

ISLAMIC FIQH TERMINOLOGY OF FREQUENTLY USED WORDS

FATWA (ruling)

If an *A'lam Mujtahid* gives a *fatwa* (ruling) on a *Mas'ala*, it is obligatory for his *Muqallid* (the one who is doing his *taqlid*) to act according to that *fatwa*. He cannot revert to another *Mujtahid* and act on his *fatwa* relating to that *Mas'ala*.

WAJIB (obligatory, necessary, incumbent)

Wajib is an act which must be performed. One is rewarded for performing it and punished as an act of disobedience of Allah (s.w.t.) for failing to perform it, e.g., the daily prayers, the fasting of *Ramadhan*.

IHTIYAT WAJIB (precautionary obligatory)

It is the term used when no ruling (*fatwa*) has been given in a *Mas'ala*. Therefore if an *A'lam Mujtahid* does not give a *fatwa* and qualifies it as an obligatory precaution (*ihtiyat*), the *Muqallid* (his follower doing his *taqlid*) may either act on this precaution, or he may act on the *fatwa* relating to that *Mas'ala* of another *Mujtahid* who ranks next as the most knowledgeable. Example: The *ihtiyat wajib* is that one should not perform *Sijdah* on the leaf of a grape tree. Therefore, unless there is a definite ruling to the contrary of the next most knowledgeable *Mujtahid* relating to this *Mas'ala*, one cannot revert.

SUNNAT, MUSTAHAB (recommendable, desirable)

Mustahab acts are those which, if not performed, will have no reward or punishment, but their performances earn rewards. e.g., the call for prayers (*Adhan*) and *Iqamah* before starting the five daily obligatory prayers.

IHTIYAT MUSTAHAB (recommended precaution)

Its significance is the same as that of *mustahab*. When a *Mujtahid* uses this term, he means that there is no solid proof for that particular act being

mustahab, but his standards of precaution demand that it be considered as *mustahab*.

Ihtiyat Mustahab is always stated in a ruling (*fatwa*) as such. It also recommends the precautionary measure to be taken for the *mustahab* act. In this case, the *Muqallid* can act either according to the *fatwa* or the *ihitiyat* (the precaution). However, he cannot revert to another *Mujatahid* in this case. Example: Washing a *najis* plate in *kurr* water once makes it *tahir*, although the *ihitiyat* (precaution) is that it should be washed three times.

JA'IZ, HALAL, MUBAH (permitted, allowed, lawful, legal)

These are acts or articles, the performance or the use of which respectively, are permitted and lawful. There is no reward for doing or using them, nor punishment for not doing or using them, e.g., drinking tea. The word *Mubah* is mostly used for lawful things only, and not for lawful actions.

MAKROOH (reprehensible, disliked)

Makruh acts are those which, if performed, are not punishable, but avoiding them, earn reward, e.g., eating in the state of *Janabat*.

Note: In *ibadah* - performing a *makrooh* act earns less *thawab* than what is due. Example: a traveler praying in congregational prayer behind an Imam who is not a traveler earns more *thawab* than praying alone as there is immense *thawab* in congregational prayers.

HARAAM (forbidden, prohibited)

It is obligatory to abstain and refrain from the acts which are *haraam*. If a person commits a *haraam* act in disobedience to Allah (s.w.t.), he will be punished, e.g., eating pork.

RAJA' AL MATLUBIYYAH

It is the term applied to an act performed in anticipation that it might be a desirable act to do and which carries a reward. It is performed to seek Divine pleasure.

MAFID-DHIMMAH

It is the term used when one performs an act to free oneself from the obligation of performing in case there happens to be a ruling to perform it which he has no knowledge of it.

MAJHUL AL MAALIK

It is the term used for a property or an asset, the actual owner is, of certainty, unknown. One needs, obligatorily, the permission of *Haakim al-Shar'* (*Marja of Taqleed*) to give it for charity or use or sell it for oneself.

RADD AL MADHAALIM

It is the term applied to the amount of money estimated as a recompense for usurping either knowingly or unknowingly the likely rights of unknown person/s. The money is either paid forthwith or provided as payable in the accounts or included in the Will of a person. The money can be paid to poor persons with permission of *Marja Taqleed* as *Ihtiyat* (precaution). Money for *Radd al madhaalim* can never be used for personal purpose unlike the property in *Majhool al Maalik*, which can be used both for either charity or personal purpose.

NAFS-E-AMMARAH

This term is used to describe that aspect of the self which commands man to do evil. If man sincerely believes in Allah and resolves to do good and avoids evil in all circumstances, Allah gives him power to control this urge and always keeps his conscious awake to safeguard himself against evil.

NAFS-E-LAWWAMAH

This term is used to refer to that aspect of the self which keeps man always alert and holds in check the urge in him to do evil and rebukes and censures him every time he thinks of evil.

NAFS-E-MUTMAINNAH

This term is used to describe the self when it reaches the stage man is in complete control of the *ammarah* aspect of his self and follows strictly the guidance of the *lawwamah* aspect of his soul, he is blessed with a peace of mind, joy and sense of fulfillment with the ultimate destination promised in Qur'an 89:2930.

LEVEL OF DOUBTS IN FIQH

There are several degrees of doubts in *Fiqh*. They are:

- 1) ***WAHM (Presumption):***
Means that one is approximately 25% sure of something but is 75% unsure of it.
Wahm is not accepted in *Fiqh* as a basis of arriving at a ruling.

- 2) ***SHAK (Doubt):***
Means that there is 50% doubt against something being true.
Shak is ignored in *Fiqh*.

- 3) ***DHAN (Most likely/probable):***
Means that one assumes with a 70% certainty that something is true and doubts 30% that it is untrue.
Dhan is accepted as a basis of arriving at a ruling.

- 4) ***ITMINAN (Certitude):***
Means that when one is so sure of something that he/she is confident that it is true. However, there is a small chance that it is not true.
Itminan is a solid basis for a judgment.

- 5) ***YAQEEN (Certainty):***

Means that there is complete 100% certainty of a thing being True.
Yaqeen is accepted as a strong and most reliable basis for making a ruling.

Based on the above definitions, if a person has *shak* or *wahm*, say about the presence of a *haraam* ingredient in food, then one does not have to know the ingredients. The food is *halal* for him to eat.

However, if one has a *dhan*, then one should go through all the ingredients and ensure that the food does not have a *haraam* ingredient before he can eat it.

If one has *Itminan* or *yaqeen*, that the food contains *haraam* ingredient, then it is *haraam* for one to eat the food, but if one has gone through all the ingredients in a food and he is certain that there is no any *haraam* ingredients in it the food will be *halal* for him to eat.