

*AL-HUKM AL-SHAR`I* / الحكم الشرعي

Communication from the Lawgiver regulating the action of a *mukallaf* in the form of a demand, permission, or enactment.

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PILLARS OF *AL-HUKM AL-SHAR`I*

1. THE LAWGIVER
2. THE SUBJECT MATTER
3. THE AUDIENCE

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WHO IS THE LAWGIVER?

1. ALLAH!
2. THE PROPHET?
3. HUMAN INTELLECT?

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SUBJECT MATTER OF *AL-HUKM AL-SHAR`I*

- MUST BE KNOWN
- MUST BE WITHIN THE CAPACITY OF THE AUDIENCE
- RIGHTS OF ALLAH VS. RIGHTS OF CREATION

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AUDIENCE OF *AL-HUKM AL-SHAR`I* –  
THE *MUKALLAF*

- WHO IS *MUKALLAF* [LEGALLY RESPONSIBLE]?
  - Someone who is able to understand and fulfill the demand of the Lawgiver
    - Alive
    - Conscious
    - Sane
    - Mature
    - Uncompelled

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NULLIFIERS OF *TAKLIF*

1. DEATH
2. UNCONSCIOUSNESS
3. SLEEP
4. INSANITY
5. INTOXICATION
6. INFANCY
7. BEING COMPELLED

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## THE TWO TYPES OF HUKM

*Hukm* - Communication from the Lawgiver regulating the action of a *mukallaf* consisting of a demand, permission, or enactment.

1. *al-Hukm al-Taklifi* / الحكم التكليفي  
• demand or permission
2. *al-Hukm al-Wad'i* / الحكم الوضعي  
• enactment

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