

## The Meaning of “Fiqh” in the Qur’an and Its Position in Islam

Louay Fatoohi, PhD  
04 September 2011

---

In Islamic sciences, the term “fiqh” has developed the strictly legal meaning of “studying Shari’ a or ‘Islamic law’,” which I briefly explained in a separate [article](#)

. But the Arabic root of this term has a general meaning in the Qur’an. The limited legal meaning this term has developed reflects a narrow reading of one particular Qur’anic verse, which itself is the result of a narrow understanding of Islam.

The term “fiqh” means “understanding,” “comprehending”...etc. It occurs in six different variations twenty times in as many verses. I have listed these variations with any attached pronouns they may have, their meanings, how many times each occurs, and in what verses:

Variation	Meaning	Count
<i>Yafqahuna</i>	they understand	13 4.78, 6.65, 6.98, 7
<i>Yafqah</i>   <u>u</u>	<i>hu</i>	they understand
<i>Yafqah</i>   <u>u</u>		they understand
<i>Nafqahu</i>	we understand	1
<i>Tafqah</i>   <u>u</u>	<i>na</i>	you understand
<i>Liyatafaqqah</i>   <u>u</u>		to study

In eight (7.179, 5.65, 9.87, 9.127, 48.15, 59.13, 63.3, 63.7) of its thirteen appearances in the masculine plural present tense verb “*yafqahuna*,” the term occurs in the expression “*la yafqahu na*” or “

## The Meaning of “Fiqh” in the Qur’an and Its Position in Islam

Louay Fatoohi, PhD  
04 September 2011

---

they do not understand

,” referring to the disbelievers’ failure to accept God’s revelation and appreciate His signs.

These are three of these verses:

We have assigned to hell many jinn and humans: they have hearts but they do not understand (*la yafqah*

u  
*na*  
) with them; they have eyes but they do not see with them; and they have ears but they do not hear with them. They are like cattle — rather, they are further astray. Those are the heedless. (7.179)

You (the believers) cause greater fear in their (the disbelievers) hearts than Allah. This is because they are a people who do not understand (*la yafqahuna*). (59.13)

That is because they (the hypocrites) believed then disbelieved; therefore a seal has been set on their hearts, so they do not understand (*la yafqahuna*). (63.3) In addition to the eight instances of the expression “ *la*

*yafqah*

u  
*na*  
,” the term “

*yafqah*

u  
*na*  
” appears in another five verses. In one verse, Allah censures the hypocrites for their reluctance to go out for jihad during the hot weather, reminding them the “  
the fire of hell is hotter  
,” and commenting that this argument would work with them “  
if they understand (

*law kan*

u  
*yafqah*

u  
*na*  
)  
” (9.81).

This is a second verse criticizing the reasoning of the disbelievers for raising an illogical argument against the Prophet:

Wherever you [O people!] may be, death will reach you, even if you should be in lofty towers. If

## The Meaning of “Fiqh” in the Qur’an and Its Position in Islam

Louay Fatoohi, PhD  
04 September 2011

---

a good thing happens to them (the disbelievers) they say “this is from Allah”; but if a bad thing befalls them they say “this is from you (Muhammad).” Say [O Muhammad!]: “Everything is from Allah.” What is it with these people that they can hardly understand (*yafqahuna*) a saying?

(4.78)

Then

there are two verses (6.65, 6.98) stressing that Allah expounds His verses so that people may understand:

Say [O Muhammad!]: “It is He who is able to send on you chastisement from above you or from under your feet, or to confuse you in sects, and to make some of you taste the violence of others.” See how We handle the signs that they may understand (*yafqahuna*). (6.65) The remaining verse (18.93) in which “

*yafqah*

u

*na*

” is used refers to the limited understanding of one the peoples visited by D

u

al-Qarnain.

Next, there are three verses in which the term “*yafqahuhu* (they understand it)” is used. The pronoun “

it”

refers to the Qur’an. All three verses talk about those who would not understand the Qur’an.

This is one verse:

Who is more wrong than he who after being reminded of the signs of his Lord he turns away from them and forgets what his hands have committed? We have laid veils on their hearts lest they understand it (*yafqahuhu*), and in their ears heaviness; and though you [O Muhammad!] call them to the guidance they will never be guided. (18.57)

The

term “

*yafqah*

u

” occurs in a prophet Moses’ prayer to God to mend a speech impediment he had so that the people he was sent to would understand him: “

So that they understand (

*yafqah*

u

) my words

” (20.28).

“*Nafqahu*” is found in the false argument that the people of prophet Shu’aib used against his preaching: “ We do not understand (*nafqahu*) much of what you say” (11.91).

Then we have the variation “*tafqahuna*” in which God tells people that the heaven, the earth, and everything in them glorifies God: “

but you do not

understand (

*tafq*

*ah* u  
*na*  
) their glorification  
” (17.44).

The last variation of “fiqh” is “*liyatafaqqahu*.” This variant differs from the other five in that the verb used is not “*yafqah*” but “*yatafaqqah*.” The difference between the two is that the former is passive while the later is active. So while the former means “understand” the latter means “study.” This is the verse in question: The believers would not all march forth. A group of each section should march forth to study (*liyatafaqqah*)

u  
) religion so they may warn their people when they go back to them that they may beware. (9.122)

Exegetes have expressed different opinions about what sections of believers are referred to here and what marching forth means. But there is no disagreement on the clear reference to groups of believers dedicating time to the study of religion. As we saw earlier, the term fiqh means “understanding” or “studying” in general, so the verse is talking about studying all aspects of religion, i.e. Islam, which includes but is not restricted to Islamic law. Fiqh as used in verse 9.122 means studying the creed of the Qur’an, the historical accounts in it, its discussion of various natural phenomenon, the law, the biography of the Prophet, why the Prophet took a particular decision but not another, how God guided the development of the first generation of Muslims to establish the new religion and ensure its eternity, how Islamic teachings relate to time and place, how to present Islam to different people and cultures, and so on.

The late Shaikh Muhammad al-Ghazali (1917-1996) has complained that the term fiqh has been hijacked by the jurists who gave it a limited legal meaning. He has rightly criticized the overemphasis that Muslim scholars have put on the legalistic side of Islam at the expense of its other, broader aspects:

If we look at the fiqh of public relations and worshipping practices, I am not aware of any nation that spent more time on juristic branches than our nation. Take ablution for instance. It can be learned in two minutes, so what makes it the subject of hundreds of pages, books, and even tomes, and doctrinal differences? This is puzzling! [1] He goes on to say:

Instead of studying ablution in three months, it would have been better to study: Why did [the people of] ‘Ad expire? Why did [the people of] Thamud perish? Does society today resemble that of ‘Ad or Thamud or not? What corruption took place among the Children of Israel?.... All this is possible to learn by studying the Qur’an’s narratives, but we ignored it completely and distanced ourselves from it as we distanced ourselves from studying the verses that command us to study the universe.

[2]

Of course, the way religious scholars think shapes the average person’s perception of religion. So the Muslim scholars’ seeing of Islam mainly through its legal aspect has had the same impact on the average Muslim.

Here is an experience that every Muslim who takes part in the collective prayer in the mosque would have gone through. As the Muslims line up to start the prayer, it is not uncommon for the

## The Meaning of “Fiqh” in the Qur’an and Its Position in Islam

Louay Fatoohi, PhD  
04 September 2011

---

person to one’s left or right to advise him that he should widen or reduce the gap between his feet. It is quite amazing how this distance has become such a major issue that makes it the subject of repeated advise. Yet how many times have we been advised by the person standing next to us to make sure that we focus on the prayer and avoid absentmindedness? Almost certainly never. But then which one is more important: measuring the distance between one’s feet, to meet a requirement the origin of which is dubious, or trying to make good contact with God during the prayer by focusing one’s thoughts on the verses he reads, the words he utters, and the supplication he makes?

This common experience summarizes very well the predicament we Muslims have. We have lost touch with the essence of Islam and busied ourselves with superficial issues. We have abandoned the heart for the body, the brain for false teachers, and thinking for lifeless, ancient instructions. Getting one’s body in a particular posture is easy; getting the heart in the right state is extremely difficult. Yet it is having that proper state of mind that really matters. But because it is far more difficult than controlling the body, we have substituted it with that easy alternative.

As Shaikh al-Ghazālī says, Muslim scholars have been guilty of overelaborating Islamic law, and this overelaboration reflects a misunderstanding of the purpose of Islamic law and its role in the religion. Islamic law is very important, but Islam is much bigger than its legal system. Similarly, the fiqh of Islam should be about studying all aspects of the religion not only its legal system.

### References

- [1] Ghazali, M. (2005). *Kayfa Nata’amal ma’a al-Qur’an (how we should deal with the Qur’an)*, Nahd at Misr, Cairo, p. 156.
- [2] Ibid, p. 157.

Copyright © 2011 [Louay Fatoohi](#)  
Facebook page: <http://www.facebook.com/louay.fatoohi>  
Twitter page: <http://twitter.com/louayfatoohi>  
All Rights Reserved

# The Meaning of “Fiqh” in the Qur’an and Its Position in Islam

Louay Fatoohi, PhD  
04 September 2011

---

All Rights Reserved