

“The Impact of Unbridled Monetary Inflation on the Judgment on Interest on Bank Deposits: A Comparative Jurisprudential Study”

Summary of the research:

This is a comparative jurisprudential and fundamental study that examines the criteria of recognized practical custom and the extent of its influence on general legal texts—whether it leads to specification or not. The study also clarifies the ruling on considering custom in issuing legal rulings and fatwas.

The research concludes that for a jurisprudential ruling or a legal fatwa to be sound and well-founded, three essential elements must be present:

The Legal Text: This includes the Quran .1
and authentic Sunnah. Allah Almighty
says:

“It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should have any choice about their affair...” (Al-Ahzab 33:36).

.2
Human Reasoning: This is the tool for .3
understanding legal texts. Allah Almighty
says:

“...But if they had referred it to the Messenger or to those of authority among them, then the ones who can draw correct conclusions from it would have known about it...” (An-Nisa 4:83).

.4
Social Custom: This is the context in .5
which legal texts are applied. Allah
Almighty says:

“Take what is given freely, enjoin what is good, and turn away from the ignorant.” (Al-A’ raf 7:199).

.6

If a jurisprudential ruling or fatwa is issued without considering these three elements together, it will be unbalanced. Ensuring their consideration helps meet the needs of different societies, fostering stability, harmony, and social cohesion by integrating legal texts, human reasoning, and recognized social customs in a reasonable and familiar manner.

Final Conclusion:

All praise is due to Allah, the Lord of all worlds.