

LESSON FOUR: The Main Sources of Fiqh (Jurisprudence)

❖ Part One: Primary Sources

1. The Holy Qur'an:

- The revelation
- Mecca, 610 AD
- Prophet Muhammad (ﷺ)
- Archangel Gabriel (جبريل)

Qur'an is the book which Allah revealed in His speech to His Prophet Muhammad *peace be upon him* in Arabic, and this has been transmitted to us by continuous testimony or (تواتر).

The larger part of the Qur'an was revealed in Mecca and the rest in Madinah. The Mecca revelations mostly deal with beliefs, disputation with unbelievers and their invitation to Islam. But the Madinah verses deal with legal rules regarding family, society, politics, economics, etc. The **chapter** is considered Meccan if its revelation started in Mecca, even if it contains Madinan period verses. The information regarding which one is Makki or Madani are based on the sayings of companions (الصحابه) or following generation.

Qur'an consists of 114 chapters of unequal length, is also contained in about 6348 verses according to various estimates. **Example of Qur'an:**

a. Chapter (سورة)

Surat Al-Fatihah (the Opening)

*In the Name of Allah, Most Gracious, Most Merciful **

*Praise Be To Allah, The Lord Of The Worlds * The Beneficent The Merciful * Owner Of The Day Of Judgement * Thee (Alone) We Worship Thee Alone We Ask For Help * Show Us The Straight Path * The Path Of Those You Have Blessed, Not Of Those Against Whom There Is Anger, Nor Of Those Who Are Misguided*.*

b. verse (آية)

« And We Have Not Sent You, (O Muhammad), Except As Mercy To The Worlds ».

Qur'an (21:107)

2. Sunnah:

The Sunnah is the next important source and commonly defined as ‘‘ tradition and custom, the way of the Prophet ’’ or ‘‘ words, actions, and silent assertions of him’’. It includes the everyday sayings, utterances and deeds of Muhammad *peace be upon him*; his acts, his tacit consent and acknowledgements of statements and activities.

Hadith, tradition relating to the sayings and doings of Muhammad. Hadith collections are important tools for determining the Sunnah by all traditional schools of jurisprudence.

Example of hadith:

Yahya related to me from Malik from Abu' r-Rijal Muhammad ibn abd ar-Rahman ibn Haritha from his mother, Amra bint Abd ar-Rahman that the Messenger of Allah. May Allah bless him and grant him peace.

A chain of.. (إسناد)

Said: ‘‘If the palm trees are sold after they have been pollinated, the fruit belongs to the seller unless the buyer makes a stipulation about its inclusion’’

Text of hadith (متن)

Structure of hadith

- Chain of hadith (citations).
- The text of the hadith (the saying or doing itself).

Validity of hadith

The scholars categorized literally millions of hadith as authentic, agreeable, weak narrated by a weak source, etc. There are two well-known collection of authentic hadith:

- Sahih muslim
- Sahih bukhari.