceptance)
(1) Something that can be clearly defined.
(2) If the person cannot afford it, the creditor's
consent is required.

Wakālah (agency/legal representation)
Wakālah is a permissible contract
Essential elements
Muwakkil (principal)
Legally eligible to dispose of the object of
authorization.

Wakīl (agent/person authorized to act on behalf
of the principal)

An agent is a trustee; he is not liable for losses
unless there is transgression or negligence.

He cannot act for his own benefit or that of his
parents or his children.

Legally eligible to dispose of the subject matter
of the authorization.

The subject matter of the authorization or
agency

A known action
-in general-

in which authorization is valid
Wording
Two parts
Offer
A statement indicating permission
Acceptance
A statement indicating acceptance
An action indicating acceptance
Limits of the agency
By statement
By custom and implication
Partnership
Essential elements
Two partners
Legally eligible to dispose of
The subject matter of partnership
Capital
Clearly defined
A specific asset, not a debt
From gold or silver
Profit
Rule: Loss is borne by the capital, and profit is distributed according to what is stipulated.
Known/specified
Unspecified (undivided share)
Jointly shared
Exclusively shared by the partners
Wording
Indicative of the intended meaning

Types of partnership

‘Inān (based on capital and labor)

Both partners provide capital and labor

Mudārabah

One partner provides capital and the other labor.

Wujūh partnership

Jointly purchasing on their liability based on their reputation and social standing

Abdān (bodies) partnership

The two partners contribute physical labor, so they share the profits they gain due to the work of their bodies.

Mufāwadah

The partnership relies upon the capital, social standing, and labor of the two partners.

They share everything that is established for or against them, except for rare occurrences.

Musāqāh and Muzāra‘ah

The two contracting parties

Legally eligible to dispose of

Subject of the contract

Condition

Clearly defined

Its cases

Musāqāh

Land and trees given to someone to plant them

Land with planted trees given to someone who works on them

Muzāra‘ah

Land and seeds given to someone who sows and works on them

Land and crops given to someone who works on them

Compensation

An unknown share of the fruit or crops

Acquisition without compensation

Types

Owning unowned property

Animals [by hunting]

Real estate [by revitalization]

Minerals [by extraction]

Plants [by cutting]

Water [by acquisition]

Acquiring owned property

For keeping=deposit

For using='Āriyah (borrowed item)

Unlawful acquisition

Theft

Usurpation

Embezzlement

Plunder

Betrayal

For ownership

Gift

Found property

Zakah

Spoils

Abandoned property

Hidden treasure

Inheritance

The chapter on bringing dead land to life
(revitalization)

Conditions for acquiring ownership of real
estate without compensation

Not owned by someone who is protected under
Sharia

Not linked to a public interest

Revitalization

By a previous grant

(Its revitalization is specific to the grantee, so if
he revitalizes it, he owns it.)

Without a previous grant

Owned by whoever revitalizes it

Deposit is a permissible contract, not binding

Accepting a deposit is Sunnah for the
trustworthy depository, permissible for the
depositor

A bank deposit (current account) is considered a
loan

Deposit

Property handed to someone for keeping it for
the owner without compensation

Depositor

Consent

Legally eligible to dispose of

Deposited property

Permissible and defined

Depository

He is entrusted with the deposit; he does not guarantee it unless he transgresses or acts with negligence

Legally eligible to dispose of

Secure place

Stipulated or known

Wording (offer and acceptance)

‘Āriyah (Borrowed item)

Permission to use an object without compensation

Sunnah for the lender

Permissible for the borrower

Essential elements

Lender

Legally competent to donate

Owner of its benefit

Borrower

Legally competent to dispose of (he is liable to guarantee it)

Borrowed item

Lawful to use

Possible to use

While remaining unconsumed

Benefit

Lawful

Rulings regarding usurpation and the Like

Obligation to guarantee the decrease in aspects other than the price

Equivalent: to be compensated with the equivalent.

Not having equivalent: to be compensated with its value.

It is obligatory to return the usurped item with its increase

If the owner is unknown: he gives it as a charity on his behalf, being guaranteed

The usurped item cannot be owned, and disposing of it is invalid

It is obligatory to pay its equivalent rent for the period of usurpation

Aggressor

Against the self

Must be repelled with the easiest means

Against property

It is permissible to repel with the easiest means

Against inviolability

Must be repelled with the easiest means

Found property

lost property or possessions

Types

Insignificant items

(Items that middle-class people pay no attention to)

Can be acquired without identification

Properties forbidden to take

Should not be picked up

All other types of property

Announcement to be made for a whole year
After which it can be possessed as per the ruling
A human found (foundling)
Inheritance
Essential elements
Heir/inheritor
With a prescribed share of inheritance
Agnate
Blood relative
One whose property is inherited/Inheritee
Inherited property
Those entitled to prescribed shares of inheritance
Categories
Husband
Wife
Father
Mother
Grandfather
Grandmothers
Daughters
Sisters
Son's daughters
Mother's son
'Asabāt (male inheritors by agnation)
Categories
Male descendants
Male ascendants

Brothers; full or half-brothers from the father's side

Paternal uncles [full or half-brothers from the father's side]

Brothers' sons

Paternal uncles' sons

A master who emancipated his slave

Blood relatives

Any relative who does not have a prescribed share in the inheritance and is not an agnate

Giving away of wealth

Types

Gift and grant

[Granting ownership of one's property to another during one's lifetime without compensation (one who is legally competent to dispose of his wealth)]

Endowment

Confining the property item and donating its benefit

Bequest

[An order to dispose of something after death]

Emancipation

[Freeing a slave]

Gift

Recommended

Becomes binding once received with the donor's permission

Essential elements

Donor
Legally competent to donate
Recipient
Legally competent of owning (a human)
Not an heir, unless fairness is observed among others
Condition for permissibility
The gifted item
Permissible to sell
Wording
Immediately binding
In good health: Valid, binding upon receipt
In a life-threatening illness
For an heir: Only binding with the other heirs' permission
For a non-heir exceeding one-third: Only binding with the other heirs' permission
For a non-heir within one-third: Binding upon receipt
Endowment
Endowment is Sunnah and a binding contract
Essential elements
Endowment giver
Legally competent to donate
The endowed item
Item
Permissible to sell
Durable after use
Beneficiary

Entity
Charity
Individuals
Specific
Can own
Wording
Statement
Explicit
By allusion
By action
Condition for endowment giver
Not violating Sharia laws
Supervisor
Stipulated
Muslim
Legally competent
Qualified and capable
Not stipulated
Muslim
Legally competent
Upright
Rational
Bequest
Related terms
Testator
Discerning
Sane
Legatee
Entity

Permissible
Individual
His acceptance (after the testator's death)
Legally competent to own
Not an heir
(Except with the permission of the heirs)
The bequeathed property
Permissible
Not more than one-third
(Except with the permission of the heirs)
The one who undertakes the will
Muslim
Upright
Legally competent
Rational
Wording (of the bequest)
Emancipation
Related terms
Emancipator
Legally competent to give away property
Emancipated person
Owned slave
Wording
Immediately binding
Conditional
Explicit
By allusion
Reasons
Statement

Mukātabah (a contract of manumission between a master and a slave)

Istilād (a Muslim, having a child born to him of a female slave, which he acknowledges as his own, whereby the slave becomes free)

Tadbīr (a declaration of freedom to be established after the master's death)

Sirāyah (emancipating one's share in a slave entails emancipation of the rest by the other partner)

Ownership of a Mahram relative

Questions on transactions (2)

1. What are the essential pillars and conditions of Hawālah?

2. What are the essential pillars and conditions of Wakālah?

3. Is Wakālah a permissible or binding contract?

4. How can the limits of Wakālah be defined?

5. What are the essential elements and conditions of partnership in general?

6. What is the rule for profit and loss in partnerships?

7. List the types of partnerships, with defining each type.

8. What is the form of Musāqāh and Muzāra'ah?

10. What are the conditions for owning real estate property without compensation? What is the name of this chapter among the jurists?

11. What are the essential elements and conditions of the deposit? Is it a permissible or binding contract?

12. What is the ruling on a 'Āriyah (borrowed item)? What are its essential elements and conditions?

13. What are the ruling entailed by usurpation and similar acts?

14. What is the ruling regarding repelling an aggressor? How is this done?

15. What are the types of found property? What is the ruling regarding each type?

16. What are the categories of heirs, and who are those included under each category?

17. What are the essential elements of inheritance?

18. What are the essential elements of a gift? What are its conditions?

19. What is the ruling on a gift made during a life-threatening illness?

20. What is the ruling on a gift? Is it a binding contract?

21. What is endowment? What are its ruling, essential elements and conditions?

22. What is a bequest? What are its essential elements and conditions?

23. What are the essential elements and conditions of emancipation?

24. What are the different types of emancipation wordings? What is the ruling on each type?

Introduction

Praise be to Allah, and may Allah's peace and blessings be upon the Messenger of Allah, his family, and Companions. To proceed:

This course (Fiqh of the Family) is part of the (Fiqh Qualification) curriculum. It covers the most important issues and topics related to marriage and its consequences based on the preponderant opinion of Imam Ahmad ibn Hanbal's Madh'hab (school of thought) in determining legal rulings. As for the classification and arrangement, we have endeavored to choose the most organized classification of issues, and we have made the issues branch out from each other as much as possible.

Objectives of the course:

1. That the trainee understands the technical terms mentioned in topics related to the types of marriage and the pertinent issues.
2. That the trainee keeps in mind the fundamental rules in Fiqh of the family.
3. That the trainee acquires the skill of applying theoretical issues to practical cases related to marriage and separation.
4. That the trainee knows the marital rights and duties.

5. That the trainee becomes aware of the different types of separation along with the key rulings for each type.

6. That the trainee becomes able to differentiate between the various types of divorce.

7. That the trainee keeps in mind the consequences of marital separation.

Course Contents:

Ruling on marriage

Rulings of engagement

Essential elements and conditions for marriage

Women prohibited from marrying

Conditions in marriage

What marriage entails such as dowry, wedding feast, financial provision, and the right to enjoyment.

Khul' (Wife-Initiated Divorce)

Divorce

Zhihār (Likening a wife to an unmarriageable woman)

Li'ān (Oath of Condemnation)

Īlā' (Oath to abstain from intercourse with wife)

Annulment of marriage and its reasons

'Iddah (waiting period) and its rulings

Custody of children

We ask Allah Almighty to make this course beneficial, and the may peace and blessings be upon our Prophet Muhammad (ﷺ).

Fiqh of the Family

Two topics

Marriage

Its ruling

Obligatory:

For whoever fears to commit what is prohibited
if he abstains from marriage

Recommended:

Whoever has lust but doesn't fear it because it's
prohibited

Preliminary steps (engagement)

Essential elements

Effects

Separation

Engagement

Cases where it is prohibited

Betrothing a revocably divorced woman in all
circumstances

Openly betrothing a woman observing her
waiting period in an irrevocable divorce

Proposing to a woman already engaged to
another man [if the latter is accepted]

Permissibility of looking at the betrothed
woman

Conditions

A strong presumption of acceptance

No seclusion involved

Restricting the looks

What usually appears of her

Looking without lust

Its conditions

Husband

Wife

Wording (offer and acceptance)

Conditions related to the spouses

Identifying both of them

Their consent

Freedom of impediments

Conditions related to the wording

The offer should involve the word "Zawāj" or "Nikāh" (marriage)

The offer should be from the matrimonial guardian or his representative

The acceptance should be made by the husband or his representative

The offer and acceptance should be connected

In the presence of two witnesses

Is a father allowed to give his virgin and young daughter in marriage without her consent?

It is not required for the spouses to be Muslims. Rather, the marriage of disbelievers among them is valid if they believe it to be as such and they do not refer the case to us. If they embrace Islam, they retain their marriage.

Impediments to marriage

Types

(Women prohibited to marry)

Permanent prohibition

Its reasons

Due to a blood relationship
Due to marriage
Due to breastfeeding
Temporary prohibition
Women prohibited to marry due to blood relationship
Mother, up to all levels
Daughter, down to all levels
Paternal aunt, up to all levels
Brother's daughter, down to all levels
Sister's daughter, down to all levels
Women prohibited due to marriage
Two categories
Based on the marriage contract
Wife of the father, up to all levels
Wife of the son, down to all levels
Mother of the wife
By consummation of marriage
Daughter of wife, down to all levels
Conditions for breastfeeding that render marriage unlawful
During the two years of nursing
Five breastfeeding sessions
All those who are prohibited due to blood relationships or marriage, their counterparts are also forbidden due to breastfeeding.
Women temporarily prohibited to marry
Due to the involvement of other's rights

A wife of another man, or a woman observing her waiting period

Joining two close relatives in marriage

The wife's sister

Her paternal aunt

Her maternal aunt

The daughter of her sister or brother

Due to slavery

A slave girl

Due to difference in religion

A Muslim woman is prohibited for a disbeliever

A non-Muslim woman not belonging to the People of the Book is prohibited for a Muslim man

For committing Zina (unlawful sexual intercourse)

For being divorced thrice

Women temporarily prohibited to marry

Reason for prohibition

The temporary cause no longer exists

A wife of another man, or a woman in her waiting period

Separation by divorce plus the expiry of her waiting period

Joining two close relatives in marriage

Divorcing the wife plus the expiry of her waiting period

Female slave

Emancipation: it is permissible to marry a slave girl if two conditions are met: (1) inability to pay a

free woman's dowry or the price of a slave girl. (2)
fearing hardship by giving up marriage.

A woman guilty of Zina

Her repentance plus the expiry of her waiting
period

A woman divorced thrice by the same husband

Another man marries her + consummates the
marriage with her + divorces her + her waiting
period is over.

Conditions of a matrimonial guardian

Has attained the age of religious accountability

Male

Free

Of a sound mind

Of the same religion

Upright

Conditions of the two witnesses

Two Muslims

Both are upright

Must be two

Males

Pubescent

Both are sane

Able to speak

Able to hear

Conditions of marriage

Types

Valid (which is common)

Invalid (violating the contract's implication)

Invalidating the contract:
 Shighār (quid pro quo marriage)
 Tahlīl (making lawful)
 Mut'ah (fixed-term marriage)
 Ta'līq (conditional marriage)
 Consequences of marriage
 Dowry becomes due
 Wedding feast is recommended
 Right of sexual enjoyment
 Right of overnight stay
 Right of financial maintenance
 Right of obedience
 Wedding feast
 Ruling: Sunnah
 Time:
 After concluding the marriage contract
 Ruling on accepting the invitation: obligatory
 Unless there is an evildoing that one cannot
 change
 From its rulings:
 Permissibility of beating the tambourine
 Cases where dowry is due
 Specified dowry
 Specifying something that can be a valid price
 Dowry for a woman of similar social status and
 circumstances
 Not specified
 No longer due

A situation where a man has sexual intercourse with a woman under doubtful circumstances or forces her into committing Zina

Half the dowry

Separation initiated by the husband before consummating the marriage and staying with the wife in seclusion

Mut'ah (fixed-term marriage)

Divorce of a Mufawwidah (a woman who does not have a specified dowry and authorizes others to determine it) before sexual intercourse and specifying the dowry

The dowry is no longer due

Separation initiated by the wife before consummating the marriage and staying with the husband in seclusion

Sexual enjoyment

Issues

Ruling:

A right for both spouses

The extent of fulfilling the duty

If requested by the other spouse

Due upon the husband: every 4 months

Due upon the wife: whenever invited by her husband

Unless it causes her harm or distracts her from a duty

Prohibited sexual enjoyment

Intercourse during menstruation

Anal intercourse
From its etiquettes
Reciting the relevant reported invocation
He should not withdraw before the woman has
reached satisfaction
Reasons for maintenance
Marital bond
(According to the financial status of the spouses,
whether rich or poor)
Conditions
Fulfillment of the marital bond
She must enable him to have intercourse with
her
Kinship
Conditions
Wealthiness of the provider
Poverty of the one provided for
and his inability to earn a living
Birth or inheritance (the provider being a parent
or an heir of the one provided for)
Following the same religion
Ownership
A living being
Types of maintenance
Sustenance
Clothing
Habitation
Customary needs

Maintenance amount: What is due is the amount that achieves sufficiency.

Separation

Khul'

Divorce

Zhihār

Li'ān

Īlā'

Annulment

Consequences of separation

'Iddah (waiting period)

Child custody

Maintenance is waived in some cases

Khul'

Related elements

Husband

Condition

Discerning and aware of Khul'

Wife

Compensation

Condition

Valid as dowry

Wording

Cases

Divorce statement: Irrevocable divorce

Other

With the intention of divorce: irrevocable divorce

Without the intention of divorce: annulment

Money provider
Cases
Wife
Non-relative
Ruling
Cases
Disliked if without need
Permissible if there is a need
What is the difference between the two?
Divorce
Related elements
The one who divorces
Conditions
Discerning and aware of the divorce
A husband or his representative
Divorcee
Condition
Wife
Wording
Categories
(1) Immediately effective
Binding once it occurs
(2) Conditional
Takes effect once the condition occurs
(1) Explicit
Takes effect in all circumstances
(2) By allusion
It takes effect based on intention or presumptive
evidence

- (1) Revocable
- (2) Irrevocable
- (1) Sunnah compliant
- (2) Bid'ah-based (not Sunnah-compliant)

Ruling

Cases

Disliked

In principle

Permissibility

For a need

Prohibition

Bid'ah-based

Divorce

Two types

Revocable

Divorce of a wife whose marriage is consummated

No compensation is due for less than three times of divorce

It is permissible to take her back as long as she is in her 'Iddah

By statement: (I take her back) and the like

By action: intercourse

Irrevocable

Minor irrevocability

Divorce in return for compensation

Divorce before consummation of marriage

Major irrevocability

By three incidents of divorce

Divorce
Sunnah-compliant
One incident of divorce during a period of purity
wherein no intercourse has occurred
Bid'ah-based (it takes effect)
More than once
During a period of purity in which sexual
intercourse has occurred
During menstruation
Neither Sunnah-compliant nor Bid'ah-based
One has not yet experienced menstruation
Woman in her menopause
A pregnant woman
One with whom marriage is not consummated
Zhihār
Essential elements
A husband declaring Zhihār
Someone eligible to divorce
The one against whom Zhihār is declared
Wife
Means of declaring Zhihār
Explicit
By allusion
Consequences of Zhihār
Prohibited from sexual enjoyment until
expiation is made
Expiation: the following order should be
observed
Freeing a believing slave

Fasting two consecutive months

Feeding 60 needy persons

Ruling on Zhihār: prohibited

Li'ān (Oath of condemnation)

Reason for Li'ān

A husband accusing his wife of illegal sexual intercourse

One initiating Li'ān

Husband

Legally competent

One against whom Li'ān is made

Wife

Legally competent

Wording of Mulā'anah

Reported wording

In the reported order

Ruling on Li'ān

Obligatory: If he sees her committing adultery during a period of purity during which he did not have intercourse with her, then he keeps away from her, then she gives birth to a child that could possibly be from the adulterer.

Permissible: If she commits adultery and does not give birth to a child that must necessarily be denied.

Forbidden: Anything else other than the above.

Consequences of Li'ān

The prescribed punishment is waived

Permanent prohibition of marriage between the spouses involved in Li'ān

The child is not attributed to the father if he denies paternity to him

'Īlā'

Essential elements

Oath taker

Husband

Sexually potent

One against whom the oath is taken

Wife

Fit for sexual intercourse

Subject of the oath

Abstinence from sexual intercourse

For more than 4 months

Wording

Explicit

By allusion

What is sworn by

Allah

His attributes

Consequences

The period should be observed

He takes back his oath [and makes expiation]

He divorces her

The ruler divorces her

Ruling on Īlā': prohibited

Reasons for annulment of marriage

For violating a valid condition

For a defect hindering sexual enjoyment

For neglecting a right

Physical

Giving up sexual intercourse or overnight stay
for more than 4 months

Travel without excuse for more than six months

Financial

Neglecting maintenance

Failing to pay due dowry

What is the difference between annulment and
divorce?

‘Iddah (waiting period)

Reasons

Death of the husband (in all circumstances), and
she must observe the mourning period

Staying in seclusion with the wife

Sexual intercourse (in all circumstances)

Its period

For a pregnant woman: until she gives birth

For the husband's death: 4 months and 10 days

For separation during life:

A menstruating woman: 3 menstrual cycles

For a non-menstruating woman: 3 months

Maintenance for a woman observing ‘Iddah

Revocably divorced woman

She is entitled to maintenance and
accommodation

Woman whose husband has died

No maintenance or accommodation is due for her

Irrevocably divorced woman

Pregnant: she is entitled to both maintenance and accommodation

Not pregnant: she is entitled to neither maintenance nor accommodation

Custody of children

Child in custody

1-7 years

7-puberty

Puberty-marriage

After marriage

Male

Female

Mother

Child's choice is considered

The father retains custody

Stepfather

Custody is not granted to a non-Muslim over a Muslim, nor to a dissolute person, nor to a woman who is married to someone who is not a relative of the child once the marriage contract is concluded.

Questions on the Fiqh of Family

1. What is the ruling on marriage? What are its essential elements? What are the conditions for each element?

2. What are the cases where engagement is prohibited?

3. What is the ruling on looking at the betrothed woman? What are its conditions?

5. What is the ruling on marriages of non-Muslims? What if the married couple converts to Islam?

5. What is the ruling on forcing a woman into marriage?

6. Elucidate the categories of women prohibited to marry, and what falls under each category.

7. What are the conditions for breastfeeding that render marriage prohibited?

8. What are the conditions for the matrimonial guardian and the two witnesses?

9. What are the subsequent effects of marriage?

10. Mention the types of conditions in marriage, specifying what falls under each?

11. What are the conditions of the dowry? What is the ruling if the dowry is annulled?

12. Mention three rulings regarding the wedding feast?

13. To which of the spouses does the right of sexual enjoyment belong? What is the due limit thereof, when does it become forbidden? Mention two of its etiquettes.

14. What is the criterion for determining marital maintenance? What are its categories?

15. Maintenance is due for three categories? What are the conditions for each category? What is the amount due for each?

16. Mention the types of separation between spouses, explaining the reason for each.

17. What is the ruling on Khul'? What are its conditions? Who is required to offer the due compensation?

18. What is the ruling on divorce? What are its essential elements and conditions?

19. Classify the different wordings of pronouncing a divorce according to the three main considerations. For each wording, mention the ruling and give examples of what falls under it?

20. What is Zhihār? What is its ruling? What are its essential elements and conditions? What are its consequences?

21. What is the reason for Li'ān? What are its essential elements and conditions? What are its consequences?

22. What is Īlā'? What are its essential elements, conditions and consequences?

23. What are the reasons for the annulment of marriage?

24. What are the reasons for the 'Iddah (waiting period) to be due? What is its duration?

25. When spouses separate, who gets custody of the children?

26. Is it obligatory to provide maintenance for the woman observing her 'Iddah? Answer in detail.

Introduction

Praise be to Allah, and may Allah's peace and blessings be upon the Messenger of Allah, his family, and his Companions. To proceed:

This is a course on (Fiqh of Crimes and Judiciary) within the curricula of (Fiqh Qualification Program), covering the most important topics of Hudūd (Sharia-prescribed punishments), crimes, judiciary, and relevant issues, based on the predominant opinion in the Madh'hab of Imam Ahmad (may Allah have mercy upon him).

Objectives of the course:

1. Understanding Fiqh terminology in the chapters of crimes.
2. Keeping in mind the fundamental rulings in the Fiqh of crimes.
3. Gaining a broad understanding of the main classifications and the general map of the Fiqh of crimes.
4. Developing the ability to apply theoretical issues to real-life situations.
5. Acquiring the ability to differentiate between types of crimes and the consequences related to each type.
6. Distinguishing between types of oaths and vows and the consequences of each.
7. Distinguishing between sins that entail Hadd (Sharia-prescribed punishment) and those that do not.

8. Ability to distinguish between the plaintiff and the defendant and apply the basics of legal judgment, its description, and methods of proof.

Course Contents:

Types of killing and the legal consequences of each type.

Crimes resulting in injuries not amounting to death and their consequences.

General conditions for implementing Hadd.

Hadd punishments and their conditions: Committing Zina, false accusations of Zina, consuming intoxicants, stealing, Hirābah (highway robbery), and apostasy.

Discretionary punishment.

Rulings on food, Sharia-compliant slaughter, and hunting.

Expiations.

Oaths and vows.

Judiciary, and prerequisites for the judge.

Basis of judicial rulings.

Testimonies.

Confession.

We ask Allah Almighty to make this course beneficial, and may peace and blessings be upon our Prophet Muhammad (ﷺ).

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Crimes and Judiciary

Crimes against others

Against human life (killing)

Against the body less than death

Sins

Settling disputes

Types of killing

Intentional

The heir is given a choice between:

Legal retribution

Blood money

Settlement in return for money

Pardon

Killer

Intentionally

Aware of the victim's sanctity

Accountable for religious duties

Victim

Human

His life is sanctified under Sharia

Tool

Mostly kills

Semi-intentional

In semi-intentional cases, maximized blood money and expiation are due

The tool usually does not kill, and the perpetrator did not injure the victim with it.

Accidental killing

Blood money and expiation are due

It is to embark on a lawful act

Blood money in cases of accidental killing and semi-intentional killing is obligatory on the paternal male relatives of the perpetrator.

Conditions for legal retribution

Perpetrator being accountable

Sanctity of the victim

Being equivalent to the perpetrator

Not being a parent of the victim

Being equivalent in religion and freedom, not in maleness or number

Conditions for implementation

Accountability of the heirs

The agreement of the heirs on the implementation

Ensuring that the punishment does not extend to anyone other than the perpetrator.

It should be implemented:

In the presence of the ruler or his deputy

By striking the neck with a sword

Blood money for a human life

A Muslim

100 camels

Maximized: in quarters

Mitigated: in fifths

1000 Mithqāl (weighing unit for precious metals)

12000 Dirhams

200 cows

2000 sheep
A person of the People of the Book (Jew or Christian)
Half the blood money of a Muslim
A pagan or a Magi
800 Dirhams
A slave
His price
A woman
Half the blood money of a man
A fetus
One-tenth of the mother's blood money
Who is responsible for paying the blood money?
The perpetrator
Intentional killing
He confesses if his male relatives deny the crime
Slave
Settlement
Less than one-third of the blood money
Paternal male relatives
Accidental and semi-intentional
Crime against the body not resulting in death
Consequences
Legal retribution
Against a body limb
Conditions
Same limb and same location
Possibility of retribution without going beyond proper limits

Equality in soundness and perfection of the limb
The blood money for a woman is equal to that of a man in injuries that are less than one-third of the full blood money.

Wounds

Condition

The injury reaches the bone

Blood money

Blood money due for killing someone divided by the number of body parts similar to the injured part

Muqaddar (Estimated amount): This is due to some types of wounds

Hukūmah: Due to injuries where an estimation is not possible

It is determined by estimating the value of the injured person as a slave before injury and after recovery. The blood money is equal to the difference in these two values.

Felonies

Entailing expiation

Entailing discretionary punishment

Entailing Hadd (prescribed punishment)

Hudūd (prescribed punishments)

Prescribed punishment for Zina (unlawful sexual intercourse)

Prescribed punishment for theft

Prescribed punishment for false accusation of immorality

Prescribed punishment for consuming intoxicants

Prescribed punishment for Hirābah (highway robbery)

Prescribed punishment for apostasy

The one responsible for implementing Hudūd

The ruler or his deputy

Who is to be subject to punishment?

Legally accountable

Has a free will

Subject to the rulings of Sharia

Aware of the prohibition

Manner of implementing the Hadd

A man in a standing position, while a woman in a sitting position, ensuring her being covered

A whip neither new nor worn out

The strikes should be distributed across the body

The strikes should not be so severe as to tear the skin

The head, genitals, face, and vital organs should be avoided

Zina (Unlawful sexual intercourse)

Committing indecency of vaginal or anal sexual intercourse

Its prescribed punishment

For a married/previously married person

Stoning to death

Conditions

One who has had sexual intercourse with a wife
in a valid marriage

While being adults, both of them

Sane

Free

Unmarried person (never before)

100 lashes

Exile for a year

Conditions for implementing the punishment

Occurrence of Zina

Absence of doubt or ambiguity

Confirmation

By the testimony of 4 persons

Confession four times

Prescribed punishment for theft

Conditions

Essential elements

The thief

Accountable for religious duties

Has a free will

Aware of the prohibition

The one against whom theft is committed

Sanctified under Sharia

Claiming the property

Theft

In secret

Confirmation

Testimony of two men

Confession twice

Stolen item
Sanctified property
Nisāb [quarter a dinar or 3 dirhams]
Dinar= 4.24 grams
Dirham= 2.97 grams
Kept in a secure place
No doubt or ambiguity
Its prescribed punishment
Amputation of the right hand from the wrist
If he repeats it
Amputation of the left foot
If he repeats
Imprisonment until he repents or dies
Prescribed punishment for slander
The slanderer
Accountable for religious duties
Has a free will
Not a parent of the victim
The slandered
Specified by name or number
Married/previously married
Muslim
Free
Sane
Chaste
Able to have sexual intercourse
Asks for the implementation of punishment
Punishment
Wording

Explicit

Necessitates punishment

By allusion

If he interprets his words to be other than slander: He should be subject to discretionary punishment.

Confirmation

Two witnesses

Confession of the slanderer

Reasons for waiving

Slanderer proven truthful

The slandered person pardons the slanderer

Establishing proof of the slandered person's guiltiness of Zina

Li'ān against the wife

Prescribed punishment for consuming
intoxicants

Drink/Intoxicant

Any drink whose large amount causes
intoxication

Consumer

Muslim

Accountable for religious duties

Has a free will

Aware

of the prohibition

that what he consumes is intoxicant

Proof

Testimony of two upright persons

Confession once
Punishment
80 lashes
Hirābah (armed robbery)
Prescribed punishment for highway robbery
Prescribed punishment
Killing and taking property
Killing then crucifixion until publicly known
Killing without taking property
Killing
Taking property
Cutting off the right hand and left foot
Threatening the safety of roads
Exile
Conditions for implementing the punishment
Occurrence of Hirābah
Stopping people to take property by force
Carrying weapons
Proof
Testimony of two men
Confession
The perpetrator did not repent before seizing him
If he repented before seizing him, the right of Allah Almighty is waived, but not the right of people
Those who rebel against the ruler's authority
Categories
Khawārij

Description: They deem Muslims as disbelievers on account of committing sins and consider the blood and wealth of Muslims lawful.

Ruling: They are defiantly disobedient, or disbelievers as per another view.

Transgressors

Transgressors: A group possessing power and might who rebel against the ruler based on a plausible interpretation

Dealing with them

Conducting debates with them

Fighting them

No guarantee is due against or for them in case of the fight

Conditions

They possess power and might

They have a plausible interpretation for their rebellion

Highway robbers

Apostasy

Meaning of apostasy

A person becomes a disbeliever after being a Muslim

due to a statement

action

belief

doubt

Prescribed punishment for apostasy

To be given a chance to repent three times

Killing
Repentance of an apostate
By proclaiming the Two testimonies of Faith
By affirming what he has previously denied
Those whose repentance is not accepted
The one who insults Allah Almighty
The one who insults the Messenger of Allah (ﷺ)
Who commits apostasy repeatedly
The heretic
Discretionary Punishment
Meant for discipline
Conditions
Committing a sin for which no punishment or
expiation is prescribed
Not more than 10 lashes
The punishment should not involve a
prohibition
or taking of property
Foods
Forbidden
Permissible
Foods are permissible in principle
Disliked
Food with bad smell
What is not certainly harmful
Reasons for food prohibition
Intoxication
Impurity
Harm

Filthiness
Involving others' rights
Human
Prohibited animals
Domestic donkeys
Carnivores
Animals that hunt with their claws
Carrion eaters/scavengers
Filthy animals
Animals commanded to be killed
Animals forbidden to be killed
Born from a combination of an edible and non-
edible animal
Not slaughtered according to Sharia rules
Slaughtering according to Sharia rules
Slaughterer
Sane
Discerning
Muslim, Jew or Christian
Slaughtered animal
Edible animal
Tool
Sharp-edged tool
Slaughtering
Cutting the throat and esophagus
Mentioning the name of Allah Almighty upon
slaughtering [pardonable if left out due to
forgetfulness]
Hunting

Capturing wild animals that are hard to seize

Essential elements

Hunting tool

Sharp tool

Trained predatory animal

Having claws

Having fangs

Hunter

Muslim, Jew or Christian

Sane

Intending

Tasmiyah (mentioning Allah's name)

Hunted animal

Edible animal

Reasons for expiations

Unintentional killing

Freeing a believing slave

Fasting for two consecutive months

Breaking an oath

Feeding 10 needy persons

Freeing a slave

Providing clothes to 10 needy people

A choice between the three, and if unable to do

so:

Fasting for 3 consecutive days

Sexual intercourse during the daytime in
Ramadan

Same as the expiation of Zhihār

Failing to fulfill a vow, excluding vows involving doing righteous deeds

Expiation for breaking an oath

Zhihār

Doing something that one has forbidden himself to do, except for approaching one's wife

Having sexual intercourse during menses

The oath requiring expiation

The one who takes the oath

Accountable for religious duties

Has a free will

Intending to make the oath

What is sworn by

Allah Almighty and His Names

or His Attributes

Subject of the oath

In the future, possible to happen

Breaking the oath

Willingly

Knowingly

Remembering

Explanation of the subject of the oath

Intention

Reason for the oath

Specification

Reality

(based on Sharia, custom, language)

Vow

Definition: an obligation imposed by a person upon himself to do something that is not originally required by Sharia

Ruling: Disliked

Its two essential elements

The one who makes the vow

Conditions

Sane

Adult

Willing

Subject of the vow

Types

Unspecified

Like the expiation for breaking an oath

Vow made in dispute and anger

Vow made contingent upon a specific condition for the purpose of

forbidding, urging, confirmation or denial

Permissible

Doing the vowed thing or offering expiation

Disobedience

Expiation

Tabarrur (vowing to do some act of benevolence)

Obligatory to fulfill

Judgment

One who issues judgment

One against whom judgment is issued

One in whose favor judgment is issued

The subject matter of judgment, i.e. what is decided

Hākim (One who issues the judgment)

Judge

Muhakkam (Appointed to issue judgment)

Conditions

Adult

Sane

Male

Free

Upright

Muslim

Of sound hearing

Of sound eyesight

Able to speak

Able to practice personal reasoning even in his

Madh'hab only

The ruler must appoint a judge in every region.

One against whom or in favor of whom judgment is issued

Plaintiff

If he remains silent, he is dismissed

Defendant

If he remains silent, he is not dismissed

Subject matter of the judgment

Testimony

Confession

Oath

Reneging on the oath

Circumstantial evidences
Testimony
Its ruling
Bearing the testimony
Communal obligation
Delivering
When requested
Individual obligation
Witness
On the matter occurred
On the testimony when unavailable
Conditions
Puberty
Sanity
Ability to speak
Being a Muslim
Having a good memory
Uprightness
Religiosity
Magnanimity/nobility
Absence of impediments
Nisāb
Knowledge
By witnessing
By hearing
Knowing about the event through widespread knowledge, especially in cases where direct knowledge is unavailable
Impediments to testimony

Parental relationship
Marriage relationship
Worldly enmity
Seeking personal gain
Nisāb of testimony
4 men
Zina
3 men
Insolvency of the wealthy
2 men
Cases other than monetary issues
A man and two women
Monetary issues
A witness and the oath of the plaintiff
Monetary issues
A woman
Matters that men
are usually unaware of
Confession
Confession is an incomplete piece of evidence.
Essential elements
The one making a confession
Adult
Sane
Willing
The confessed matter
Right
Specific to the one who makes the confession
Its time

In a state of healthiness: Valid
 During illness
 To a non-relative: Valid
 To an heir: Valid only by the approval of the
 other heirs
 Wording
 Detailed: Binding
 General: Requires a sound explanation
 Independent: Binding
 Linked to some matter that may change it
 Exception is valid provided that:
 it is connected
 The half and less
 What invalidates it: Confession required
 What exonerates him: he is exonerated unless he
 attributes it to a reason
 A person gives information
 about a right due to him
 upon another (claim)
 A right due to someone
 upon another (testimony)
 upon himself (confession)
 O Allah, let the last thing we say in our life be the
 Two Testimonies of Faith.
 Questions on Crimes Section
 1. What are the divisions of Fiqh of Crimes?
 2. What are the types of killing, the conditions for
 each type, and their respective legal consequences?

3. What are the conditions for legal retribution and the conditions for implementing it? Explain the difference between the two.

4. What is the amount of blood money for killing a person? Who is liable to pay it?

5. What are the conditions for legal retribution in cases involving injuries not amounting to death? What is the Hukūmah?

6. How is blood money calculated for injuries not amounting to death?

7. What are the conditions for one who implements a Hadd (prescribed punishment) and one against whom a Hadd is implemented?

8. List the prescribed punishments in Islamic Sharia.

9. What is the punishment for Zina, and what are the conditions for carrying out the relevant prescribed punishment?

10. What is the prescribed punishment for theft? What are its conditions?

11. What is the prescribed punishment for slander (false accusation of unlawful sexual intercourse)? What are the conditions for carrying out the relevant prescribed punishment?

12. What are the conditions of the prescribed punishment for consuming intoxicants, and what is the number of lashes?

13. List the reasons for the prohibition of consuming certain animals and other things.

14. What is the criterion for foods being disliked, and what is the general principle regarding the permissibility of foods?

15. What are the essential elements of slaughtering and its conditions?

15. What is the punishment of Hirābah? What are its conditions?

16. Mention the categories of those who rebel against the ruler, along with the ruling regarding each category.

17. What is apostasy, and what is its prescribed punishment? How does a person repent from apostasy, and when is repentance not accepted?

18. List the main reasons for expiations, and specify expiation for each.

19. What are the conditions for an oath that requires expiation, and how is the oath explained?

20. Explain the conditions of a vow, its types, and the ruling on each type.

What are the conditions for Ta'zīr (discretionary punishment)?

22. What are the conditions for a Hākim? Who is a Muhakkam?

23. What is the ruling on appointing judges?

24. What is the difference between a plaintiff and a defendant? How is a judgment given in favor of one of them?

25. What is the ruling on testimony, both in terms of its bearing and its delivering? What are the conditions for a witness?

26. What are the conditions for testifying on a testimony?

27. What are the impediments to testimony, and what is its Nisāb (required number of witnesses)?

28. How is knowledge acquired about the matter being testified?

29. What are the essential elements and conditions of confession, and what is the type of its legal proof?

30. What is the ruling on a general confession, and can a confession be divided?

31. Mention the difference between a claim, testimony, and a confession.

Introduction

Praise be to Allah, and may Allah's peace and blessings be upon the Messenger of Allah, his family, and Companions. To proceed:

Given the importance of the rules of Islamic jurisprudence (Fiqh-related rules) for the students of Fiqh, the Fuqahā' Center has decided to include them in the curriculum for the Fiqh Qualification Certificate. The study will rely on a concise book suitable for students at this level, one they can refer to to clarify ambiguities. It is (Al-Mawāhib Ar-Rabbāniyyah fi Sharh Kubra Al-Qawā'id Al-Fiqhiyyah), by Shaykh Ayman Al-Hibshi - may Allah

keep him safe - a lecturer at the Islamic University. We ask Allah to make this curriculum and its source beneficial, accept them from us, and make them purely dedicated to His Noble Countenance. Indeed, He is All-Hearing and Responsive. May Allah's peace and blessings be upon our Prophet Muhammad, his family, and his companions.

Objectives of the course:

1. Acquainting the student with the Fiqh-related rules in general, and their relationship with Fiqh and its fundamentals.

2. Helping the student understand the precision of the branches of Fiqh and their foundation on general rules.

3. Enabling the student to comprehend the five major Fiqh rules and their sub-rules branching from them.

4. Assisting the student to have the ability to connect the sub-issues of Fiqh to their basic rules.

5. Training the student on how to derive rules branching from the basic Fiqh-related rules.

Course Topics:

1. Defining the Fiqh-related rules, and outlining the difference between them and related terms.

2. Sources of Fiqh-related rules.

3. Types of Fiqh-related rules.

4. Benefits of studying Fiqh-related rules.

5. Emergence of Fiqh-related rules and prominent works in this field.

6. Rule: Matters are judged based on their objectives, and the branching rules.

7. Issues related to intention.

8. Rule: Certainty is not removed by doubt, and its branching rules.

9. Rule: Hardship entails ease, and its branching rules.

10. Rule: There should neither be harm nor reciprocal harm, and its branching rules.

11. Rule: Custom is considered in judgment, and the branching rules.

We ask Allah Almighty to make this course beneficial, and may peace and blessings be upon our Prophet Muhammad (ﷺ).

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Al-Qawā'id Al-Fiqhiyyah (Fiqh-related Rules)

Definition

as a descriptive compound

Rules

Plural of Qā'idah (rule): It is a general cause

Al-Fiqhiyyah (Jurisprudential)

Related to Fiqh (Islamic jurisprudence)

As a title and a name

General jurisprudential issues

Their relation with jurisprudence and its fundamentals

First: The Fiqh fundamental rule [general evidence - methods of inference]

Second: Jurisprudential sub-issues

Third: Jurisprudential rule [induction of sub-issues]

Sources

Sharia evidence

Induction of sub-issues

Types

Major general rule

Applying to the majority of areas

Non-major general rule

Applying to some areas

Criteria

Only in one area

Distinguishing between them is a stance adopted by later scholars

Benefits of studying them

Organizing scattered jurisprudential issues into one framework

Facilitating the memorization of sub-issues

Aiding in knowing the points of inference in issues and classifying novel legal issues under the relevant established issues according to jurists

Assisting in grasping the objectives of the Sharia and their inclusiveness

Matters are judged based on their objectives

Meaning

Rulings pertaining to statements and actions are based on the intentions

Evidence

Hadīth: (Deeds are only judged according to intentions). [Agreed upon]

Issues related to intention

Benefit

According to jurists

Distinguishing between acts of worship and habits

Distinguishing between some acts of worship and others

According to scholars of Tazkiyah (spiritual refinement)

Identifying the purpose behind the act

Ruling:

Examples of what requires intention

Acts of worship

Implicit expressions

Examples of what does not require intention

Refraining from forbidden things

Explicit wording in divorce and the like

Timing

At the beginning of the act of worship or shortly before it

Invalidators of intention

Interruption

Hesitation

Determination to interrupt it

Place of intention

Heart

Derived sub-rules

Sub-rules derived from the rule that reads:

Matters are judged based on their objectives

In contracts, consideration is given to the objectives and meanings

[Gift in return for compensation]

Intention specifies the general and generalizes the specific

[He said to his wife: (If I see you enter this room, you are divorced)].

Oaths are interpreted based on intentions, not words

Example: [If one swears not to buy something for his son for one riyal].

No reward is earned except by intention

Example: [If one returns a deposit while being heedless about the intention]

Certainty is not overruled by doubt

Meaning

Suppose a person is firmly certain in his heart about the establishment or non-establishment of something. In that case, he should not abandon this certainty because of a doubt that arises, but rather act on his original case of certainty and ignore the doubt.

Evidence

The Hadīth of Abu Hurayrah: "If one of you feels something in his stomach and doubts whether he released some wind or not, he should not leave the mosque unless he hears a sound or smells an odor."
[Agreed upon]

Hadīth of Abu Sa'īd: "If one of you is unsure about his prayer, whether he prayed three or four, let him disregard the doubt and base his prayer on what he is certain of...). [Narrated by Muslim]

Acting on supposition

Issues that are dealt with based on presumption

Issues that are not dealt with based on presumption

Derived sub-rules

Sub-rules derived from the rule that reads:
Certainty is not overruled by doubt

In principle, things remain in the same state as they used to be

[One who is certain of purity but doubts the occurrence of what invalidates it]

Liability is free in principle

[A creditor and debtor dispute over the amount of debt]

The original state for incidental matters is non-existence

[Claim of debt payment]

The original rule is to attribute an incident to the nearest time

[Someone finds semen in his clothes after two sleep periods]

Things are permissible in principle

[Modern devices]

The original rule regarding sexual relations, meat, property, and life of protected individuals is the prohibition

[If his sister is confused with a stranger girl, imported meat, eating at a banquet before permission, killing]

No consideration is given to the supposition that is clearly wrong

[One who prays thinking he is pure but turns out to have invalidated his purity]

Hardship entails ease

Meaning

The difficulty and hardship that an accountable person encounters in implementing a legal ruling becomes a valid legal reason for ease and alleviation

Evidence

{Allah wants ease for you}

{and He has not imposed upon you any hardship in religion.}

"You have been sent to make things easy, not to make them difficult." [Al-Bukhārī]

Reasons for alleviation

Travel

Illness

Coercion
Forgetfulness
Ignorance
Hardship and uncontrollable widespread issues
lack of means
Types of alleviation
Exemption
Reduction
Substitution
Advancement
Delay
Granting concession
Alteration
Types of hardship
Hardship that is intrinsic to the act of worship
(not considered)
Hardship that is mostly separable from the act of
worship
Severe (considered)
Mild (not considered)
Moderate (fluctuates between the two)
Sub-rules derived from the rule that reads:
Hardship entails ease
When a situation becomes narrow, it widens and
when it widens, it becomes narrow
[an insolvent debtor]
Necessity makes the forbidden permissible
[Eating a dead animal out of necessity]

What is permitted out of necessity is limited to the extent of the necessity

[The quantity of a dead animal that a person in need may eat]

Necessity does not nullify the rights of others

[Someone was on the verge of death, so he ate from the property of another]

There should neither be harm nor reciprocated harm

Meaning

The removal of harm, whether it is initial or reciprocal, its prevention before it occurs, and its alleviation after it has occurred

Evidence

The Hadīth: (There should neither be harm nor reciprocation of harm). [Narrated by Ibn Mājah]

Derived sub-rules

Harm should be removed [A bankrupt person can be legally restricted from certain actions]

Harm should be prevented as much as possible. [If someone finds his belongings with a bankrupt person]

Harm should not be removed by its like

[Someone killed a Muslim out of coercion]

A greater harm should be prevented by committing a lesser harm

[Praying while sitting is permissible if the person is naked]

When two harms conflict, the greater harm should be avoided by committing the lesser harm [Remaining silent about an evil act is sometimes preferable to speaking out if doing so would cause a greater evil]

Preventing harm takes precedence over realizing interests

[A fasting person should avoid excessive rinsing of the mouth]

Custom is considered in judgment

Meaning

Considering custom as a basis for establishing a legal ruling in issues related to customary practices that are ruled by personal reasoning

Relationship between 'Urf (customary law) and 'Ādah (custom and tradition)

(1) Synonymy

(2) Discrepancy

'Ādah: actions

It is said: the habits or practices of individuals and groups

'Urf: statements

The habits and practices of a group

Classification of 'Urf

Its subject

Related to statements

Related to actions

Origin

General

Private
 Sharia-based
 Acceptance
 Valid
 Invalid
 Applicability among the people
 Regular
 Prevailing
 Equal
 Rare
 Evidences
 Conditions for considering 'Urf
 Point of considering 'Ādah
 Derived rules
 Custom is considered in judgment
 Evidence
 {Be gracious, enjoin what is right}
 {Treat them kindly}
 "Take what is enough for you and your son to the
 extent accepted by custom." [Agreed upon]
 Conditions for considering 'Urf
 Compatibility with Islamic legislation
 Regular, or prevalence
 There should be no explicit statement in Islamic
 texts contradicting it
 It should either precede or be concurrent with
 the matter being judged
 Cases where custom is considered in judgment

What is generally mentioned in Islamic legislation, and there is no specific criteria for it in the Sharia or in language [kept property]

Derived rules

A custom is only considered valid if it is consistently followed or widely prevalent. [selling goods for a price without specifying the currency]

What is known by custom is considered as if it were explicitly stipulated [a lessee hosting guests in his rented house]

Written communication is equivalent to verbal communication [offer and acceptance via fax or Internet]

The signals made by a mute person are equivalent to spoken words [affirmation of a mute person]

Rulings can change over time as societies and circumstances evolve [what was considered immoral in the past may no longer be considered so today]

Introduction

Praise be to Allah, and may Allah's peace and blessings be upon the Messenger of Allah, his family, and Companions. To proceed:

Given the importance of Usul al-Fiqh (Fundamentals of Islamic Jurisprudence) as a science, being a foundation upon which Fiqh branches are built, the Fuqahā' Office for Training and Consultations has included it as a core course

in the "Fiqh Qualification Certificate" program. The course has been prepared to introduce the subject matter in an accessible way, following the chosen opinions as outlined by the author of Mukhtasar At-Tahrīr Fi Usūl Madh'hab Al-Imam Ahmad - may Allah have mercy on him, along with a set of exercises to develop the student's skills and enhance his understanding of the issues of the fundamentals.

Objectives of the course:

1. To familiarize students with the broad outlines of the science of Usūl al-Fiqh.
2. To enable students to understand the precision of legal deduction among Muslim jurists.
3. To introduce the various types of legal evidence to students.
4. To enable students to distinguish between valid and invalid deductions.
5. To equip students to connect Fiqh sub-issues to the rules related to the fundamentals of Fiqh.
6. To train students in deriving new rules based on the fundamental rules of Fiqh.

Course Contents:

1. Principles of Usūl al-Fiqh.
2. Key topics in Usūl al-Fiqh.
3. Categories of Sharia rulings.
4. Legal evidence, including textual ones such as the Qur'an, Sunnah, consensus, the adopted opinion

of a Companion, and the legislation of previous nations.

5. Semantics based on preponderance: explicit text, apparent meaning, and general meaning.

6. Semantics based on context: literal meaning and inferred meaning.

7. Indications: commands, prohibitions, general statements, specific statements, absolute statements, and restricted statements.

8. Rational legal evidence, they are: analogy, consideration of public interest, legal preference, and presumption of continuity.

9. Independent legal reasoning (Ijtihād) and following established legal opinions (Taqlīd).

10. Conflicting opinions and giving preponderance to one opinion over another.

We ask Allah Almighty to make this course beneficial and the may peace and blessings of Allah be upon our Prophet Muhammad (ﷺ).

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1. Basics of Usūl al-Fiqh

Definition

Understanding the evidences of Fiqh in general, how to utilize them, and the state of the one who utilizes them.

Subject

Legal evidences leading to rulings.

Result

Understanding how to derive rulings from evidences.

Founder

Imam Ash-Shāfi'i.

Sources

The Qur'an and Sunnah - Consensus of the righteous predecessors - Principles of the Religion - Arabic Language.

Ruling on learning it

Communal obligation on the Muslim nation.

Individual obligation on the Mujtahid (the one capable of independent reasoning).

2. Key topics in Usūl al-Fiqh

Madlūl/Inferred result (Ruling)

Evidence

Indication

The one who uses the evidence

(Madlūl) Categories of ruling

Taklīfi (Injunctive ruling)

Ijāb (Obligation)

Nadb (Recommendation)

Tahrīm (Prohibition)

Karāhah (Being disliked)

Ibāhah (Permissibility)

Wad'i (Applicative ruling)

Explanatory to the ruling

'Illah (effective cause)

Sabab (cause)
Shart (condition)
Māni' (impediment)
Validity and invalidity
'Aẓimah (Strict ruling) and Rukhsah
(concessionary ruling)

Classifications of obligation based on various
considerations

Based on the action commanded

Mu'ayyan (Specifically binding)

Mukhayyar (Optional)

Based on time

Not time-bound

Time-bound

Muwassa' (extended time)

Mudayyaq (tight time)

Based on the legally accountable person

Individual

Communal

Based on the wording

Explicit indication

By way of inference or implication

Being necessary for the fulfillment of another
obligation

Sharia evidence

Agreed upon

The Qur'an

The Sunnah

Consensus

Analogy
Controversial
A Companion's adopted opinion
Legislation of previous nations
Public interest
Legal preference
Presumption of continuity
The Qur'an
Mutawâtir (collectively transmitted)
Definitive proof
Ahād (individually transmitted)
"Solitary transmitted mode of recitation"
Speculative proof
2. The Prophetic Sunnah
Statement
Approval
Action
The Prophet's action
Type
Ruling
Actions exclusively specific to him
not shared by others
Natural and habitual actions
Permissibly
Aimed for clarification and explanation
Its ruling is the same as the thing explained.
Worship related
Obligatory, and some said: recommended.
Approval

Permissibility

Classification of reports based on the way they were transmitted to us

Report

Mutawātir (its conditions)

Based on sensory perception

Equality of the two parties and the mediator in terms of its condition

A number whose collusion to fabricate is impossible

Ahād (two types)

Acceptable (its conditions)

The narrator must be a Muslim

Legally competent

Accurate

Upright

Rejected

Abrogation

Abrogation

Definition

Canceling a legal ruling by a subsequent Sharia proof

Conditions

The abrogating (new) ruling must be equal to or stronger than the abrogated (old) ruling:

Abrogating the Qur'an by the Qur'an

Abrogation of recitation

Abrogation of a ruling

Abrogation of recitation and ruling

Abrogation of a Sunnah by the Qur'an
Abrogation of a Sunnah by a Sunnah
Abrogation of a Mutawātir by a Mutawātir
Hadīth

Abrogation of Ahād by a Mutawātir Hadīth

Abrogation of Ahād by Ahād Hadīth

Impossibility of combination

The abrogated should either be a command or a prohibition

The abrogating ruling must be later and can be determined through:

Consensus

Explicit statement of the Lawgiver

Action of the Prophet (ﷺ)

Statement of the narrator of a Hadīth

Consensus

Pillars

Conditions/ or categories

Scholars forming the consensus (its conditions):

Independent reasoning (Ijtihād)

Being contemporaries

Unanimous agreement

The incident (its condition):

No previous consensus on the issue

No established disagreement about it

Ruling (its condition):

Legal

Formula (categories):

Explicit

Implicit

Developed after a disagreement

Basis (categories):

Text

Analogy

Classification of word meaning based on the certainty of the implication

Having one meaning and no other interpretation is plausible

Text

Having multiple meanings, but one is more preponderant

Self-evident: apparent meaning

By other means: figuratively interpreted

More than one meaning without any being more preponderant

General indication

Classification of the word meaning within the text

Word meaning directly stated (spoken)

By correspondence or implication: (explicit)

By necessity: (implicit)

Not the main purpose of the text: (allusion)

It is the main point of the text, but something is not mentioned, without which the speech is incomplete: (implication)

It is the main point of the text and nothing is deleted: (Indirect indication)

Word meaning not stated directly (implied)

The unspoken is like the spoken in ruling (Mafhūm Al-Muwāfaqah or congruent implication)

The unspoken is opposite to the spoken in ruling: (Mafhūm Al-Mukhālafah or incongruent implication)

Spoken non-explicit meaning (categories):

Meaning necessarily implied

The word meaning of an unspoken idea depends upon the validity of the speech logically and legally

Meaning of allusion

The word indicates a necessarily inferred meaning unintended by the speaker

Meaning of indirect indication

The ruling is associated with a description, if such description is not meant for clarification, such an association would have been far from the eloquence of the lawgiver's speech

Mafūm (implication)

Congruent implication (two categories)

Based on priority

Based on equivalence

Mafhūm Al-Mukhālafah/incongruent implication (categories)

Restriction

'Innama', which means 'only, exclusively' (used for restriction in speech)

Definition of Muftada' (subject) and Khabar (predicate)

It is right to say that they are from the Mantūq
(explicitly spoken)

Condition

Attribute

Number

Classification

Purpose

Title

Conditions for applying the incongruent
implication

The unspoken or implied meaning should not be
more deserving than the spoken or equal to the
ruling

Not meant to indicate the prominence

Not meant for exaggeration and maximization

Not an answer to a question or a specific incident

Not meant to demonstrate the ample favors of
Allah

From the types of explicit statements

Command

Prohibition

General and specific

Absolute and restricted

Command (seeking to do an action by a
statement)

What indicates it

The imperative verb form

The present tense verb linked with the
imperative "l ām"

The noun form of the imperative verb

A Companion's saying: "The Messenger of Allah (ﷺ) commanded," or "We were commanded"

Indication

By itself

Obligation: according to the majority of scholars

Immediateness: according to the majority of scholars

Recurrence: according to an opinion

Valid fulfillment of an obligation

Prohibition of doing the opposite

Obligation of making up a missed timed action

By others

Based on the evidence: recommendation, permissibility...

Prohibition

What indicates it

Do not do

A Companion's statement: "The Messenger of Allah (ﷺ) prohibited", or "We were prohibited"

Indication

By itself

Impermissibility

Invalidity

Immediateness

Recurrence

Command to do its opposite

By others

Based on the evidence

Division of words -based on inclusion-
 A word that refers to all individuals of a category
 (the general)
 Its wording
 Every, all
 A noun attached by definite article (al-)
 A noun attached to a definite noun
 An indefinite noun in the context of negation or
 prohibition
 Conditional particles
 Relative pronouns
 Its types
 General without specification
 General with specification
 A word that refers to some individuals of a
 category (specific)
 The general
 Without specification
 which is the original case
 With specification
 By a detached element
 Sense perception
 Reason
 Consensus
 Specific text
 Qur'anic text by a Qur'anic text
 Qur'anic text by a Sunnah text
 Sunnah text by a Sunnah text
 Sunnah text by a Qur'anic text

Implied meaning

A Companion's statement

Analogy

By an attached element

Exception

Word/Term

Absolute

A term encompassing an unspecific individual based on a comprehensive reality of its kind

Restricted

A term encompassing a specific meaning or something described with an extra attribute of its very kind

Congruent in ruling and reason with the absolute: it restricts.

Incongruent in ruling and reason with the absolute: it doesn't restrict.

Congruent with the absolute in ruling but not reason: valid restriction according to the majority of scholars.

Congruent with the absolute in reason but not ruling: it doesn't restrict according to the majority of scholars.

Conclusion

If the restricted [term] agrees with the absolute term in the ruling, it restricts; otherwise, it does not.

Types of analogy

Analogy through negating a difference

Analogy through a shared attribute

Analogy through the cause of a ruling: analogy of cause

Analogy through the implication of a cause: analogy of implication

By the preponderance of similarities: analogy of similarity

By the opposite of the cause to prove the opposite of the ruling: analogy of the opposite

Pillars and conditions of analogy

Original

Its ruling

Definite and established

Logical and understandable

Established without analogy

Branch

There is no specific text about it

The cause exists in it

Its ruling is the same as the original

Cause

Transitive

Does not invalidate the original

Does not contradict a text or consensus

Clearness

Precision

Consistency

Pillars

Methods of identifying the cause

Consensus

Text

Explicit

Apparent

Indication and hint

Deduction

Exploration and categorization

Suitability

Resemblance

Contingency

Method of the text

Explicit

(What is meant for clarification, in such a way that it does not imply otherwise?)

For the sake of

in order that

Then indeed, surely

Purpose of the object

Apparent (what may indicate an interpretation other than causality in a less likely manner)

The letter "Lām"

Evident

Hidden

The letter "Bā"

Indirect indication and hinting (The ruling is associated with a description, if such description is not meant for clarification, such an association would have been far from eloquence)

with the letter (Fā')

By the lawgiver

By a narrator

In a form denoting consequence

The ruling is associated with a suitable description.

By answering a question that includes descriptions

without omitting therefrom

with the omission of some: (refining the reason)

Lack of benefit if it is not interpreted as a clarification

Methods of deduced cause

Exploration and categorization

Limiting the descriptions in the original case and invalidating those that do not fit based on evidence, thus necessitating that the remaining factor is the cause

Suitability

That the original case should include a description suitable for the ruling, so that the mind determines that such suitability does exist: that such a description is the cause of the ruling

Similarity

The branch (a new case) fluctuates between two origins (already existing cases), being more similar to one of them in the considered descriptions

Contingency

The ruling exists when the cause exists, and it is absent when the cause is absent

A Companion's statement

Categories

That which cannot be stated based on personal reasoning

It is considered equivalent to the statement of the Prophet (ﷺ)

If the Companions unanimously agreed on it explicitly

It constitutes consensus and conclusive proof

If it became widespread among them and no one denied it

Tacit consensus

Point of discussion

If its widespread acceptance is not known, and no one is known to have opposed it

Considered valid proof according to the correct opinion

If another companion disagreed with it

Not a valid proof

Legislation of previous nations

Categories

What was proven to be legislation for us

Valid proof

What was proven not to be our legislation

Not a valid proof

What was transmitted through them

Not a valid proof

What was reported in our legislation from the previous legislations

It is considered valid proof according to the correct opinion

Interest (categories)

Legislation declared it considerable

Should be acted upon

Legislation declared its invalidity

Not acted upon

Legislation has neither explicitly approved nor rejected it (the public interest)

Necessities

Preservation of religion

Preservation of life

Preservation of lineage

Preservation of intellect

Preservation of wealth

Needs

Improvements

Istihsān (Legal preference)

Definition

Its acceptance as proof

Disassociating the ruling on a particular issue from that of similar issues, based on a specific proof

None denies it

A proof sparks in the mind of the Mujtahid, but cannot express it

Not a valid proof

The Mujtahid deems it preferable based on his reason

Not a valid proof

Istishāb (presumption of continuity)

Definition

Adhering to a previously established rational or legal proof in the absence of another implication

Sections

Presumption of continuity of the original freedom of liability (valid proof)

Presumption of a continuing of an established matter (valid proof)

Presumption of continuity of consensus on a disputed issue (invalid proof)

Ijtihād: A jurist exerting his utmost effort to reach a Sharia ruling.

Taqlīd: Following the opinion of another scholar without knowing the proof he relied upon.

A Mukallaf/legally competent person (two categories)

Mujtahid (two types)

Absolute (requirements)

Talent

Knowledge

Principles of Fiqh

Arabic grammar and linguistics

Knowledge of the evidence of rulings and their classifications in terms of establishment and non-establishment, and abrogation and confirmation

Occasions of the revelation

Ability to distinguish between areas of consensus and areas of disagreement

Partial (requirements)

Talent

Possesses the knowledge required for the topic or issue in which he conducts Ijtihād

Muqallid (someone who follows the opinion of a Mujtahid)

Ta'ārud (Conflict): Two pieces of legal evidence seem to contradict each other in a way that makes it impossible to reconcile. Tarjīh (giving preponderance): Deeming one of them stronger than the other.

Preponderance of evidence: The inferred presumption is stronger, and the factors that lead to preponderance are countless.

Cases of conflict

If reconciliation is possible: they must be reconciled

If reconciliation is not possible

If the historical sequence is known: The later evidence abrogates the earlier one

If the historical sequence is unknown

If preponderance is possible: the stronger should be given preponderance

If there is no way to determine which evidence is stronger, the jurist may halt the process

Reconciliation

Abrogation

Giving preponderance

Halting the process

Giving preponderance
In the type of evidence
Consensus
The Qur'an
The Sunnah
Verbal/Statements
Actions
In the form of approval
A Companion's statement
Analogy
In the chain of narration
Related to the narrator
Abundance of narrators
Trustworthiness of the narrator
Closeness of the narrator
Related to the chain of narration

A Musnad narration, which has a continuous chain of narrators back to the Prophet (ﷺ), is given precedence over a Mursal (not connected) narration

‘Āli (higher chain of transmission) over Nāzil (lower chain of transmission)

What is narrated by Al-Bukhāri and Muslim over what is narrated by others

In the text of the Hadīth
In the implied meaning
External factor

In the Name of Allah, the Most Compassionate, the Most Merciful

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the (Introduction to Islamic Jurisprudence) course. It is a supplement to the curriculum and complements the educational structure for the students. Therefore, the desired benefits of the course can only be fully achieved through solving the exercises.

The book includes several questions and exercises with variable methods and diverse objectives.

The first question: Define the meaning of Fiqh (jurisprudence) applicable to the following issues.

The meaning of jurisprudence applicable to the issue (linguistic/legal/terminological).

Knowledge of the nullifiers of ablution along with their pieces of evidence.

Knowledge of the description of the Kusūf (solar eclipse) prayer.

Understanding a physics lesson.

Understanding the process of manufacturing a car.

Understanding the verses related to Paradise and Hell.

Knowledge of the attributes of Allah Almighty, and His greatness.

Knowledge of the rulings of prostration of forgetfulness.

Knowledge of the virtues of the Companions.

Knowledge of the signs of the Hour.

Knowledge of the ruling on the first Tashahhud.

The second question: Based on what you have studied about the merits of jurisprudence, explain the significance of each of the following texts. Do they indicate the merits of jurisprudence specifically (1) or Shariah knowledge in general (2)?

The Prophet (ﷺ) said: "When Allah intends good for someone, He grants him the understanding of the religion." ()

Allah Almighty says:

(وَمَا كَانَ الْمُؤْمِنُونَ لِيَنفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِنْهُمْ طَائِفَةٌ لِيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ أَلْعَلَّهُمْ يَحْذَرُونَ) || ()

{It is not right for the believers to march forth all at once; a group should go forth to acquire deeper knowledge of the religion, in order to admonish their people when they return to them, so that they may be cautious.} || ()

The third question: Based on what you have studied about the ruling on studying jurisprudence, mark the appropriate checkbox:

(Individual obligation/ Communal obligation)

Issue: (The obligation of the mutual handover of items before the departure of both parties in currency exchange transactions) for a person working in currency exchange.

Manner of performing prostration.

Issue: (Ruling on the division of overnight stays among wives) for an unmarried man.

Manner of performing ablution.

Issue: (Zakah on grains and fruits) for a person who owns fruitful palm trees.

Issue: (What punishment is due in cases of unintentional killing) for a person who did not commit murder and did not assume a judicial post?

Description of a valid prayer.

Knowledge of the time of Imsāk (refraining from eating and drinking) while fasting.

The fourth question:

Some researchers and authors in the history of jurisprudence have divided the stages of jurisprudence into eight stages:

The Prophetic Era.

The Rightly-Guided Caliphs 11-40 AH.

The young Companions 40-100 AH.

From 100-320 AH.

320-656 AH.

656-900 AH.

900-1250 AH.

1250-present.

Compare this division to the four-stage division you studied, by placing each stage of these eight stages in front of its corresponding stage from the four stages you studied:

(Stage / Corresponding Numbers)

Legislative stage.

Pre-schools of thought stage.

Schools of thought stage.

Present time stage.

The fifth question: Do the Companions legislate?

Yes, they legislate.

No, they do not legislate.

The Rightly-Guided Caliphs have the right to legislate, apart from the rest of the Companions.

The sixth question: Give two examples of gradualness in legislation within a single ruling.

The seventh question: Give two examples of training the Companions in practicing independent personal reasoning (Ijtihād).

The eighth question: Review the statements of Ibn Al-Qayyim, which he transmitted from Ibn Hazm in I'lām Al-Muwaqqi'īn, then fill in the table:

The Companion (Mukthir (transmitted numerous narrations)/ Muqill (transmitted few narrations)/ Mutawassit (transmitted an average number of narrations)

'Umar ibn Al-Khattāb

'Abdur-Rahmān ibn 'Awf

Ibn 'Abbās

'Ubayy ibn Ka'b

'Ubādah ibn As-Sāmit

Abu Ad-Dardā'

Ibn Mas'ūd

'Ā'ishah

Ja'far ibn Abi Tālib
Ibn Az-Zubayr
Zayd ibn Thābit
Abu Mūsa Al-Ash'ari

The ninth question: Mention two reasons for the variation among the Companions in the frequency of jurisprudential transmission from them.

The tenth question: Identify the city in which the mentioned Companion disseminated his jurisprudence:

(Companion)
Zayd ibn Thābit
Ibn 'Umar.
Ibn 'Abbās
Ibn Mas'ūd
(City)
Madīnah
Kūfa
Makkah
Damascus

The eleventh question: Place each one of the jurists among the Tābi'ūn in the corresponding city:

(Madīnah/Makkah/Kūfa/Basra)
Masrūq,
The Seven Jurists,
Ibrāhīm An-Nakha'i,
Sālīm ibn 'Abdullah ibn 'Umar,
Mujāhid,
Al-Hasan Al-Basri,

Nāfi', the freed slave of Ibn 'Umar,
Az-Zuhri,
'Abīdah As-Salamāni,
'Atā',
Ibn Sīrīn,
Qatādah,
'Alqamah,
Shurayh Al-Qādi.

The twelfth question: Place the birth and death dates in front of each of the imams:

Imam (Birth/Death)

Abu Hanīfah

Mālik

Ash-Shāfi'i

Ahmad

In the year 150 AH, ... was born, and died in
.....

In the year 93 AH, ... was born, and in the same year, the noble Companion died.

The thirteenth question: Mention three of the imams of extinct schools of thought:

.....

.....

.....

The fourteenth question:

Is Abu Hanīfah one of the Tābi'īn?

.....

Abu Hanīfah's school of thought is an extension of the school of, led by the noble Companion

.....

The fifteenth question: Match the books with their authors, then mention the school of thought they follow.

(Book / Author / School of Thought)

Nihāyat Al-Muhtāj Fi Sharh Al-Minhāj

Ghāyat Al-Muntaha Fi Al-Jam' Bayn Al-Iqnā' wa Al-Muntaha

Badā'i' As-Sanā'i' Fi Tartīb Ash-Sharā'i'

Al-Mudawwanah

Tuhfat Al-Fuqahā'

Al-Insāf Fi Ma'rifat Ar-Rājih Min Al-Khilāf

Ar-Riwāyatayn wa Al-Wajhayn

Al-Bayān wa At-Tahsīl

Al-Bidāyah

Radd Al-Muhtār 'Ala Ad-Durr Al-Mukhtār

Al-Hidāyah

Al-Iqnā' Li Tālib Al-Intifā'

Adh-Dhakhīrah

Al-Hāwi

Al-Bahr Ar-Rā'iq

Nihāyat Al-Matlab

Al-Wasīt

Al-Asl

Tanwīr Al-Absār

Al-Muhadhdhab

Ad-Durr Al-Mukhtār Shah Tanwīr Al-Absār

Ar-Rawd Al-Murbi‘ ‘Ala Zād Al-Mustaqni‘

Mawāhib Al-Jalīl

Kanz Ad-Daqā‘iq

Rawdat At-Tālibīn

Al-Jāmi‘ Li ‘Ulūm Al-Imām Ahmad

Kashshāf Al-Qinā‘ ‘An Matn Al-Iqnā‘

Al-Furū‘

Zād Al-Mustaqni‘

Minhāj At-Tālibīn

Dalīl At-Tālib Li Nayl Al-Matālib

Tuhfat Al-Muhtāj Sharh Al-Minhāj

Tahdhīb Al-Ajwibah

Al-Kāfi Fi Fiqh Ahl Al-Madīnah

Al-Muqni‘

Sharh Muntaha Al-Irādāt

The sixteenth question: Who is he?

He said about himself: "Never have I written a Hadīth except that I acted upon it. I happened to know that the Prophet (ﷺ) got himself cupped and gave Abu Taybah a dinar, so I gave the cupper a dinar when I got myself cupped." He is

He used to complete the recitation of the Qur‘an sixty times in the month of Ramadan. He is

Ash-Shāfi‘i said: "People are dependent on him in jurisprudence." He is

Ash-Shāfi‘i said about him: "He is an imam in eight qualities: an imam in Hadīth, imam in jurisprudence, imam in language, imam in the

Qur'an, imam in poverty, imam in asceticism, imam in religious prudence, and an imam in the Sunnah." He is

His sister was asked: "What was his primary focus at home?" She said: "The Mus-haf, i.e., recitation of the Qur'an." He is

He was qualified to issue Fatwas and engaged in teaching at the age of 21. He said: "I did not issue Fatwas until seventy people testified that I was qualified for that." He is

He was called Al-Watad (the Pillar) due to his frequent standing in prayer. He is

He memorized the Qur'an at the age of seven, Al-Muwatta' at the age of ten, and his teacher, Muslim ibn Khālid Az-Zanji, permitted him to give Fatwas when he was fifteen. He is

Ash-Shāfi'i said to him: "If a Hadīth is authentic according to you, then inform us so that we can rely on it. You have more knowledge about authentic narrations than us." He is

The seventeenth question: Jurisprudence in the modern era.

Mention three examples of Islamic legal colleges.

.....
.....
.....

Mention two Fiqh (jurisprudence) magazines:

.....
.....

Provide two specialized online Fiqh websites:

.....

.....

Provide an example of a Fiqh research center:

.....

Provide two books on Fiqh of An-Nawāzil (contemporary issues), either on its fundamentals or related to specific contemporary issues:

.....

.....

The eighteenth question:

Based on your study of the issue of following a specific Madh-hab (school of jurisprudence), clarify what falls into the category of agreed-upon prohibition, agreed-upon permissibility, and disputed matters from the following examples:

A person says: I am a follower of the Hanafi Madh-hab, so I do not pray behind the followers of the Shāfi'i Madh-hab or visit them. []

A person says: I am a follower of the Māliki Madh-hab, I believe that a Hadīth that did not reach imam Mālik is not permissible to act upon, even if it is authentic and precise. []

A person says: I am at the beginning of my quest for knowledge, and therefore I am studying the Shāfi'i Madh-hab and acting upon it, even if I do not know its proofs, nor do I ask about its proofs or the proofs of those who disagree with it. []

A person says: I am studying the Hanbali Madh-hab and learning its proofs, and I act upon what I have studied as long as I have not found a clear and sound text that contradicts the Madh-hab. []

The nineteenth question: Attribute each of the following prominent scholars to the Fiqh school he follows [Ahl Al-Hadīth, Ahl Ar-Ra'y, Ahl Azh-Zhāhir, Rationalist School]:

(Name of scholar / School)

Abu Hanīfah

Mālik

Ahmad

Ash-Shāfi'i

Is-hāq ibn Rāhawayh

Ibn Hazm

Dāwūd ibn 'Ali

An-Nazhzhām Al-Mu'tazili

Attribute the following statements to the corresponding school based on your studies (Ahl Al-Hadīth, Ahl Ar-Ra'y, Ahl Azh-Zhāhir, Rationalist School):

(If a Hadīth contradicts the public interest, then the latter is considered and the Hadīth is disregarded.) []

(If an Āhād Hadīth contradicts analogy in an issue that is widely rampant, then analogy is to be followed because it is based on multiple texts.) []

(Analogy should not be resorted to in the presence of a Hādīth, even if it is an Āhād Hadīth, and even if the matter is widely rampant.) []

(Analogy should not be resorted to at all, nor should it be applied. If there is a text, we act upon it. Otherwise, we refer to the original principle, which is permissibility and the presumption of freedom of liability, i.e. Istishāb.) []

The twenty-first question: Identify the reason of disagreement based on your studies in the following:

(Issue / Reason of Disagreement)

Al-Bukhāri and Muslim narrated that Ibn ‘Umar (may Allah be pleased with him) said:

(قال النبي لنا لما رجع من الأحزاب: «لا يصلين أحد العصر إلا في بني قريظة»، فأدرك بعضهم العصر في الطريق، فقال بعضهم: لا نصلي حتى نأتيها، وقال بعضهم: بل نصلي، لم يرد منا ذلك، فذكر للنبي = فلم يعنف واحدا منهم).

(After his return from the battle of Al-Ahzāb, the Prophet (ﷺ) said: "None of you should offer the ‘Asr prayer but at Banu Qurayzhah's place. The ‘Asr prayer became due for some of them on the way. Some of them said: We will not offer it till we reach it, the place of Banu Qurayzhah, while some others said: No, we will pray at this spot, for the Prophet (ﷺ) did not mean that for us." Later on, It was mentioned to the Prophet (ﷺ) and he did not scold any of them.)

‘Abdullah ibn ‘Abbās reported: ‘Umar ibn Al-Khattāb (may Allah be pleased with him) traveled to Shām (Greater Syria/Levant). When he reached Sargh, he met the leaders of the armies, Abu ‘Ubaydah ibn Al-Jarrāh and his companions. They informed him that a plague had broken out in the land of Shām. Ibn ‘Abbās said: ‘Umar said: Summon the early Muhājirūn for me. He called them and consulted them, informing them about the plague outbreak in Shām. They differed in their opinions. Some said: You have set out for a purpose, and we do not think you should retreat. Others said: You have with you the rest of the people and the Companions of the Messenger of Allah. We do not think you should expose them to this plague.

‘Umar said: You may go now. Then he said: Summon the Ansār for me. He called them and consulted them. They did the same as the Muhājirūn but also differed in their opinions. ‘Umar said: You may go now. Then he said: Summon for me those among the elders of the Quraysh who participated in the emigration and conquest. I called them, and none of them disagreed on the matter. They said: We believe that you should retreat with the people and not expose them to this plague. ‘Umar then addressed the people, saying: I am going back to Madīnah tomorrow morning, so you should all return with me. Abu ‘Ubaydah ibn Al-Jarrāh said: Are you fleeing from the decree of

Allah? Umar replied: Would that someone other than you had said this, O Abu 'Ubaydah! Yes, we are fleeing from the decree of Allah to the decree of Allah. Do you not see that if you had camels tied in a valley with two banks, one of which was fertile and the other barren, would you not graze them following the decree of Allah? Those who are meant to graze the fertile one will do so, and those who are meant to graze the barren one will do so, both according to Allah's decree.

Then 'Abdur-Rahmān ibn 'Awf came, having been absent for some personal reason. He said: I have knowledge about this matter. I heard the Messenger of Allah saying: 'If you hear of an outbreak of plague in a land, do not enter it, and if it occurs in a land where you are, do not leave, fleeing from it. Thereupon, 'Umar praised Allah and returned to Madīnah.

Abu Sa'īd Al-Khudri reported:

كنت في مجلس من مجالس الأنصار، إذ جاء أبو موسى كأنه مذعور، فقال: استأذنت على عمر ثلاثاً، فلم يؤذن لي فرجعت، فقال: ما منعك؟ قلت: استأذنت ثلاثاً فلم يؤذن لي فرجعت، وقال رسول الله: «إذا استأذن أحدكم ثلاثاً فلم يؤذن له فليرجع» فقال: والله لتقيمن عليه ببينة، أنكم أحد سمعته من النبي؟ فقال أبي بن كعب: والله لا يقوم معك إلا أصغر القوم، فكنت أصغر القوم فقامت معه، فأخبرت عمر أن النبي قال ذلك.

I was in one of the gatherings of the Ansār when Abu Mūsa came in as if he was terrified. He said: "I sought permission from 'Umar three times, but I was not granted permission, so I returned." 'Umar

asked: "What prevented you?" Abu Mūsa replied: "I sought permission three times, but I was not granted permission, so I returned." Verily, the Messenger of Allah (ﷺ) said: "If one of you seeks permission three times and he is not granted permission, let him return." 'Umar said: "By Allah, you must prove what you say. Did any of you hear this from the Prophet?" 'Ubayy ibn Ka'ab said: "By Allah, only the youngest among us will go with you." As I was the youngest, I went with him. I informed 'Umar that the Prophet (ﷺ) had indeed said that.

Ibn Rushd said in *Bidāyat Al-Mujtahid*: (Jurists have differed regarding the ruling on a man who has intercourse with his wife while she is menstruating. Mālik, Ash-Shāfi'i, and Abu Hanīfah stated that he should only seek forgiveness from Allah and there is no sin upon him. Ahmad ibn Hanbal, on the other hand, stated that he should give charity of one or half a dinar. A group of Hadīth scholars said that if he has intercourse while she is bleeding, he must give one dinar, and if he has intercourse when there is no bleeding, he must give half a dinar. The reason for their disagreement lies in their differing opinions regarding the authenticity or weakness of the Hadīths related to this matter. Ibn 'Abbās reported that the Prophet (ﷺ) said about one who has intercourse with his wife while she is menstruating: "He should give one dinar as charity." According to another narration,

he (ﷺ) said: "half a dinar." Also, it was narrated in this Hadīth of Ibn 'Abbās that: "If he has intercourse while she is bleeding, he must give one dinar, and if he has intercourse while she is not bleeding, he must give half a dinar." It is further mentioned in this Hadīth: "He should give charity of two-fifths of a dirham," which is the opinion held by Al-Awzā'i. Those who considered any of these Hadīths to be authentic, acted upon them, and those who did not consider them authentic, which is the majority opinion, adhered to the general principle, which is that a ruling is not effective until it is established by evidence).

It is stated in Ash-Sharh Al-Kabīr: (Even if he said: "Sell my garment for ten, and whatever you get more is for you," then it is valid, as stated explicitly by him (the author). This is narrated from Ibn 'Abbās, and it is also the opinion of Ibn Sīrīn and Is'hāq. On the other hand, An-Nakha'i, Hammād, Abu Hanīfah, Ath-Thawri, Ash-Shāfi'i, and Ibn Al-Mundhir disliked this opinion because it involves an uncertain reward that may or may not exist. We say, 'Atā' reported that Ibn 'Abbās saw nothing wrong with a man giving a garment or something else to another, saying, 'Sell this for such an amount, and whatever you get more is for you.)

The Hadīth of Abu Hurayrah (may Allah be pleased with him) stating: While 'Umar ibn Al-Khattāb (may Allah be pleased with him) was

delivering a Friday sermon, 'Uthmān ibn 'Affān (may Allah be pleased with him) came in. 'Umar made a remark about him, saying: "Why do some men come late after the call to prayer?" 'Uthmān replied: "O Commander of the Believers, as soon as I heard the call to prayer, I went to perform ablution and then came." 'Umar said: "Ablution as well! Have you not heard the Messenger of Allah (ﷺ) say: "When any of you comes to the Friday prayer, let him perform Ghusl?" This incident was used as evidence by those who adopt the opinion that making Ghusl on Friday is obligatory, as well as those who adopt the opinion that it is not obligatory.

Many Hadīths have been reported regarding the prohibition of making images, yet there is a disagreement among scholars regarding the ruling on photographic images.

Scholars differed regarding the confirmation of the option to cancel a sale within the assembly (khiyār al-Majlis). Imam Mālik believed that it is not confirmed, while Ash-Shāfi'i and Ahmad held the view that it is. A man said to Imam Mālik ibn Anas: "O Abu 'Abdullah, did you know of the Hadīth that states: "The two parties in a sale have the option to cancel it"?' Imam Mālik replied: "Yes I did, and you were then playing with children in Al-Baqī' cemetery." Another man asked him: "Why did you narrate the Hadīth: "The two parties in a sale have

the option to cancel it" in the Muwatta', yet you did not act upon it?" Imam Mālik replied: "So that an ignorant person like you knows that I did not act upon it despite knowing it."

End of questions

In the Name of Allah, the Most Compassionate, the Most Merciful

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the 'Fiqh of Acts of Worship' course. It serves as a complement to the course and completes the learner's educational structure. Therefore, the full benefit of the course cannot be achieved without solving the exercises.

It includes several questions and exercises that vary in style and objectives.

The first question: Based on what you have studied in the four branches of Fiqh, match each issue with the appropriate branch:

(Issue/Branch it belongs to)

Killing is divided into three categories: intentional, semi-intentional, and accidental.

Whoever says to his wife: "Go away to your family," intending divorce, she is indeed divorced.

If one forgets the first Tashahhud and stands up, it is obligatory to return and perform it as long as he has not fully stood up.

Zakah is due on gold once it reaches twenty Mithqāls.

Knowledge of the rental amount is a prerequisite for the validity of a lease.

The second question: Identify the type of water in the following:

(Purifying/Pure/Impure)

Rain water.

River water.

Water used for washing off Janābah.

Water amounting to (500) liters with a dead sheep fallen into it, causing its smell to change.

Water amounting to (500) liters with a dead sheep fallen into it, not causing its smell to change.

Water amounting to (500) liters with a dead sheep fallen into it, not causing its smell to change.

Cold water to which tea leaves were added, but its color, taste, and smell did not change.

Water amounting to two liters in which a drop of urine fell, but its properties remain unchanged.

Water amounting to (2) liters in which a drop of urine fell, and its color changed.

Water to which soap was added, causing its taste and color to change.

A person performed ablution and collected the water that dripped from his limbs due to the scarcity of water, what is the ruling on this water?

The temperature of the river water changed due to heating.

The third question: What is the ruling on the following vessels?

(Permissible / Prohibited / Allowed with solid materials)

Wooden vessel.

Vessel coated with gold.

Vessel made of tanned leather from a dead sheep.

Vessel made of tanned leather from a dead wolf.

A Jew offered you water in a glass vessel.

Iron vessel.

Vessel decorated with silver.

Vessel lined with a large piece of silver.

Vessel lined with a small piece of silver for ornamentation.

Vessel made from the skin of a slaughtered sheep.

The fourth question: What is the ruling regarding ablution in the following cases:

(Valid/Invalid)

Someone performed ablution but did not say Bismillah at the beginning of the ablution deliberately.

Someone performed ablution but did not say Bismillah at the beginning of the ablution forgetfully.

Someone performed ablution but did not wash his face deliberately.

Someone performed ablution but did not wash his face forgetfully.

Washing the left foot before the right during ablution.

Someone was awake when his ablution was invalidated, so he performed ablution but did not wash his hands at the beginning of the ablution.

Someone washed his face to cool down, rinsed his mouth to clean the toothpaste from it, sniffed water to dispel drowsiness, then decided to make this an ablution, so he washed his hands and completed the acts of ablution.

Someone urinated but did not perform Istijmār, then he performed ablution and performed Istinjā' by washing his private parts.

Someone urinated, then performed Istijmār with one wipe, then performed ablution.

Someone performed ablution and wiped over his socks that he wore without being in a state of ritual purity.

Someone performed ablution and wiped over his socks that were cut from the side of the toes.

Someone performed ablution and wiped over socks that he wore while being in a state of ritual purity, but it was slightly cut, showing a part of the shin.

The fifth question: What is the ruling regarding Ghusl in the following cases:

(Valid/Invalid)

Someone performed Ghusl and then discovered that there was a bandage on his hand preventing water from reaching the skin.

Someone performed Ghusl without performing ablution at the start.

Someone performed Ghusl with the intention of cooling down.

Someone poured water over his whole body intending to remove Janābah.

Someone performed Ghusl but did not rub his body.

The sixth question: What is the ruling regarding Tayammum (dry ablution) in the following cases:

(Valid/Invalid)

Someone performed dry ablution due to passing wind without observing the prescribed order or consecutiveness.

Someone performed dry ablution despite his ability to use water.

Someone performed dry ablution to remove Janābah, but failed to observe the prescribed order and consecutiveness.

Someone performed dry ablution on a ground that did not have dust.

Someone performed dry ablution and forgot to say Bismillah at the beginning.

Someone performed dry ablution for the Maghrib prayer before sunset.

Someone performed dry ablution but forgot to wipe one of his hands.

The seventh question: Specify what invalidates ablution and what does not:

(Invalidates/Does not invalidate)

A small stone came out of a man's anus that he had swallowed.

A man kissed his wife out of sympathy.

A drop of blood came out from a wound in someone's hand.

Someone doubted whether he slept after performing ablution or not.

Someone slept while sitting for two seconds.

Someone ate a small piece of camel meat.

A woman touched her child's private part to clean it.

A man kissed his wife's hand with lust.

The eighth question: Specify what requires a Ghusl and what does not.

(Yes/No)

Semen came out of him without feeling pleasure while he was asleep.

A woman experiencing Istihādah (non-menstrual vaginal bleeding) whose bleeding stopped.

Someone had sexual intercourse with his wife but did not ejaculate semen.

A woman felt the discharge due to desire, but it did not come out.

A disbeliever converted to Islam, and he had taken a bath a day before his conversion.

Someone made Ghusl to remove Janābah, then some leftover semen came out from the penis without pleasure after the Ghusl.

The ninth question: Identify the type of blood in the following cases:

(Menstruation/Postpartum bleeding/Istihādah/Bad blood)

A girl aged 7 had blood coming from her private part resembling menstrual blood.

A woman aged 80 had blood coming out resembling menstrual blood.

A woman had bleeding for 6 hours which then completely stopped.

A woman with a regular cycle of 9 days had her period as usual but the bleeding continued for 26 days. What is the ruling on the excess bleeding beyond her normal days?

A woman experienced Istihādah for 15 days, then became pure for 5 days, then had bleeding for 7 days. What is the ruling on the bleeding during those seven days?

A woman bled for 30 days after childbirth.

A pregnant woman in her fourth month saw blood.

The tenth question: A./ State the ruling on the following substances:

(Pure/Impure)

Cow urine.
Urine of a three-day-old baby girl.
Urine of a one-day-old baby boy.
Domestic donkey urine.
Human adult urine.
Sheep urine.
Dead fly.
Dead shark.
Living domestic donkey.
Cat.
Barley wine that intoxicates in large quantities.
The thin fluid that is emitted at the beginning of sexual lust.
Ewe.
Blood emitting from a wound.
Semen.
Dog urine.
Mouse.
Moisture of a woman's private part.
Dog saliva.
B./ Specify the method of removing impurities in the following cases:
(Three wipes / Sprinkling is enough / One washing / 7 washings without dust / 7 washings with dust)
A drop of alcohol on the garment.
Remnants of urine on the exit place of urine after relieving oneself.
Human adult urine on the ground.

Domestic donkey urine on the garment.

Dog urine that fell on the garment.

Dog saliva in a vessel.

Droplets of urine splashed on a person's foot while relieving oneself.

Pre-seminal fluid on the garment.

Urine of a little girl on the garment.

Urine of a five-year-old boy on the ground.

Feces of a two-day-old infant on the garment.

The eleventh question: State the ruling on the Adhān in terms of validity and invalidity:

(Valid/ Invalid)

Calling the Adhān without intention.

Calling the Adhān without placing one's two fingers into his ears.

(The Muathin) Paused for ten minutes during the Adhān after saying "Hayya 'ala as-salāh", then completed it.

(The Muathin) Called the Adhān for Fajr prayer five minutes before its due time.

(The Muathin) Called the Adhān for Maghrib prayer five minutes before sunset.

The Adhān called by a woman on behalf of the residents of the city.

The twelfth question: Based on your study, state the ruling of prayer in the following cases in terms of validity and invalidity:

(Valid/ Invalid)

Someone was praying the Fajr prayer. He performed only one prostration in the first Rak'ah. Then remembered at the end of the prayer, so he prostrated for forgetfulness, and then offered the concluding Taslīm.

A traveler prayed the Duha prayer while on his mount. He recited the Takbīr for Ihrām while facing the Qiblah, but did not turn towards the Qiblah throughout the rest of his prayer, despite being able to do so.

A man prayed in the courtyard of Al-Masjid Al-Harām deviating slightly from the direction of the Ka'bah.

Someone prayed the Ishā' prayer, and intentionally did not recite aloud (in the first two rak'as).

A man prayed with his knee uncovered.

Someone was led in the Dhuhr prayer, but he did not recite Al-Fātihah.

A man prayed in the Levant, facing the direction of Makkah, but failed to turn toward the exact direction of the Ka'bah.

A man prayed in a thin garment that revealed the color of his skin from beneath it.

Someone intentionally left out the Takbīr for bowing.

A woman prayed with her face uncovered.

A traveler prayed the 'Asr prayer during his journey and did not face the Qiblah despite being able to do so.

He forgot the Takbīr for bowing, remembered before offering Taslīm, so he prostrated for forgetfulness.

Someone prayed the Maghrib prayer without audible recitation and intentionally did not sit for the first Tashahhud.

Someone left out the Istiftāh invocation out of forgetfulness.

He entered for the Dhuhr prayer without knowing whether the prayer being offered was Dhuhr or 'Asr, then remembered before bowing that it was 'Asr, does his prayer count as valid for the obligation?

He forgot to say "O Lord forgive me (Rabbi-ighfir li)" between the two prostrations, remembered before the Taslīm, and prostrated for forgetfulness.

He intentionally left out the Istiftāh invocation.

He made a slight movement in his prayer without an excuse.

He intentionally left out seeking refuge with Allah from the four things before the Taslīm.

He read in an obligatory prayer from the Mus'haf.

He sat between the two prostrations in the Tawarruk position.

He turned his head slightly during his prayer.

He made movements in his prayer that are many according to custom.

He ate one date during the prayer.

He intentionally concluded the prayer after three Rak'ahs in the 'Ishā' prayer.

He prayed Dhuhr and recited aloud out of forgetfulness.

The thirteenth question: Mention the ruling on each of the following actions related to prayer:

Covering the 'Awrah

Saying Ameen

Saying "O Lord, forgive me (Rabbi ighfir li)" three times.

Seeking refuge with Allah and saying Bismillah.

Excessive movements during the prayer.

The Final Tashahhud.

Takbīr Al-Ihrām

Rising from bowing.

Saying "Subhāna Rabbi al-'Azhīm (Exalted is my Lord, The Great)" three times.

Prostration with the seven organs.

Tranquility

Reciting the Istiftāh (opening) invocation.

Intention

Reciting Al-Fātihah.

Facing the Qiblah.

The two Taslīms.

Commencement of the prayer time.

Takbīr upon moving from one act to another.

Ritual purity.

Bowing

Raising both hands with the Takbīr of Ihrām.

Saying "Allah hears whoever praises Him (Sami'a Allahu liman hamidah) upon rising from bowing.

Humility with focus.

Spreading out one's arms during prostration for men.

Placing the right hand over the left.

Saying "Rabbana wa lak al-hamd" (Our Lord, and to You is all praise...).

Saying: "Subhāna rabbi al-a'la" (Glory be to my Lord, The Most High) three times.

The first Tashahhud.

Sitting for the Tashahhud in the Tawarruk position.

Sitting between the two prostrations.

Turning the head to the right and left upon offering Taslīm.

Turning one's head during the prayer.

Observing the prescribed order of the pillars of prayer.

Slight movement during prayer for no interest.

Reciting a Surah after al-Fātihah.

Laughter out loud during the prayer.

The fourteenth question: Mention the ruling of the Friday prayer in terms of freeing the liability:

(Frees liability/ Does not free liability)

Performed Friday prayer after the time of Dhuhr had elapsed.

Gave the Friday sermon without including the praise of Allah in it.

Performed Friday prayer without a sermon.

Thirty men and ten women performed Friday prayer.

Gave the Friday sermon saying: (Obey Allah and do not disobey Him) without enjoining Taqwa by saying: (Fear Allah).

Gave the Friday sermon with only twenty men present.

Gave the Friday sermon with his ablution invalidated.

Gave the entire Friday sermon in the German language.

Performed Friday prayer after only one sermon.

Gave the Friday sermon while sitting.

Gave the Friday sermon on the ground, not on the pulpit.

Performed Friday prayer an hour before the time of Dhuhr.

Gave the Friday sermon without including any verse from the Qur'an.

Gave the Friday sermon without making any supplication for the Muslims.

The fifteenth question: Mention the validity or invalidity of leading the prayer:

(Valid/ Invalid)

Someone who openly commits adultery leads righteous people in the 'Asr prayer.

An illiterate person who cannot recite Al-Fātihah properly leads skillful reciters of the Qur'an in prayer.

A Jew leading a Muslim in prayer.

A child leading men in Tarāwīh prayer.

An insane person leading others in prayer.

A child leading men in Friday prayer.

A woman leading women in prayer.

A child leading men in the 'Asr prayer.

A woman leading men in prayer.

A skillful reciter leading a more skillful one.

An imam unable to bow leading others who are able to.

A young man leading an elderly person.

The sixteenth question: Mention the validity or invalidity of being led in prayer:

(Valid/ Invalid)

Only one person being led behind the imam.

People led in prayer standing in front of the imam.

Two men led by the imam, one standing to his right and the other to his left.

Individuals outside the mosque led by an imam they neither see nor hear but can see those praying behind him.

Two men led by an imam, both standing to his left.

Three men led by an imam, all standing to his right.

Individuals inside the mosque led by an imam whom they can hear but do not see, nor see those praying behind him.

The seventeenth Question: Mention those permitted to combine prayers or shorten them, and those exempted from congregational prayer:

(Exemption from Congregation / Combining / Shortening)

A sick person.

He traveled to a country that is (150) km away to fulfill a need and intended to stay there for two days.

He traveled to a country that is (40) km away to fulfill a need and intended to stay there for two days.

He traveled to a country that is (200) km away to fulfill a need, not knowing when to end his trip, intending to leave when the need is fulfilled.

He traveled to a country that is (220) km away to drink alcohol in a country, with a stay of one day.

He traveled to a country that is (40) km away to fulfill a need and intended to stay there for two days.

Heavy rain fell since the morning and continued until the Dhuhr prayer and even after that. What is the ruling on combining Dhuhr and 'Asr prayers?

Heavy rain fell from 'Asr to Maghrib prayer.

He returned from work hungry and found lunch ready, then the Iqāmah for the prayer was called.

A man needs to urinate, and if he relieves himself, he will miss the congregation.

The eighteenth question: Clarify the ruling in the following cases:

(Obligation/ Sunnah/ Condition)

Settling in a land to establish 'Eid prayer.

Supplicating for the deceased in the funeral prayer.

Delivering two sermons after the 'Eid prayer.

Visiting the sick.

Eating before the Eid al-Fitr prayer.

Raising the hands during the Takbīrs of the funeral prayer.

A congregation of forty attended the Eid prayer.

Washing the deceased.

The start of the due time for the Eid prayer.

Shrouding the deceased in a garment that covers him.

Performing Ghusl for the Eid prayer.

Offering condolences to the bereaved.

Reciting Surat Al-A'la and Al-Ghāshiyah in the Eid prayer.

Visiting the graves by men.

Standing by the chest of a deceased man in the funeral prayer.

Instructing the dying person to pronounce the Testimony of Faith.

Standing in the funeral prayer.

Reciting Al-Fātihah in the funeral prayer.

Burying the deceased.

Invoking Allah's peace and blessings upon the Prophet (ﷺ) in the funeral prayer.

The nineteenth question: Mention the ruling regarding the following prayers:

(Permissible at all times / Permissible during mildly disliked times / Not permissible at the disliked times on an absolute basis)

Istikhārah (Guidance-Seeking) Prayer

Mosque-greeting Prayer

The two Rak'ahs after Tawāf

Making up the Fajr prayer

Solar Eclipse Prayer

Prostration of Recitation

Funeral Prayer

Two Rak'ahs of Ihrām

The twentieth question: Choose for column (A) what suits from column (B):

Column (A)

Duha Prayer.

Witr Prayer.

Tarāweih Prayer.

Solar Eclipse Prayer.

Rain-Seeking Prayer.

Eid Prayer.

Column (B)

Two lengthy Rak'ahs with four prostrations.

The minimum is two Rak'ahs and the maximum is eight.

Two Rak'ahs followed by a sermon.

The minimum is one Rak'ah and the maximum is eleven.

Two Rak'ahs followed by two sermons.

Twenty Rak'ahs.

The twenty-first question: Determine the ruling of prayer in the following cases:

(Individual Obligation / Communal Obligation / Sunnah / Prohibited)

Offering the Mosque-Greeting Prayer by someone who enters the mosque after 'Asr time.

Eid Prayer.

Friday prayer for men.

'Asr prayer.

Duha prayer.

Performing Istikhārah prayer after Fajr prayer and before sunrise.

Witr prayer.

The Funeral prayer.

Solar Eclipse Prayer.

Tarāweih Prayer.

Rain-Seeking Prayer.

The twenty-second question: Determine the legitimate from among the following situations:

(No prostration is required / Rely upon what is certain / The prayer is invalidated / Return to perform the missed act and perform the

prostration of forgetfulness / Complete the prayer and perform prostration for forgetfulness / The Rak'ah in which it was omitted is invalid).

Recited the Tashahhud during the prostration forgetfully, then remembered and said: "Subhāna Rabbi Al-A'la (Glory be to my Lord, the Most High)."

Forgetfully made Taslīm after three Rak'ahs in Zhuhr prayer, then remembered that after three hours had passed.

He is unsure whether he performed four or three Rak'ahs in Zhuhr prayer.

He forgot the second prostration, then remembered it after he had started standing up but before he fully stood up.

He intentionally added a prostration to his prayer.

He doubted before completing his prayer that he added an extra Rak'ah.

He forgot the second prostration, then remembered it after he had begun reciting Al-Fātihah in the next Rak'ah.

He forgot the second prostration, then remembered it after he had fully stood up but before he began reciting Al-Fātihah in the next Rak'ah.

He forgetfully added a prostration to his prayer.

He forgot the second prostration of the first Rak'ah and remembered it after making Taslīm.

He forgot the first Tashahhud and remembered it after fully standing up.

He forgot the first Tashahhud and remembered it before fully standing up.

He forgetfully made Taslīm after three Rak'ahs in Zhuhr prayer, then remembered after a few seconds.

He doubted whether he performed prostration or not?

Identify the cases where Zakah is obligatory and where it is not obligatory, in the following cases:

(Obligatory / Not Obligatory / Amount Due)

A free disbeliever owning one hundred thousand dinars and one complete lunar year has passed.

A free Muslim owning (100,000) dinars and one complete lunar year has passed, and he owes a debt of (99,990) dinars.

A free Muslim harvested 1000 Sā's of dates from his palm trees before the annual cycle was completed, and it was watered with laborers.

A free Muslim has only (140) silver dirhams and one complete lunar year has passed.

A free Muslim started a business with a capital of (60,000) dinars. When a full lunar year was completed, the total amount he had, including the capital and profits, was (100,000) dinars. Is he obligated to pay Zakat for the additional 40,000 dinars, even though a full lunar year has not passed?

A free Muslim inherited (100,000 dinars). After six months, he used this money to buy goods to sell and trade. After six months of buying these goods, is Zakah due on them?

A free Muslim inherited fifty dinars and kept them for six months, then bought forty free-grazing sheep for breeding and benefited from their milk and offspring. After six months of buying the sheep, is Zakah due on them?

A free Muslim has only one hundred silver dirhams and ten gold Mithqals, and a full lunar year has passed.

A free Muslim has nine camels. During the lunar year, they gave birth, bringing the total to (15) at the end of the lunar year. Is Zakah due?

A free Muslim has a car worth one thousand dinars that he uses for transportation, and a full lunar year has passed over it.

A free Muslim has (20) free-grazing sheep for milk and breeding, and a full lunar year has passed.

A free Muslim has (50) fed cows for milk and breeding, and a full lunar year has passed.

A person has a watermelon farm that produces (5000) watermelons and is irrigated with laborers.

Minerals worth (20) dinars of gold were extracted from the ground, and a full year has not yet passed.

(500) kilograms of honey were extracted from a mountain, and a lunar year has not passed.

The furniture of a commercial store is worth (10,000) dinars, and a full lunar year has passed.

The twenty-fourth question: The times for Zakat al-Fitr, choose from column (B) what matches each item in column (A):

Column (A)

Permissibility time.

Obligation time.

Preferable time.

Disliked time.

Make up time.

Column (B)

After the day of Eid.

On the day of Eid before the prayer.

By the sunset on the night before Eid.

A day or two before Eid.

On the day of Eid after the prayer.

The twenty-fifth question: List the categories that are given in Zakat al-Fitr:

.....

.....

.....

.....

.....

.....

The twenty-sixth question: Fill in the blanks:

Zakat on wealth is given in the country of

Zakat al-Fitr is given in the country of

It is permissible to pay Zakat before the lunar year elapses by or less.

The twenty-seventh question: Identify those who are liable to be given Zakat and those who are not:

(Ruling on giving Zakat to them (permissible - not permissible) / Amount to be given to them)

A Muslim person who's unable to earn and has nothing, with monthly needs of one thousand Riyals.

A Muslim person from Bani Hāshim unable to earn, and has nothing, with monthly needs of five hundred Riyals.

A disbeliever who's unable to earn, with a monthly income of (900) Riyals, and monthly needs of one thousand Riyals.

A mosque in need of one hundred thousand Riyals to complete its construction.

A Muslim with a debt of (50,000) Riyals who's unable to repay any of it.

A Muslim who was tasked by the ruler to collect Zakat for a month, collected one million Riyals, and the wages paid to his like are ten thousand Riyals monthly.

A Muslim pilgrim who lost his expenditure amounting to one thousand Riyals and cannot afford to return to his country.

A wealthy person with a poor wife needs ten thousand Riyals annually, and he wants to pay his Zakah to her.

The twenty-eighth question: Based on your study of the conditions of a fasting person, indicate the ruling of fasting for the following: [Use the true or false mark]:

(Fasting is valid / Fasting is obligatory / Fasting on the due time is obligatory / Fasting on the due time is better)

A Muslim man, sane, discerning, in residence, healthy, and capable of fasting.

A Muslim woman, sane, adult, healthy, in residence, capable of fasting, neither menstruating nor in postnatal bleeding.

A Muslim woman, sane, having her menses.

A Muslim man, sane, adult, healthy, traveling, capable of fasting.

A Muslim man, sane, adult, sick, in residence.

The twenty-ninth question: Based on your study of the rulings of fasting, mention the ruling of fasting on the following occasions:

(Obligatory / Recommended / Disliked / Forbidden)

Thursday.

Eid al-Fitr.

Friday alone.

Eid al-Ad'ha.

‘Āshūrā’ (The 10th of Muharram).

The 13th, 14th, and 15th days of each lunar month.

'Arafah.

Vows.

Saturday alone.

Monday.

Day of doubt (the 30th day of the month of Sha'bān).

Expiation fasting.

12th of Dhul-Hijjah.

Ramadan.

The 30th day of the month of Sha'bān when the new moon cannot be sighted due to cloudy weather.

The thirtieth question: Is the beginning of Ramadan proven in the following cases?

(Proven / Not proven)

The month of Sha'bān completed (30) days without sighting the crescent of Ramadan.

An upright person in Basrah sighted the crescent of Ramadan. Does the month of Ramadan begin for the people of Basrah?

The crescent of Ramadan is sighted by an upright person in Basrah, does the month begin for the people of the Levant?

The people of a town searched for the crescent of Ramadan but could not see it due to clouds.

Ramadan completed (30) days without sighting the crescent of Shawwāl.

The crescent of Shawwāl is sighted by an upright person in Basrah, does the month begin for the people of Basrah?

The crescent of Shawwāl is sighted by an upright person in Basrah, does the month begin for the people of the Levant?

It is proved by calculations that the crescent of Ramadan will be born on this day.

The thirty-first question: Clarify what invalidates fasting and what does not:

(Invalidates / Invalidates with expiation / Does not invalidate)

A person intentionally inhaled incense to the point that it reached his throat during the daytime in Ramadan.

A husband had sexual intercourse with his wife during the daytime in Ramadan.

A husband had sexual intercourse with his wife while making up for missed fasts.

A person had Hijāmah (cupping) therapy done for him during the daytime in Ramadan.

A person masturbated with his hand until he ejaculated semen during the daytime in Ramadan.

A husband kissed his wife until he discharged semen during the daytime in Ramadan.

A husband kissed his wife until he discharged pre-semial fluid during the daytime in Ramadan.

A husband kept looking at his wife during the daytime in Ramadan until he discharged pre-seminal fluid.

A husband kept looking at his wife during the daytime in Ramadan until he discharged semen.

A person intended to break the fast during the daytime in Ramadan but was unable to find food.

The thirty-second question: State the ruling regarding the following actions in the context of fasting:

(Permissible / Recommended / Disliked / Forbidden)

Having the Suhūr meal.

Hastening to break the fast.

Delaying Suhūr.

Tasting food without need.

Excessive inhalation of water in ablution for a fasting person.

Tasting food for a need.

Swallowing one's saliva during fasting.

Kissing by someone who knows it will lead to ejaculation.

Backbiting during fasting.

Smelling perfume.

Kissing by someone who is not aroused by it.

Swallowing accumulated saliva.

Saying (I am fasting) when insulted or cursed by someone.

Chewing hard gum.

Delaying making up missed fasts until the next Ramadan begins.

The thirty-third question: What is the validity of I'tikaf in the following cases:

(Valid / Invalidated or Invalid)

A man performs I'tikāf in a tent in the desert in devotion to worship.

A man in the state of Janābah performs I'tikāf in the mosque.

A man performs I'tikāf in a mosque where congregational prayers are held.

A person performs I'tikāf for four hours only.

A woman performs I'tikāf in the mosque during her menstrual period.

A woman in the state of purity performs I'tikāf in the mosque.

A woman in the state of purity performs I'tikāf in her house.

A man caressed his wife during I'tikāf, which caused him to ejaculate.

A woman performs I'tikāf for three days in a mosque where congregational prayers are not held.

A man performs I'tikāf for three days in a mosque where congregational prayers are not held.

A person vowed to perform I'tikāf for ten days, then left during that period to visit a brother of his.

Stayed in the mosque for rest without the intention of worship.

The thirty-fourth question: Mark true or false in each box.

Hajj is (Valid / Obligatory / Suffices for the obligatory Hajj)

A disbelieving man had the opportunity to perform Hajj, did so, and converted to Islam a year later.

A mentally ill man performed Hajj with his family and regained his sanity three years later.

A rich Muslim who is paralyzed and unable to perform Hajj.

A three-year-old child performed Hajj with his family.

A discerning boy aged nine performed Hajj with his family before reaching puberty.

A poor Muslim who cannot afford to perform Hajj.

A Muslim woman who cannot find a Mahram to accompany her for Hajj.

The thirty-fifth question: Mention the ruling regarding the following cases:

(His Hajj is valid, and no sacrifice is due upon him / His Hajj is valid, but slaughtering a sacrifice is due upon him. If he cannot find one, then he must fast three days during Hajj and seven days after returning / His Hajj is valid, and a ransom is due upon him: fasting three days, feeding six needy people, or slaughtering a sheep / His Hajj [or 'Umrah] is not valid).

He performed Hajj without standing at 'Arafah.

He passed the Mīqāt without assuming Ihrām, and then assumed Ihrām afterward.

He shaved his hair while in a state of Ihrām.

He left out the throwing of pebbles during his Hajj.

He stayed at 'Arafah during his Hajj from the morning until the afternoon, then left without returning.

He left out the Farewell Tawāf during his Hajj.

He used perfume while in a state of Ihrām during his Hajj.

He left out Tawāf al-Ifadāh during his Hajj.

He left out the Arrival Tawaf in his Hajj.

he performed 'Umrah without assuming Ihrām.

He left out Sa'y in his 'Umrah.

The thirty-sixth question: Match column (A) with what suits it from column (B):

Column (A)

Having sexual intercourse before the first Tahallul (ending the state of Ihrām).

Having sexual intercourse after the first Tahallul.

Having sexual intercourse after the second Tahallul.

Column (B)

He has to slaughter a sheep.

His Hajj is invalidated, he must complete it, slaughter a camel, and make up for it the following year.

Nothing is due upon him.

He must fast for two consecutive months.

The thirty-seventh question: Complete the blanks: The 'Ud'hiyah can be of three types:

The first:

The age at which it is acceptable:

The second:

The age at which it is acceptable:

The third:

The age at which it is acceptable:

The time for 'Ud'hiyah is from after
to

It is not acceptable if it is.....

Or.....

As for the 'Aqīqah, it is for a male
and for a female.

The Thirty-eighth question: What is the ruling on fighting in the following cases:

(Individual obligation / Communal obligation /
Not obligatory / Not permissible)

When the enemy besieges his country.

When the enemy attacks his country.

When the ruler declares a mobilization.

When he joins the battle lines.

If there is Jihad at-Talab (conquering lands of the enemy to spread Islam), but he was not commanded by the ruler to join the troops.

If there is Jihad at-Talab, what is the ruling on women taking part in it?

If Jihad is not obligatory for everyone, and his parents have not permitted him to participate.

The thirty-ninth question: State whether it is permissible or not to kill the following combating people:

Ruling on killing them (Permissible / Not permissible)

A woman participating in combat against Muslims.

A blind man who did not participate in combat.

A woman whose sons participated in combat.

A blind man who participated in combat.

A child whose father participated in combat.

The fortieth question: What is the difference between movable spoils and immovable spoils of war?

The forty-first question: Distinguish between the rulings of Dhimmah (a treaty between Muslim rulers and non-Muslims under Muslim rule), Hudnah (temporary truce), and Amān (a guarantee of safety):

Acknowledged in (Dhimmah / Hudnah/ Amān).

Lifelong contract.

It is not permissible for it to be more than ten years.

It is valid from every discerning, sane Muslim.

Valid only from the ruler or his deputy.

Specific to the People of the Book and the Magians.

End of questions

In the name of Allah, the Most Compassionate,
the Most Merciful

All praise is due to Allah, and may Allah's peace
and blessings be upon the Messenger of Allah, his
family, his Companions, and those who follow him.
To proceed:

This is an exercise book for the (Fiqh Rules)
course. It serves as a complement to the course and
completes the student's educational structure.
Therefore, the desired benefit of the course cannot
be fully achieved without solving the exercises.

The book includes several questions and
exercises with variable methods and diverse
objectives.

The primary objective of this memorandum is to
transform the course from mere information
received by the student into a skill that is acquired
and developed, in addition to providing a set of
examples and applications for what has been
studied.

Question 1: Based on what you have studied
about the differences between Fiqh, Usūl al-Fiqh,
and Fiqh-related rules, mention the science under
which the following issues fall:

Issue

The knowledge that you pursue

Fiqh (Islamic Jurisprudence)

'Usūl al-Fiqh (fundamentals of Fiqh)

Fiqh-related Rules

The imperative entails obligation.

One who is certain of purity but doubts the occurrence of what invalidates it should pursue certainty.

A Companion's statement is valid proof in establishing rulings.

Certainty is not overruled by doubt.

The Qur'an is an argument in establishing rulings.

Whoever says to his wife: "Go away to your family," with the intention of divorce, his wife is indeed divorced.

The "āmm" (general term) encompasses all individuals unless a specification is applied to it.

Liability is free in principle.

If one doubts the number of Rak'ahs, he should build upon the lesser number.

If someone is unable to pray standing, he may pray sitting.

Analogy (Qiyās) is among the Sharia evidence.

Harm should be removed.

The later evidence abrogates the former when reconciliation is not possible.

Matters are judged based on their objectives.

Hardship entails ease.

Question 2: Mention the source of the following rules:

Rule

Source

Text

Induction

Rule: Matters are judged based on their objectives.

Imām Ahmad said: "Everything that is permissible to sell is permissible to gift, give in charity, and pledge."

Rule: There should be neither harm nor reciprocating of harm.

By examining the issues narrated from Imām Ahmad, we conclude that his principle is: that acts of worship that are reported in multiple forms may be performed in all the forms in which they are reported, without disliking any of them, even if some are more virtuous than others.

Rule: Hardship entails ease.

Rule: Profit is obtained by bearing the responsibility.

Rule: What is feasible is not overruled by what is difficult.

Al-Karkhi said: The basic rule is that what is established with certainty is not removed by doubt.

Question 3: Mention the type of rule [major rule, non-major rule, criteria (governing rule)]:

Rule

Its type

Major rule

Non-major rule

Criteria (governing rule)

Actions are judged according to intentions.

The subordinate follows the origin.

Every dead animal is impure except humans, marine animals, and those that do not have flowing blood.

Certainty is not overruled by doubt.

What is prohibited to take is prohibited to give.

Custom is considered in judgment.

Someone eligible to divorce is also eligible for Khul'.

No consideration is given to the assumption that is clearly wrong.

Hardship entails ease.

Anything permissible as a price or wage is valid as dowry.

There should be neither harm nor reciprocating of harm.

Question 4: Through your research: Fill in the blanks in the following table.

Book

Author

School of Fiqh

Al-Ashbāh wa An-Nazhā'ir (Analogous Legal Issues)

Īdāh Al-Masālik (Clarification of the Paths)

Al-Ashbāh wa An-Nazhā'ir (Analogous Legal Issues)

Manzhūmat Al-Manhaj Al-Muntakhab (The Selected Curriculum Poem)

Al-Ashbāh wa An-Nazhā'ir (Analogous Legal Issues)

Al-Majmū' Al-Mudh'hab

Al-Ashbāh wa An-Nazhā'ir

(Analogous Legal Issues)

There are several books with this name, and it is required to write the details of four of them.

Al-Manthūr Fi Al-Qawā'id (The Scattered Rules)

Al-Hamawi

Al-Wajīz Fi Al-Qawā'id Al-Fiqhiyyah (The Concise Guide to Juristic Rules)

Ibn Rajab

Al-Mumti' Fi Al-Qawā'id Al-Fiqhiyyah (The Delightful in Juristic Rules)

Al-Muqri

Ya'qūb Al-Bāhusayn

Question 5: Based on your study of the Benefit of Intention, identify its benefit [from the three benefits you have studied] in the following:

(Issue)

The benefit of intention

A man performed Ghusl with the intention of cooling down, and another performed Ghusl intending to remove Janābah.

A man prayed two Rak'ahs with the intention of the Sunnah prayer of Fajr, and another prayed two

Rak'ahs with the intention of the obligatory Fajr prayer.

A man sought knowledge for the sake of Allah, while another sought knowledge to be called a scholar.

A man refrained from food and drink to lose weight, while another refrained from food and drink intending the Sharia-ordained fasting.

A man refrained from food and drink with the intention of observing a voluntary fast, and another refrained from food and drink with the intention of making up for missed days of Ramadan.

Question 6: Based on what you have studied regarding the issues of intention, clarify the ruling in the following cases along with mentioning the reason:

If someone washes his limbs with the intention of cooling off, not for ablution, does this remove the state of ritual impurity?

(Yes/No)

If one offers two Rak'ahs with the intention of greeting the mosque, and then says: Rather, I will make them for the Fajr prayer, will they suffice for it?

Whoever says: "By Allah, O so-and-so, you will have lunch with us today" – if it slipped from his tongue without intending to make an oath – is he required to observe expiation if he breaks it?

If someone makes the intention a long time before the act of worship, such as an hour, and then performs the act without recalling the intention, is it valid? [Yes / No]

A traveler intended to break his fast but did not eat. After an hour passed without finding food, he said, "Rather, I am fasting this day of Ramadan." Is his fast valid? [Yes / No]

If an insane person swears an oath, is expiation due upon him?

If someone purifies a garment without knowing it was soiled and without intending to remove the impurity, does the garment become pure?

Whoever gives money to a poor person with the intention of voluntary charity, and then calculates his Zakah, saying: "I have made what I gave to the poor as the Zakah."

Whoever says to his wife: "You are divorced," and then claims: "I did not intend divorce, I only meant to frighten her," is she indeed divorced?

If one begins ablution without the intention, and then intends it afterward, is it valid?

If someone starts the Zhuhr prayer, then intends in his heart to cut off the prayer due to an unexpected occurrence, does his prayer become invalid?

If someone experiences hesitation about whether to continue or break the prayer, does this invalidate his prayer?

If someone assumes Ihrām for Hajj or ‘Umrah and then intends to terminate his Ihrām due to congestion, for instance, does his Ihrām become invalid?

He intended in his heart to pray Zhuhr, but mistakenly verbalized his intention saying: “I intend to pray ‘Asr.” Is his Zhuhr prayer valid?

If a person intends the prayer in his heart without verbalizing it, is his prayer valid?

Question 7: Based on what you have studied in the Fiqh rules under the rule: “Matters are judged based on their objectives,” mention the ruling regarding the following cases and identify the most appropriate rule:

Issue

Its ruling

Appropriate rule

A person granted another something for free, stipulating a known compensation = Is this considered a sale or a gift?

He said to his wife: “If I see you enter this house, you are divorced,” intending that she should not enter it at all, whether he sees her or not. Would he be considered to have broken his oath if she entered without him seeing her?

He was invited to lunch at someone’s place, but he swore not to have lunch, saying: “I intended the lunch of so-and-so,” so does he break his oath by having lunch elsewhere?

He swore not to enter so-and-so's house without specifying a day. If he said, "I only meant today," would he be considered to have broken his oath if he entered it on another day?

A person purchased something from another and said to him: "Take my watch as a deposit with you until I bring you the price." Is this considered a pledge or a deposit?

He swore not to drink water at so-and-so's place, intending by his oath to cut off the favor he receives from him. Does he break his oath by eating his food or borrowing something from him?

If a man spends on his wife without the intention of seeking closeness to Allah and worship, does this spending discharge his duty, and will he be rewarded for it?

He swore not to buy anything for his son for one riyal, then he bought him something for one hundred riyals; has he broken his oath?

He negotiated with the seller over the price of a commodity, then swore not to buy it for ten, but then bought it for twelve. Has he broken his oath?

He swore: "By Allah, I will not speak to so-and-so," intending not to hurt or reproach him. Does he break his oath if he speaks to him about something else?

Question 8: Based on what you have studied in the sub-rules derived from the rule: (Certainty is

not overruled by doubt), mention the ruling and the most appropriate rule for the following cases:

Issue

Its ruling

Appropriate rule

A person claimed against another that he hit his car or broke his hand, yet he has no evidence. Is anything due upon the defendant if he denies it with his oath?

A creditor and debtor dispute over the amount of debt, with the creditor claiming: "I gave you ten thousand," while the debtor asserts: "Rather, it was five." In the absence of evidence from the creditor, whose word is to be taken?

A person doubted whether he had made a vow to fast or not. Is anything required of him?

The owner of the capital claims a profit against his business partner (the one who manages it), but he has no evidence, and the business partner denies it. Whose statement is accepted?

It has been established that a person borrowed money from another, then claimed to have repaid it, while the lender denied it. Whose word is to be taken?

A Jewish or Christian wife claimed that she converted to Islam before her husband's death to inherit from him, but the rest of the heirs denied this. Whose statement is to be accepted?

He noticed impurity on his clothes and was uncertain whether it occurred before or after his prayer. Is he required to repeat the prayer?

He found semen in his clothes and doubted whether it occurred after the night's sleep or the day's sleep, so to which of the two times should he attribute it?

He prayed Zhuhr thinking that the time had commenced, then it became clear to him that it had not. Does this suffice for fulfilling the obligation or he must repeat it?

There is a new tool for which we have found no evidence of permissibility or prohibition; what is the ruling on using it?

If a person eats or drinks thinking that dawn has not yet broken, and then it becomes clear to him that it has broken, is his fasting valid or he must make it up?

A person prays thinking he is ritually pure, then it becomes clear to him that he has invalidated his purity. Is his prayer valid?

He ate, thinking that the sun had set, then it became clear to him that the sun had not set. Is he required to make up for this day?

A man divorced one of his wives three times, then forgot and became confused about which one was divorced. Is it permissible for him to have marital relations with any of them before verification?

A man wishes to marry another man's daughter, knowing that one of his own daughters was breastfed by his mother, but he does not know which one. Is it permissible for him to marry her or not?

Question 9: Place the appropriate number in front of the type of alleviation in the following cases:

Type of alleviation

Alleviation by exemption.

Alleviation by reduction.

Alleviation by replacing.

Alleviation by Taqdīm (advancing).

5. Alleviation by Ta'khīr (delay).

Alleviation by concession.

Alleviation by changing.

Issue

☐ The legality of Salāt al-Khawf (Prayer of Fear) in a manner different from the prayer in safety.

☐ Permissibility of combining two prayers during travel at the time of the second.

☐ It is not obligatory for the menstruating woman to make up for missed prayers.

☐ The legitimacy of Tayammum when water is unavailable or when its use is harmful.

☐ Resorting to fasting when unable to feed, clothe, or free a slave in oath expiation.

☐ Permissibility of combining two prayers during travel at the time of the first.

[] It is permissible to pay Zakah for the upcoming one or two lunar years.

[] The Friday prayer and the congregational prayers are not obligatory for those with a valid excuse.

[] Permissibility of shortening the four-Rak'ah prayer during travel.

[] Permissibility of eating a dead animal in cases of necessity.

[] Permissibility of delaying obligatory fasting due to illness.

[] It is permissible to alleviate choking by drinking alcohol when no other option is available.

Question 10: Mention the type of hardship, and whether it entails ease or not.

Hardship

Its type

Does it entail ease?

The hardship of performing the prayer in heat and cold, especially the Fajr prayer.

A man is in a state of Janābah in severe cold, and if he were to perform Ghusl with water, he would die.

A person finds it hard to perform prostration on the ground due to the roughness of the carpet.

The hardship of long travel and being away from family to perform Hajj.

The hardship of fasting in extreme heat and long days.

Question 11: Based on what you have studied regarding the rules subsumed under the rule: "Hardship entails ease," mention the ruling and the most appropriate rule for the following issues:

Issue

Its ruling

Appropriate rule

If a person is attacked by an animal or a human, and the aggressor cannot be repelled except by killing, is it permissible to kill the aggressor?

If someone is unable to repay any part of their debt: is he still required to pay it, and is it permissible to imprison him?

If a person is in the desert and is overtaken by hunger, fearing for his life, and finds nothing but a dead animal, is it then permissible for him to eat it?

Can a person compelled by necessity eat the entirety of a dead animal?

If a person is compelled while driving to collide with another car in order to avoid a child who suddenly appeared on the road, is he required to provide indemnity to the owner of the other car?

If one is consulted regarding a suitor and finds that indirectness suffices in rejecting him, such as saying, "He is not suitable for you," is he then obliged to list all the defects he knows of him?

If a person is compelled to move excessively during the prayer, does it invalidate his prayer?

Is it permissible to wipe over the splint after the wound has healed?

Is it permissible to sell something whose edible part is inside, such as watermelon and the like, without seeing its inside?

If a ship is about to sink and a person throws overboard some of another's belongings out of necessity to lighten it, is he liable?

If one is compelled by necessity to expose their private parts for medical treatment by a doctor, is it permissible for them to reveal more than what the doctor needs to examine?

Question 12: Based on your studies of the sub-rules under the rule: "There should neither be harm nor reciprocal harm," mention the ruling and the most appropriate rule for the following issues:

Issue

Its ruling

Appropriate rule

Khiyar al-'Ayb (option of withdrawal due to a defect), Khiyar at-Tadlīs (option of withdrawal due to deception), and Khiyar al-Ghabn (option of withdrawal due to excessive loss).

lawful

If the branches of a person's tree extend into the airspace of his neighbor, and the neighbor requests their removal, is he obliged to comply? If he refuses to remove them, is he liable for any damage they cause after the request?

What is the ruling on the appointment of judges by the ruler to settle disputes?

Is the “Hajr” (interdiction) on a bankrupt person permissible?

Is it permissible for a person in compelling need of food to eat the food of another person in compelling need?

Exaggeration in increasing the amount of the dowry holds benefits for the woman and her guardians, yet it brings about detriments to society. Is it then appropriate to exaggerate it to achieve the benefit?

Is it permissible for someone coerced into killing a Muslim unjustly to proceed with the act?

If a person sells something to another and does not receive the payment, and then the buyer becomes bankrupt before paying any of the debt, and the seller finds his property with the buyer as it is, does the seller have the right to take it back?

A man said: "It is difficult for me to combine fasting and praying while standing. If I break my fast during Ramadan, I can pray standing, but if I fast, I pray while sitting. Should he pray while sitting?

If a person is threatened with death unless he pays a certain amount of money, is he obligated to pay it?

If the harm of the aggressor against one's honor—Allah forbid—cannot be repelled except by giving him some money, is it obligatory to give it?

Is excessive rinsing of the mouth and inhaling water recommended for a fasting person?

The blood of the martyr must remain on him, and he is to be buried with it. However, if impurity mixes with it, should the blood be washed along with it?

Allowing women to drive has some benefits, but it entails greater harms. Is it appropriate to permit it?

A man said: "If I pray standing, I am afflicted with urinary incontinence, or I am unable to recite during standing. However, if I pray sitting, the incontinence ceases, and I can recite. How should I pray?"

Question 13: Based on what you have studied in the classification of 'Urf, indicate the type of each of the following customs in the mentioned classifications (mark the appropriate checkbox):

Custom

Subject matter

Related to statements

Related to actions

Origin

General

Private

Legal

Consideration

Valid

Invalid

Applicability among the people

Regular

Prevailing

Based on equivalence

Rare

The term: Dābbah (beast) is specifically applied to quadrupeds.

The people have become accustomed to selling by exchange in bread, without verbalizing the formula.

The specification of the term: Lahm (meat) when used generally, refers to the meat of livestock.

A man's statement: "By Allah, I will not set foot in so-and-so's house," intending: the absolute entry into the house, not merely setting foot.

The application of "Raf" to the grammatical meaning that contrasts with Nasb and Jarr.

It is customary among people in the sale of a bedroom set that the delivery and assembly are the responsibility of the seller.

The term "Salah" (prayer) refers to the act of worship consisting of specific words and actions, which begins with Takbīr (saying: Allāhu Akbar) and concludes with Taslīm (salutation of peace that ends the prayer).

The suitor presenting gifts to his fiancée, does not count as part of the dowry.

Customary awareness of traffic regulations.

Customary agreement among Muslims regarding covering the 'Awrah (private parts).

The custom among the people of immorality is for a woman to go out in short clothes.

Riba-based banks are accustomed to taking interest on loans.

Question 14: Based on what you have studied regarding the conditions of custom, mention the ruling on the following with the reasoning:

A man established an endowment and included terms that had a customary meaning at the time of the endowment. After years, the customary meaning of those terms changed. Should consideration be given to the original custom or the latter one?

[The first / the second]

If it is customary for the seller to deliver heavy items to the buyer's location, but it is explicitly stated in the contract that the delivery is the buyer's responsibility, then is the delivery the responsibility of the seller or the buyer?

[Seller / Buyer]

If traders agree upon taking a specific percentage of interest on loans, and a person lends a sum of money to another, is he entitled to the customary interest?

(Yes/No)

If it is customary in one of the local markets that the seller is responsible for delivering the furniture, regardless of its size or weight, and a person purchases light furniture from another market, is the seller obligated to deliver it?

(Yes/No)

Question 15: Based on what you have studied regarding the sub-rules under the rule: (Custom is considered in judgment), mention the ruling and the most appropriate rule for the following issues:

Issue

Its ruling

Appropriate rule

Two individuals entered into a sale, specifying the price without determining the type of currency; how then do we ascertain the currency?

Is the offer and acceptance of a mute person in the marriage contract valid if it is done through an understandable gesture?

A person purchased a bedroom set from a store without stipulating that the seller must deliver and assemble it. Is the seller obligated to deliver and assemble it?

A Saudi individual appointed another Saudi in Saudi Arabia to purchase a garment for him, without specifying a particular type. He bought him a Sudanese garment. Is this valid?

A person sent a written message to his wife saying: “You are divorced.” Does she get divorced?

Is it permissible for a tenant to allow whomever he wishes from his companions or guests to enter and stay overnight without informing the landlord?

Does the comprehensible gesture by a mute person effectuate divorce and emancipation?

In Kuwait, “al-‘aysh” refers to rice, while in Madīnah, it refers to bread. If someone swore not to eat “al-‘aysh” and then ate rice; did he break his oath?

He breaks his oath if he is from Kuwait, but he does not break his oath if he is from Madīnah.

Is enjoining what is right to be abandoned in certain cases if it is known that the one commanded will commit something more severe and reprehensible?

Does an offer and acceptance in sales via fax and email equate to a verbal offer and acceptance?

Question 16: Distinguish which rulings are subject to change over time and which are not.

Ruling

Its type

Affirming the attributes of Allah Almighty.

The obligation of the Zhuhr prayer.

The issues that the jurists discussed based on the medicine of their time, and then medicine advanced in our era, revealing to us differences from what was known to them.

The prohibition of adultery.

Providing electricity in the home is considered an obligatory expenditure, even though it was not so in earlier times.

The prescribed time of the Fajr prayer.

The prohibition of Riba (usury) despite the fact that most banks in this era operate on it.

Question 17: Write the appropriate major jurisprudential rule in front of each sub-issue:

Sub-issue

Rule

The prayer is invalidated by the exposure of the 'Awrah if it is extensive, not slight. The extent of what is considered extensive is what is deemed indecent by sight, and there is no distinction in this between the private parts and others. What is slight is what is not deemed indecent, and the reference for this is customary practice.

If the one led in prayer catches up with the Imam while he is bowing and doubts whether he caught up before the Imam raised his head from Rukū', that Rak'ah is not counted for him.

One who is certain of purity but doubts the occurrence of what invalidates it, or is certain of impurity but doubts his purity, remains upon what he is certain of.

Whoever has doubts regarding divorce, or its number, breastfeeding, or its number, should follow certainty.

The prayer is invalidated by frequent, successive actions, with the determination of frequency based on customary practice.

Consecutiveness between the rounds of Tawāf is a condition for its validity. If it is interrupted by a long break, it must be started over, whether the interruption was intentional or due to forgetfulness, such as leaving a round of Tawāf thinking it was completed. The length or shortness of the break is determined according to custom.

Whoever says, "By Allah, I will not visit so-and-so," and intends it for that day, he does not break his oath by visiting him after a week.

If one doubts the number of Rak'ahs he prayed, whether it was two or three, the certainty is that he prayed two, and the third is doubtful. Therefore, he must perform it and offer the Prostration of Forgetfulness.

If someone is unable to pray standing, then he may pray sitting.

Whoever says: "I gifted you my car in exchange for one hundred riyals," it is considered a sale, not a gift.

The physical separation of the bodies nullifies the "Khiyar Majlis" (withdrawal option before parting), and the jurists define separation according to customary practice.

It is permissible to repel an aggressor against oneself, even if it requires killing him.

He swore not to buy anything for his son for one riyal. Then he bought something for him for one hundred riyals; thus, he has broken his oath.

Question 18: Write before each piece of evidence the appropriate major jurisprudential rule:

Evidence

Rule

The Prophet (ﷺ) forbade cutting off hands during military expeditions. [Narrated by Abu Dāwūd] Although the original rule regarding the prescribed punishments is that they should be carried out in any place, he (ﷺ) forbade it in this situation out of fear that it might lead to something more displeasing to Allah than delaying or suspending it, such as the person joining the polytheists out of zeal and anger.

Allah Almighty says:

{Do not revile those whom they supplicate besides Allah, lest they revile Allah out of spite and lack of knowledge.}

Anas ibn Mālik (may Allah be pleased with him) reported that a Bedouin urinated in the mosque, so the people got up towards him. The Messenger of Allah (ﷺ) said: "Do not interrupt him." Then he called for a bucket of water and poured it over the place.

The statement of the Prophet (ﷺ):

"Leave me as I leave you. Verily, what destroyed those before you was their asking questions and

their disagreement with their prophets. So, if I forbid you from something, avoid it; and if I command you with something, do as much of it as you can.”

End of the questions

In the Name of Allah, the Most Compassionate, the Most Merciful

Praise be to Allah and may Allah’s peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the (Fiqh of Crimes) course. It serves as a complement to the course and completes the learner's educational structure. Therefore, the full benefit of the course cannot be achieved without solving the exercises.

The book includes several questions and exercises with variable methods and diverse objectives.

Question 1: Identify the type of killing in the following cases, along with mentioning the ruling.

Issue

Type of killing

Intentional

Semi-intentional

Accidental killing

What it entails

Legal retribution

To be fulfilled immediately

Not to be fulfilled immediately

Blood money

Due upon the perpetrator

Due upon the paternal male relatives

Expiation

A sane man shot his Muslim wife because he saw her speaking to a man, resulting in her death. All the adult sane heirs demanded retribution.

A person unintentionally ran into a man walking in the street with his car, and he died.

A person intentionally struck a man walking on the street, resulting in his death, knowing that he was driving at a speed of 160 km/h. The guardians agreed to exact legal retribution, as they were all of sound mind and age.

A man intentionally threw a small stone at a person, resulting in his death.

A man was hunting and fired a bullet intending to hit the game, but it struck his companion.

A boy took a gun and intentionally killed a man.

A murder incident occurred with a pistol, where the killer intended to kill, and the victim's guardians agreed on legal retribution, including the victim's son, who is eight years old.

A pregnant woman intentionally killed a man with a pistol, and the guardians agreed to exact legal retribution.

A Muslim intentionally killed a non-believing Dhimmi.

Question 2: Determine the required procedure in the following crimes.

Issue

Required procedure

Legal retribution

Blood money

Hukūmah (seeking judgment)

A Muslim man unintentionally cut off the hand of another Muslim man.

A person deliberately cut off a man's hand at the joint.

A person intentionally inflicted a wound on a man's leg that cut the skin and caused blood to spill.

A person inflicted a wound on a man that cut through the flesh until it reached the bone.

Question 3: Choose the punishment for the mentioned act.

Act

Punishment

The prescribed punishment is not established

Killing and crucifixion

Killing by the sword

Stoning to death

Cutting off the hand and foot

Cutting off the hand

100 lashes and exile

80 lashes

Exile from the land

A free, sane, adult Muslim who has not been married and commits the crime of adultery, with four witnesses testifying against him.

A free, sane, adult Muslim who has married and consummated the marriage with his wife, then commits the crime of adultery, and three upright witnesses testified against him.

A Muslim took ten Dinars from a locked treasury in a hidden place, and the owner of the stolen money demanded his money back, with two witnesses testifying to that.

A Muslim secretly took the equivalent of one Dinar from a closed treasury in a hidden place, and the owner of the stolen item demanded the return of the money but did not request the prescribed punishment, and two witnesses testified to the theft.

A man said: "The people of such-and-such continent are adulterers."

A man intentionally drank a small amount of alcohol, which was not enough to intoxicate, and this was attested by three witnesses.

A perpetrator was found guilty of banditry by taking property without killing.

An educated individual residing in a Muslim country said: "Adultery is lawful, but it is better to avoid it."

A perpetrator was found guilty of banditry but repented before being captured.

A perpetrator was found guilty of banditry for terrorizing passersby on the road, although he neither killed anyone nor stole any property.

A man said to a chaste Muslim, aged 25: "You are an adulterer," so he demanded the implementation of the prescribed punishment.

Question 4: Clarify what is permissible and what is forbidden among foods:

Food

Permissible

Unlawful

A zebra

A cow slaughtered by a Muslim who forgot to mention Allah's name.

A domestic donkey

A rabbit caught by a Jew

A vulture/eagle

A duck caught by a Muslim who forgot to mention Allah's name.

Cockroaches

A wolf

A gazelle captured by an atheist.

A sheep was slaughtered by a Magian man.

A sheep that was killed by an electric shock and then had its neck cut.

A pigeon caught by a Muslim who forgot to mention Allah's name.

A sheep slaughtered by a Muslim while not facing the Qiblah.

A chicken slaughtered by a Muslim without mentioning Allah's name intentionally.

A Jewish man, of sound mind and maturity, mentioned the name of Allah, then shot his arrow at a rabbit, hunting and killing it.

A Muslim hunted a pigeon by striking it with a stone, causing it to die.

A sheep slaughtered by a Muslim by cutting the throat and esophagus without cutting the jugular veins.

A sane adult Muslim set up a target to practice archery. He mentioned the name of Allah and shot the arrow, but he missed the target and hit a pigeon, killing it.

A sane, adult Muslim who did not mention the name of Allah and shot his arrow at a gazelle, thereby hunting and killing it.

Flies

Question 5: Identify the type of those who rebel against the ruler's authority.

Case

Category

Khawārij

Transgressors

Highway robbers

A man who labels the Muslim sinners as disbelievers, considers their blood lawful, and revolts against their ruler.

A large group with equipment and strength challenged the authority of the ruler based on a misconception and a plausible interpretation.

An armed gang defies the authority of the ruler, targeting people and seizing their property.

Question 6: Mark the oath that requires expiation.

Issue

Expiation

Due

Not due

A man said: "By Allah, I shall not speak to this boy." Yet, he spoke to him after he reached maturity, knowing that he intended not to speak to him due to his young age and childhood.

A man said: "By Allah, I will not speak to this boy." However, he spoke to him after he reached maturity, knowing that he did not remember the reason for the oath nor his intention.

A man said: "By Allah, O so-and-so, we will dine together tonight," without intending to make an oath, and they did not dine together that night.

The man said: "By Allah, Zayd has indeed returned from the journey," but it later became clear that he had not returned.

A man said: "By Allah, I will not eat meat," then he ate fish, knowing that he does not specifically remember his intention.

Question 7: Specify the type of vow:

Vow

Unspecified

Vow made in dispute and anger

Permissible

Vow of disobedience

Tabarrur (a vow to do some act of benevolence)

(A vow is due upon me to Allah).

(I vow to Allah that if I succeed in the exam, I will fast for a week.)

In order for people to believe him about Zayd's return from travel, he said: "I have made a vow to Allah that if Zayd has not returned from his journey, I will fast for a week."

(I make a vow to Allah Almighty to sell my car.)

Question 8: Specify the party in whose favor the ruling will be in the following cases:

The case

The party in whose favor the ruling will be

Plaintiff

Defendant

Zayd claimed that Khālid owed him a debt of one thousand Riyals, and Khālid acknowledged it.

Zayd claimed that Khālid owed him a debt of one thousand Riyals, but Khalid denied it. So Zayd brought two just witnesses who testified in his favor.

Zayd claimed that he had a debt of one thousand Riyals owed to him by Khālid, but Khālid denied it. The judge asked Zayd to bring forth evidence, but

he was unable to do so. Therefore, the judge requested Khālīd to swear an oath regarding his denial, and he swore.

Zayd claimed that he had a debt of one thousand Riyals upon Khālīd, but Khālīd denied it. The judge asked Zayd to bring forth evidence, but he was unable to do so. Therefore, the judge requested Khālīd to swear an oath regarding his denial, but he refused to swear.

Zayd claimed that Khālīd intentionally cut off his hand and demanded retribution. Khālīd denied the accusation, and the judge made him swear an oath, which he did. Then, Zayd brought forward one man and two women to testify for him.

Zayd claimed that Khālīd owed him a debt of one thousand Riyals, and Khālīd acknowledged that, despite the fact that Khālīd was only seven years old.

Zayd claimed that Khālīd owed him a debt of one thousand Riyals, and Zayd brought two boys who testified for him. Khālīd denied this, and the judge asked him to swear an oath, which he did.

Zayd claimed that Khālīd owed him a debt of one thousand Riyals, but Khālīd denied it and was made to swear an oath, which he did. Then Zayd brought his two sons, and they bore witness for him.

Zayd claimed that he had a debt of one thousand riyals owed to him by Khālīd, but Khālīd denied it. So Zayd brought one witness who testified for him,

and Zayd swore an oath along with him regarding his right.

Zayd claimed that he had a debt of one thousand Riyals owed to him by Khālid, but Khālid denied it. So, Zayd brought a man and two women who testified for him.

Zayd claimed that Khālid owed him a debt of one thousand Riyals, and one of Khālid's brothers acknowledged the truth of this, but Khālid denied it and swore an oath.

End of questions

Questions and Exercises on the 'Greater Fiqh' Course

Question 1: Write the word (True) or (False) next to the following statements, correcting the error if found:

-

The statement

The answer

Belief in Allah refers to belief in His existence alone.

The proofs that indicate the existence of Allah Almighty are: Shar'i proofs, whereas the intellect cannot deduce that.

Realizing the existence of Allah is only achieved through learning.

The Sound natural disposition affirms the existence of Allah.

Belief in the lordship of Allah is evidenced by reason, and thus it is not mentioned in the Qur'an and Sunnah.

The Shar'i (legislative) command of Allah may occur or may not occur.

The universal command of Allah may occur or may not occur.

Ahl-us-Sunnah hold that the meanings of evidences of the Attributes cannot be comprehended, nor their indications known.

'Ibādāt (acts of worship) is a term specific to the actions of the limbs through which Allah is obeyed.

Acts of worship includes: acts of the heart, acts of the tongue, acts of the body, and financial acts.

Whoever dies on major Shirk, Allah will forgive him if he has performed righteous deeds.

Major Shirk nullifies deeds.

One of the legitimate forms of loving the righteous is taking their graves as places of worship.

It is recommended to distinguish the graves of the righteous by constructing domes over them.

One may swear by Allah Almighty only, or by one of His prophets, or by a righteous person.

Hanging amulets is among the pursuit of legitimate means.

It is permissible to wear a string or a ring to ward off the evil eye or affliction, provided that one

believes that the One Who brings benefit and harm is Allah Almighty.

The names of Allah Almighty are proper nouns indicative of His essence and descriptions of Him.

Affirming the attributes of Allah does not necessitate likening Him to His creation.

Affirming the divine attribute does not mean that we know the reality of its nature.

The Face of Allah is one of His attributes.

It is affirmed that angels possess attributes of lordship, such as creation, management, and dominion, but attributes of divinity are not affirmed to them.

Descending with the revelation is among the duties of the angels.

Protecting the children of Adam is among the duties of the angels.

Belief in the Books means: Belief in the Qur'an as being from Allah, and disbelief in all other Books such as the Torah and the Gospel, and that they are not from Allah.

It is a must to believe that Allah revealed the Torah to Moses (peace be upon him).

We must believe that Allah revealed the Gospel to Jesus (peace be upon him).

Belief in the Books includes belief in the validity of their contents and the legitimacy of acting upon the laws within them until the Day of Judgment.

The previous Books were not safe from distortion, unlike the Qur'an, for Allah has taken it upon Himself to preserve it.

Belief in the messengers means: belief that Allah sent only one messenger to His creation, who is Muhammad (ﷺ).

Every matter that occurs in this universe is by the will of Allah, except for sins.

All that Allah loves, He wills, and all that He wills, He loves.

It is not permissible under any circumstances for a Muslim to say: "I am a Mu'min (believer) if Allah wills."

The doctrine of Ahl-us-Sunnah is that those who commit major sins and immoralities will abide eternally in Hellfire.

A hallmark of the moderation of Ahl-us-Sunnah is their statement: "The perpetrator of a major sin occupies a position between Imān (faith) and Kufr (disbelief)."

Affirming the wonders of the pious allies of Allah is among the myths of the extreme Sufis.

Clear reason and authentic texts may agree or may conflict; if they conflict, it is obligatory to adhere to the authentic texts and disregard reason.

It is impossible that clear reason and authentic text contradict each other.

When people recite the Qur'an, write it in the Mus'hafs, or memorize it in their hearts, all this

does not change the fact that it is the speech of Allah in essence.

Differing from the polytheists in what is unique to them is not a Shariah requirement.

Question 2: Mention the verse or Hadīth indicating the following issues:

Issue

The verse or Hadīth

A verse mentioned the universal will of Allah Almighty.

A verse mentioned the legislative will.

A verse mentioned the general nearness (of Allah Almighty).

A verse mentioned the special nearness (of Allah Almighty).

The pillars of faith

Swearing by anything other than Allah is an act of Shirk (polytheism).

The Psalms is the scripture revealed to Dāwūd (David) (peace be upon him).

The angels have wings.

Superiority of the people of Ar-Ridwān Pledge.

Everything that occurs in the universe is written with Allah Almighty.

Polytheism necessitates rendering deeds worthless.

It is obligatory to rule by what Allah has revealed.

When Imān (faith) and Islam are mentioned together, Imān signifies the inward belief.

The Qur'an is the Word of Allah.

A verse that mentions the universal command of Allah.

The perpetrator of a major sin does not leave the fold of Islam.

The obligation of unity and harmony and the prohibition of conflict and discord.

It establishes the resurrection from the graves.

The believers' seeing of their Lord in the Hereafter.

The forbiddance of Paradise for the polytheist.

Imān has three levels: foundation, obligatory perfection, and recommended perfection.

It is obligatory to believe in the Book (the Qur'an) in its entirety, not in some parts thereof apart from others.

Angels do not disobey their Lord.

It is obligatory to listen and obey the rulers in what is good.

The obligation of having good feelings towards the Companions and the prohibition of reviling them.

The inclusion of deeds in the term "Imān".

After the mission of the Prophet (ﷺ), no religion other than Islam will be accepted from anyone.

Imān is a composite reality and consists of numerous branches.

Allah Almighty is the Creator of the deeds of human beings.

Question 3: Choose the appropriate answer in the following sections:

The Question

Options

The believers' seeing of their Lord on the Day of Judgment:

a. Directly with their eyes, encompassing Allah Almighty.

b. Directly with their eyes, without encompassing Allah Almighty.

c. With their hearts.

Miracles of the Awliyā' (allies of Allah) occur in:

A. In knowledge and Mukāshafāt (spiritual disclosures).

b. In power and influences.

c. In both of the aforementioned matters.

What is the source for determining the number of pillars of faith as six?

a. The Qur'an only.

b. The Qur'an and the Sunnah.

c. Through the scholars' induction, deduction, and Ijtihād, as no text was mentioned regarding it.

The Bedouin's saying: "The piece of dung indicates the existence of an animal, and the footprints indicate the existence of walkers, so a sky full of stars and a land full of pathways - do they not indicate the existence of the All-Knowing Creator?"

is an example of proving the existence of Allah through:

- a- The Fitrah (natural disposition)
- b. Intellect
- c. Perception.

The signs given to the messengers, the response to those who call upon Him, and the relief granted to those in distress are proofs of the existence of Allah, and are considered among the evidences related to:

- a. Perception
- b- The Fitrah (natural disposition)
- c. Intellect

The Communists who say: "There is no God, and life is matter," their disbelief originated primarily from:

- a. Disbelief in the existence of Allah
- b. Disbelief in Allah's Lordship
- c. Disbelief in Allah's divinity.

Our belief that Allah is the sole Creator is a part of faith in:

- a. Allah's divinity
- b. Allah's lordship
- c. The existence of Allah

(Allah is the Owner, and all else is owned by Him.) This statement affirms the belief in:

- a. 'Ulūhiyyah (Divinity)
- b. Rubūbiyyah (Lordship)
- c. Existence of Allah.

(To Allah belongs the whole matter before and after.) The verse affirms the belief in:

- a. 'Uluhiyyah (divinity)
- b. Rubūbiyyah (Lordship)
- c. Allah's names and attributes.

Belief in the existence of a creator alongside Allah is a clear violation of belief in:

- a. Existence of Allah
- b. 'Ulūhiyyah (Divinity) of Allah
- c. Rubūbiyyah (lordship) of Allah.

Whoever says: (Indeed, a person creates his own action) has compromised the belief in:

- a. Rubūbiyyah (lordship) of Allah
- b. 'Ulūhiyyah (Divinity) of Allah
- C: Existence of Allah.

The God or Deity is:

- a. The One worshiped.
- b. The Creator
- c. The Provider of sustenance
- d. The Existing

Tawassul (seeking means for closeness to Allah) by Allah's Names and Attributes is a form of:

- a. Polytheistic Tawassul.
- b. Bid'ah-based Tawassul
- c. Legitimate Tawassul

Supplicating the dead by requesting them to alleviate harm and distress is a form of:

- a. Polytheistic Tawassul
- b. Bid'ah-based Tawassul

c. Legitimate Tawassul

Affirming the attributes of Allah is:

a. With the belief in Allah's similarity with the creation.

b. Without likening Him to the creation

c: With an explanation of the nature of the attributes

The descent of Allah Almighty to the lowest heaven every night is among the attributes ...

a. Fi'liyyah (related to action)

b. Dhātiyyah (attributes of essence)

(The Face of Allah) is among which type of attributes...

a. Dhātiyyah (attributes of essence)

b. Fi'liyyah (related to action).

The 'Uluww (Highness/Elevation) of Allah implies ...

a. 'Uluww of Al-Qahr
(subjugation/overpowering)

b. 'Uluww al-Qadr (Highness of status)

c. 'Uluww adh-Dhāt (Highness of the essence)

d. All the previous.

Ahl-us-Sunnah, concerning the topic of Allah's attributes, are in the middle between:

a. The Khawārij and the Murji'ah.

b. Ahl At-Tamthīl (Those who liken Allah's attributes to that of His creation) and Ahl At-Ta'tīl (Those who deny Allah's attributes).

c. The Nawāsib and Rawāfid

(Allah revealed the Qur'an in a clear Arabic language and commanded His servants to comprehend and reflect upon its meanings without exception, indicating the possibility of understanding its meanings.) This is a refutation against whom?

a. Ahl At-Ta'wīl (Those who apply allegorical interpretation)

b. Ahl At-Tamthīl (Those who liken Allah's attributes to that of His creation).

c. Ahl At-Tajhīl (Those who declare Allah's attributes as unknowable).

It is the firm belief that Allah created beings for His worship, dedicated them to His obedience, favored them with His closeness, settled them in His heavens, and granted them the strength to carry out His command.

a. Belief in the messengers.

b. Belief in the angels

c. Belief in Allah's lordship.

What is the role of the Angel of Death?

a. Determining the life-terms of the servants.

b. Taking the souls in death.

c. Questioning the dead in their graves.

What is the book that Allah revealed to 'Īsa (Jesus), son of Mary (peace be upon him)?

a. The Talmūd

b. The Gospel

3. The Psalms

What is the correct belief regarding the Torah?

a. It is a book that Allah sent down to Moses (peace be upon him), and it is incumbent upon all people to act according to what it contains until the Day of Judgment.

b. That it is not revealed by Allah, and it is not permissible to act upon what it contains.

c. It is a book that Allah sent down to Moses (peace be upon him), but it was subject to distortion.

(The firm belief that Allah has chosen men from among His servants, inspired them with revelation...)

a. Belief in the angels

b. belief in the revealed Books

c. Belief in the messengers

Among the messengers mentioned in the Qur'an:

a. Ilyās

b. Lūt (Lot)

c. All those mentioned

Does Allah know what the servant will do of obedience and disobedience?

a. He knows all that

b. He knows the acts of obedience, but does not know the acts of disobedience.

c. He knows the acts of disobedience, but does not know the acts of obedience.

Part of the belief in the Last Day is:

a. That Allah admits all people to Paradise.

b. That the person is not punished in his grave; rather, the punishment is on the Day of Judgment.

3. Belief in Paradise and Hellfire.

What is the doctrine of Ahl-us-Sunnah regarding the actions of the servants?

a. Allah is the Creator of the servants and their actions

b. Allah is the Creator of the servants, not their actions

c. Allah is the Creator of the servants, and the servants create their actions.

The Qur'an is the Word of Allah Almighty...

a. Its letters and meanings.

b. Its letters without its meanings

c. Its meanings without its letters.

Included in the definition of Imān (Faith) are:

a. Statements, deeds, and beliefs.

b. Statements and beliefs only.

c. Beliefs only

Imān (faith) in terms of increase and decrease:

a. It increases and does not decrease

b. It decreases and does not increase

c. It is subject to increase and decrease

Those who claim that deeds are not included in the definition of faith are:

a. Ahl-us-Sunnah

b. The Khawārij

c. The Murji'ah

What is the ruling on revolting against the leaders of the Muslims if they are unjust?

- a. Wājib (obligatory)
- b. Communal obligation
- c. Prohibited

Someone who met the Prophet (ﷺ) while believing in him, and died in a state of faith:

- a. A Companion
- b. A Tābi'ī
- c. A Hadīth narrator

Which is superior in terms of origin?

- a. Those who believed before Al-Hudaybiyah
- b. Those who believed after Hudaybiyah
- c. No difference

What is the Status of Ijmā' (consensus) and the understanding of the Salaf (righteous predecessors) in Creed?

- a. A source from the sources.
- b. It is used for reassurance but is not obligatory to follow.
- c. It is not permissible to rely on it because they are human beings.

What is the status of enjoining good and forbidding evil?

- a. From the pillars of Imān (faith).
- b. From the pillars of Islam.
- c. From the complements of creed.

(The religion of Allah is one, and it is Islam). This is Islam in what sense

- a. General sense
- b. Specific sense
- c. Shar'ī (legal) sense

Ahl-us-Sunnah follow a middle course between the Jabriyyah and the Qadariyyah in the matter of...

- a. The Attributes of Allah
- b. The actions of Allah
- c. Imān (faith)

Ahl-us-Sunnah follow a middle approach concerning the Companions between...

The Mushabbihah (those who liken Allah's attributes to those of the creation) and the Mu'attilah (those who deny Allah's attributes).

- b. The Jabriyyah and the Qadariyyah
- c. The Khawārij and the Rāfidah.

Question 4: Choose for column (A) what suits from column (B):

(A)

() A verse indicating belief in Rubūbiyyah (lordship of Allah).

() A verse indicating belief in His Names and Attributes.

() A verse indicating belief in 'Ulūhiyyah (divinity of Allah).

() (Sound reason refuses to equate the Perfect Creator God with a deficient created servant.) To whom is this a response?

() Those who went to extremes in the exaltation of Allah until they fall into negation (of His attributes).

() Those who have diverted the texts from their apparent meanings.

() They refer to their method as at-Tafwīd.

(B)

a. {Then know [O Prophet] that none has the right to be worshiped except Allah.}

b. {Allah is the Creator of all things}

c. {Allah has the Most Beautiful Names}

d. Ahl At-Ta'tīl (Those who deny Allah's attributes).

e. Ahl At-Tajhīl (Those who declare Allah's attributes as unknowable).

f. Ahl At-Tamthīl (Those who liken Allah's attributes to that of His creation).

g. Ahl At-Ta'wīl (Those who apply allegorical interpretation to Allah's attributes).

Question 5: Identify the sect that adopted the mentioned belief:

Belief

The sect that adopted it

They view Imān (faith) as affirmation or knowledge of the heart only.

They divert the texts of Allah's attributes from their apparent meanings to interpretations they deem befitting of Allah.

They believe that Allah has attributes similar to those of the creation.

They deny the knowledge of Allah Almighty regarding all that exists and His writing of what is to be in the Preserved Tablet.

The one who commits a major sin is neither a believer nor a disbeliever. He is in a position between the two situations in worldly life, and will abide eternally in the Fire in the Hereafter.

Those who believe that beings came into existence through coincidence.

Imān (faith), according to them, is the affirmation of the heart and the utterance of the tongue only. As for actions, they are not included within the definition of Imān and its essence; rather, they are among its fruits.

Those who believe in the existence of two creators and two gods in the universe.

Those who deny Allah's creation of the deeds of His servants and His will in their occurrence.

They believe that Imān is the utterance of the tongue only.

Those who seek closeness to the inhabitants of graves through various acts of worship.

They disavow the generality of the Prophet's Companions, and some of them even label them as disbelievers.

They say: The Qur'an is a creation of Allah, not one of His attributes.

Those who say: “There is no God, and life is matter”.

They show animosity towards Ahl al-Bayt (The Prophet’s household).

They believe that the meanings of the texts regarding Allah’s attributes are known only to Allah.

Those who say, {“There is nothing but our life of this world: we die and we live, and nothing causes us to die except time.”}

They believe it is obligatory to revolt against the Muslim leaders with the sword if they are unjust.

They believe in the existence of three gods in the universe.

Those who believe that the world came into existence by the act of (nature).

They believe that the one who commits a major sin is a disbeliever in worldly life, and will abide eternally in the Fire in the Hereafter.

They say: “Man has no free will and no ability over his actions.”

Question 6: What is the term (i.e., the word) defined by the following phrases:

Definition

Term

Firm belief that Allah alone is the true god, deserving of worship apart from all else.

The heart’s reliance upon Allah while utilizing the permissible means.

Servants of Allah, created from light, possessing wings and having huge and diverse forms.

Seeking a bad omen by seeing or hearing something.

An extraordinary event performed by Allah through the hand of one of His Awliyā' as an honor for him, and as a confirmation of the Prophet he followed.

The firm belief that Allah Almighty will delay His slaves until the Day when He will resurrect them from their graves, hold them accountable for their deeds, and reward them accordingly, either with Paradise or Hellfire.

Seeking nearness to Allah through means not prescribed by Him.

A type of magic they claim endears the woman to her husband and the man to his wife.

The miraculous speech of Allah, revealed to His Messenger (ﷺ), whose recitation is an act of worship.

It is the firm belief in Allah Almighty alone as the Lord; the Creator, the Sovereign, and the Commander.

Intermediating for someone else to realize a benefit or ward off harm.

The firm belief that Allah Almighty has sent down books with the truth to His prophets as guidance to people, serving as an argument against them and clarification for all things.

The firm belief that Allah Almighty has preordained the destinies of all the created beings with His eternal knowledge, written them in the Preserved Tablet, executed them by His will, and brought them into existence by His power.

What Allah sent His Prophet Muhammad (ﷺ) with, in terms of guidance and the religion of truth, with which He abrogated what preceded it of religions.

Worshipping Allah according to ways not prescribed by Him.

Perfection of love, humility, submission, and veneration.

He is someone who met the Prophet (ﷺ) while believing in him, and died in such a state.

Submission to Allah through Tawhīd, surrendering to Him through obedience, and disassociation from Shirk.

Allah Almighty bringing out the people from their graves, alive, barefoot, naked, and uncircumcised, having nothing with them after the second blow of the Trumpet.

Question 7: Identify the type of Tawassul in the following:

Example

Type of Tawassul (seeking nearness to Allah through intermediaries).

Shariah-compliant

Bid'ah-based

- Involving Shirk (polytheistic)

He said in his supplication: "Help me, O Messenger of Allah."

In his supplication, he said: "I ask You, O Allah, by the status of Your Prophet (ﷺ)."

He said in his supplication: "I ask You, O Allah, by Your power over everything, and Your knowledge of everything."

He said in his supplication: "I ask You, O Allah, by Your name Ar-Rahmān, to have mercy on me."

He went to one of the righteous believers and asked him to supplicate for the healing of his son.

He said in his supplication: "Help, O pious servants of Allah."

He said in his supplication: "Intercede for me, O Messenger of Allah."

He said in his supplication: "I ask You, O Allah, by virtue of my love for Your Prophet (ﷺ)."

He said: "May Allah's blessings be upon you, O Messenger of Allah. I bear witness that you have conveyed the message."

He said in his supplication: "O Allah, make Your Prophet Muhammad (ﷺ) my intercessor."

He said in his supplication: "I ask You, O Allah, by my prayer and my Hajj to Your House, to cure me."

Question 8: Mention one example for the following:

What is required

The example

An established action-related attribute of Allah Almighty.

From the revealed books of Allah whose names are known to us.

From the minor signs of the Hour.

Verbal acts of worship.

Included in the belief in the Last Day is what occurs in the grave.

From the manifestations of fascination by the graves.

An established attribute of the essence of Allah Almighty.

Among the means to polytheism.

An invalid allegorical interpretation claimed by the theologians for one of the established attributes of Allah Almighty.

Among the tasks of the angels.

Among the impacts of belief in Allah on the individual and society.

Physical act of worship.

An attribute of deficiency negated from Allah Almighty

Monetary act of worship.

Among the effects of associating partners with Allah (Shirk).

Among the effects of belief in predestination (Qadar).

Among the angels whose names we know.

Among the messengers mentioned in the Qur'an.

Heart-related act of worship.

A tangible proof of the existence of Allah Almighty.

Among the major signs of the Hour.

Question 9: Mention the sects among which the moderation of Ahl-us-Sunnah wal-Jamā'ah was established in various aspects of religion.

Sect 1

Sect 2

The aspect in which the moderation of Ahl-us-Sunnah is realized.

The divine threat and names of Imān

The actions of Allah and the actions of the servants

The attributes of Allah Almighty

The Companions (may Allah be pleased with them)

Question 10: Answer the following:

1. The levels of enumerating the names of Allah Almighty mentioned in the Hadīth: "Whoever enumerates them shall enter Paradise." are:

2. Levels of belief in predestination (Qadar) are:

a.

b.

c.

d.

The ten companions given the glad tidings of entering Paradise are:

End of exercises.

In the Name of Allah, the Most Compassionate,
the Most Merciful

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the (Fiqh of Transactions) course. It serves as a supplement to the course and completes the student's educational structure. Therefore, the full benefit of the course cannot be achieved without solving the exercises.

The book includes several questions and exercises with variable methods and diverse objectives.

Question 1: Assign the correct description to each of the following contracts:

[(1) Bay' (sale)

(2) Lease

(3) Loan

(4) Ji'alah (conditional grant)

(5) Other than that]

Form of the contract

Its type

(Hasan) gave his car's ownership to ('Amr) in exchange for ('Amr) paying fifty thousand riyals.

(Hasan) gave his car to ('Amr) to use for a month in exchange for ('Amr) paying five thousand riyals.

(Hasan) announced that he would give his car as a gift to (whoever brings him his lost son).

(Hasan) gave ten thousand riyals in notes of (five hundred) to ('Amr) in exchange for ten thousand riyals in (one-riyal) notes.

(Hasan) gave ten thousand riyals to ('Amr) in exchange for him to give the ten thousand within two months.

(Hasan) gave his car to ('Amr) on the occasion of his marriage and did not ask for anything in return.

After borrowing from (Hasan), ('Amr) gave his car to (Hasan) to keep with him, and Hasan can sell it if 'Amr fails to repay the debt

Question 2: What is the ruling on the following contracts? In case of invalidity, what is the missing condition?

The contract

Valid

Invalid

The missed condition

(Bakr) sold his land to ('Amr) under the coercion of being threatened with a weapon.

The mobile of (Khālid) was stolen, and (Hasan) purchased it from him at a low price to benefit from it in case it was found.

(Rāmi), a six-year-old boy, inherited real estate properties from his father and offered them for sale at one hundred thousand riyals due to his need for money, and they were purchased by (Zayd).

(Fāyiz) repented from using musical instruments, and offered them for sale for 5000 riyals.

Question 3: Mention the ruling regarding the following contracts:

Form

Valid

Invalid

Selling watermelons without the buyer's knowledge of the quality inside them.

Selling a pregnant sheep without knowing the details of the pregnancy.

Selling the unborn offspring in the womb of a sheep without knowing its description.

Selling dates by description without specifying the size of the dates.

(Zayd) found a great opportunity for profit in real estate sales, so he seized the opportunity and sold a piece of land owned by his brother ('Amr) without being able to obtain his permission for the sale. After ('Amr) learned of the sale, he thanked his brother (Zayd) for it.

(Zayd) handed the librarian a Riyal and took the book (Hisn Al-Muslim) without any verbal exchange of offer and acceptance.

Question 4: Identify the type of the sold item:

The sold item

Item

Debt

Benefit

This washing machine, Chassis Number:
6999332177

100,000 Saudi riyals.

Washing machine made by (Panasonic) factory,
Voltage: 220, very large size, white color,
manufactured in the year 1433 AH.

A plane like the one in this advertisement, with
all its specifications.

The trade name: (Panasonic).

100 kilograms of Sukkari dates.

The right to construct a bridge passing over my
land.

My mobile, which you see, is an iPhone 5.

The right of passing through my land at any time.

Copyright of the Electronic Program (Jāmi' Al-
Fiqh).

Question 5: Based on what you have studied
about the Salam sale, determine the validity of the
Salam sale in the following cases:

Formula of the contract

Valid

Invalid

(Zayd) gives (Sa'd) a check for 100,000 riyals, on
the condition that (Sa'd) provides him with 10,000
Sā' of good quality dates [unspecified type] to be
delivered on the day of (Zayd)'s marriage.

(Zayd) pays 100,000 riyals to be delivered after
one week, on the condition that (Sa'd) gives him

10,000 Sā' of high-quality Sukkari Qasīmi dates after one year.

(Zayd) pays 100,000 riyals in cash or 120,000 in installments over three years to receive the dates from this farm after one year as a Salam contract.

(Zayd) immediately transfers 100,000 riyals to (Sa'd)'s account, with the agreement that (Sa'd) will provide enough food to feed 50 fasting persons during the month of Ramadān by the 29th of Sha'bān.

(Zayd) pays one hundred thousand riyals in cash to receive from (Sa'd) ten thousand Sā' of dates, provided they are of the finest quality.

(Zayd) pays one hundred thousand riyals in cash in exchange for receiving from (Sa'd) five used (Camry) cars, model 2003, XL, with specified features on the 5th of Muharram, 1436 AH.

(Zayd) pays one hundred thousand riyals in cash to receive from (Sa'd) three thousand Sā' of high-quality Sukkari dates immediately in the form of Salam sale.

(Zayd) will pay 200 riyals after two weeks, on the condition that he receives a garment from (Sa'd) with specified measurements and descriptions after two weeks.

(Zayd) will pay (the contracting office) a million in two years, on the condition that he receives from them a two-story villa with specified features on a specified land after two years.

(Zayd) gives Sa'd a thousand riyals in cash with the agreement to receive one kilogram of Harri sheep meat daily for a period of three months starting from tomorrow.

Question 6: Mention the ruling regarding the disposal of sold items in the following cases:

Form of the contract

Valid

Invalid

(Khālid) purchased one hundred Sā' of dates from (Sa'īd), and they were measured. Then, (Khālid) sold them to (Hasan) before he took possession of them.

(Khālid) purchased one hundred Sā' of dates from (Sa'īd), then (Khālid) sold them to (Hasan) before they were measured.

(Khālid) purchased a specific available car from (Sa'īd), then (Khālid) sold it to (Hasan) before (Khālid) received its keys.

(Khālid) bought a piece of land from (Sa'īd), then (Khālid) sold it to (Hasan) before the title deed was transferred to (Khālid)'s name.

(Khālid) purchased one hundred meters of fabric with specific descriptions from (Sa'īd), and it was measured and cut. Then, he sold it to (Hasan) before (Khālid) had taken possession of it.

(Khālid) purchased one thousand nails with specific descriptions from (Sa'īd), then sold them to

(Hasan) before (Khālīd) received, counted, or specified the nails.

(Khālīd) bought one hundred kilograms of meat with specific descriptions from (Sa'īd), then sold it to (Hasan) before it was weighed.

Question 7: Identify the categories in which Riba is involved and those in which Riba is not involved.

The sold item

Involves Riba

Does not involve Riba

Washing machine

Iron

Riyals

Cheques

Whole-wheat

Planes

Books

Dates

Phones

Meat

Salt

Barley

Question 8: Mention the ruling in the following cases, specifying the type of Riba if involved:

Formula of the contract

No Riba

Riba al-Fadl (excess)

Riba an-Nasī'ah (deferment)

(Zayd) sold one hundred Sā' of Sukkari dates for one hundred Sā' of Khlās dates (hand to hand), noting that the value of one Sā' of Sukkari is 20 riyals, and the value of one Sā' of Khalās is 15 riyals.

(Zayd) sold a new washing machine for two old washing machines.

(Zayd) sold 200 Sā' of Sukkari dates for 150 Sā' of Khlās dates (hand to hand), knowing that the value of a Sā' of Sukkari is 20 riyals, and the value of a Sā' of Khalās is 15 riyals.

(Zayd) sold 200 Sā' of Sukkari dates for 150 Sā' of Khlās dates (to be delivered after three weeks), knowing that the value of a Sā' of Sukkari is 20 riyals, and the value of a Sā' of Khlās is 15 riyals.

(Zayd) sold 100 Sā' of Sukkari dates for 150 Sā' of raisins (hand to hand), knowing that the value of one Sā' of Sukkari is 20 riyals, and the value of one Sā' of raisins is 40 riyals.

(Zayd) sold 100 Sā' of Sukkari dates for 150 Sā' of raisins (to be delivered after two weeks), knowing that the value of one Sā' of Sukkari dates is 20 riyals, and the value of one Sā' of raisins is 40 riyals.

(Zayd) sold 100 Sā' of Sukkari dates for 100 Sā' of raisins (hand to hand), knowing that the value of a Sā' of Sukkari dates is 20 riyals, and the value of a Sā' of raisins is 40 riyals.

(Zayd) sold one hundred kilograms of Sukkari dates for one hundred kilograms of 'Ajwah dates

(hand to hand), assuming that a kilogram of Sukkari equals half a Sā', and a kilogram of 'Ajwah equals one-third of a Sā'.

(Zayd) sold 200 kg of Sukkari dates for 100 kg of 'Ajwah dates (hand to hand), assuming that a kilogram of Sukkari equals half a Sā', and a kilogram of 'Ajwah equals a quarter of a Sā'.

(Zayd) sold 200 kg of Sukkari dates for 400 kg of 'Ajwah dates, (hand to hand), assuming that one kilogram of Sukkari equals exactly half a Sā', and one kilogram of 'Ajwah equals exactly a quarter of a Sā'.

(Zayd) sold 200 Sukkari dates for 200 'Ajwah dates (hand to hand).

(Zayd) sold one hundred Sā' of Sukkari dates for one hundred Sā' of Khlās dates (to be delivered after a week), knowing that the value of a Sā' of Sukkari is 20 riyals, and the value of a Sā' of Khlās is 15 riyals.

(Zayd) sold 200 Sukkari dates for 400 'Ajwah dates (hand to hand).

(Zayd) sold 200 Sukkari dates for 200 riyals (to be received immediately).

(Zayd) sold 200 Sukkari dates for 140 riyals (to be delivered after a month).

Zayd sold 200 Sā' of Sukkari dates for 100 riyals (to be delivered after a month).

(Zayd) sold 200 Sā' of Sukkari dates for 200 riyals (to be received immediately).

(Zayd) sold 200 Sā' of Sukkari dates for 200 grams of silver (to be delivered after a month).

(Zayd) sold 200 Sā' of Sukkari dates for 150 grams of silver (to be delivered after a month).

(Zayd) sold three used Corolla cars for one Corolla car.

Question 9: Mention the ruling regarding the following cases:

Compensation (1)

Compensation (2)

Mutual receipt

No Riba

Riba al-Fadl (excess)

Riba an-Nasī'ah (deferment)

95,000 US dollars

100,000 US dollars

After one month

100 US dollars (one note)

95 US dollars (disbursed)

Immediately

100 US dollars (one note)

100 US dollars (disbursed)

Immediately

100 pounds Sterling

1200 Egyptian pounds

Immediately

100,000 pounds Sterling

2 million Egyptian pounds

After five days

10 US dollars

900 American cents

Immediately

37 million Saudi riyals

10 million US dollars

After one week

100,000 Saudi riyals

100,000 Saudi riyals

After 30 minutes in the contract session

A commercial paper for the amount of 10,000 dollars due on 1-5-2009.

9500 dollars

Immediately

Question 10: Does the Khiyār (option to cancel a transaction) apply in the following scenarios, and what type is it?

Form of the contract

Applies

Does not apply

Its type

(Sa'īd) bought a car with an odometer reading of (10,000 km), but upon inspection, he discovered that its actual mileage was (100,000 km).

(Khālid) offered (Sa'īd) to buy from him the piece of land (X) for the capital with which he had purchased it, and they concluded the sale contract with the price of 100,000 riyals, based on the amount recorded in the initial sale documents. It

was later revealed that (Khālid) had actually bought it for (70,000) riyals.

(Khālid) sold his car to (Sa'īd), and after the offer and acceptance were completed, (Sa'īd) returned home and wished to revoke the contract for he no longer needed the car, noting that the payment had not yet been delivered.

(Khālid) sold his car to (Sa'īd), and after the offer and acceptance were completed and (Sa'īd) paid the price, before leaving the showroom, he wanted to revoke the sale without providing a convincing reason to Khālid.

(Sa'd) bought a car, only to discover that the fuel pump was damaged and the engine was not working.

(Sa'd) bought a used car, and then he found out that the air in the rear tire was low, necessitating it to be filled.

(Sa'd), who is newly residing in Saudi Arabia, is shy and not skilled in bargaining when purchasing. He bought 30 kilograms of dates, each kilogram for 150 riyals, thinking that this was their price.

Question 11: Determine the ruling of the condition:

Form of the condition

Valid

Invalid

Invalidates the sale

Buying a car with the condition of immediate delivery.

Sale of land with the condition of delivering the payment.

Selling 100 Sā' of dates on the condition of delivering them to the house.

Sale of furniture with the condition of delivery and installation.

Selling a car in installments provided that a guarantor is brought (to pay for the debt in case of the original buyer's insolvency).

Sale of fabric with the condition of tailoring it into garments and delivering it to the home.

Selling land with the condition that it should not be sold to anyone, and construction should not begin until after three years.

(Zayd) sold his land (X) to ('Amr) for one hundred thousand on the condition that ('Amr) sells his land (Y) to (Zayd) for sixty thousand.

(Zayd) said to ('Amr), "I have sold you car (X) in installments of one hundred thousand over four years, with the condition that if you pay the installments in full on time, my car (Y) will be sold to you for only five thousand riyals.

(Zayd) sold his land to ('Amr) for seventy thousand, on the condition that ('Amr) lends him one hundred thousand riyals.

Question 12: Mention the ruling regarding the following cases of leasing:

Form of leasing

Valid

Invalid.

A 7-year-old boy paid the owner of a building (one hundred thousand riyals) in exchange for leasing the building for one year.

A seven-year-old boy owns a building which he rented out to someone in exchange for (a luxury car each year).

Leasing a shop for selling films and songs.

A person borrowed a car from his brother, and then the borrower proceeded to lease the car.

A person rode a rental car to be taken wherever he wished for an amount of (fifteen riyals).

Hiring a person to perform the Adhān for 120 riyals.

Taking a taxi from the Islamic University to the Prophet's Mosque without determining the amount in advance.

Leasing a lost car for a year for an amount of five thousand.

Question 13: Identify the type of workman (joint/private) in the following:

Formula of the contract

Jointly shared

Private

(Zayd) went to the tailor with 3 meters of cloth and gave him 100 riyals in exchange for tailoring a garment.

The owner of the tailoring shop pays the tailor an amount of 1200 riyals monthly for his work in the shop from 10 AM to 2 PM, and from 5 PM to 10 PM.

(Zayd) pays 800 riyals monthly to a driver who works for him daily from 6 AM to 10 PM.

(Zayd) pays ('Amr) 100,000 riyals in return for building his house.

(Zayd) pays ('Amr) ten thousand riyals monthly for working on the construction of the house for ten months, from 6 AM to 6 PM daily.

Question 14: Based on what you have studied about loans, clarify the ruling in the following cases:

Form of the contract

Permissible

Not permissible

(Hāshim), an orphan boy who inherited (10 million riyals) from his father, whose will before his death stipulated that his guardianship be entrusted to ('Ādil). Given the abundance of wealth exceeding (Hāshim's) needs, ('Ādil) would lend to those in need after ensuring their ability to repay and taking the necessary guarantees.

(Zayd) provided a loan to ('Amr) of 100,000 riyals on the condition that he repays it as 150,000 riyals.

(Bakr) borrowed 10,000 riyals from his father. Two months later, his father received a job

promotion, so (Bakr) offered a gift to his father. Is this permissible, and should it be accepted?

(Khālīd) deposited an amount of (300 million riyals) in the Black Bank. Each year, the Black Bank gifts Khālīd a new car as a token of appreciation for being a valued client, to ensure he does not transfer his account to another bank.

(Khālīd) transferred his account to the Yellow Bank and stipulated that they give him an annual gift of a car valued between one hundred thousand riyals and one hundred twenty thousand riyals.

(Hasan) borrowed one hundred thousand riyals from Sa'īd, and after a year, he returned one hundred thousand riyals to him and then gave him a gift of luxurious perfume without any condition.

Question 15: Based on your studies, mention the validity or invalidity of the Ji'alah in the following cases:

Issue

Ruling

Permissible

Prohibited

A person says: "Whoever kills so-and-so [a person whose blood is inviolable] will receive one hundred thousand riyals."

A young boy who inherited a million riyals announced that whoever finds his lost toy shall receive the million riyals.

A legally competent and wise person declares that whoever returns his lost wallet shall have all that it contains.

Continuation: What is due in the following cases?

Issue

Nothing

Wage for the work

A person said: "Whoever finds my wallet, let him return it." Someone found it and returned it to him. What does he deserve?

If a person gestured with his hand on the road and someone stopped for him with a private car and took him to the desired place, what does he deserve?

If a person signaled with his hand on the road and someone in a taxi stopped for him and took him to the desired place, what does he deserve?

Question 16: Based on your study of the types of settlement (Sulh), state the type of settlement and its classification in the following cases:

Issue

Type of settlement (Sulh)

Based on an acknowledgement

Based on a denial

Classification

Sale transaction

Donation

Absolving of liability

(Khālīd) claimed that (Sa'īd) bought a book from him for one hundred riyals and did not pay the price. (Sa'īd) denied this, and in his desire for Khālīd to cease his demand, he gave him fifty riyals to withdraw his claim.

(Zayd) claimed against ('Amr) an amount of one thousand riyals, and 'Amr acknowledged it, but he requested from (Zayd) to settle the case by paying only (900) riyals.

(Zayd) claimed against ('Amr) a sum of one thousand riyals, which ('Amr acknowledged). However, he requested that they make a settlement by giving him a known mobile device in exchange for it.

Question 17: Based on your study of Musābaqah (contest/race), distinguish between the permissible Musābaqah and the impermissible one in the following cases:

Issue

Ruling

Valid

Invalid

A boy aged (7) inherited five thousand riyals from his father. He agreed with his school friends that each would pay one thousand riyals, and they would compete in a running race, with the winner receiving the paid amounts.

(Zayd) and ('Amr) agreed that each of them would pay ten thousand riyals, then they would

compete in a running race, and the winner would receive the amount paid by the other.

Three men, skilled in racing, competed on closely matched horses. Two of them each paid a thousand riyals, while the third did not pay anything. They agreed that the winner would take the entire amount.

Zayd and 'Amr agreed that each of them would pay ten thousand riyals, then they would race on horses, and the winner would receive the amount paid by the other.

Football contest: the winning team receives a prize of 100,000 riyals, noting that the entry fee for each team is 10,000 riyals.

If a group of people came to a person and threatened him, saying: "If you do not pay one hundred riyals and join us in the race, we will beat you," so he participated with them in the race.

Question 18: Based on your study of documentation contracts, define the type of contract in the following:

Issue

Type of contract

Zayd bought a car for a deferred payment and gave his land to the seller with the condition that if Zayd fails to pay the price of the car, the seller has the right to sell the land and recover the car's price from the money of the sold land.

You went to a car dealership to purchase a car on an installment plan, and they required a guarantor who commits to payment in case of your inability or cessation of payment.

You went to a car dealership to buy a car on an installment plan, and they required a guarantor to ensure your presence in case of your inability or failure to make payments.

Question 19: Based on your study, state the validity of the Rahn (mortgage/pledge) in the following cases:

Issue

Rahn

Valid

Invalid

A five-year-old boy purchased sweets from the grocery store, but since he had no cash, he pledged his watch to the grocer.

A person bought a car on installment and pledged his wife's gold with the seller without her permission.

A person purchased a car on installment and pledged his car with the seller without transferring its ownership to the seller.

Zayd purchased a car from 'Amr for a deferred payment, on the condition that he would pledge all his real estate items to him, without either of them knowing what these items were.

The debtor pledged a guard dog to the creditor.

The debtor pledged a barrel of alcohol to the creditor.

He said: "I pledge this house to you as security for any car I may purchase from you on installment in the future."

Question 20: Mention the validity or invalidity of guarantee and surety in the following:

Issue

Guarantee

Valid

Invalid

After being imprisoned for months and under the threat of coercion, he signed a document stating: (I commit to guaranteeing the debts of Zayd due on 'Amr).

Hasan, a wealthy seven-year-old boy, went with his friend's father to the car exhibition, and he committed to guaranteeing his debt.

Hasan, a wealthy boy aged seven, went with his friend's father to the car exhibition, committing to guaranteeing his presence.

Zayd committed to guaranteeing all of 'Amr's debts to his creditors (without their knowledge), but 'Amr did not consent to this, nor did he seek the permission of the creditors.

Zayd committed to guaranteeing all the debts that 'Amr had on all the debtors (without their knowledge), but 'Amr was not pleased with that, and without seeking the debtors' permission.

Zayd committed to a Kafālah (surety) for a person liable for retribution, ensuring his presence.

Question 21: Based on your study of partnership contracts, identify the type of contract, the type of partnership, and its validity in the following:

The contract

Its type

Valid

Invalid

‘Amr borrowed one thousand riyals from Bakr, and then Zayd borrowed one thousand Dollars from ‘Amr. When Bakr demanded the repayment of the debt from ‘Amr, he referred him to Zayd to collect it from him, knowing that both debts were due.

Hasan gave Sa‘īd five thousand riyals to invest in trade, with the profit from the trade to be divided equally between them.

Zayd gave Khālid seven thousand riyals to trade with it, on the condition that Zayd would receive an annual profit of three thousand, and any excess would belong to Khālid.

Fahad entrusted his car to Sahl to sell it and collect its price, then gave the entire amount to Fahad, with nothing for Sahl. Sahl sold it for its market value and gave the price to Fahad.

Two men agreed to jointly undertake tailoring work and perform it on the condition that the profit is shared equally between them.

Two children engaged in a trade with a capital of one hundred thousand riyals, each contributing half, on the condition that the profit is equally divided between them.

Hasan gave Sa'īd five thousand riyals to invest in trade, with the agreement that the profit from the trade would be shared equally between them, and in the event of a loss, Sa'īd would bear the losses.

Question 22: Can real estate be possessed by the following:

Issue

Real estate item

Can own

Cannot own

A Muslim owned a piece of land, but he abandoned it until its crops died. Then someone came and revitalized it. Can he own it?

161. An unowned piece of land was revived by a person without the Muslim ruler granting it to him. Can he own it?

Question 23: Does the item entail liability in the following cases?

Issue

Item

Entails liability

Does not entail liability

Zayd borrowed his brother's car, and the car was damaged by the borrower due to his reckless use

and failure to adhere to the proper method of driving.

Zayd borrowed his brother's car, and the car was damaged while in the borrower's possession without any reckless use or negligence in maintaining it.

Khalid placed his car with Sa'īd to keep it safe inside the courtyard of the house, but Sa'īd took it and left it open in front of the house, so it was stolen.

Khālīd placed his car with Sa'īd to keep it for him inside the courtyard of the house. Sa'īd took it and placed it in the agreed-upon location, locked, but it was stolen.

Zayd stole 'Amr's car, then repented and intended to return it, but it was damaged in a car accident on his way to return it to 'Amr.

Question 24: A practical situation

Zayd usurped a pregnant she-camel from 'Amr. 'Amr demanded its return, but the authorities were unable to bring Zayd to the court. After a year, Zayd appeared before the court. What should the judge rule?

Noting that:

The value of the she-camel when it was seized was 10,000.

The rent fee for a she-camel for one year is 3,000 riyals.

During the year:

A general 10% decrease in camel prices occurred.

The she-camel fell ill with an illness that reduced its value by a thousand riyals, and the illness persisted.

It gained weight, increasing its value by one thousand riyals, and the increase in weight continued.

It gave birth to its offspring, and it sustained health.

Zayd sold the she-camel just before the court session.

.....

Question 25: Mention the ruling regarding found property in the following cases:

Issue

Can be possessed without identification

Can be possessed after identification

Should not be picked up

Zayd found a mobile phone on the sidewalk valued at (5,000) riyals.

Zayd found a stray sheep from its owner on the highway.

Someone found a stray camel from its owner in the desert.

A person found an empty paper on the ground.

A person found a laptop in front of one of the mosques.

Question 26: Distinguish the inheritor from the non-inheritor and specify the type of inheritance.

The person

One entitled to a prescribed share of inheritance

Agnate

Does not inherit

Father

Paternal uncle

Son's daughter

Husband

Paternal aunt

Maternal uncle's son

Son

Maternal uncle

Maternal brother

Daughter

Maternal aunt

Maternal aunt's son

Daughter's daughter

Full sister

Full brother's son

Wife

Paternal uncle's daughter

Paternal uncle's son

Question 27: Distinguish between binding gifts, non-binding gifts, and invalid gifts:

Issue

Invalid

Binding

Non-binding

Someone in good health gifted his car, which constitutes half of his possessions, to one of his heirs, and handed it to him.

In his death illness, a person gifted his son one hundred thousand riyals and handed it over to him, knowing that the total of his wealth was six hundred thousand riyals.

A person gifted one hundred bottles of wine to a non-inheriting relative, but he did not receive them.

A person, during his terminal illness, gifted 100,000 riyals to his daughter's daughter and handed it over to her, knowing that the total of his possessions amounts to 600,000 riyals.

A person, during his terminal illness, gifted 300,000 riyals to his daughter's daughter and ensured she received it, knowing that his total wealth amounts to 600,000 riyals.

A person in good health gifted his fiancée a car worth half of his possessions, but he did not hand it over to her.

A person gifted a car, which he had stolen from one of his companions, to his son while in good health, and he handed it over to him.

A six-year-old child gave three thousand riyals from his wealth to his friend at school.

A female kindergarten teacher gifted one thousand riyals to a child in the school aged eight years, without handing it over.

Question 28: Distinguish between the valid and invalid endowment.

Issue

Valid endowment

Invalid endowment

A person said: "This building of mine is an endowment for students of religious knowledge."

A person said: "This building of mine is endowed for teaching dance."

A person said: "This building of mine is an endowment for my brother and his children," knowing that his brother drinks wine.

A person said: "This sack of flour is an endowment for the poor."

An eight-year-old boy inherited a building from his father and dedicated it as a charitable endowment to the poor.

A person said: "I have given my building in charity on the condition that it neither be sold nor gifted, and its revenue be spent on the poor."

A person in charge of the wealth of an orphan possessing billions, dedicated a building from the orphan's properties as an endowment to the poor.

A person built a mosque on his land, called the Adhān therein, and opened it to the people without uttering any form of endowment declaration.

Question 29: Distinguish the valid will from the invalid one in the following cases:

Issue

Binding

Not binding

Invalid will

A sane boy aged nine bequeathed one thousand riyals from his ten-thousand-riyal estate to be given in charity after his death.

A man bequeathed 100,000 riyals from his estate to his son, knowing that the estate amounts to one million riyals.

A man bequeathed one hundred thousand riyals from his estate to his son, knowing that the estate amounts to one hundred and fifty thousand riyals.

A man bequeathed 100,000 riyals from his estate to his granddaughter, knowing that the estate amounts to 150,000 riyals.

A man bequeathed the endowment of his building to the poor, knowing that the value of the building is one million riyals, and the total estate is two and a half million.

Zayd instructed that 'Amr should be responsible for marrying off his daughter, despite knowing that 'Amr is an alcoholic.

Zayd instructed that 'Amr should be responsible for marrying off his daughter, knowing that 'Amr is a boy of eight years old.

Question 30: Distinguish what leads to emancipation and what does not:

Issue

Emancipation occurs

Emancipation does not occur

The master said to his slave: "I have set you free."

The master said to his servant: "Go wherever you wish," intending thereby his emancipation.

The master said to his servant: "Go wherever you wish," without the intention of emancipation.

Zayd, after being freed, went and bought his sister from her master, without intending to emancipate her.

The master said to his slave: "If you leave the house, you are free."

The master made a contract of emancipation with his slave for 10,000 riyals, with an annual payment of one thousand riyals. The slave has paid five thousand and is unable to pay the remainder.

The master made a contract of emancipation with his slave for 10,000 riyals, with one thousand riyals to be paid each year, and the entire ten thousand was paid in full.

End of questions

In the Name of Allah, the Most Compassionate, the Most Merciful

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the (Fiqh of the Family) course. It serves as a complement to the course and supplements the student's educational

structure. Therefore, the full benefit of the course cannot be achieved without solving the exercises.

The book includes several questions and exercises with variable methods and diverse objectives.

Question 1: Distinguish the situation in which marriage is obligatory from the situation in which it is recommended.

Issue

Ruling of marriage

Obligatory

Recommended

A young man engaged in worship and living in a virtuous environment who has a desire for marriage, and if he does not marry, it is most likely that this will not lead him to fall into what is forbidden.

A young man is engaged in worship and living in a virtuous environment, and has a desire for marriage, and if he does not marry, it is most likely that he would fall into what is forbidden.

A young man living in an environment filled with temptations. He believes that he would most likely fall into what is forbidden if he does not marry.

Question 2: Distinguish between what is permissible and what is not permissible:

Issue

Ruling on engagement

Permissible

Not permissible

A woman whose husband had divorced her once, and during her waiting period, her husband's friend indirectly proposed to her.

A woman whose husband had divorced her thrice was proposed to by a man during her waiting period by saying: "I wish to marry you."

A woman whose husband had divorced her thrice was proposed to by a man during her waiting period by saying: "Do you know of a righteous wife for me?"

A woman whose husband had passed away, and while she was in her waiting period, her cousin said to her: "I would like to have you as my wife."

A woman whose husband had passed away, and while she was in her waiting period, her cousin said to her: "I desire a righteous wife."

Question 3: What is the ruling on the following?

Issue

Ruling

Permissible

Not permissible

A poor person from an unknown family loved the daughter of one of the princes who only marry into families of lineage, status, and wealth, and he wanted to see her before proposing.

The son of a prince wished to propose to his cousin, and his uncle desired him as a husband for

his daughter, so he arranged to meet the daughter alone in a secluded place to look at her.

The son of one of the princes wished to propose to his cousin, and his uncle desired him as a husband for his daughter. He looked at her without her knowledge in a public place.

Question 4: Distinguish between a valid and an invalid marriage.

Issue

Marriage

Valid

Invalid

Two young men went to a man who had daughters and asked him to marry them off. He said: "I have married my daughter Hind to one of you, and my daughter Zaynab to the other." They replied: "We accept."

A young man went to a man who had three daughters and asked him to marry off one of his daughters to him. The man said: "I have married you off to one of my daughters." The young man replied: "I accept."

A Jew married a Jewess according to the conditions of marriage in their law, without referring the matter to the Muslims.

A Jewish man married a Jewish woman according to the conditions of marriage in their law, without referring the matter to the Muslims. Then

they both embraced Islam. Is the initial contract valid, or is a new contract required?

A virgin girl was married off by her wise and just father to a suitable and righteous young man without her consent, and she absolutely refuses marriage out of modesty and shyness.

A man married a girl, and both of them had been breastfed three times by the same wet nurse.

A person married a girl, and both of them had been breastfed once by the same wet nurse, each receiving seven feedings in one sitting.

A man committed adultery with a woman—may Allah protect us—and then repented. He wished to marry her, so he proposed to her and contracted the marriage with her a week after the adultery.

A man contracted marriage with a divorced woman who had a daughter, and before consummating the marriage, he divorced her and then married her daughter. What is the ruling on marrying the daughter?

A man contracted marriage with a young girl, and before consummating the marriage, he divorced her. Then, after the divorce, he contracted marriage with her widowed mother. What is the ruling on his marriage to the mother?

Zayd married Hind, and after a year of marriage, he divorced her because she was barren and could not bear children. She requested him to marry her sister, and a week after the divorce, he married her

sister Zaynab. What is the ruling on his marriage to Zaynab?

A person married a woman and then it turned out that she was his niece through breastfeeding.

A man married a woman and then he found out that she was his cousin through breastfeeding.

A man married a woman and then it turned out that his foster father had married her before his death, knowing that she had completed her waiting period after his death.

A man married a woman and she bore him children, then he divorced her. After her waiting period ended, he married her niece. What is the ruling on marrying the niece?

A man divorced his wife three times, and after her waiting period ended, she married another man. After the second husband was with her alone, he divorced her before consummating the marriage. Her first husband then remarried her. What is the ruling on this last marriage?

A man divorced his wife three times, and after her waiting period ended, she married another man. After he was alone with her and consummated the marriage, her first husband remarried her. What is the ruling on this last marriage?

A woman whose marriage was arranged by her seven-year-old brother.

A man contracted marriage with a woman in the presence of only one witness.

A man contracted marriage with a woman with a guardian and two just witnesses, but the marriage was not announced.

A man concluded a marriage contract with a woman through a guardian and three witnesses (a man and two women), and the marriage was announced.

A man contracted marriage with a woman without a dowry.

Question 5: Distinguish between valid, invalid, and invalidating conditions.

Issue

Condition

Valid

Invalid

Invalidating

It was stipulated that the husband divorces his wife two weeks after the contract.

Stipulating that the husband has no right to have intercourse with the wife.

A man marries his daughter to another man on the condition that the latter marries him his daughter, without exchanging a dowry for either of the two marriages.

The man gave his thrice-divorced daughter in marriage to another man and stipulated that he divorce her after consummating the marriage.

A condition was stipulated in the husband's marriage contract with a woman that he shall not marry another wife.

Question 6: Distinguish between a valid and invalid dowry, along with pointing out whether it is due for her or not.

Issue

Dowry

Valid

Invalid

Due for her

The specified dowry for her is: one thousand liters of wine, and the dowry of her peers is: ten thousand riyals.

The specified dowry for her is one hundred thousand riyals, and the dowry of her peers is twenty thousand riyals.

The specified dowry: a piece of land valued at ten thousand riyals, and the dowry of her peers: thirty thousand riyals.

Her specified dowry is: a stray camel, and the dowry of her peers: five thousand riyals.

Question 7: Choose from column (B) what suits column (A):

Answer

Column (A)

Expenditure of the wealthy

Expenditure of the poor

Expenditure of those with a medium income

Column (B)

- a. A poor husband and a poor wife.
- b. A wealthy husband and a wealthy wife.
- c. A wealthy husband and a poor wife.

Question 8: Define the type of divorce in terms of Sunnah and Bid'ah:

Issue

Sunnah-compliant

Bid'ah-based

Time-wise

Number-wise

Neither Sunnah-compliant nor Bid'ah-based

Whoever says to his wife, with whom he consummated the marriage during her menstruation: "You are divorced once."

Whoever says to his wife, with whom he has not consummated the marriage, during her menstruation: "You are divorced once."

Whoever says to his wife, with whom he has consummated marriage, during a period of purity in which he has not had sexual intercourse with her but has kissed her: "You are divorced thrice."

Whoever says to his wife, with whom he has consummated the marriage during a period of purity wherein no intercourse has occurred: "You are divorced once".

Whoever says to his wife during her pregnancy: "You are divorced once."

Whoever says to his wife during her pregnancy: "You are divorced twice."

Whoever says to his wife who has reached the age of (63): "You are divorced once," and had intercourse with her the day before.

Whoever says to his wife who has reached the age of (63): "You are divorced once," and he had intercourse with her earlier that day.

Whoever says to his wife who is (6) years old: "You are divorced once."

Whoever says to his wife, with whom he has consummated the marriage: "You are divorced twice," during a period of purity in which he has not had sexual intercourse with her.

Whoever says to his wife, with whom he had consummated the marriage: "You are divorced once," during a period of purity wherein no intercourse has occurred.

Question 9: Identify the issue in terms of the occurrence and type of divorce:

Issue

Revocable

Minor irrevocable

Major irrevocable

Takes no effect

He said to his menstruating wife: "You are divorced thrice."

A man said to his menstruating wife: "You are divorced once," and he stated that he did not intend divorce by that.

A man said to his wife while she was in a state of purity in which he had had sexual intercourse with her: "Go away to your family," intending thereby to divorce her.

A man said to his wife while she was in a state of purity in which he had not had sexual intercourse with her: "Leave the house," and claimed that he did not intend divorce.

He said to his wife, whom he had neither consummated the marriage with nor been in seclusion with: "You are divorced once."

A woman gave her husband ten thousand riyals in return for divorcing her, and he divorced her with one divorce.

A man said to his wife while she was in a state of purity in which he had not had sexual intercourse with her: "You are divorced thrice."

A man said to his wife during a period of purity in which he had intercourse with her: "You are divorced twice."

He forbade his wife from going to the market repeatedly, yet she would go out without his permission. He decided that if she continued to disobey him, he no longer wanted her as his wife, so he said: "If you go to the market today, you are divorced thrice." She went to the market that day,

knowing that he intended to effectuate the divorce if she went to the market.

He wanted to prevent his wife from going to the market, so he said to her: "If you go to the market today, you are divorced thrice." She went to the market that day, knowing that he only intended to prevent and threaten her.

Question 10: Distinguish the type of marital separation in the following cases:

Issue

Divorce

Annulment

Nothing from the above

A woman gave her husband thirty thousand riyals in return for divorcing her, so he divorced her by saying: "You are divorced."

A woman gave her husband twenty thousand riyals in exchange for separation, and he said, "Khala'tuki," (I have released you), intending divorce.

A wife paid her husband fifty thousand riyals in exchange for separation, and he said, "Khala'tuki," (I have released you) without intending divorce.

A woman requested separation from her husband without compensation, and he said: "I annulled the marriage," without intending divorce.

A wife requested separation from her husband without compensation, and he said: "I annul the marriage," intending divorce.

Question 11: Assign the appropriate term to each of the incidents.

Incident

The suitable term

A man said to his wife: "You are to me like my sister's back."

Allah Almighty says:

{As for those who accuse their wives [of adultery] but have no witnesses except themselves, then the evidence of one of them is to testify four times by Allah that he is telling the truth*

And the fifth [oath] is that may Allah curse him if he is telling a lie*

But she will be spared the punishment if she testifies four times by Allah that he is telling a lie*

And the fifth [oath] is that the wrath of Allah be upon her if he is telling the truth.}

A man said to his wife: "By Allah, I will not have sexual intercourse with you for a whole year."

Question 12: Identify the case that permits annulment from the following:

Issue

She has the right to annulment.

She does not have the annulment right.

A man promised his wife six months after their marriage that he would not marry another woman, but he needed to marry again.

The wife stipulated in the marriage contract that her husband shall not marry another woman, yet he violated this condition and married.

Giving up sexual intercourse with his wife for two full months.

A man traveled away from his wife for essential medical treatment for a period of 9 months, while continuing to provide for her.

A man traveled away from his wife for necessary medical treatment for a period that lasted 9 months, leaving her without financial support.

He traveled away from his wife for tourism and leisure for eight months.

The wife discovered that her husband was afflicted with AIDS.

The husband refused to provide maintenance for his wife, knowing that he stipulated in the marriage contract that she would not be entitled to maintenance.

Question 13: Is the 'Iddah (waiting period) obligatory and what is its duration in the following cases?

Case

'Iddah (waiting period)

Obligatory

Not obligatory

Childbirth/Delivery

Duration

Three menstrual cycles

4 months and ten days

3 months

The man died leaving his wife during her menstruation before consummating the marriage with her.

A man died leaving behind his wife, who was eight years old, before consummating the marriage.

A man divorced his wife once before consummating the marriage with her or being alone with her, and she was in a state of menstruation.

A man divorced his wife twice after seclusion with her and before consummating the marriage, and this occurred after attaining purity from menstruation.

The judge annulled the marriage of a woman after the husband consummated the marriage, noting that she was pregnant by him.

A woman committed Zina (adultery) and then repented. She then wished to marry and was not pregnant.

Question 14: Who is entitled to child custody in the following situations:

The condition of the child

Child custody

For the father

For the mother

The child chooses between them

Child custody does not apply to the case

A female aged 3 years.

A boy aged 8 years.

A boy aged 4 years.

A male aged 16 years.

A female aged eight.

Question 15: State what is due regarding maintenance and residence by marking true or false in each box:

Case

Due

Maintenance

Residence/Accommodation

Her husband divorced her once after consummating the marriage with her, and she is still in her waiting period.

Her husband divorced her thrice while she was pregnant.

Her husband divorced her thrice, and she is not pregnant.

Her husband died, and she is not pregnant.

End of questions

In the Name of Allah, the Most Compassionate, the Most Merciful

Praise be to Allah and may Allah's peace and blessings be upon the Messenger of Allah, his family, and all his Companions. To proceed:

This is the exercise book for the "Usul al-Fiqh" course. It serves as a supplement to the course and completes the student's educational structure.

Therefore, the full benefit of the course cannot be achieved without solving the exercises.

The book includes several questions and exercises with variable methods and diverse objectives.

The founder of the science of *Usūl al-Fiqh* is Imām Muhammad ibn Idrīs Ash-Shāfi'i, and this means that:

- a. He innovated its rules.
- b. He innovated most of its rules, but not all of them.
- c. He was the first to author independently on this subject, even though its rules existed before Ash-Shāfi'i.
- d. He was the first to construct his *Fiqh* upon principles and juristic rules.

Based on your study of the sources of '*Usūl al-Fiqh*', place each example before the science from which '*Usūl al-Fiqh*' derives its sources:

The suitable letter

.....

.....

.....

Knowledge

The fundamentals of the religion

The Arabic Language

Shariah rulings

Example

a. A plural noun defined by 'al' (the definite article) denotes generality, as this is its implication in the Arabic language.

b. The command implies recurrence because most of the religious obligations require persistence and repetition.

c. The Sunnah is one of the legal evidences, for the Prophet (ﷺ) is infallible in conveying the Shariah.

Among the topics of "'Usūl al-Fiqh" (fundamentals of Islamic jurisprudence) is the study of Shariah rulings. The science of "Fiqh" (jurisprudence) also examines Shariah rulings. Is there a difference between how the science of "Fiqh" studies Shariah rulings and how "'Usūl al-Fiqh" approaches them?

a. No difference.

b. There is a difference: the study of Fiqh in this context is general, whereas the study of 'Usūl is detailed.

c. There is a difference, which is: the study of Fiqh is detailed, whereas the study of 'Usūl is general.

d. There is a difference: Fiqh deals with acts of worship and practical rulings, while 'Usūl al-Fiqh addresses creedal rulings.

Al-Hākim narrated in his Mustadrak Collection (2/303):

'Ubayy ibn Ka'b (may Allah be pleased with him) reported that he used to recite it [i.e., the verse on the expiation for oaths]:

{But whoever cannot find [or afford it] - then a fast of three consecutive days [is required].}

Al-Hākim said: "This Hadīth has an authentic Isnād, but they (Al-Bukhāri and Muslim) did not include it in their collections.

Ibn Rushd said in Bidāyat Al-Mujtahid (2/180):

"As for the third issue, which is their difference regarding the requirement of consecutive fasting for three days: Mālik and Al-Shāfi'i did not stipulate the necessity of consecutiveness, although they recommended it, whereas Abu Hanīfah [and Ahmad] considered it a condition." What is the fundamental rule influencing this difference?

- a. The authority of a Companion's statement.
- b. Uprightness of the Companion.
- c. Not a mass-transmitted mode of the recitation.
- d. Negation of metaphor in the Qur'an.

The mass-transmitted mode of recitation:

{If a man or a woman leaves neither parents nor offspring, but has a brother or a sister, each one gets one-sixth; but if they are more than two, they share in one-third}

According to the recitation of Sa'd ibn Abi Waqqās:

{If a man or a woman leaves neither parents nor offspring, but has a maternal brother or a sister,

each one gets one-sixth; but if they are more than two, they share in one-third.}

Ibn Hajar said:

[Narrated by Al-Bayhaqi with an authentic Isnād]

This is a solitary-transmitted mode of recitation, whose authority is a matter of scholarly debate. Nevertheless, scholars unanimously agree that the verse specifically pertains to half-brothers on the mother's side. What is the reason?

a. Due to the presence of another evidence for that, such as consensus or otherwise.

b. The rules of 'Usūl al-Fiqh do not apply to the science of inheritance.

c. For Sa'd ibn Abi Waqqās is one of those given the glad tidings of Paradise.

d. All the abovementioned.

It has been deduced that when a thief steals, the right hand, not the left, must be amputated, based on the reading of Ibn Mas'ūd: {As for the thief, male or female, amputate their right hands.}

Identify three fundamental rules upon which this inference is based. [Identify them from the following]

a. The obligation of acting upon the Qur'an.

b. The imperative entails obligation.

c. The obligation of implementing prescribed punishments

Interpreting the unrestricted in the light of the restricted

- e. The prohibition of theft
- f. The forbiddance implies prohibition
- g. The authority of a solitary transmitted mode of recitation
- h. (All) signifies generality.

#Based on what you have studied, state the type of the Prophet's action and its indication if there is no diverting factor:

Issue

The Hadīth

The type of action

Indication to the ruling

Normal/habitual

Approval

Drawing near

Specific to him

Explanatory

Obligation

Nadb (Recommendation)

Permissibility

None of the above

Running wet fingers through the beard during ablution.

When he performed ablution, he would run water through his beard.

Drinking sweet and cold beverages.

The drink most beloved to him (ﷺ) was the sweet and cold.

The ruling on Wisāl (uninterrupted fasting).

The Prophet (ﷺ) observed Wisāl (uninterrupted fasting), so some men among his Companions began to do the same. He said: "What about those men who observe uninterrupted fasting? You are not like me."

The ruling on sitting in the Ihtibā' posture (way of sitting where one sits on their buttocks with their knees drawn up to their chest and legs encircled with their arms)

When he (ﷺ) sat, he would clasp his knees with his hands.

Performing the Zhuhr and 'Asr prayers - four Rak'ahs.

He (ﷺ) performed the Zhuhr and 'Asr prayers - four Rak'ahs each.

Ruling on taking oaths in knowledge-related matters.

Jābir ibn 'Abdullah (may Allah be pleased with him) swore by Allah that Ibn Sayyād is the Dajjāl. I asked: "Do you swear by Allah?" He replied: "Indeed, I heard 'Umar swear to that in the presence of the Prophet (ﷺ), and the Prophet (ﷺ) did not disapprove of that."

Ruling on a wife gifting her night to her co-wife.

Ā'ishah (may Allah be pleased with her) reported that Sawdah bint Zam'ah gave her day to

‘Ā’ishah. “So the Prophet (ﷺ) allocated two days to ‘Ā’ishah; her day and that of Sawdah.”

#Distinguish what is described as abrogation and what is not, along with clarifying the abrogating element and the method of identifying abrogation and its type, if there is any.

-

Ruling

Abrogation status

Abrogation

No abrogation

Method of knowing it

The Consensus

Explicit statement of the Lawgiver

Action of the Prophet (ﷺ)

Statement of the narrator of a Hadīth

Type of abrogation

Qur’anic text by a Qur’anic text

Sunnah text by a Qur’anic text

Sunnah text by a Sunnah text

Recitation

Ruling

Allah Almighty sent Muhammad (ﷺ) to all humanity to affirm His oneness, so they would declare: “There is no god but Allah, Muhammad is the Messenger of Allah.” Whoever professed this with certainty in their heart and uttered it with their tongue, it sufficed them, and whoever died upon this would enter Paradise. When they

believed in this and were sincere in their belief in Allah's oneness, prayer was enjoined upon them in Makkah...

Then, He enjoined upon them the Hijrah (emigration),...

Then, fasting was enjoined upon them in Madīnah, ...

Then, he enjoined Zakah upon them, ...

Then Jihād was enjoined upon them,...

Then Hajj was enjoined upon them...)

Hadīth

"O people, I had permitted you to engage in Mut'ah contract with women, and indeed Allah has forbidden that until the Day of Judgment. So, he who has any of these women should let her go, and do not take back anything you have given them."

"The Prophet (ﷺ) saw mucus on the Qiblah wall of the mosque and scraped it off with a pebble. He then forbade spitting to one's right or in front, but rather to the left or under one's left foot."

Hadīth:

"I forbade you from visiting graves, but now visit them."

Hadīth: The Messenger of Allah (ﷺ) commanded us to kill dogs; even when a woman brought her dog along with her from the desert, we used to kill it. Then, the Prophet (ﷺ) forbade killing them.

Hadīth:

“I had forbidden you from drinks in leather vessels, but now you may drink from all kinds of vessels, yet you must not drink anything intoxicating.”

‘Ā’ishah reported:

“It was revealed in the Qur’an that: ten times of breastfeeding known with certainty establish prohibition (Mahram relationship through breastfeeding); then that was abrogated and replaced with five times of breastfeeding known with certainty. The Messenger of Allah (ﷺ) died while these (words of the abrogating verse) were still being recited as part of the Qur’an.

Ibn ‘Abbās reported:

“The (pronouncement) of three divorces during the lifetime of the Messenger of Allah (ﷺ) and that of Abu Bakr and two years of the caliphate of ‘Umar (was treated) as one. Then ‘Umar ibn al-Khattāb said: ‘Indeed, people have become hasty in a matter regarding which they used to act with deliberation. So if we would count them as three divorces,’ and he did that.”

Ibn ‘Abbās (may Allah be pleased with him) reported that he informed him that

“The Messenger of Allah (ﷺ) set out during the year of the Conquest, in Ramadan, and he fasted until he reached Al-Kudayd, then he broke his fast.”

He said: The Companions of the Messenger of Allah (ﷺ) would adhere to the most recent of his commands.

Az-Zuhri said: The breaking of the fast was the latter of the two matters.

I heard Mus'ab ibn Sa'd say: I prayed by my father's side and I put my hands together and placed them between my thighs. My father forbade me from doing so, saying: We used to do this, then we were forbidden from doing it and commanded to place our hands on the knees."

'Umar ibn al-Khattāb (may Allah be pleased with him) said while sitting on the pulpit of the Messenger of Allah (ﷺ):

"Verily Allah sent Muhammad (ﷺ) with the truth and sent the Book down to him. Part of what was revealed to him was the verse on stoning. We recited, understood, and comprehended it. The Messenger of Allah (ﷺ) did administer stoning and we administered it after his death. Yet, I am concerned that, if a long time has passed, someone may say: 'We do not find stoning mentioned in Allah's Book,' and they will be led astray for abandoning an obligation that Allah has sent down. Indeed, stoning is established in the Book of Allah against those married men and women who commit adultery, when there is evidence, pregnancy, or a confession."

Jābir reported:

“We used to sell the slave-women who had borne (our) children during the time of the Messenger of Allah (ﷺ) and Abu Bakr, but when it was the time of ‘Umar (may Allah be pleased with him), he forbade us, so we refrained.”

Allah Almighty says:

{Those among you who pass away and leave behind widows should refrain from remarrying for four months and ten days. When they have completed their waiting period, there is no sin on you concerning what they do for themselves in a reasonable manner. And Allah is All-Aware of what you do.}

Allah Almighty also says:

{Those of you who pass away leaving widows should bequeath in their favor to be maintained for one year without forcing them out. But if they leave, then there is no blame on you for what they reasonably do with themselves. And Allah is All-Mighty, All-Wise.}

Ibn ‘Abbās mentioned that the second verse is abrogated.

#Based on what you have studied about Ijmā’ (consensus), specify the type of consensus and the extent to which its conditions are fulfilled in the following:

Issue

The conditions are met

Fulfilled

Not fulfilled

Type of Consensus

Explicit

Implicit

Developed after a disagreement

(The white thread is the morning, and the pre-dawn meal (Suhūr) should only be before the break of dawn. This is a consensus, with the only exception being Al-A'mash, who held a rare opposing opinion to which no one paid heed.)

(According to us, there is the consensus of the Companions (may Allah be pleased with them). Imām Ahmad and Al-Athram narrated, with their chains of transmission, from Zurārah ibn Awfā, who said: "The rightly-guided Caliphs ruled that if a man closes a door or draws a curtain, the dowry becomes due, and the waiting period becomes obligatory." Al-Athram also narrated that from Al-Ahnaf, from 'Umar and 'Ali, and from Sa'īd ibn Al-Musayyib. Zayd ibn Thābit reported: "The waiting period is due on her, and she is entitled to the full dowry." These are well-known rulings, and no one opposed them in their time, thus, it was a consensus.)

Al-Mughni by Ibn Qudāmah.

(Az-Zuhri held the view that the command to make ablution after eating food touched by fire abrogated the Hadīths of permissibility, as the permissibility was prior... An-Nawawi said: The

disagreement on this matter was well-known among the Companions and the Tābi'ūn (Followers), but consensus was later established that there is no requirement for ablution after eating food touched by fire, except for what has been previously excluded, such as camel meat.)

Fat'h Al-Bāri

(All rational people agree on the validity of the statement: 'So-and-so is wiser than so-and-so or more complete in reason,' which indicates a difference in the means by which one perceives.)

Ghidhā' Al-Albāb (Nourishment of the intellect)

Scholars have differed regarding the requirement of witnesses or the announcement of marriage. It is said that witnesses are a condition, and it is also said that the announcement is a condition. None of the scholars have stated that neither is required, thus marriage without witnesses or announcement is not permissible by consensus.

Some researchers said regarding the ruling on medical examination before marriage:

(Contemporary scholars have reached a consensus on its permissibility in general), based on recommendations issued by some conferences, as determined by the Fiqh Council.

Scholars have held two different opinions regarding the inheritance of the grandfather alongside the brothers.

The first opinion: The grandfather prevents the siblings from inheritance.

The second opinion: The brothers inherit alongside the grandfather.

The consensus of the two opinions is that brothers do not prevent the grandfather from inheritance.

(Know that the wise people agree upon it that when an illustrative example follows meanings (ideas or thoughts), or when they briefly appear in its context and are transferred from their original forms to its form, it adorns them with grandeur and bestows upon them a virtue.)

Scholars have differed regarding the ruling on Witr prayer: some have said it is obligatory, while others have said it is recommended. If someone were to claim it is disliked, they would be going against the consensus.

In Sharh Al-Muwatta' (495/1), Az-Zurqāni said:

(Chapter: Concession in praying in a single garment. The disagreement regarding its prohibition was an old issue.

Ibn Abi Shaybah narrated on the authority of Ibn Mas'ūd that he said:

It is not permissible to pray in a single garment, even if it is wider than the distance between the heavens and the earth. Ibn Battāl attributed this to Ibn 'Umar, then said: 'He was not followed in this

view,' and then consensus was established on its permissibility.)

#Mention the type of indication in the following:

Evidence

Indicated meaning

Type of indication

Text

Apparent

Interpreted

General indication

{Forbidden to you are carrion,}

The consumption of carrion is prohibited.

{Forbidden to you are carrion,}

It is prohibited to use the tanned hide of a dead animal.

"When a dog drinks from the vessel of any of you, let him wash it seven times."

Washing is obligatory.

"When a dog drinks from the vessel of any of you, let him wash it seven times."

This includes the hunting dog and the dog permitted to be kept.

"When a dog drinks from the vessel of any of you, let him wash it seven times."

The permissibility of washing the vessel if a dog drinks from it.

"Praying in congregation is twenty-seven degrees better than praying alone."

The merit of congregational prayer.

{But Allah has permitted trade and forbidden usury.}

Prohibition of Riba.

{But Allah has permitted trade and forbidden usury.}

Prohibition of selling dry dates in exchange for fresh dates.

{but take witnesses whenever you trade with one another.}

Legitimacy of bringing witnesses to Bay' (sale).

{but take witnesses whenever you trade with one another.}

The obligation to bring witnesses to the sale.

Ibn Mas'ūd (may Allah be pleased with him) reported: I asked the Messenger of Allah (ﷺ):

Which deeds are most beloved to Allah Almighty? He said: "Prayer at its appointed time."

The legitimacy of offering prayer at its prescribed time.

"Indeed, the sun and the moon are two of the signs of Allah, by which Allah frightens His servants. They do not eclipse on account of the death of anyone. So, when you see an eclipse occur, observe prayer and supplication until it is over."

Eclipse is not due to the death of anyone.

{And mention in the Book [the story of] Abraham. He was indeed a man of truth and a prophet.}

The prophethood of Ibrāhīm.

“So, when you see an eclipse occur, observe prayer...”

The obligation of the Eclipse Prayer.

{Then if anyone takes a break between ‘Umrah and Hajj, he must offer a sacrifice of whatever animal is available. However, if he cannot afford an offering, he should fast for three days during Hajj and seven days upon his return [home], making ten days in all.}

The number of fasting days for the Mutamatti’ pilgrim is ten.

“So, when you see an eclipse occur, observe prayer...” in reference to the Hadīth: “Five prayers every day and night.” The Bedouin asked: Is there anything else required of me? He (ﷺ) replied: “No, unless you wish to offer voluntary prayers.”

The recommendation of the Eclipse Prayer.

{Muhammad is the Messenger of Allah.}

The establishment of the messengerhood of Muhammad (ﷺ).

{And establish prayer}

The obligation of prayer

{And establish prayer}

The manner of prayer.

{give Zakah}

The obligation of Zakah

{give Zakah}

The amount of Nisāb (Zakatable amount of wealth) and what is to be paid.

“Indeed, Allah and His Messenger have forbidden selling alcohol.”

The prohibition of selling intoxicants.

“Indeed, Allah and His Messenger have forbidden selling alcohol.”

The prohibition of selling alcoholic products.

{nor backbite one another. Would any of you like to eat the flesh of his dead brother? You would surely abhor it}

The ugliness of backbiting.

{nor backbite one another. Would any of you like to eat the flesh of his dead brother? You would surely abhor it.}

The prohibition of backbiting those who publicly sin.

“Verily, your blood, your properties, and your honor are inviolable among you, as sacred and inviolable as the sanctity of this day of yours, in this month of yours, in this town of yours.”

The prohibition of discretionary financial penalty.

“Verily, your blood, your properties, and your honor are inviolable among you, as sacred and inviolable as the sanctity of this day of yours, in this month of yours, in this town of yours.”

The inviolability of blood and properties.

Pre-emption is for the neighbor, considering the Hadīth: “If the boundaries are demarcated and the

roads are fixed, then there is no right of pre-emption.”

The establishment of "Shuf'ah" (right of pre-emption) is for the partner, not for every neighbor.

#Identify the type of indication in the following: (literal meaning and inferred meaning) and assess the validity of adhering to this indication.

Indication

Explicit statement

Non-explicit statement

Implication

Indirect statement

By allusion

Congruent implication

Incongruent implication

Condition

Quality

Goal

Number

Classification

Title

Validity of the indication

Yes

No

The indication of the Hadīth: “He was asked about selling fresh dates in exchange for dry dates - Do fresh dates decrease when they dry? They said: Yes, so he (ﷺ) forbade it by saying: “Then no,”

indicating that the reason for the prohibition is that it decreases when it dries.

The Hadīth “If the water is two pitchers, it bears no impurity” indicates that if water is less than two pitchers, it becomes impure.

Indication of the Hadīth: (Deeds are only judged according to intentions) on the invalidity of actions without intention.

The statement: “{They say, “The Most Compassionate has begotten offspring!” Glory be to Him! In fact, those [angels] are His honored slaves.}” indicates the invalidity of the parent possessing ownership over the child.

The Hadīth “If the water is two pitchers, it bears no impurity” indicates that if water reaches the measure of two pitchers, it does not become impure.

The indication of the Hadīth: “Whoever reaches ‘Arafah before the time of Fajr has indeed attended the Hajj” on the non-obligatory nature of spending the night at Muzdalifah.

The indication of Allah Almighty’s saying: {It is prohibited for you [to marry] your mothers,} on the prohibition of marrying mothers.

The indication of the Hadīth: “And its soil has been made for us a means of purification” on the validity of performing Tayammum with dust.

The indication of the Hadīth: “And its soil has been made for us a means of purification” on the

invalidity of Tayammum with anything other than dust.

The indication of the saying of Allah Almighty: {and surely either We or you are rightly guided or clearly misguided} is the etiquette in debate, which is not to abruptly counter without resorting to courtesy and tolerance.

The indication of: “It is not lawful for a Muslim to forsake his brother for more than three nights” on the permissibility of forsaking for less than three.

The indication of Allah Almighty’s statement: {Mothers may breastfeed their children for two full years} along with His saying: {and his bearing and weaning take thirty months} is that the minimum period of pregnancy is six months.

The indication of the statement of Allah Almighty: {They ask you about menstruation. Say: It is impurity; so stay away from wives during menstruation} is that the reason for the command to keep away is because it is harm.

The indication of the Hadīth: “It is unlawful for a Muslim to abandon his brother for more than three nights” on the impermissibility of deserting beyond three.

The indication of the Hadīth: “My Ummah has been forgiven for mistakes and forgetfulness” is the absolution of guilt for errors and forgetfulness.

The indication of the Hadīth: “If anyone keeps a dog that is neither for hunting nor for guarding

livestock, their reward (for good deeds) will be reduced by two Qirāts per day” is that keeping a dog is a reason for the reduction of reward.

The Hadīth: “If water reaches the measure of two pitchers, it bears no impurity” indicates that if water reaches forty pitchers, it does not become impure.

The verse: {It has been made permissible for you to be intimate with your wives on the nights of the fast.} indicates the permissibility of fasting for one who is in a state of major ritual impurity at dawn.

The saying of Allah Almighty: {do not say to them ‘Uff (a word of annoyance)} indicates the prohibition of the word “‘Uff”.

The saying of Allah Almighty: {Indeed, the righteous will be in Bliss,} indicates that the cause of Bliss is righteousness.

The indication of Allah Almighty’s saying: {but if anyone of you is ill or on a journey, he should make up for those days} on the obligation of making up the fast for the sick and the traveler if they break their fast.

The indication of Allah Almighty’s saying: {do not say to them “‘Uff” (a word of annoyance)} on the prohibition of expressing displeasure even without uttering the word “‘Uff”.

The indication of: “The traveler wipes over them (the leather socks) for three days and nights” is that he is prohibited from wiping on the fourth day.

The verse: {your step-daughters under your guardianship if you have consummated the marriage with their mothers} indicates the ruling regarding the step-daughter if she is not under guardianship.

The verse: {your step-daughters under your guardianship if you have consummated the marriage with their mothers} indicates the ruling regarding the step-daughter if one has not consummated the marriage with her mother.

The indication of Allah Almighty's saying: {It is He Who has subjected the sea, so that you may eat from it tender meat} on the prohibition of eating dried fish, as it is not tender meat.

The Hadīth: "Zakah is due on free-grazing sheep," indicates that Zakah is not obligatory on non-free-grazing sheep.

The indication of Allah Almighty's saying: {Do not consume usury, doubled and multiplied}, on the permissibility of Riba (usury) in a single fold.

The Hadīth: "Procrastination in payment by a wealthy person makes his defamation and punishment permissible" indicates the impermissibility of punishing the insolvent.

The indication of the Hadīth: "A previously-married woman is more entitled to give a decision about her marriage than her guardian, whereas a virgin's permission is to be sought," is that a virgin is not more entitled to give a decision about herself

than her guardian, thus her guardian may compel her.

The indication of the verse: {If they are pregnant, maintain them until they deliver} is that it is not obligatory to provide maintenance for a woman observing her irrevocable 'Iddah who is not pregnant.

The indication of the Hadīth: "Zakah is not due on a property until one full Hijri year has elapsed while it remains in the owner's possession," confirms the obligation of Zakah on the property after the completion of the year.

The indication of the verse: {flog them eighty lashes} on the prohibition of flogging beyond eighty.

The indication of: "Whoever forgets a prayer, let him perform it once he remembers it," implies that whoever deliberately neglects it must make up for it.

The indication of the verse: {Do not kill your children for fear of poverty} is a prohibition against killing children, even for those who do not fear poverty.

The indication of the verse: {and your hands up to the elbows} is that washing the upper arm is not obligatory.

The indication of: "pour a bucket of water over his urine" proves that impurity cannot be removed with anything other than water.

The indication of: “Rub it, then rinse it with water” is that it is impermissible to remove impurity with anything other than water.

Imam Al-Bukhāri (may Allah have mercy upon him) said:

Chapter on the Obligation of Visiting the Sick

Abu Mūsa al-Ash‘ari reported: The Messenger of Allah (ﷺ) said:

“Feed the hungry, visit the sick, and set the captive free”

Al-Barā’ ibn ‘Āzib (may Allah be pleased with them) said:

“The Messenger of Allah (ﷺ) ordered us to do seven things: ... to follow the funeral processions, to visit the sick, and to spread the greeting of peace.”

What is the ‘Usūli rule that connects the chapter title and the two Hadīths?

- a. The command necessitates immediacy.
- b. The command entails obligation.
- c. The command to do something is a prohibition of doing its opposite.
- d. The authority of the concept of number.

#Allah Almighty says: {And turn to Allah in repentance all together, O believers.} Through this verse, connect the issue with the appropriate foundational (‘Usūli) rule:

The suitable letter

.....

.....

.....

.....

.....

Issue

Is repentance obligatory or recommended?

Ruling on delaying repentance from sin.

Is repentance required for those who commit minor sins, or is it exclusive to those who commit major sins?

If someone commits a sin and then returns to it, does the first repentance suffice, or is it necessary to repent again?

Does repentance suffice for major sins?

The 'Usūli rule

- a. The command necessitates recurrence.
- b. The command entails obligation.
- c. The command necessitates valid fulfillment of the obligation.
- d. The command necessitates immediacy.
- e. The general term encompasses all its individuals.

The Prophet (ﷺ) said:

“Whoever forgets a prayer should perform it once he remembers it, and there is no expiation for it except this: {and establish prayer to remember Me.}”

Based on your study, is the time for making up missed prayers to be delayed or immediate?

- a. On an immediate basis

- b. With a delay
- c. There is no proof in the Hadīth for either of them.
- d. The Hadīth indicates choosing between the two.

#Clarify what the command implies in the following cases, along with mentioning the diverting Qarīnah (circumstantial evidence), if any.

The Command

Obligation

Nadb (Recommendation)

Guidance

Permissibility

Threat

Allah Almighty's saying: {but take witnesses whenever you trade with one another}

Jābir ibn 'Abdullāh (may Allah be pleased with him and his father) reported:

We were with the Messenger of Allah (ﷺ) gathering the Arāk fruit,

and indeed, the Messenger of Allah (ﷺ) said:

"Pick the black fruit, for it is the best of them."

The Hadīth: "Perform Witr prayer before the morning."

Allah Almighty says:

{Those who seek to cause deviation in Our verses are not hidden from Us. Is one who will be cast into the Fire better or one who will come safely

on the Day of Resurrection? Do whatever you wish, for He is All-Seeing of what you do.}

It is mentioned in the Hadīth: “If anyone cleanses himself with stones, he should use an odd number.” In another narration: “If he does so, he has done well; and if not, there is no harm.”

It is stated in a Hadīth:

“He who washes a dead person should take a bath.”

Another Hadīth states:

“You are not required to take a bath after washing your deceased.”

Al-Hākim classified this as an authentic Hadīth according to the conditions set by Al-Bukhāri, but it was not narrated by Al-Bukhāri or Muslim.

Allah Almighty’ saying:

{When your pilgrimage has ended, you may hunt.}

The Hadīth:

“Whoever abandons his religion (apostates), kill him.”

The Hadīth states:

“When one of you intends to come for Friday prayer, let him make Ghusl.”

Allah Almighty’s saying:

{When they are cleansed, then have intimacy with them as Allah has commanded you.}

(The Prophet (ﷺ) forbade the selling of food before taking possession of it.) Which of these indications is the apparent meaning of the Hadīth?

- a. The seller sins, without invalidating the sale
- b. The sale is invalid, but there is no sin upon the seller.
- c. The seller is sinful and the sale is invalid.
- d. The sale is valid but disliked.

Abu Ayyūb reported that the Prophet (ﷺ) said:

“When you go to a place to relieve yourselves, do not turn your face or back toward the Qiblah while urinating or defecating, but face east or west.”

Scholars have differed regarding the ruling on facing the Qiblah or turning one’s back to it while relieving oneself; some have said it is disliked, while others have said it is prohibited. Which of these opinions aligns with the apparent meaning of the text?

- a. The Hadīth is explicit in its indication of dislike.
- b. The Hadīth explicitly indicates prohibition.
- c. The Hadīth is equally applicable to both.
- d. The Hadīth is a textual proof of the prohibition.

(The Prophet (ﷺ) forbade eating the flesh of domestic donkeys) indicates the prohibition of consuming the meat of domestic donkeys due to several fundamental issues. Can you mention them?

- a. The implication of necessity, the forbiddance for prohibition, and the Companion’s statement:

“The Prophet (ﷺ) forbade ...” are forms of forbiddance.

b. Indication of allusion, forbiddance implies invalidity, forbiddance implies prohibition.

c. The implication of gesture and notification, the forbiddance necessitates immediacy, and the authority of the statement of the Companion.

d. Forbidding something implies a command to do its opposite; forbiddance entails dislike, forbiddance necessitates immediacy.

Allah Almighty says:

{However, should you be in a devotional retreat in the mosques, then do not be intimate with them.}

What is the ruling on a man in I'tikāf being intimate with his wife based on the apparent meaning of the verse?

a. Prohibited.

b. Disliked.

c. Permissible

d. Contrary to what is more appropriate

Allah Almighty says:

{Do not marry polytheist women until they believe.} A Muslim concluded a marriage contract with a polytheist woman, and then she embraced Islam before consummation. Does this require a new contract? Mention the fundamental principle.

a. It does not require, due to the basic rule: Things are permissible in principle.

b. It requires, given the rule: The command entails obligation.

c. It does require a new contract, based on the rule: Islam blots out whatever was before embracing it.

d. It requires a new contract due to the rule: Forbiddance entails invalidation.

#Allah Almighty says:

{O you who believe, do not consume usury, doubled and multiplied.}

Reflect upon the verse, then connect each issue with the fundamental rule:

The suitable letter

.....

.....

.....

.....

The deduced issue

If the contract is concluded with Riba-based interest at a rate of 700% of the principal, then the contract is invalid.

If a contract is concluded with Riba-based interest at a rate of 700% of the principal debt, then the contracting party is sinful.

What if the Riba-dealer claims that he conducts numerous transactions in which he does not take any Riba, asserting that he has adhered to this text and applied it in all his previous dealings, and that this is sufficient?

If the contract is concluded with Riba-based interest at a rate of 2% of the principal debt, is the contract valid according to the Mafhūm Al-Mukhālafah (incongruent implication)?

Jurisprudential principle rule

a. The forbiddance implies prohibition.
b. A condition for applying the incongruent implication is that it is not meant for exaggeration and maximization.

c. Forbiddance entails invalidation.

d. Forbiddance implies recurrence.

The Prophet (ﷺ) forbade Shighār marriage.

Ibn 'Abdul-Barr said:

Scholars unanimously agree that Shighār marriage is impermissible, but they differ regarding its validity; the majority hold it to be invalid.

Another narration on the authority of Mālik states:

“It should be annulled before consummation, not after it.”

On the other hand, the Hanafi school of Fiqh believes in its validity and the obligation of an equivalent dowry. What is the 'Usūli rule upon which the disagreement is based?

a. The prohibition of something is a command to do its opposite.

b. The command to do something is a prohibition of doing its opposite.

c. The prohibition implies unlawfulness.

d. Prohibition entails invalidity.

I saw a man who followed a funeral and sat down before the bier was placed down, so I instructed him to stand up and mentioned to him the Hadīth:

“When you follow a funeral, do not sit until the bier is placed down.”

He replied to you that the Hadīth is a prohibition against sitting, and he sat without knowing, and there is no command in the Hadīth to stand up. What is your opinion on his statement, and how would you respond to him?

a. Forbidding something is a command to do its opposite.

a. The command to do something is a prohibition of doing its opposite.

c. The command implies obligation.

d. The prohibition entails invalidity.

Based on the apparent meaning of the following Hadīth:

(The Prophet (ﷺ) forbade praying after the ‘Asr prayer until the sun sets and after the Fajr prayer until the sun rises.)

What is the al-Hukm al-Wad’i (the Lawgiver makes a thing a cause for another thing or a condition to it) on performing prayer during these two times?

a. Validity.

b. Invalidity.

- c. Concession.
- d. Prohibition.

What is the al-Hukm at-Taklīfi (injunctive ruling) on offering prayer during these two times according to the apparent meaning of the Hadīth?

- 1. Invalidity.
- b. Disliked
- c. Obligation.
- d. Prohibition.

Does the apparent meaning of the Hadīth include the guidance-seeking prayer (Istikhārah)?

- a. Its apparent meaning does not include it.
- b. Its apparent meaning includes it.
- c. An explicit text regarding its inclusion.
- d. It did not address the prayer of Istikhārah at all.

The indication of the Hadīth on the permissibility of prayer after sunset is considered from the indication:

- a. Explicit statement.
- b. Non-explicit statement.
- c. The concept of Al-Ghāyah (Ultimate end).
- d. The concept of al-Laqaḥ (legal indication to a nickname)

'Umm 'Atiyyah (may Allah be pleased with her) reported:

"We were forbidden to follow funeral processions, but the prohibition was not

mandatory for us.” Is there a prohibitive form in the Hadīth?

a. The form: “We were forbidden,” may imply prohibition from the Prophet (ﷺ) or from their husbands, thus it does not indicate a legal prohibition.

b. The form “We were forbidden” which is understood as a prohibition issued by someone other than the Lawgiver due to the lack of explicit statement.

c. The form “We were forbidden” is understood as a prohibition issued by the Lawgiver.

4. It does not imply prohibition.

#Match each of the following inferences to its appropriate rule:

[Note: There is no objection to applying a single rule to more than one issue]

Answer

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The deduced issue

Allah Almighty says: {and do not cooperate in sin and transgression} This has been used as evidence for the impermissibility of opening current accounts in usurious banks.

The statement of Allah Almighty: {But Allah has permitted trade and forbidden usury.} indicates the permissibility of selling a trade name and the prohibition of both consuming and productive usury.

The Hadīth of 'Umm 'Atiyyah (may Allah be pleased with her) states: "We were forbidden to follow funeral processions, but the prohibition was not mandatory for us," and this includes the funeral processions of children.

It is inferred from Allah Almighty's statement: {Forbidden to you are carrion} that it is not permissible to consume what has been killed by electric shock.

The proponents of the prohibition of commercial insurance cite the Hadīth: "The Messenger of Allah (ﷺ) forbade the Hasāt sale (throwing pebble sale) and the Gharar sale (uncertainty sale)."

Allah Almighty says: {O you who believe, intoxicants, gambling, [sacrificing on] stone altars and divining arrows are of Satan's evil work; therefore avoid such [evil], so that you may be successful.} In light of this verse, what is the ruling

on charitable lotteries (gambling the profits of which are given to a charitable entity)?

The Hadīth that states: “There is no prayer after the Fajr prayer until the sun rises, and no prayer after the ‘Asr prayer until the sun sets,” along with the Hadīth: “Do not prevent anyone from circumambulating this House and praying there at any hour of the night or the day,” and the Hadīth: “Whoever forgets a prayer should perform it once he remembers it, and there is no expiation for it except this: {Establish prayer to remember Me}.”

The specification of the generality of the Hadīth: “Water is pure and nothing makes it impure” by the Hadīth: “If the water is two pitchers, it will bear no impurity” indicates that water less than two pitchers becomes impure when filth falls into it.

The statement of Allah Almighty: {But Allah has permitted trade}, excludes from its generality the sale of corn for corn with disparity, because by analogy with wheat, it is not permissible to sell corn for corn with disparity.

Some argued for the permissibility of taking a fee for providing a guarantee based on the verse: {Fulfill your contracts} Others, however, opposed this by stating that there is a consensus on its impermissibility, as reported by Ibn al-Mundhir.

The Hanbali scholars argued against the validity of an obligatory prayer led by one performing a supererogatory prayer by the Hadīth: “The Imam is

appointed to be followed. So, do not differ from him.”

Jurisprudential principle rule

a. The singular noun defined by "al" (the) implies generality.

b. The plural noun defined by "al" implies generality.

c. An indefinite noun in the context of prohibition indicates generality.

d. The word Kull (all/every) signifies generality.

e. The word Jamī' (all) indicates generality.

f. The relative noun is among the expressions of generality.

g. Specification of generality by implication.

h. Specification of generality by consensus.

i. Specification of a Sunnah by a Sunnah.

j. Specification of generality by analogy (Qiyās).

k. Specification of generality through sensory perception.

#Mention one means of specification for each of the following texts:

The general text

The specifying means

{As for the woman and the man who commit fornication; flog each of them a hundred lashes.}

The Hadīth that states: “Indeed, there is no negligence in sleeping; rather, negligence is upon the one who does not perform the prayer until the time of the next prayer comes. So, whoever does

this should perform the prayer when he becomes aware of it, and on the next day, he should perform the prayer at its prescribed time.”

“If the blood is shed and the name of Allah is mentioned, then eat, but do not slaughter with a nail or a tooth.”

{So whoever of you witnesses this month should fast.}

{O you who believe, when you rise up for prayer, wash your faces, and your hands up to the elbows; wipe over your heads; and wash your feet up to the ankles.}

{Forbidden to you are carrion.}

#Specify the type and ruling of applying the absolute to the restricted in the following cases:

Absolute/Unrestricted

Restricted

Its type

Concordance of the ruling

Concordance of the cause

Ruling

Applicable

Not applicable

{But those who divorce their wives by likening them to their mothers then retract what they said, they must free a slave}

{Whoever kills a believer by mistake must free a believing slave.}

{and bring two witnesses from among your men}

{Call two just men from among yourselves as witnesses.}

{As for the thief, male or female, cut off the hands of them both}

{O you who believe, when you rise to perform prayer, wash your faces and your forearms to the elbows.}

{and wipe your faces and hands}

{and wipe your faces and hands therewith}

{and wipe your faces and hands}

{Wash your faces and your forearms to the elbows.}

"If one of you is invited to a banquet, let him answer the invitation."

"If one of you is invited to a wedding banquet, let him answer the invitation."

"Whoever fasts Ramadan, out of faith and seeking reward from Allah, will have his past sins forgiven."

"The five (daily) prayers, Friday prayer to the next Friday prayer, and Ramadan to the next Ramadan are expiations of the sins committed between them, so long as major sins are avoided."

#Identify the type of analogy:

Analogy

Its type

By eliminating the difference

Cause

Indication

Similarity

Reverse

Analogy of Nabīdh (fermented grapes) to Khamr (wine) through the shared nature of intoxication.

Analogy of saying “Ah” against the saying “‘Uff” to parents.

The analogy of one who eats during the daytime in Ramadan to one who engages in intercourse in terms of the obligation of expiation due to the commonality of breaking the fast.

Analogy of listening to the audio recording of the tambourine at the wedding to listening to the tambourine at the wedding.

Analogy of rice to wheat in the application of usury through a common nature of measurement.

Analogy of barley beverage to wine due to the presence of alcohol in both.

Analogizing killing with a gun to killing with a sword in legal retribution due to the commonality of prohibition.

Analogy of Tawarruq to ‘Īnah because it bears more resemblance to it than to other types of sales.

The analogy of a woman to a man in the Prophet's (ﷺ) prohibition that a man should not make his brother stand from his seat and then sit in it.

Analogy of rhythms to Ma‘āzif (musical instruments) because they resemble them more than the human voice.

The saying of the Prophet (ﷺ): “What if he placed it in an unlawful way, would he not incur a sin? Similarly, if he places it in a lawful way, he will have a reward.”

#Identify the pillars of analogy

[Place number (1) at the Asl (original case)

Number (2) at the ruling

Number (3) at the Far' (new case)

Number (4) at the common attribute/effective cause

Along with putting an (x) in the box of the unmet condition]:

Analogy

Asl (original case)

Ruling

Definite and established

Logical and understandable

Established without analogy

Far' (new case)

There is no specific text about it

The effective cause exists in it

Its ruling is the same as the original

Transitive

Effective cause

Does not invalidate the original case

Does not contradict a text or consensus

Clearness

Precision

Consistency

If a man commits adultery, he must be confined. This is analogous to the obligation of confining the adulterous woman mentioned in the saying of Allah Almighty: {Confine them to their homes until they die or Allah ordains for them [another] way}, due to the occurrence of adultery being a common effective cause.

It is permissible for the lender to take profits on his loan, analogous to the permissibility of the seller taking profits, due to the commonality of the contract.

It suffices to limit the Tawāf to four circles, analogous to the sufficiency of the Zhuhr prayer with four Rak'ahs, due to the commonality of worship.

Ritual purity is a condition for touching the mobile screen when Qur'anic verses appear, analogous to the requirement for touching the Qur'an cassette tape, as the cassette is analogous to the written Mus'haf due to its inclusion of the verses.

Mut'ah (temporary) marriage is deemed permissible by analogy to the permissibility of marriage with the intention of divorce, as both conclude with divorce.

Smoking tobacco is disliked by analogy to the permissibility of drinking water, based on the shared reason of the absence of harm.

It is permissible to break the fast for one who finds fasting difficult, by analogy to the permissibility for a traveler due to hardship.

It is permissible for a man to wear silk by analogy to the permissibility of wearing silk for a woman, due to the absence of the difference.

It is permissible to drink a small amount of Nabīdh, which intoxicates in large quantities, by analogy to listening to a small amount of musical instruments, which elates due to the commonality of delight.

#Clarify the approach of the effective cause in the following cases:

The effective cause

The Consensus

The text

Explicit

Apparent

Allusion and hint

Exploration and categorization

Inference

Suitability

Similarity

Contingency

The scholars unanimously agreed that the reason for preventing the angry person from judging is the preoccupation of his mind.

{Whatever gains Allah has bestowed upon His Messenger from the people of the towns belongs to

Allah and the Messenger, and to his close relatives, orphans, the needy, and stranded wayfarers, so that wealth should not circulate only among those of you who are rich. Whatever the Messenger gives you, accept it, and whatever he forbids you, refrain from it. And fear Allah; indeed, Allah is severe in punishment.}

{As for the woman and the man who commit fornication; flog each of them a hundred lashes.}

“Wait so that you may enter by night - i.e., in the evening - in order for the unkempt woman to comb her hair and the one whose husband has been away to shave her pubic hair.”

This is the wording of Al-Bukhāri.

According to Muslim’s Collection:

“Wait so that we may enter by night - i.e., in the evening - in order for the one of unkempt hair to comb her hair and the one whose husband has been absent to shave her pubic hair.”

“Allah has enjoined seeking permission only because of the sight.”

Al-Bukhāri

Hamzah ibn Abi ‘Usayd al-Ansāri reported on the authority of his father that he heard the Messenger of Allah (ﷺ) say, as he was coming out of the mosque and saw men mingling with women in the street:

The Messenger of Allah (ﷺ) said to the women:

“Draw back, you must not walk in the middle of the road; keep to the sides of the road.”

Abu Dāwūd

Hadīth: “The murderer does not inherit”

[Narrated by At-Tirmidhi]

Scholars have reached a consensus on the reason for financial guardianship over the child due to being a minor.

‘Abdullāh (may Allah be pleased with him) reported that the Messenger of Allah (ﷺ) said:

“No soul gets killed wrongfully without the first son of Adam taking a share of the guilt for its blood because he was the first to commit murder.”

Al-Bukhārī

Abu Ayyūb al-Ansāri reported:

The Messenger of Allah (ﷺ) would eat from the food brought to him and send the remainder to me. One day, he sent me some leftover food from which he had not eaten because it contained garlic. I asked him: “Is it forbidden?” He replied: “No, but I dislike it because of its smell.”

Muslim

{Say [O Prophet], “I do not find in what has been revealed to me anything forbidden to eat except carrion, running blood or the swine flesh—which is impure—}

{and do not despair of Allah’s mercy. Indeed, no one despairs of Allah’s mercy except the disbelieving people.}

“The Prophet (ﷺ) forgot (something) and offered two prostrations before making Taslīm, and then he made Taslīm.”

{Whether you [O Prophet] seek forgiveness for them or not, even if you seek forgiveness for them seventy times, Allah will never forgive them; that is because they disbelieved in Allah and His Messenger.}

‘Abdullāh reported: The Messenger of Allah (ﷺ) said:

“If you are three, then two should not converse privately with the exclusion of the third, until more people join you, because that would grieve him.”

Muslim.

The prohibition of passing judgment in a state of intense sorrow is analogous to the prohibition of passing judgment in a state of intense anger, due to the common factor of mental confusion. Reason perceives the benefit of preventing the judge from passing judgment while angry, as it leads to mental confusion, which in turn results in incorrect consideration of the case.

Abu Hurayrah reported:

While we were with the Messenger of Allah (ﷺ), a man came pulling his hair and bewailing.

The Messenger of Allah (ﷺ) said to him:

“What is wrong with you?” The man said that he had intercourse with his wife during Ramadan. The Prophet (ﷺ) said: “Free a slave...”

He (ﷺ) was asked about selling fresh dates in exchange for dry dates. He (ﷺ) said: “Do fresh dates decrease in weight when they dry?” They said: “Yes.” He said: “Then do not do it.” Narrated by Abu Dāwūd.

The juice was lawful before the intoxication. When intoxication occurred, it became prohibited. Once the intoxication ceased and it turned into vinegar, it became lawful again. Thus, the prohibition revolves around the presence or absence of intoxication, indicating that it is the legal cause.

The Prophet (ﷺ) would shorten the prayer when traveling and offer it in its complete form when residing, indicating that travel is the reason for shortening the prayer.

To argue for the analogy of requiring purification for touching a Qur’anic cassette to its requirement for a physical Mus’haf: The reason for requiring purification to touch a physical Mus’haf could be due to it being on paper, or the letters being in the ‘Uthmanic script, or the letters being visible, or its containing Qur’anic verses. The first three are incorrect, so the reason must be: its containing the verses.

To make an analogy between corn and wheat regarding Riba: I examined the characteristics of wheat and initially found nothing suitable as a cause for Riba except taste, sustenance, or measure.

However, upon reflection, taste and sustenance are not suitable for this, leaving measure as the determining factor.

To say in the analogy of rhythms to musical instruments: I examined the characteristics of musical instruments and found nothing suitable for prohibition except: being an instrument, producing sound, soothing the nerves, or being delightful with its sound. All are invalid except the last, which is determined to be the reason for prohibition.

The rhythms produced by natural sounds oscillate between the human voice and the sound of Ma'āzif (musical instruments), resembling the sound of Ma'āzif and thus are associated with it.

#Determine the validity of using the Companion's statement as evidence in the following cases, specifying its type according to what you have studied:

Issue

Valid proof

Indirectly attributed to the Prophet (ﷺ) (This is a statement or an action of a Companion that takes the ruling of being Marfū')

Explicit Consensus

Tacit consensus

A Companion's adopted opinion

Not a valid proof

Another companion disagreed with him

Imam An-Nawawi said:

(Consensus of the Companions and their agreement that the Word of Allah Almighty is revealed, is affirmed by observing their consistent practice. This matter was firmly established in their beliefs with certainty, for if any doubt or ambiguity had arisen among them, they would have resolved it by questioning the Prophet (ﷺ), given their zeal for the religion and their caution against falling into ignorance. Thus, it is known that their lack of questioning, despite the frequent use of the term 'revelation' among them and their anticipation of it from the Messenger of Allah (ﷺ) in their incidents, is evidence of their consensus and agreement that the Word of Allah is revealed to His Prophet. We will refer to a number of those incidents, which are difficult to enumerate, to establish certainty that they held this belief.)

(If the slanderer repents, his testimony is accepted) as it is the consensus of the Companions (may Allah be pleased with them). It is narrated that 'Umar (may Allah be pleased with him) used to say to Abu Bakrah, when he testified against Al-Mughīrah ibn Shu'bah: 'Repent, and I will accept your testimony.' No one objected to this. Thus, it became a consensus.

Al-Mughni by Ibn Qudāmah.

It was reported from Hudhayfah and Ibn 'Abbās that they said: "If you allocate it—meaning Zakah—to one category, it suffices you, and no opposing

view from the Companions is known.” (Al-Istidhkār)

‘Abdullāh ibn Shihāb reported from Talhah ibn ‘Abd ar-Rahmān ibn ‘Awf that ‘Abd ar-Rahmān ibn ‘Awf divorced his wife irrevocably while he was ill, and ‘Uthmān (may Allah be pleased with him) allowed her to inherit from him after her waiting period (‘Iddah) had ended. Ibn Qudāmah said: “This became well-known among the Companions, and none of them objected. Thus, it was a consensus.”

Ibn ‘Umar reported: “He makes Tayammum (dry ablution) for every prayer, even if he has not nullified his purification.” Al-Bayhaqi said: “Its chain of narration is authentic.” Ibn Hajar al-Haytami stated: “No opposing view from the Companions is known.”

(The basis of this issue is the prohibition of a person in a state of ritual impurity from touching the Mus'haf, whether his impurity is major, requiring Ghusl, or minor, requiring ablution. This is the view of the majority of scholars, and it is narrated from ‘Ali, Sa’d, Ibn ‘Umar, and Salmān, with no known dissent among the Companions.)

‘Ā’ishah (may Allah be pleased with her) was asked by a woman who was ‘Umm Walad (a slave woman who bore her master a child) of Zayd ibn Arqam: “O Mother of the Believers, I sold a slave from Zayd to Al-‘Atā’ for a deferred payment of eight hundred, but he needed the price, so I bought

it back from him before the due date for six hundred." 'Ā'ishah said: "What a bad transaction you made, and what a bad purchase you made. Inform Zayd that he has nullified his striving with the Messenger of Allah (ﷺ) if he does not repent."

'Abdullāh ibn Shaqīq reported: The Companions of the Messenger of Allah (ﷺ) disliked selling copies of the Qur'an.

'Abdullāh ibn Shaqīq al-'Uqayli reported:

"The Companions of Muhammad (ﷺ) did not consider the abandonment of any deed as disbelief except for prayer."

Sa'īd ibn al-Musayyib reported that 'Umar ibn al-Khattāb (may Allah be pleased with him) executed a group of five or seven people for the murder of one man whom they killed treacherously, and 'Umar said:

"If all the people of San'ā' conspired against him, I would kill them all."

Ibn Hajar said: "And it was not disapproved of him despite its being well known."

#Determine the ruling and the validity of the inference from the legislation of those before us, and its type, in the following cases:

Legislation of those before us

Its validity as proof

Valid proof

Not a valid proof

The ruling is derived if it is a valid proof

{And We ordained for them therein: 'A life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds equal retaliation.}

{They said, "We are missing the king's measuring cup. Whoever brings it will have a camel-load [of grain]; and I guarantee it."}

Wahb said: I heard that it is written in the Torah: "O Moses, do not eat the roots, for they are the dwelling of every soul."

{He said, "I would like to give you one of these two daughters of mine in marriage, provided that you serve me for eight years}

Abu Hurayrah reported that Ka'b said: "I find in the Torah: Whoever says in the morning: 'O Allah, I seek refuge with Your name and with Your perfect words from the devil and his evil. O Allah, I seek refuge with Your name and with Your perfect words from Your servants and the evil of Your servants. O Allah, I ask You by Your name and Your perfect words for the best of what is asked from You, the best of what is given by You, the best of what is revealed by You, and the best of what is hidden by You. O Allah, I seek refuge with You, with Your name, and with Your perfect words from the evil that the day brings forth,' the devils cannot overpower him, nor anything he dislikes. And if he says them in the evening, it is the same, except that he says: 'from the evil that the night envelops.'

{She said, “Oh, would that I had died before this and had been completely forgotten!”}

{Go, both of you, to Pharaoh, for he has certainly transgressed all bounds. But speak to him gently, so that he may take heed or fear Allah.”}

In the Torah, it is stated: (Teach freely as you were taught freely.)

{He took his parents to the throne, and they all fell down in prostration before him}

Abu Hurayrah (may Allah be pleased with him) reported that the Messenger of Allah (ﷺ) said:

There were two women, each had her son with her. A wolf came and took away the son of one of them. One of them said to the other: ‘The wolf took your son.’ The other said: ‘No, it took your son.’ Both of them referred the dispute to Dāwūd (David) (peace be upon him), who judged that the boy belonged to the older of them. Then they went to Sulaymān (Solomon), son of Dāwūd, (peace be upon both of them) and told him the story. Sulaymān, (peace be upon him) said: ‘Give me a knife so I may cut the child into two halves and give a half to each of them.’ Thereupon, the younger woman said: ‘Do not do it! May Allah have mercy upon you! The child is hers.’ On that, he settled the dispute in favor of the younger woman.

{Joseph said, “Put me in charge of the storehouses of the land; I am indeed a good keeper and knowledgeable.”}

Abu Hurayrah (may Allah be pleased with him) reported that the Messenger of Allah (ﷺ) said:

“The Children of Israel used to bathe naked, looking at each other’s private parts. However, Moses (peace be upon him) would bathe alone. They said: ‘By Allah, nothing prevents Moses from bathing with us except that he has a scrotal hernia.’ So, once he went to bathe and placed his garment on a stone...”

Abu Hurayrah (may Allah be pleased with him) reported that the Prophet (ﷺ) said:

“While Ayyūb (Job) (peace be upon him), was taking a bath naked, a swarm of golden locusts fell on him. He began collecting them in his clothes. His Lord called him: O Ayyūb, have I not made you rich enough not to be in need of this?’ He replied: ‘Yes, O Lord, but I cannot dispense with Your blessing.”

#Identify the basis of the following issues: Istishāb (presumption of continuity), Istihṣān (legal preference), Maslahah Mursalah (consideration of public interest):

Issue

Istishāb (presumption of continuity)

Istihṣān (legal preference)

Maslahah Mursalah (consideration of public interest)

(It is permissible to issue and use secured credit cards if their terms do not involve Riba (usury), as the default ruling in transactions is permissibility.)

(The use of loudspeakers for delivering the Friday and Eid sermons, as well as for recitation in prayer and the Takbīrs of transitions, is not prohibited by Islamic law. In fact, it should be employed in large mosques with distant corners due to the religious benefits resulting from it.)

(Before one hundred and twenty days of pregnancy have passed, if it is confirmed by a report from a committee of trustworthy specialist doctors—based on technical examinations using devices and laboratory means—that the fetus is severely deformed, incurable, and if it remains and is born at its due time, its life would be miserable and painful for it and its family, then abortion is permissible upon the request of the parents.)

(If he knows the time of prohibition, he should not pray; but if he is in doubt, he may pray until he becomes certain, for the default ruling is permissibility.) Al-Mughni.

(It is not permissible, according to Islamic law, to reattach an amputated organ that was severed as a legal penalty, because leaving the mark of the penalty ensures the full realization of the prescribed punishment, prevents negligence in its execution, and avoids contradicting the apparent ruling of Islamic law.)

In Al-'Uddah, it is stated: [The Book of Foods] (Foods are of two types: animal and non-animal. As for non-animal foods, they are all permissible)

because the basic principle concerning things is permissibility.

The author of Al-Mughni said: There is no harm in drying one's limbs with a towel from the moisture of ablution and bathing, as the basic principle is permissibility.

Some scholars who prohibited making images have made an exception for images on identity cards due to the outweighing benefits resulting from them.

#Identify the category of public interest in the following:

Issue

Considered

Cancelled

Public interest

The regulation of traffic to preserve lives.

Permitting usurious interest to boost the economy.

Enjoining good and forbidding evil to reduce evildoings.

Establishing a special unit for the police and another for the Hisbah.

Prohibiting the sale of grapes to prevent the means of producing intoxicants.

Propagation of Da'wah through websites to achieve the dissemination of Islam.

Permitting intermixing to alleviate sexual repression.

Obtaining a license is a prerequisite for the validity of practicing medicine.

#In light of the conditions of the Mujtahid, distinguish who is considered a Mujtahid from who is not:

The person

Mujtahid

Not a Mujtahid

A person who has memorized thirty thousand jurisprudential issues.

A person highly proficient in Islamic creed and possessing extensive knowledge of religions and sects.

A person memorized thirty thousand Hadīths and has knowledge of the chains of transmission, yet he has not studied Fiqh in depth.

A knowledgeable person regarding the general objectives of the Shariah without knowing the semantics.

A person memorized the principles and rules of Fiqh.

A person who has completed all the Fiqh qualification courses.

A person who holds a PhD in Fiqh but is weak in the subject of 'Usūl al-Fiqh.

A scholar knowledgeable in Fiqh and its principles, both in memorization and understanding, possessing a Fiqh aptitude, and well-versed in the Hadīths of rulings and their

verses, with proficiency in language and Hadīth. However, he has not memorized all the prophetic Hadīths, has not obtained a certification in the Qur'an, and has not memorized all branches of Fiqh.

#Address the seemingly contradictory texts in the following examples, using the recognized methods in 'Usūl al-Fiqh [discuss with your teacher or colleagues the appropriate response]

The first text

The second text

Reconciliation

Abrogation

Giving preponderance

Suspension of judgment

Abu Sa'īd al-Khudri reported that the Prophet (ﷺ) said: "When you hear the Muezzin, repeat what he says."

The Hadīth of 'Umar ibn al-Khattāb and the Hadīth of Mu'āwiyah stating that the listener should say "La hawla wala quwwata illa billāh" (There is no might or power except through Allah) when hearing "Hayya 'ala al-falāh" (Come to success).

Ibn 'Abbās (may Allah be pleased with him) reported: "When the Messenger of Allah (ﷺ) entered the House, he supplicated in all its corners but did not pray until he came out. When he came out, he performed two Rak'ahs facing the Ka'bah and said: This is the Qiblah."

‘Abdullāh ibn ‘Umar reported: The Messenger of Allah (ﷺ) entered the Ka‘bah with Osāmah ibn Zayd, ‘Uthmān ibn Talhah, and Bilāl ibn Rabāh, and he locked it behind him and remained inside. I asked Bilāl when he came out: What did the Messenger of Allah (ﷺ) do? He said: “He took up a position with one pillar on his left, one pillar on his right, and three pillars behind him, and then he prayed.”

The Hadīth of Busrah: “If one of you touches his penis, let him perform ablution.”

Talq ibn ‘Ali reported: “We came to the Messenger of Allah (ﷺ) and a man was with him. He said: O Messenger of Allah, what do you say regarding a man who touches his penis after making ablution? The Messenger of Allah (ﷺ) said: Is it not but a part of you?”

Ibn ‘Abbās (may Allah be pleased with him) reported: “The Prophet (ﷺ) married Maymūnah when he was in the state of Ihrām.” Agreed upon.

According to Muslim, Maymūnah (may Allah be pleased with her) herself reported that the Prophet (ﷺ) married her when he was outside the state of Ihrām.

Identify the preponderant and the outweighed view in case of conflict and impossibility of reconciliation, and not knowing the chronological order in the following cases:

The two conflicting elements

1

2

The preponderant

1

2

The preceding in time

The latter in time

Narrated by Al-Bukhāri and Muslim

Authentic Hadīths in other than the two Sahīh
Collections

The Consensus upon it

Controversial

There is a difference of opinion regarding its
being Marfū' report

Agreed upon as being Marfū' report

Definitive consensus

Tacit consensus

unless it was denied

Denied by the one from whom it was narrated

The Qur'an

The Sunnah

Forbiddance

The Command

Solitary/Single/Not collectively contiguous
reports

Mutawātir (mass-transmitted report)

The Command

Indicative of permissibility

The narration transmitted by a smaller number

The narration transmitted by a larger number

Reality
Figurative language
The one with fewer evidences
The one with more evidences
The figurative language more distant from
reality
The figurative language closer to reality
More trustworthy
Trustworthiness
Indicating negation
Indicating affirmation
Musnad report
Mursal report
Transmitting from the original ruling
Consistent with the original ruling
The majority of the Muslim community acted
upon it
A minority acted upon it
The general term occurring due to a specific
cause
The unqualified general term
And all praise is due to Allah, the Lord of the
worlds, and may Allah's peace and blessings be
upon our Prophet Muhammad, his family, and all
his Companions.

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