

LESSON TWO: Usul al-Fiqh (The Principles of Islamic Jurisprudence)

I. Definition of Usul al-Fiqh

1. The lexical meaning of Asl: (plural usul)

- Something from which another thing originates « Root ».
- Something upon which another thing is constructed « foundation ».
- In some cases **asl** is used in the sense of the word ‘مصدر’ which means « Source ».
- The basis in which something else is built (the origin of the tree).

2. The technical meaning of Asl:

- The word **asl** is used to mean guide ‘دليل’ ; a guide leading a caravan. The use of the term guide conforms with the term source.
- Asl is used in the sense of the original rule.
- The word asl is used to indicate the foundation upon which analogy may be used. E.g ; wine (الخمير) is an asl or basis for the prohibition of the (النبيذ) beverage

3. The Meaning of Usul Al-Fiqh:

- Knowledge or science of those rules, which directly or indirectly lead to the science of fiqh.
- They are the principles by the use of which the mujtahid arrives at the legal rules through specific evidence.
- Principles that are used to study Shari’ah.
- The principles of Islamic Jurisprudence.

II. Definition of Fiqh

1. The lexical meaning of fiqh:

- It is an Arabic term, means “deep understanding” or “full comprehension”.

2. The technical meaning of fiqh:

- Technically it refers to the body of Islamic law extracted from detailed Islamic sources, which are studied in **the principles of jurisprudence**.
- Fiqh is defined as the knowledge of the practical rules of Shari’ah that have been acquired from the detailed evidence.

➤ *Fiqh* occurs in six different variation twenty times in as many verses:

variation	meaning	count	verses
يفقهون	They understand	13	<p>“...they have hearts but they do not understand with them..” (7.179)</p> <p>“...this is because they are a people who do not understand..” (59.13)</p>
يفقهوه	They understand it	3	<p>“...we have laid veils on their hearts lest they understand it..” (18.57)</p>
يفقهوا	They understand	1	<p>“so that they understand my words..” (20.28)</p>
نفقه	We understand	1	<p>“We do not understand much of what you say” (11.91)</p>
تفقهون	You understand	1	<p>“But you do not understand their glorification” (17.44)</p>
ليتفقهوا	To study	1	<p>“...to study religion..” (9.122)</p>

III. The difference between *Shari'ah*, *Fiqh* and *Usul al-Fiqh*

Shari'ah	Fiqh	Usul al-Fiqh
<ul style="list-style-type: none">• It is the Islamic law.• it comprises the texts of the holy Qur'an and the purified Sunnah.	<ul style="list-style-type: none">• It is a derivative law.• It comprises the understanding of the texts by jurists.	<ul style="list-style-type: none">• Are the guiding rules for obtaining Islamic law.