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Subject : Islamic jurisprudence

Teacher : Mis Sadia Sittar.

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Islamic legislative system

1) Meaning of Islamic jurisprudence

- Fiqh = understanding of Islamic laws derived from detailed sources
- It governs all aspects of life, religion, moral, social, economic and political
- Based on Divine guidance

2) Meaning of Shariah

- Literally "The path to follow"
- Technically: The complete code of life given by Allah
- covers
- Act of worship
- social dealing
- Criminal law

3) Sources of Islamic law

A. Primary sources

1) Quran
- Supreme and final authority
- contains fundamental legal principles

2) Sunnah
- Saying, actions and approval of the prohet Muhammad

B. Secondary sources

3) Ijmaa

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3, Ijma
. Agreement of Muslim scholar on a legal issue
. Ensures unity and consistency
4, Qiyas
. Applying existing law to new situation
. Based on reasoning and comparision

4, Characteristics of Islamic legislative system.
. Divine origin
. comprehensive
. Universal
. flexible

5) Classification of law in Islam
A. According to obligation
1, fard/Wajib - Compulsory
2, Sunnah - recommended
3, Mubah - permissible

6, concept of Ijtihad
. independent reasoning by qualified scholars.
. used when no clear ruling exists in Quran or Sunnah

7, School of thought
. Hanafi
. Maliki
. Shafi

8, objectives of Islamic law
a, Religion b, life c, intellect d, lineage e, property

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9) Importance of Islamic legislative system.

- Provides complete guidance for life
- Ensures justice and social welfare
- Balance individual right and community interests
- Promotes ethical behaviour.

10) Difference B/t Shariah and fiqh

- Shariah : Divine law
- fiqh : Human understanding.

Conclusion

The Islamic legislative system is a divinely guided, comprehensive and flexible legal framework derived from the Quran and Sunnah supported by secondary tools like Ijma and Qiyas, aiming to ensure justice, welfare and moral discipline in society

Darsi Notes