



اَبُو رَسِيْدِي تَيْكُو لُو كِي مَارَا
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**FIQH MUQARAN
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**GROUP:
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**TOPIC: APPLICATIONS OF COMPARATIVE FIQH IN HALAL AND HARAM
MATTERS**

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STUDENT DECLARATION

We hereby acknowledge that in fact all the work in the preparation of this academic work is the result of our own efforts and works except as expressly stated.

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1.0 INTRODUCTION

Comparative Fiqh (*Fiqh Muqaran*) involves the study and analysis of differing opinions among Islamic jurists from various schools of thought (*madhahib*) on particular legal issues. In the context of Halal (permissible) and Haram (forbidden) matters, comparative Fiqh plays a vital role in offering a broader understanding of Islamic rulings by exploring how and why scholars may differ in their interpretations. These differences can stem from the use of various methodologies in interpreting the Qur'an, Sunnah, consensus (*ijma'*), and analogical reasoning (*qiyas*), leading to diverse yet valid perspectives within Islamic jurisprudence.

The application of comparative Fiqh is particularly significant in contemporary Halal and Haram issues where new products, technologies, and practices emerge. For instance, differing rulings on the permissibility of certain food additives, pharmaceutical ingredients, or modern financial instruments require scholars to examine and compare traditional juristic views considering new evidence or contexts. By using comparative Fiqh, scholars and decision-makers can adopt the most suitable opinion that aligns with the objectives of Shariah (*Maqasid al-Shariah*), ensuring both authenticity and practicality.

Moreover, comparative Fiqh encourages tolerance, unity, and mutual respect among Muslims by recognizing the legitimacy of diverse opinions within the framework of Shariah. It equips Halal certifying bodies, regulatory authorities, and consumers with a flexible yet principled approach in navigating complex issues. Whether determining the permissibility of genetically modified food or ethical investments, comparative Fiqh serves as a dynamic tool that ensures Islamic rulings remain relevant and comprehensive across different contexts and communities (Surianom Miskam, et.al, 2015).

According to Al-Qardhawi (1960) the Islamic criteria regarding the halal and haram are embodied in the following two Quranic verses:

قُلْ مَنْ حَرَّمَ زِينَةَ اللَّهِ الَّتِي أَخْرَجَ لِعِبَادِهِ وَالطَّيِّبَاتِ مِنَ الرِّزْقِ "قُلْ هِيَ لِلَّذِينَ آمَنُوا فِي الْحَيَاةِ الدُّنْيَا خَالِصَةً يَوْمَ الْقِيَامَةِ" كَذَلِكَ
تَفَصِّلُ الْآيَاتِ لِقَوْمٍ يَعْلَمُونَ

Meaning: Say, "Who has forbidden the adornment of Allah which He has produced for His servants and the good [lawful] things of provision?" Say, "They are for those who believe during the worldly life [but] exclusively for them on the Day of Resurrection." Thus, do We detail the verses for a people who know. (Al-A'raf: 32)