

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



Hanafi Usul 101 Lesson 2 Overview

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The Definition of Usūl al-Fiqh as a Science

In this section the discipline of Usūl al-Fiqh is defined not merely as a compound grammatical term but as the **name of a specialized field**.

A concise and representative definition is:

«علم بالقواعد التي يتوصل بها إلى استنباط الأحكام الفقهية المكتسبة عن أدلتها»

“Knowledge of the principles through which fiqh rulings are derived from their evidences.”

This definition includes three layers of knowledge:

1. Knowledge of the principles themselves

Such as:

- “الأمر للوجوب” — “A command indicates obligation.”
- “النهي للتحريم” — “A prohibition indicates impermissibility.”

2. Knowledge of *how* these principles function

Including:

- precedence of explicit text over implication
- precedence of mutawātir over āḥād
- knowledge of evidential conflict (ta‘āruḍ)
- rules of preference (tarjīḥ)



3. Knowledge of the status of the one deriving the ruling

This includes:

- the qualifications of a mujtahid
- the role of the muqallid
- the conditions and boundaries of ijtihād and taqlīd

Disagreements in fiqh arise primarily from:

- whether something is accepted as a dalīl by one jurist but not another
 - or differences in ranking evidences (e.g., general principles vs. solitary reports)
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The Benefit of Learning Usūl al-Fiqh

Among the most important benefits mentioned:

1. Regulating the principles of legal reasoning

Correct derivation requires correct use of uṣūlī rules. A sound proof is not enough without sound methodology.

2. Understanding the framework of fatwā

Including:

- responsibilities of the mufti
- conditions of issuing rulings

- ethics and mannerisms of the jurist

3. Knowing the boundaries of valid disagreement

Quoted poetry emphasizes:

«وليس كل خلاف جاء معتبراً... إلا خلافاً له حظ من النظر»

“Not every disagreement is considered valid—only that which has a legitimate basis for reflection.”

4. Understanding why scholars differ

A student learns to appreciate the reasoning behind divergent conclusions and to report each school’s position accurately:

“فالمداهب ينبغي أن تُحكى على ما هي عليه، لا كما نحب أن تكون عليه”

“Schools of law must be described as they truly are, not as we wish them to be.”

The Four Pillars of Legal Theory

The lesson concludes by presenting the structure of Usūl al-Fiḥ as summarized by Imām al-Ghazālī:

1. al-Madlūl (the ruling)
2. al-Dalīl (the evidence)
3. al-Dalālah (the method of interpretation)

4. al-Musta'mid / al-Mujtahid (the jurist deriving the ruling)

Al-Ghazālī writes:

«الأحكام ثمرات، وكل ثمرة فلها صفة وحقيقة في نفسها، ولها مثمر ومستثمر وطريق في الاستثمار»

The *ḥukm* is the fruit.

The *dalīl* produces the fruit.

The *mujtahid* harvests the fruit.

The *method of derivation* is the pathway to the fruit.

He continues:

«والمثمر هي الأدلة، وهي ثلاثة: الكتاب والسنة والإجماع... والمستثمر هو المجتهد... وطرق الاستثمار هي وجوه دلالة الأدلة...»

Thus the jurist must understand:

- the nature of the ruling,
- the sources of law,
- the modes of scriptural indication,
- and the conditions of *ijtihād*.

This completes the architecture of *Usūl al-Fiqh*.

Glossary of Key Terms

A short glossary for students:

- **Fiqh**: Deriving practical legal rulings from detailed evidences.
- **Ḥukm sharʿī**: A legal valuation assigned by Allah to an action.
- **Dalīl tafṣīlī**: A specific text or proof.
- **Ijtihād**: The exertion of intellectual effort to derive rulings.
- **Usūl al-Fiqh**: The principles governing derivation of legal rulings.
- **Tarjīh**: Preferring one piece of evidence over another.
- **Taʿāruḍ**: Apparent conflict between evidences.
- **Muqallid**: One who imitates without deriving.
- **Mujtahid**: A qualified jurist capable of deriving rulings.