

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْحَمْدُ لِلَّهِ وَالصَّلَاةُ وَالسَّلَامُ عَلَى رَسُولِ اللَّهِ وَعَلَى آلِهِ وَصَحْبِهِ أَجْمَعِينَ



Hanafi Usul 101 Lesson 1 Overview

Instructor: Shaikh Omer Khurshid

Further inquiries: Info@talweehacademy.com

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Introduction

The study of *Usūl al-Fiqh* begins with an appreciation for the foundational discussions that precede the discipline itself. Classical scholars emphasized the necessity of understanding the aims, structure, and sources of a field before engaging its deeper issues. Imām al-Ḥaramayn states:

« حق على كل من يحاول الخوض في فن من فنون العلوم أن يحيط بالمقصود منه، وبالمواد التي منها

يستمد ذلك الفن، وبحقيقته وفنه وحده »

(*al-Burhān fī Uṣūl al-Fiqh*, 1/7)

Similarly, al-Ghazālī underscores the indispensable nature of mastering preliminary concepts:

« كل علم لا يستولي الطالب في ابتداء نظره على مجامعه ولا مبانيه فلا مطمع له في الظفر بأسراره

ومباغيه »

(*al-Mustaṣfā*, p. 4)

These quotations reflect an established scholarly method: no discipline can be properly understood without first grounding the student in its conceptual foundations, definitions, components, and purpose. The present lesson follows this tradition by clarifying essential terms and laying out the grounding framework for engaging the science of *Usūl al-Fiqh*.

The Compound Term “Usūl al-Fiqh”

The expression *Usūl al-Fiqh* is originally a compound made up of a governed noun (al-muḍāf), “Usūl,” and its governing noun (al-muḍāf ilayh), “al-Fiqh.” Over time, however, this compound shifted from a linguistic phrase to a technical designation for a specific discipline. Thus, while linguistically the term remains a construct phrase, technically it functions as a single, unified title for a distinct science.

Because of this dual identity, scholars define the term in two ways: first, by analyzing it as a compound expression; and second, by treating it as a proper name for a science. Some jurists prioritize the first definition because it forms the historical and conceptual basis for the second. Others prioritize the second because it represents the operative meaning within scholarly practice. Both approaches contribute to a fuller picture of what *Usūl al-Fiqh* represents.

The Linguistic Meaning of “Usūl”

Linguistically, *al-Usūl* is the plural of *aṣl*, meaning “that upon which something is built.” This foundational sense appears both physically and metaphorically. A physical foundation includes the structural supports of a building, reflected in the Prophet’s ﷺ statement:

« من بنى لله مسجداً بنى الله له بيتاً في الجنة »

A metaphorical foundation refers to concepts upon which other knowledge is based, as in the ḥadīth:

« بني الإسلام على خمس »



Thus the concept of *aşl* includes both tangible and intangible foundations. Scholars describe this duality succinctly: a foundation may be **ḥissī** (physical) or **ma'nawī** (conceptual). For example, the pillars of a house are its *uşūl* in the physical sense, whereas the structural forms of sentences—nominal, verbal, adverbial, conditional—represent conceptual *uşūl* in grammar.

The Shar'ī Meanings of “Aşl”

Scholars employ *aşl* in the Shar'ī sciences with multiple meanings. The lesson highlights two major definitions.

1. Aşl as a Universal Principle (al-Qā'idah al-Kulliyyah)

For example:

« الأصل في الفاعل أنه مرفوع »

A *qā'idah* is defined as:

« كلية منطبقة على جميع جزئياتها »

Under this meaning, *Usūl al-Fiqh* refers to the universal legal and interpretive principles upon which *fiqh* is constructed.

2. Aşl as a Proof (al-Dalīl)

For example:

« أصل هذه المسألة قوله تعالى: وأقيموا الصلاة »

Hearing “and establish the prayer” serves as a *tafsīlī* (detailed) proof for the obligation of prayer.

The lesson further distinguishes:

- **dalīl tafṣīlī**: a specific text that addresses a particular ruling
- **dalīl ijmālī**: a general principle applied to detailed proofs, such as the maxim:
« الأمر للوجوب »

In this lesson, the term *aṣl* is used in the second sense. Thus:

Usūl al-Fiqh refers here to:

الأدلة الإجمالية التي تستخدم لاستنباط المسائل في علم الفقه

These general evidences include principles such as:

- الأمر للوجوب (a command indicates obligation)
- النهي للتحريم (a prohibition indicates impermissibility)

Linguistic Meanings of “Fiqh”

The term *fiqh* linguistically signifies understanding. Al-Khalīl states:

« فقه يفقه فقها إذا فهم »

Some scholars root it in a deeper capacity or aptitude, as Ibn al-Qatta’ explains:

« فقه صار فقيها وهو الحاذق بما يعلمه »

The Qur'an employs the word in the sense of comprehension:

- « لَا يَكَادُونَ يَفْقَهُونَ حَدِيثًا » (4:78)
- « أَنْ يَفْقَهُهُ » (6:25)
- « مَا نَفَقَهُ كَثِيرًا مِمَّا تَقُولُ » (11:91)

Scholars also described *fiqh* as understanding subtle matters. Al-Shīrāzī notes:

«...الفقه في اللغة ما دق وغمض؛ ومنه يقال: فقهت معنى كلامك»

He adds that poets in the Jāhiliyyah were called *fuqahā'* because they perceived hidden meanings and subtleties not apparent to others.

Al-Rāzī provides yet another layer:

« الفقه هو العلم بغرض المخاطب من خطابه »

Thus, linguistically, *fiqh* has **three major meanings**:

1. General understanding
2. Understanding subtle matters
3. Understanding the intent behind speech

The Technical Evolution of “Fiqh”

Technically, *fiqh* underwent a historical evolution. Initially, the term encompassed all components of religion: belief, practice, and spiritual refinement. This broad sense aligns with the Qur’anic verse:

« لِيَتَفَقَّهُوا فِي الدِّينِ » (9:122)

Similarly, Abū Ḥanīfah R.A defined *fiqh* expansively as:

« معرفة النفس ما لها وما عليها »

Over time, however, the term narrowed in technical usage to refer specifically to legal rulings on practical matters (*al-aḥkām al-shar‘iyyah al-‘amaliyyah*). This specialization enabled jurists to formalize legal reasoning and distinguish *fiqh* from theology, ethics, and spirituality.

The scholars of Usūl al-Fiqh later defined *fiqh* with precision as:

« العلم بالأحكام الشرعية العملية المكتسبة من أدلتها التفصيلية »

This definition highlights that *fiqh* concerns human actions, is derived from evidence, and depends on *detailed* proofs—setting it apart from the general evidences studied in Usūl al-Fiqh.

Synthesizing the Two Components: What Is Usūl al-Fiqh?

Understanding the linguistic and technical meanings of *uṣūl* and *fiqh* allows for a coherent definition of *Usūl al-Fiqh*. As a compound term, it signifies the foundational principles upon which *fiqh* is built. As a technical term, it denotes the discipline that studies general evidences, interpretive rules, and methodological tools for deriving legal rulings from the revealed sources.

Thus, the lesson concludes:

أصول الفقه باعتبار كونه مركباً إضافياً بمعنى:

- القَوَاعِدُ الكُلِّيَّةُ الَّتِي تُسْتَعْمَدُ فِي اسْتِنْبَاطِ الفِقه
- الأدلَّةُ الإجماليةُ الَّتِي تُسْتَعْمَدُ فِي اسْتِنْبَاطِ الفِقه

In essence, *Usūl al-Fiqh* is the epistemological backbone of Islamic law. It furnishes jurists with the intellectual instruments required to interpret texts, reconcile proofs, and derive coherent legal rulings. The discipline provides structure, consistency, and rigor to the legal tradition, ensuring that *fiqh* is not merely a collection of rulings but a systematic, principled body of law.

The Usūlī Definition of Fiqh

The jurists define *fiqh* technically as:

«العلم بالأحكام الشرعية العملية المكتسبة من أدلتها التفصيلية»

“The knowledge of the legal rulings concerning human actions, acquired from their detailed evidences.”

This definition is extremely precise, and each term carries significant implications. The lesson dissects the definition term by term.

Decoding the Definition

“al-‘Ilm” (Knowledge)

The term *‘ilm* here does **not** refer exclusively to certainty. Instead it refers to:

“مطلق الإدراك الشامل للظن واليقين”

“General cognition, which includes both assumption (*ẓann*) and certainty (*yaqīn*).”

Thus, *fiqh* encompasses rulings derived from:

- definitive evidence,
- and probabilistic evidence (e.g., *āḥād* reports or analogical reasoning).

The term *‘ilm* operates as a genus: it includes any form of knowing that relates to rulings—not the knowledge of substances, entities, or natural phenomena.

“al-Aḥkām” (Rulings)

The term *aḥkām* is the plural of *ḥukm*. Linguistically, *ḥukm* can denote *prohibition*, and is connected to *ḥikmah*, the metal piece in a horse’s bridle that restrains movement.

Technically, the usūlī definition is:

«إسناد أمر إلى آخر إيجاباً أو سلباً»

“To ascribe a matter to something, affirming it or negating it.”

For example:

- “Zayd is standing” = a ruling (affirmation)
- “Zayd is not standing” = a ruling (negation)
- “Zayd” alone = not a ruling

This component of the definition intentionally excludes:

- knowledge of entities (dhawāt)
 - attributes (ṣifāt)
 - and physical acts (af‘āl)
- unless they are *ascribed* to a legal valuation.

“al-Shar‘iyyah” (Legal / Revealed)

This condition excludes any ruling not established through revelation. Thus, the following are **not** part of fiqh:

1. Rational rulings (aḥkām ‘aqliyyah)

“الواحد نصف الاثنين” — “One is half of two.”

2. **Physical rulings (aḥkām ḥissiyyah)**

“النار محرقة” – “Fire burns.”

3. **Linguistic rulings (aḥkām lughawiyyah)**

“النور الضياء” – “Light is brightness.”

4. **Prescriptive grammatical rulings (aḥkām waḍ‘iyyah)**

“الفاعل مرفوع” – “The subject is nominative.”

The Sharī‘ah concerns both belief and practice, but this definition excludes theology because of the next term.

“al-‘Amaliyyah” (Practical / Action-Based)

This restricts fiqh to the legal rulings pertaining to *human conduct*.

Thus, excluded are:

- **theological matters (al-aḥkām al-i‘tiqādiyyah)**
(e.g., knowing Allah, His attributes, eschatology)
- **epistemic principles**
(e.g., “ijmā‘ is authoritative,” “khabar al-wāḥid is proof”)

Accordingly, technical fiqh deals with *what a person does*, not *what a person believes*.

“al-Muktasabah” (Acquired Through Effort)

This term restricts fiqh to that which is attained through investigation, reasoning, and methodological study.

Thus excluded are:

- **the knowledge of Allah**, because divine knowledge is not divided into *necessary* and *acquired*
- **the knowledge of Jibrīl**, because it is received through revelation, not reasoning
- **knowledge acquired without derivation**, such as:
 - rulings known necessarily (*ma'lūm min ad-dīn bi-ḍarūrah*)
 - the knowledge of a muqallid, who imitates without deriving

Fiqh therefore requires *ijtihād* or participation in a derivational process, not mere awareness.

“min Adillatihā at-Tafsīliyyah” (From Its Detailed Evidences)

A *dalīl tafṣīlī* refers to a **specific textual proof**, such as:

- a particular verse
- a particular ḥadīth
- a particular consensus statement
- a particular analogy

This final condition removes:

- *necessary knowledge*, and
- *the knowledge of the imitator*,

since neither is obtained by analyzing specific evidences.

Summary of the Definition

The entire definition may be summarized as:

Fiqh is the knowledge of practical legal rulings derived through a reasoned process from specific evidences.

This excludes:

- rational, linguistic, and empirical rulings
- theological matters
- unreasoned knowledge
- imitation without analysis
- eternal or revelatory knowledge

Thus, fiqh is neither the rulings themselves, nor the mere memorization of them, but the *derivation* and *understanding* of these rulings.

Fiqh as a Descriptive and Nominal Term

The lesson clarifies that fiqh can be used in two ways:

1. Descriptive meaning

The *state* of being a jurist—i.e., possessing the intellectual capacity for deriving rulings.

This is the meaning intended by the *usūlis*.

2. Nominal meaning

The *rulings themselves*, as when a book is called “a book of fiqh.”

The *usūlis* focus on the first meaning because their concern is *method*, not mere content.

Glossary of Key Technical Terms (Student-Friendly, Precise)

Aṣl (الأصل)

- **Linguistic:** A foundation; that upon which something is built (physical or conceptual).
 - **Shar‘ī (1):** A universal principle (قاعدة كلية).
 - **Shar‘ī (2):** A legal proof (الدليل).
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Usūl (الأصول)

- Plural of *aṣl*; foundations.
 - In *Usūl al-Fiqh*, it refers to the *principles* or *general evidences* from which legal rulings are derived.
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Fiqh (الفتحة)

- **Linguistic meanings:**
 1. General understanding
 2. Understanding subtle or intricate matters

3. Understanding the intention behind speech

- **Technical meaning:**

Knowledge of practical Sharʿī rulings derived from their detailed evidences.

Usūl al-Fiqh (أصول الفقه)

- The discipline that studies the general evidences, principles, and methods used to derive fiqh rulings from the Qurʿan, Sunnah, and other sources.
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Dalīl (الدليل)

- **Tafṣīlī:** A specific text addressing a single ruling.
 - **Ijmālī:** A general interpretive principle that applies across texts.
-

Qāʿidah Kulliyah (القاعدة الكلية)

- A universal principle that applies to all of its instances (e.g., “The command indicates obligation”).
-

Muḍāf / Muḍāf Ilayh (المضاف / المضاف إليه)



- The grammatical construct describing a two-part noun phrase: the possessed and the possessor.
-

Shar'ī Rulings (الأحكام الشرعية)

- The rulings derived from revelation that govern human actions.
-

Istinbāt (استنباط)

- The process of extracting legal rulings from evidences using systematic reasoning.
-

Far'īyyāt (الفروع)

- Subordinate or practical legal issues, in contrast to matters of creed or spirituality.