

Islamic Principles: The Principle of Permissibility

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"The principle regarding acts of worship is one of prohibition, except if the Sharee`ah (Divinely Prescribed Law) relates a prescription for it. And the principle regarding the customary behaviour is permissibility, except when the Sharee`ah relates a prohibition for it." (Al-aslu fil-`ibaadaat al-hadhru illaa ma waradah `anish-shar`ee tashree`ahu. Wal-aslu fil-`aadaat al-ibaahah ilaa ma waradah `anish-shar`ee tahreemahu). [Minhaaj ul-Qaasideen Mukhtasar fee Usoolil-Fiqh (p. 27) of Shaykh `Abdur Rahman as-Sa`dee]

The above principle is an important principle that Islaam teaches. Thus, with regards to matters of `aadaat (day-to-day actions), such as eating, drinking and wearing clothes, then everything is allowed in this regard, except if there is a clear and authentic evidence restricting or prohibiting its allowance. However, when it comes to `ibaadaat (acts of worship), then the opposite is the case. Here, nothing can be established as an act of worship, except if there is a clear and authentic text to allow it. So the basic principle for `aadaat is ibaahah (permissibility), whereas the basic principle for `ibaadaat is tahreem (prohibition).

Shaykhul-Islaam Ibn Taymiyyah (d.728H) - rahimahullaah - said:

"Peoples' sayings and actions are of two kinds: `ibaadaat (acts of worship) by which their Religion is established, and `aadaat (customary practices) which are required for day-to-day living. From the principles of the Sharee`ah (Divinely Prescribed Islaamic Law) we know that acts of worship are those acts which have been prescribed by Allaah or approved by Him; nothing is to be affirmed here, except through the Sharee`ah. However, as far as worldly activities of people are concerned, they are necessary for everyday life. Here the principle is freedom of action; nothing may be restricted in this regard except what Allaah - the Most Perfect - has restricted. This is the case because commanding and prohibiting are both in Allaah's Hands. As far as worship is concerned, there has to be a command from Him concerning it. Thus, when it requires a command from Allaah to establish something, how can we say that something is restricted without His command? This is why Ahmad bin Hanbal (d. 241H) and other jurists who base their judgements upon ahaadeeth (Prophetic narrations) say: In relation to acts of worship, then the principle is tawqeef (limitation); that is to say, nothing can be legislated in this regard except what Allaah legislates. To do otherwise is to incur the risk of being included in the meaning of the Aayah (verse):

"Do they have partners with Allaah who prescribe for them in the Religion that for which Allaah has not given any permission?" [Soorah ash-Shooraa 42:21]

However, as far as living habits are concerned, the principle here is freedom, because nothing can be restricted in this regard except what Allah has prohibited. To do otherwise is to be included in the meaning of His saying:

"Say: Do you see what Allaah has sent down to you for sustenance? Yet you have made some part of it halaal (lawful) and some part haraam (prohibited)." [Soorah Yoonus 10:59]

This is a great and beneficial principle, on the basis of which we can say that buying, selling, leasing, giving gifts, and other such matters are necessary activities for people, as are eating, drinking and wearing of clothes. Thus, if the Sharee`ah (Divinely Prescribed Islaamic Law) says something about these day-to-day matters, it is in order to teach good behaviour. Accordingly, it has prohibited whatever leads to corruption, has made obligatory that which is essential, has disapproved of that which is superfluous, and has approved of that which is beneficial. All this has been done with due consideration of the magnitude and properties of the various types of activities involved. Since this is the position of the Sharee`ah, people are free to buy, sell and to lease just as they wish, just as they are free to eat and drink what they like - as long as it is not haraam (unlawful). Even though some of these things may be disapproved, they are still free in this regard, since the Sharee`ah does not go to the extent of prohibiting them - and thus the original principle (of permissibility) remains." [Al-Qawaa`idun-Nooraaniyyah al-Fiqhiyyah (p.112-113)]