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Manzumat al-Qawa'id al-Fiqhiyyah: Maxims of Fiqh Workbook

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[Introduction to Maxims of Fiqh \(Al-Qawa'id Al-Fiqhiyyah\)](#)

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مَنْظُومَةُ الْقَوَاعِدِ الْفِقْهِيَّةِ

Workbook

Maxims of Fiqh [Poem]

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فَمَنْ كَانَ يَرْجُو لِقَاءَ رَبِّهِ فَلْيَعْمَلْ عَمَلًا صَالِحًا وَلَا يُشْرِكْ بِعِبَادَةِ رَبِّهِ أَحَدًا

{So whoever hopes for the meeting with his Lord, let him work righteousness and associate none as a partner in the worship of his Lord} [18:110]

All praise is for Allāh; Al-'Aliyy (Most High), most gentle.
The one who connects matters, and separates others.

Possessing blessings, vast and abundant;
and wisdom, splendid and numerous.

ثُمَّ الصَّلَاةُ مَعَ سَلَامٍ دَائِمٍ ... عَلَى الرَّسُولِ الْفُرَشِيِّ الْخَاتَمِ

Thereafter salutations and peace, everlasting,
upon the Messenger, from Quraysh, the seal;

وَأَلِهِ وَصَحْبِهِ الْأَبْرَارِ ... الْحَائِزِي مَرَاتِبِ الْفَخَّارِ

and upon his family and noble companions
possessors of glorious ranks.

Know, may you be guided, that the most virtuous of blessings is knowledge which removes from you doubt and dirt [of sins];

highlighting truth to those possessing hearts,
and leading a person to what is sought.

فأحرص على فهمك للقواعد ... جامعة المسائل الشوارد

So, focus your understanding on the principles,
which connect far dispersed issues,

لِتَرْقِي فِي الْعِلْمِ خَيْرَ مُرْتَقَى ... وَتَقْتَفِيَ سُبُلَ الَّذِي قَدْ وُفِّقَا

such that you are able to progress well in your knowledge, thereby following the paths of those guided to success.

And these principles, I penned as poetry,
from the books of the people of knowledge, I gathered them.

May the Guardian reward them with a great reward.
and pardon along with His forgiveness and goodness

An intention is a prerequisite for all actions;
upon it, is the validity and corruption of every action.

The religion is built upon common benefits,
establishing them, and repelling harms.

فَإِنْ تَرَاحِمَ عَدَدُ الْمَصَالِحِ ... يُقَدَّمُ الْأَعْلَى مِنَ الْمَصَالِحِ

If a number of common benefits coincide, preference is given to the greater benefit.

وَضِئُهُ تَزَاحُمُ الْمَفَاسِدِ ... يُرْتَكَبُ الْأَدْنَى مِنَ الْمَفَاسِدِ

Its opposite is the coinciding of harms,
the least of the harms is committed.

وَمِنْ قَوَاعِدِ الشَّرِيعَةِ التَّيْسِيرُ ... فِي كُلِّ أَمْرٍ نَابَهُ تَعْسِيرٌ

From the principles of the Sharī'ah, is ease;
in every matter, stricken with difficulty.

وَلَيْسَ وَاجِبٌ إِلَّا بِإِقْدَارٍ ... وَلَا مُحَرَّمٌ مَعَ اضْطِرَارٍ

There is no obligation without an ability,
nor prohibition in a state of dire necessity.

And every forbiddance in a state of necessity,
[is permitted] according to the level of necessity.

Rulings are based on certainty;
and doubt is not a removal of certainty.

وَالْأَصْلُ فِي مِأْهِنَا الطَّهَارَةِ ... وَالْأَرْضِ وَالشَّيْبِ وَالْحِجَارَةِ

The default ruling regarding our water is purity, as well as earth, garments and stones.

وَالْأَصْلُ فِي الْأَبْضَاعِ وَاللُّحُومِ ... وَالنَّفْسِ وَالْأَمْوَالِ لِلْمَعْصُومِ

And the default ruling for intercourse, meat,
life and wealth of the protected,

تَحْرِيمُهَا حَتَّى يَحْيِيَ الْحِلُّ ... فَافْهَمْ هَذَاكَ اللَّهُ مَا يُمَلُّ

is prohibition until an allowance [is proven].

So understand, may Allāh guide you, what has been dictated.

وَالْأَصْلُ فِي عَادَاتِنَا الْإِبَاحَةُ ... حَتَّى يَجِيءَ صَارِفُ الْإِبَاحَةِ

The default ruling with regards to our customs, is permissibility, until [an evidence] comes changing the permissibility.

وَلَيْسَ مَشْرُوعًا مِنَ الْأُمُور ... غَيْرُ الَّذِي فِي شَرْعِنَا مَذْكُور

No matter is legislated,
other than what, in our Sharī'ah, is mentioned.

وَسَائِلُ الْأُمُورِ كَالْمَقَاصِدِ ... وَاحْكُم بِهَذَا الْحُكْمِ لِلزَّوَائِدِ

The means to an end, [assume the ruling] of the objectives;
apply this ruling for additional actions [related to it].

Errors, coercion and forgetfulness,
[the sin for it] has been relinquished by our deity, the Merciful;

However, with damage [to property], liability is affirmed, whilst the sin and shortcoming are negated.

From the rulings of connected matters,
is allowance; however not when it independently occurs.

Customs are implemented in the case of,
a ruling of the noble Shari'ah, left ambiguous.

The one who hastens to a forbidden [reward] before its time,
will be at a loss as well as deprived of it.

If a prohibition is committed within an action,
or in its conditions; the action is corrupted and deficient.

وَمُتْلِفٌ مُؤْذِيهِ لَيْسَ يَضْمَنُ ... بَعْدَ الدِّفَاعِ بِالَّتِي هِيَ أَحْسَنُ

The one who harms an aggressor, is not liable, after trying to repel in a manner, appropriate.

وَأَلْ تُفِيدُ الْكُلَّ فِي الْعُمُومِ ... فِي الْجَمْعِ وَالْإِفْرَادِ كَالْعَلِيمِ

The definite article [1] indicates a comprehensive generality, in plurals and individual entities like al-‘Alīm.

[1] The “definite article” is when a noun is suffixed with “Alif” and “Laam” such as al-‘Alīm as opposed to ‘Alīm.

وَالنَّكَرَاتُ فِي سِيَاقِ النَّفْيِ ... تُعْطَى الْعُمُومُ أَوْ سِيَاقِ النَّهْيِ

Indefinite objects, in the context of a negation,
indicate a generality; [similarly] in the context of a prohibition.

كَذَّاكَ (مَنْ) وَ(مَا) تُفِيدَانِ مَعَا... كُلُّ الْعُمُومِ يَا أَخِي فَاسْمَعَا

Similarly, “whoever” and “whatever” both indicate, every generality, O my younger brother, so listen.

وَمِثْلُهُ الْمُفْرَدُ إِذْ يُضَافُ ... فَافْهَمْ هُدَيْتَ الرَّشْدَ مَا يُضَافُ

Similarly, a singular noun if it is possessive, understand, may you be guided to intelligence, what proceeds.

وَلَا يَتِمُّ الْحُكْمُ حَتَّى تَجْتَمِعَ ... كُلُّ الشُّرُوطِ وَالْمَوَانِعِ تَرْتَفِعَ

A ruling is not passed until there is a fulfilment,
of all conditions; and preventions are lifted.

وَمَنْ أَتَى بِمَا عَلَيْهِ مِنْ عَمَلٍ ... قَدْ اسْتَحَقَّ مَالَهُ عَلَى الْعَمَلِ

Whoever fulfils the requirements of an action,
is deserving of what is due from the action.

وَيَفْعَلُ الْبَعْضُ مِنَ الْمَأْمُورِ ... إِنَّ شَقَّ فِعْلٍ سَائِرِ الْمَأْمُورِ

A part of an obligation is fulfilled,
if there is difficulty in fulfilling the entirety of the obligation.

وَكُلَّمَا نَشَأَ عَنِ الْمَأْذُونِ ... فَذَاكَ أَمْرٌ لَيْسَ بِالْمَضْمُونِ

Everything which emanates from an allowance,
such a matter, for it, there is no liability.

وَكُلُّ حُكْمٍ دَائِرٌ مَعَ عَلَيْهِ ... وَهِيَ الَّتِي قَدْ أُوجِبَتْ لِشَرْعَتِهِ

Every ruling revolves around its cause,
which is the very reason for its legislation.

وَكُلُّ شَرْطٍ لَا زِمَ لِلْعَاقِدِ ... فِي الْبَيْعِ وَالنِّكَاحِ وَالْمَقَاصِدِ

Every condition is binding upon the contactor,
in transactions, marriage and intended objectives;

إِلَّا شُرُوطًا حَلَلَتْ مُحَرَّمًا ... أَوْ عَكْسَهُ فَبَاطِلَاتٌ فَاعْلَمَا

except conditions which permit a prohibition,
or it opposite; they are invalid, you should know.

تُسْتَعْمَلُ الْقُرْعَةُ عِنْدَ الْمُبْهَمِ ... مِنَ الْحُقُوقِ أَوْ لَدَى التَّزَاحُمِ

Lots are drawn in cases of ambiguity,
in rights or [in conflict] due to overcrowding.

وَأِنْ تَسَاوَى الْعَمَلَانِ اجْتَمَعَا ... وَفُعِلَ أَحَدُهُمَا فَاسْتَمِعَا

If two actions of similar [legislation] coincide at the same time,
either one can be performed, so listen attentively.

وَكُلُّ مَشْغُولٍ فَلَا يُشْغَلُ ... مِثَالُهُ الْمَرْهُونُ وَالْمُسَبَّلُ

every person engaged [with a contract], cannot be engaged further,
an example of it is a pawned item and an endowment.

وَمَنْ يُؤَدِّ عَنْ أَخِيهِ وَاجِبًا ... لَهُ الرَّجُوعُ إِنْ نَوَى يُطَالِبًا

Whoever fulfils an obligation on behalf of his brother,
for him is a return, if he intended to request it.

وَالْوَزْعُ الطَّبْعِيُّ عَنِ الْعَصِيَانِ ... كَالْوَزْعِ الشَّرْعِيِّ بِلَا نُكْرَانِ

a natural deterrent from a sin,
is like a religious deterrent, without any denial.

وَالْحَمْدُ لِلَّهِ عَلَى التَّمَامِ ... فِي الْبَدْءِ وَالْخِتَامِ وَالِدَوَامِ

All praise is for Allāh, upon completion;
in the beginning, ending and throughout.

ثُمَّ الصَّلَاةُ مَعَ سَلَامٍ شَائِعٍ ... عَلَى النَّبِيِّ وَصَحْبِهِ وَالتَّابِعِ

Thereafter salutations along with peace in abundance,
upon the Prophet, his companions and followers.