Jurisprudence of Halal and Haraam

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Introduction

Halal denotes permissibility and Haraam means impermissibility. These are the two basic concepts of Islam. A Muslim leads his life in the sphere of Halal and keeps himself away from Haraam. Since Islam is very delicate regarding Halal and Haraam, jurisprudence of Halal and Haraam entices lots of importance. Jurisprudence connotes study, knowledge and the science of law. In this context jurisprudence of Halal and Haraam is truly the science of Halal and Haraam. Without knowing about the sources and degrees of halal and Haraam, these two words will remain just two terminologies.

As the Halal food industry is flourishing every day, confusions in the shape of new challenges are also ascending. Does every contaminated item mount to Haraam? There is a belief that every contamination mounts to Haraam, having no idea regarding the degrees of Haraam. Yes, contaminated item shall not be certified. Still it may be Makrooh-e-Tenzeehi or Tehreemi, not Haraam.

The deduction of law from Qur’an and Sunnah is very complicated process. It requires skill and authority in Arabic language, Tafseer and its jurisprudence, Hadith and its jurisprudence, Fiqh and its jurisprudence and the customs of Arabs at the time when the Qur’an was being revealed to the prophet [PBUH]. At this level, details are not required. It will be adequate to understand the basic rules with simplicity.

Jurisprudence of Halal and Haraam mainly comprises of sources and degrees of Halal and Haraam, causes of Haraam and a short introduction to the various schools of thought.

Sources of Halal and Haraam

Sources imply the means through which and from where the laws of Halal and Haraam are derived. These are of two kinds.\(^1\)

1. Primary
2. Secondary

1. **Primary sources**

These are the most important sources. These sources have the nature of command, authority and certainty. Anything proved or derived out of these sources is binding. Qur’an, Sunnah and Ijma are the primary sources.

Following are the brief details regarding all these three.
(i) Qur’an:

The holy Quran is the book revealed to the Messenger of Almighty Allah, Hazrat Muhammad (PBUH) as written in the Masahif and transmitted to us from him through an authentic continuous narration without doubt.

Structure of the Holy Qur’an:

The Holy Qur’an is divided into thirty equal parts. Each part is called Juze, in Arabic. Every part again is divided into four parts. The Surah’s are called chapters which are divided into sections called “Ruku”. Each section (Ruku) has number of verses. The Holy Qur’an is arranged in one hundred and fourteen chapters of unequal length. Surah Baqarah’ having 286 verses is the longest while Surah Kauther’ is the shortest with three verses. The total verses in the Holy Qur’an are 6666.

Revelations received before and after Hijrah’:

The chapters which were revealed to the Prophet PBUH before Hijrah’ are called Makki. These chapters largely deal with beliefs and morals. The chapters which were revealed to the Prophet PBUH after Hijrah’ are called Madni. These chapters mainly deal with rules and regulations.

Contents of the Holy Qur’an

1. Creation of the Universe

   The Holy Qur’an gives an account of the creation of the Heaven, the Earth and of human being himself.

2. Stories of the past

   The Holy Qur’an narrates the stories of the previous prophets and people and the punishment inflicted on the wicked in the past, e.g., the story of Hazrat Moses (A.S), Hazrat Abraham (A.S), the people of the cave, Hazrat Noah, Hazrat Lut etc.

3. Prophesies

   The Holy Qur’an contains a number of prophesies and many of these are already fulfilled, e.g. prophecy regarding the defeat of the Romans by the Persians and later the defeat of Persians by the Romans.

4. Seen and unseen
The Holy Qur’an expresses the unseen and about the seen. Allah, the angels, the life after death, Resurrection, the Day of Judgment, Heaven and Hell, all of these are unseen. The seen like our universe, Qur’an articulates lot of features about it.

5. Code for life

The Holy Qur’an explains a complete code of conduct, moral injunctions and teaching regarding social, legal economic and political matters.

6. Laws

The Holy Qur’an also contains commandments and the laws for the Muslims e.g.

- Family laws in seventy injunctions
- Civil laws in seventy injunctions
- Penal laws in thirty injunctions
- Jurisdiction and procedure in thirteen
- Constitutional law in ten
- International relations in twenty-five
- Economic and financial order in ten injunctions

Deduction of Law

As mentioned that deduction of law from Qur’an is very complicated process, which requires skill in various fields. At this level, simplicity is required to understand the fundamental process of deduction.

Primarily, there are two ways of deduc­tion,\(^3\)

1. Qat’l ul dalalah
2. Zanni ul dalalah

(i) Qat’l ul dalalah; a verse which is definitive in its implication and interpretation and accepts no more interpretation is called Qat’l ui dalalah. The law of Farz and the law of Haraam are deducted from such kind of verses. These verses are also called Muhkam’at.

Illustrations of law of Farz:

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\text{يَتَأَمَّنُونَ عَلَى رَسُولِ اللَّهِ وَيَكُونُ الَّذِى نُزِّلَ عَلَى رَسُولِ اللَّهِ وَالْكِتَّابُ الَّذِى أُنزِلَ مِن قَبْلِ وَمَن يَكُونُ بِاللَّهِ وَمَلَكَّتَهُ وَكِلَّاهُ وَرَسُولُهُ وَلِيْوَاتُ الَّذِينَ قَامُوا مَعِيَ ﷺ ﺔٔ ﺖٔ ﺔٔ} \]

3. Deduction of Law
O you, who have believed, believe in Allah and His Messenger and the Book that He sent down upon His Messenger and the Scripture Which He sent down before. And whoever disbelieves in Allah, His angels, His books, His messengers, and the Last Day has certainly gone far astray. (4:136)

O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy. (2:168)

In it are clear signs [such as] the standing place of Abraham. And whoever enters it shall be safe. And [due] to Allah from the people is a pilgrimage to the House - for whoever is able to find thereto a way. But whoever disbelieves - then indeed, Allah is free from need of the worlds. (3:97)

Commentary:

All the above verses are definitive in implication and interpretation; therefore, all the matters proved and derived out of these verses shall be binding and called Farz. In this regard,

- Due to first verse, belief in the oneness of Allah, the last prophet hood of Hazrat Muhammad (PBUH), the Book which has been revealed to him, the passed prophets and their Books, the Angels and the Day of Judgment, is Farz. One who refuses all of these matters or one of these matters shall be rendered non-Muslim.
- Consumption of Halal Food is Farz due to second verse.
- Prayers and Zakah are Farz due to third verse.
- Fasting is Farz due to fourth verse.
- Haj is Farz due to fifth verse.
Illustrations of law of Haraam

Prohibited to you are dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allah, and [those animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of horns, and those from which a wild animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone altars, and [prohibited is] that you seek decision through divining arrows. That is grave disobedience. This day those who disbelieve have despaired of [defeating] your religion; so fear them not, but fear me. This day I have perfected for you your religion and completed my favor upon you and have approved for you Islam as religion. But whoever is forced by severe hunger with no inclination to sin - then indeed, Allah is Forgiving and Merciful. (5:3)

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful. (5:90)
Prohibited to you [for marriage] are your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters, your sister's daughters, your [milk] mothers who nursed you, your sisters through nursing, your wives' mothers, and your step-daughters under your guardianship [born] of your wives unto whom you have gone in. But if you have not gone in unto them, there is no sin upon you. And [also prohibited are] the wives of your sons who are from your [own] loins, and that you take [in marriage] two sisters simultaneously, except for what has already occurred. Indeed, Allah is ever forgiving and Merciful. (4:23)

And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way. (17:32)

Commentary:

All the above verses are definitive in implication and interpretation. Therefore all the matters proved and derived of these verses shall be rendered Haraam. In this regard,

- Consumption of dead animals, blood and Swine flash are Haraam due to first verse.
- Consumption of in toxic drinks, gambling and sacrificing on stones alters to other than Allah is Haraam due to second verse.
Consumption of abominable, detested and impure things are Haraam due to third verse.
Marriage with mother, daughter, sister and other sanctified relatives mentioned in the text, is Haraam due to fourth verse.
Adultery is Haraam due to fifth verse.

(ii) Zanni ul dalalah:

A verse which is speculative in its implication and interpretation and accepts more than one interpretation is called Zanni ul dalalah. It is also called Muawwal’at. The laws of Wajib and Makrooh e Tehreemi are deducted from such kind of verses.

Illustrations of law of wajib:

So pray to your Lord and sacrifice [to Him alone]. (108:2)

And establish prayer and give zakah and bow with those who bow [in worship and obedience]. (2:43)

Commentary:

Both the above verses are speculative in implication and interpretation. Therefore accept more than one interpretation. So the matters proved and derived out of these verses shall be rendered Wajib, not Farz. In this regard,

According to first verse, sacrificial slaughtering in the three days of Eid-ul-Azha is Wajib on a person who can bear the expenses.\(^4\)
If there is no hurdle, than due to second verse prayer with congregation is Wajib.\(^5\)
Illustrations of law of Makrooh-e-Tehreemi

Lawful to you is game from the sea and its food as provision for you and the travelers, but forbidden to you is game from the land as long as you are in the state of ihram. And fear Allah to whom you will be gathered. (5:96)

And makes lawful for them the good things and prohibits for them the evil (7:157)

O you, who have believed, when [the adhan] is called for the prayer on the day of Jumu’ah [Friday], then proceed to the remembrance of Allah and leave trade. That is better for you, if you only knew. (62:9)

Commentary

The above verses are speculative in implication and interpretation. Therefore accept more than one interpretation. So whoever proclaims something unlawful on the basis of any of these verses, the unlawfulness and illegality shall mount to Makrooh-e-Tehreemi, not Haraam.

Aquatic animals

The juristic difference between the various schools of thought regarding the consumption of aquatic animals is cemented upon the first verse.
According to Hanfi school of thought, it is Halal to consume fish and what is called fish in the customs of Arabs at the time when the Quran was being revealed to the prophet PBUH. This includes prawns to the fish family because prawns were considered fish in the customs of Arabs at the time when Quran was being revealed to the prophet PBUH.

Shafi school of thought is of the view that all the aquatic animals are Halal with the exception of frog.

Maliki and Hanbli schools of thought are of the view that all the aquatic animals are Halal.

Imamia school of thought is of the view that only fish having scales and prawns are Halal.

As for as the Hanfi and Imamia schools of thought are concerned, the consumption of aquatic animals other than fish family [Hanfi], fish having scales and prawns [Imamia], shall be rendered Makrooh e Tehreemi.

**Arthropods**

The second verse states a ruling that impure and abominable things are Haraam to consume. This verse is definitive in case of blood, swine flesh, dead animals, human and animal waste and the animals which naturally live on impure and abominable things, because so many other verses and Ahadith describe the same. So all the mentioned things shall be rendered Haraam, not Makrooh e Tehreemi.

The question will take its place when the matter comes to the arthropods. Are they Haraam to consume? Do they come under the ruling of second verse?
Arthropods are basically invertebrate living organisms, such as insects, spiders, scorpions etc. Following is a sketch which shows the various forms of arthropods.

**Sketch of arthropods**

- Hanfi, Hanbli and Imamia schools of thought are of the opinion that all the land form arthropods are Haraam\(^\text{12}\) and fall under this verse with the exception of locust. Moreover, Hanfi and Imamia schools of thought are of the opinion that amongst the marine forms only shrimps are Halal to consume. Whereas Hanbli School is of the view that all the marine forms are Halal to consume.
- Shafi\(^\text{13}\) school of thought is of the view that amongst the land forms the matter shall be referred to the consideration of human beings. What they consider good and pure that shall be Halal. Whereas about the marine forms, this school of thought is of the view that all of them are Halal to consume.
- Maliki\(^\text{14}\) school of thought is of the opinion that all the land forms and marine forms arthropods are Halal to consume.\(^\text{15}\)

Since it has been proved that this verse is speculative in implication and interpretation, therefore accepts more than one interpretation, in this regard as far as the consumption of arthropods are concerned, any school of thought which disallows the consumption of
all the arthropods or a part of them, the decree of disallowance shall be on the basis of Makrooh e Tehreemi, not Haraam.

**Trade after the first call for Jumma**

Due to third verse, after the first call for Jumma Prayer, trade and all the activities which stand repugnant to the Jumma Prayer, shall be rendered Makrooh e Tehreemi.16

**(ii) Sunnah**

Sunnah is referred to the sayings, practices and approvals of the Holy Prophet Hazrat Muhammad (PBUH)17.

**Kinds of Sunnah**

1) **Sunnah qawliyah**

It is defined as the sayings of the Holy Prophet Hazrat Muhammad (PBUH). To become a source of law, the purpose of the saying should be the laying down of the law, like the consumption of predatory animals.

2) **Sunnah failiyah**

It is defined as the acts of the holy Prophet having a legal content like his prayers, fast, Hajj etc. The acts that don’t have a legal content do not become a source of law, like the continuous fasting of prophet PBUH without Iftar. [Sawm e Wisal]

3) **Sunnah taqririyah**

It is defined as the commission of certain acts by word or deed by some companions and the maintenance of silence by the holy prophet, like one of the companions ate mountain lizard before Him and He PBUH kept on watching.

**Deduction of law**

The process through which law is deducted from Sunnah is also complicated and requires skill in so many fields. Primarily there are two ways of deduction of law from Sunnah.

1. **Qat’l ul dalalah**

2. **Zanni ul dalalah**

1. **Qat’l ul dalalah**

A text of hadith which is definitive in its implication and interpretation and accepts no more interpretation is called Qat’l ul dalalah. The law of Haraam is derived from such kind of hadith.
Illustrations of Haraam

Ibn `Abbas reported that Allah’s Messenger (PBUH) prohibited the eating of all fanged beasts of prey, and all the birds having talons. (Sahih Muslim 1934 a Book 34)

Abu Tha’labah reported that Allah’s Messenger (PBUH) prohibited (the eating) of the flesh of domestic asses. (Sahih Muslim 1936 Book 34)

Hishim b. Zaid b. Anas b. Malik reported:
I visited the house of al-Hakam b. Ayyub along with my grandfather Anas b. Malik, (and there) some people had made a hen a target and were shooting arrows at her. Thereupon Asas said that Allah’s Messenger (PBUH) had forbidden tying of the animals (and making them the targets of arrows, etc.). (Sahih Muslim 1956 a Book 34)

Commentary

All the above texts are definitive in implication and interpretation, therefore the matters proved and derived out of these texts shall be decreed Haraam.

In this regard,

➢ According to first hadith, all the animals which are predatory, either terrestrial or aerial shall be rendered Haraam.
➢ Due to second hadith consumption of domesticated donkeys are Haraam.
➢ Any kind of ill treatment with animals is Haraam due to third hadith.

2. Zanni Ul Dalalah

It is of following two types.
A hadith either its text or its chain of narration is speculative, is called Zanni ul dalalah. The law of Makrooh e Tehreemi is derived from such kind of hadith.

Illustrations of Makrooh e Tehreemi

Ibn e Umar reported, Messenger of Almighty Allah (PBUH) disliked seven parts of the goat, Penis, Testicles, Vulva [external part of female genitalia], Glands, Urinary bladder, Gall bladder, blood. (Al Majma ul Awsat 9/181)

Abd al-Rahman reported on the authority of his mother's sister Umm Salama who said that Allah's Messenger (PBUH) said:
He who drank in vessels of gold or silver he in fact drank down in his belly the fire of Hell. (Sahih Muslim 2065 c Book 37)

Commentary

Both the hadiths are speculative as far as their texts and chain of narration are concerned. So the matters proved and derived out of these hadith shall be decreed Makrooh e Tehreemi. In this regard,

- According to first hadith, consumption of
  1. Penis
  2. Testicles
  3. Vulva
  4. Glands
  5. Urinary bladder
  6. Gall bladder

  Are Makrooh-e-Tehreemi, whereas consumption of blood is Haraam due to the definitive verse of Quran, as it has been mentioned earlier.

- Due to second hadith consumption in utensils made of gold, is Makrooh-e-Tehreemi.
• The second type of Zanni ul dalalah is a hadith which fulfills the following two conditions.
  ➢ Either its text is speculative and accepts more than one interpretation or its chain of narration is speculative.
  ➢ A hadith which relates to the daily course habitual practices of human beings. Law of Makrooh e Tenzeehi is derived out of such kind of hadith.

Illustrations of Makrooh e Tenzeehi

Narrated Az-Zuhri:
From Salim, from his father, that the Messenger of Allah (PBUH) said: "When one of you eats, then let him eat with his right hand, and let him drink with his right hand, for indeed Ash-Shaitan eats with his left hand, and he drinks with his left hand." (Jami`at-Tirmidhi 1800 Book 25)

Narrated Umar bin Abi Salama
I was a boy under the care of Allah's Messenger (PBUH) and my hand used to go around the dish while I was eating. So Allah's Messenger (PBUH) said to me, 'O boy! Mention the Name of Allah and eat with your right hand, and eat of the dish what is nearer to you." Since then I have applied those instructions when eating. (Sahih al-Bukhari 5376 Book 70)

وَعَنِ أَبِي هُرَيْرَةَ رضِي الله عنه قال: قال رسول الله صلى الله عليه وسلم: لا يشرِب أحد منكم قائماً، فمن

Abu Hurairah (May Allah is pleased with him) reported:
Messenger of Allah (PBUH) said, "None of you should drink standing; and if any one forgets, he must vomit." (Sahih Muslim Hadith 45 Book 3)
Jabir reported Allah’s Messenger (PBUH) as saying:
Cover vessels, water skins, close the doors and extinguish the lamps, for the Satan does not loosen the water skin, does not open the door and does not uncover the vessels. And if one amongst you fails to find (something) to cover it well, he should cover it by placing (a piece of) wood across it. Qutaiba did not mention the closing of the doors in the hadith transmitted by him. (Sahih Muslim 2012 a Book 36)

Commentary

All the above hadiths are speculative in their text and narration and relate to the daily course habitual practices of human beings. Therefore, breach of the orders passed in these injunctions shall be decreed with Makrooh e Tenzeehi. In this regard,

- Due to first hadith eating and drinking with left hand is Makrooh e Tenzeehi.
- Due to second hadith eating or drinking without Tasmiah is Makrooh e Tenzeehi.
- Due to third hadith eating or drinking while standing is Makrooh e Tenzeehi.
- Some daily course habitual practices have been mentioned in the fourth hadith. Covering vessels and water skins, closing the doors and extinguishing the lamps are considered etiquettes. Not exercising these shall be reduced to Makrooh e Tenzeehi.

(iii) Ijmaa

Ijmaa means the consensus of majority opinion of the Muslim jurists at a particular time and a particular generation\(^{19}\). This is third primary source of Islamic law. This source echoes the beauty of this religion. There are so many matters, the explicit narrative of which could not be found in Quran and Sunnah. Such as elephant, over the centuries all the jurists have included it in the slant of Haraam animals. Besides, it is an absolute vegetarian. Yesterday it was the matter of Ijma, today the veterinary science has revealed that it might not be slaughtered on the generic basis, as the other Halal animals, because of its body structure.\(^{20}\)

Need of Ijmaa

Ijmaa has been considered as a third primary source due to the following reasons.

- Due to the long period of this Ummah.
- Due to the extension of territory.
- Due to the rapid growth of Islam and the conversion of non-Arabs to Islam.
- To meet new challenges.

Constitution of Ijmaa\(^{21}\)

- Hanfi School is of the view that Ijmaa can be constituted through the public agreement of the Islamic jurists as they are the experts of the law.
Shafi School is of the view that Ijmaa can be constituted through the agreement of the entire community, because they cannot agree on anything erroneous.

Maliki School is of the view that Ijmaa can be constituted through the agreement amongst the people of Madina as Madina was the first capital of Islam.

Hanbli School is of the view that Ijmaa can be constituted through the agreement amongst the companions of the prophet PBUH, as they were the most knowledgeable people of this Ummah.

Imamia School does not consider Ijmaa as a primary source of Islamic law.

Secondary sources of Halal and Haraam

Secondary sources are lesser important than primary sources. They are lesser in command and certainty. Most of these sources relate to the norms, welfare and ease of the society. They are very similar to the English common law and the law of equity. Following are the secondary sources of Halal and Haraam.22

1. Qiyas

Qiyas is an extension of law from the original text to which the process is applied to a particular case by the means of the language of the text. It is called analogical deduction of law. There are four essentials of Qias.

- Original text
- Case in issue
- Extension of law
- Common reason

For instance, extension of law of Khamar, which is the original text, to all the other intoxicants, which are the cases in issue, on the ground of in toxicity, which is the common reason, is called Qias. The result of this analogical deduction is that all the intoxicants are Haraam. This deduction has been supported by a hadith as well that all the intoxicants are Haraam.

2. Istihsan

Istihsan is juristic preference. It is Islamic law of equity. It is a mean to seek ease and convenience, to adopt tolerance and moderation, to over-rule analogical reason if necessary.

For instance, if a well is contaminated, due to Qias it shall not be used for ritual purification. Istihsan suggests that withdrawing a certain number of buckets of water from the well, will remove the impurities.

3. Maslahat-e-Mursalah (Public interest)
It means in the best interest of general public. According to this source of Islamic law, rulings can be pronounced in accordance with the underline meaning of the revealed text in the light of public interest. For example, a dying man on the death bed divorces his wife just to deprive her of his inheritance, Qias suggests the enforcement of divorce but public interest decrees that the divorce shall not be enforced.

4. Sadd-e-dharai:
It means blocking the lawful means to an unlawful end. Islam is very sensitive regarding the commission of Haraam. So it blocks the mean which can lead towards Haraam.
For example, sale and purchase of weapons in the days of disharmony, holding the glass of wine and sitting with a stranger woman in loneliness.

5. Urf:
It means local customs and common and famous practices of society. Islam recognizes Urf as a source of law. Urf is the Islamic equivalent of English common law.
e.g. issue of eating sea creatures.

6. Qawl-e-Sahabi (Companion’s opinion):
Companions of the Prophet (PBUH) were the most knowledgeable on religious matters and rightly guided. So if we don’t find any solution regarding an issue in Qur’an, Sunnah or Ijma, then we can follow the Qawl-e-sahabi.

7. Istishab:
Istishab also reflects the beauty of Islam. It is the law of status cough. It is the law of continuity. This source proclaims that mere doubt cannot destabilize stability.
Considering and proving the status of a thing as it is, what it was. This source based upon “doubt cannot hurt certainty unless there is a solid proof.” This rule applies in all walks of our lives, whether relates to beliefs, rituals, societal, dealings or state affairs.

8. Previous scriptures:
No one can be a Muslim unless he has faith in all the previous scriptures, but when the matter comes to exercise and practice, then Quran is the only choice for a Muslim. There are certain things mentioned in the previous scriptures, directing the previous nations, as well as in Quran, directing the Muslims too, like prayers and fasting. While there are things mentioned only in Quran, directing only Muslims, like Hajj. So in this perspective a Muslim has to practice only Quran.

Degrees of Haraam
As mentioned, there is a belief that every contamination mounts to Haraam, having no idea regarding the degrees of Haraam. No doubt any contaminated item cannot be certified. Still it may be Makrooh e Tehreemi or Tenzeehi, not Haraam. Following are the degrees of Haraam.

Makrooh e Tenzeehi
It means disliked slightly. This is not the degree of prohibition. A thing is not forbidden to commit or consume on this stage, rather it is unsuitable to commit or consume. For example horse. According to Hanafi School of thought, it is not suitable to consume horse meet as it is dignified animal and used in war. One who commits or consumes anything which is Makrooh e Tenzeehi, shall be liable for nothing, neither for sin nor for punishment.

**Makrooh e Tehreemi**

It means disliked bitterly. This is the degree of prohibition, but lesser in bitterness as compared with Haraam, e.g. eating something in the Utensils made of gold. One who commits or consumes anything which is Makrooh e Tehreemi, shall be liable for sin.

**Haraam**

It means forbidden and disallowed absolutely. This is the apex degree of disallowance, e.g. murder, adultery, consuming alcoholic drinks etc. One who commits or consumes anything which is Haraam, shall be liable for sin and punishment.

**Law of Necessity**

Islam is the religion of ease and comfort. It provides convenience to its followers. In this regard, it has recognized a law of necessity to help the people who cannot practice the ideal standards. So the people who are in need, can consume anything Haraam. This allowance shall remain in accordance with their need.

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فَمَنْ أضطرّ في خِصَاصَةٍ غَيْرِ مُتَجَانِفٍ لِلْإِنْهَارِ
فَإِنَّ الله  غَفُورٌ رَحِيمٌ
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*But whoever is forced by severe hunger with no inclination to sin - then indeed, Allah is Forgiving and Merciful. (5:3)*

**Degrees of Halal**

**Mandoob**

A degree where a person is at the option, either to do or not to do is called Mandoob. This is a stage where commission of a certain act qualifies a person to virtue and non-commission to nothing, e.g. all those deeds which are not Wajib and Farz.

**Wajib**

A degree which sanctions a thing to be committed, lesser than Farz, is called wajib, e.g. sacrificial slaughtering in the three days of Eid ul Azha is wajib. Non-commission of wajib qualifies a person to sin.
Farz
This is the absolute degree of absolute demand. Five times prayers and fasting in the month of Ramadan are the examples of Farz. Non-commission of Farz qualifies a person to major sin.

Causes of Haraam
A thing becomes Haraam due to the following five reasons.
- Due to dignity, like human beings.
- Due to toxicity, but it must be certain and definite, otherwise possibility of toxicity shall mount a thing to Makrooh.
- Due to in toxicity.
- Due to filthiness.
- Due to abominableness.

Introduction of various schools of thought

Hanafi school of thought
Founded by Imam Abu Hanifah - born in 80 Hijri, died in 148 Hijri.

Geographical distribution of the Hanafi school of thought
It is dominant school in Turkey, Syria, Iraq, Jorden, Al-bania, the newly independent states of central Asia, Afghanistan, Pakistan, India, Bangladesh, Brazil, and Egypt.

Literary Work:
- Kitaab-ul-Aathar
- Fiqh al-Akbar

Shafi’ school of thought
Founded by Imam Shafi’ - born in 150 Hijri, died in 204 Hijri.

Geographical distribution of the Shafi school of thought:
It is dominant school in Palestine, Kurdistan, Armenia, Indonesia, Malaysia, Sri Lanka, Philippines and Egypt. Followers of this school are also found in Saudi Arabia and Yemen.

Literary Work:
- Al-Risala
- Kitab al-Umm
- Musnad Ash-Shafi’i

Maliki school of thought
Founded by Imam Malik - born in 93 Hijri, died in 179 Hijri.

Geographical distribution of the Maliki school of thought:
This school is dominant school in north and western Africa including Morocco, Tunis, Algeria, Sudan, Kuwait, Qatar, and Bahrain and imparts of Libya, Egypt and Saudi Arabia.

Literary Work:
- Al-Muwatta
- Al-Mudawwanat ul-Kubra
Hanbli school of thought
Founded by Imam Ahmad Bin Hanbal - born in 164 Hijri, died in 241 Hijri

Geographical distribution of the Hanbali school of thought:
The followers of this school are basically found in Saudi Arabia.

Literary Work:
- Musnad – Ahmad

Ja’fria school of thought:
Ja’fria school of thought is affiliated with Imam Ja’far. He is considered sixth Imam masoom in this school. He was born in 83 Hijri and died in 148 Hijri.

Geographical distribution of the Hanbali school of thought:
People of this school are found in Iran, Iraq, Pakistan, India, lab nan, Syria, Yemen, Bahrain and Afghanistan.

Literary work
He was not the author of any book but the numbers of his pupils were exceeding thousands. It is claimed that Jabir bin Hayan was his pupil.

Conclusion
To adjudicate the discourse, it can be decreed that Halal and Haraam are not just two words to utter with but a whole science to deal with. To apprehend the subject its jurisprudence shall be taken in deliberation. Without knowing the sources and degrees of Halal and Haraam, causes of Haraam and a short introduction to the various schools of thought, it will be problematic to do the justice with this subject.
References

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16. Durre Mukhtar volume#3. Page# 38
18. Badae al Sanae. Volume#5 page#61
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