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The purpose as the cause in analogy and its relationship to sharia purpose

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Abstract---The research deals with finding the relationship between the purpose as the cause in the Analogy, which the advanced fundamentalists talked about and which is the subject of a difference between them, and Sharia Purpose, and the reasoning in the terminology of the fundamentalists with two meanings; The first requires the explanation of the rulings of God Almighty, and the second is the reasoning that is intended for it in the sections on Analogy, and the fundamentalists' statements about wisdom in the sections on Analogy. In the issue of the purpose as the cause, there are three sayings for which reasoning is forbidden, and among them are those who are absolutely permitted, and among them are those who restrict them to discipline. The locus of the relationship between the purpose as the cause and the intent lies in the fundamentalists' words about wisdom that is synonymous with the intent, and the type of intent that the scholars intended in the issue of making wisdom the description of entrusting the ruling with it. The meaning is the partial intent, and the general and general intents are excluded from making them the disciplined description of appending the branches by virtue of the original.

Keywords---Reasoning, Wisdom, Analogy, Destination

Introduction

Praise be to God who has adorned the faces of the servants and created them in the best setting, Glory be to Him, Who provided us with an enlightened mind, and prayers and peace be upon the Seal of the Prophets and Messengers, our intercessor on the Day of Judgment, our Prophet Muhammad, may God's prayers and peace be upon him, and upon his family and companions all.

So, research in reasoning is the basis in the science of Sharia purposes, and through extrapolation of studies and research in the purposes of Sharia, except

that the issue of explanation of judgments had a share in the chapters or investigations of the study, and we confined ourselves to studying this research The Purpose as the Cause in Fundamental Analogy and its relationship to Sharia Purpose, and the purpose as the cause in Analogy is one of the most accurate investigations of the principles of jurisprudence in the book Analogy, i.e. making wisdom the comprehensive description of appending the branches to the original. And all this flows into the control of Analogy; Muslims urgently need to come out with the right choice.

Research Importance

The importance of the research lies in the possibility of making the intent that the fundamentalists spoke about synonymous with wisdom in the reasoning with the fundamentalist analogy, and appending the branches to it, and its importance lies in knowing which types of legitimate purposes are concerned with the reasoning, and this is in the development of the investigations of the science of legitimate purposes, and employing it in the service of the calamities of the times.

Reasons for Choosing Such Topic

Because I saw in it the enrichment in the development of the investigations of Maqasid al-Shari'ah, and the possibility of making the purpose the place of wisdom in entrusting the legal ruling with its discipline.

Research Plan

The research plan required that it be an introduction and two topics.

The first topic: The Purpose as the Cause and its ruling in the fundamentalist Analogy, and it contains four demands:

The first requirement: Defining the explanation linguistically and idiomatically

The second requirement: Defining wisdom in terms of language and terminology

Third requirement: Defining the Purpose as the Cause with an additional compound

The fourth requirement: The ruling on The Purpose as the Cause in the fundamentalist Analogy

The second topic: The relationship of The Purpose as the Cause in Analogy to Sharia Purpose, and it has two demands:

The first requirement: the intent is synonymous with wisdom

The second requirement: the types of purposes in terms of their comprehensiveness and their relationship to Analogy.

The research was appended with a conclusion in which the findings were mentioned, then the sources and references.

The first topic: The Purpose as the Cause and its ruling in the fundamentalist Analogy

In order to understand the concept of The Purpose as the Cause, it is necessary to define the term "reasoning and wisdom" singularly, and then to define the term "The Purpose as the Cause" as an additional compound.

The First Requirement: Defining The Explanation In Terms Of Language and Terminology

First: Explanation Linguistically: a source of 'Illal, from its meanings: "Watering after watering, and reaping the fruit over and over again.

"The hitter is increased, if the beating continues on him."

And he prayed with the shoes, which is: that is, he has it, as the boy is thoroughly made with anything from the food, and he is divided into it from the milk.

The reasoning is: "It is the report of the evidence of the influence to prove the effect."

Second: Idiomatic reasoning: As for the concept of reasoning among the fundamentalists, it has two meanings:

The first meaning: It is a general meaning that means that the rulings of God Almighty are justified by an intended ruling and commendable interests, and that all legal rulings are legislated for the interests of the servants, and the truth is that the care of wisdom for God's actions is permissible, and the Islamic Shari'a came to fulfill the worship of God, and to bring people out of darkness into the light, reforming them and making them happy in This world and the hereafter, and this rule is loved and satisfied by God, and it is interests that belong to the servants.

The second meaning: It is the specific reasoning in the Analogy section, to derive the legal rulings for the incidents for which there is no text, which is what Al-Sarakhsi, may God Almighty have mercy on him, knew: He is free from his judgment and on his saying the rule of reasoning is that the judgment is established in the stipulated with the reason, then that reason goes beyond to the branches sometimes, so the judgment is established in the branches as in the original and sometimes it does not go beyond, so the judgment remains in the original fixed and with it this is a straight explanation in the position of the text that is general with the text that He is special."

The Second Requirement: Defining Wisdom In Terms Of Language And Terminology

First: Wisdom linguistically: a source of wisdom and wisdom, and wisdom has several meanings in the language, including:

1. Prevention: It is said that I judged the man and his wisdom about such and such, that is, I prevented him from him, when he said: I judge the sons of so-and-so about such and such: i.e. prevent them, and from him he derived the wisdom of the beast; Because it prevents it, it is said that the animal ruled and was wise, and from it: the fool ruled and advised him, if it was taken on his hands, as well as because it prevents ignorance.
2. Knowledge: Wisdom comes from knowledge.
3. The word: The word comes from the wisdom, which came in the report, wisdom is the lost property of the believer. "

Wisdom: "It is about knowing the best of things with the best of sciences, and it is said to one who improves the subtleties of craftsmanship and masters them: wise."

Wisdom: "A science in which one searches for the facts of things as they are in existence as much as human energy, for it is a theoretical, non-mechanical science."

Second: Cause Idiomatically:

Fundamentalists have expressions for the term wisdom in various sections of the issues of the fundamentals of jurisprudence, such as Analogy and others.

Al-Qarafi expressed it: "And wisdom is the reason for which the description has become a fault, as is the absence of the intellect that necessitates making intoxication a cause."

As for al-Tawfi's statement on wisdom: "It is the desired goal of reasoning, which is to bring benefit, or ward off evil, such as preserving money, mind, and lineage, which made the description of drunkenness, theft and adultery a reason for the necessity of limiting its collection."

As for the phrase al-Kamal ibn al-Hamam: "Wisdom is to bring a benefit or supplement it, or to repel evil or reduce it."

And al-Zarkashi - may God have mercy on him - mentioned it with the phrase: wisdom, "which is the need to bring about a benefit or repel a corruption."

Al-Ghazali, may God Almighty have mercy on him, said: "By wisdom, we do not mean anything but the appropriate imaginative interest." For example, the saying of our Master Muhammad, may God's prayers and peace be upon him: (No judge must give judgment between two people when he is angry), the reason for preventing one from being judged is anger; Because it astonishes the mind and prevents it from fulfilling the thought, and this is achieved in excessive hunger, excessive thirst and excruciating pain, so he measured it against anger, and

likewise said: "The boy is given to him for wisdom, which is his inability to look at himself. A reason for being small.

We see through the statements of the fundamentalists about wisdom in the Analogy sections, some of them made wisdom the cause itself, and some differentiated between it and the cause, and some made it synonymous with interest or purpose.

Third Requirement: Defining The Purpose As The Cause Of An Additional Compound

By searching for the definition of The Purpose as the Cause, we did not find any of the scholars of origins to define this term as a complex definition, but rather their statements revolved around the concept of reasoning and wisdom alone. Contemporary scholars: "The mujtahid's statement about the construction of rulings and their connection to what the legislator has deposited in them of appropriate meanings that will be used by those charged with achieving their interests and warding off evils from them, by following the considered paths in revealing them."

The Fourth Requirement: The Ruling On The Purpose As The Cause In The Fundamentalist Analogy

The fundamentalists differed regarding the purpose as the cause in Analogy, and they have three schools of thought regarding that:

The first doctrine: The Purpose as the Cause is prohibited in Analogy, and Imam Al-Razi said it in the landmarks, and Al-Amidi said that most people went for the ban and did not name anyone.

The second doctrine: the permissibility of The Purpose as the Cause in Analogy at all, Al-Ghazali said it, and Al-Razi chose it in the crop.

The third doctrine: The detail is permissible if the Purpose as the Cause and prohibition if it is not. Al-Baydawi said it and it was chosen by Al-Amidi and Safi Al-Din Al-Hindi.

The Evidence of the First School: The adherents of the first doctrine inferred the prohibition of The Purpose as the Cause; For Analogy as follows:

The first evidence: They said that if the reasoning with the interest was correct, the explanation would be abstained from the description that includes the interest, and unanimously this is permissible. The reasoning is in the branch to make it lengthy, so it is useless, so it is necessary that it is not permissible, so it is proven that the reasoning is in the interest, if it was permissible, then the reasoning with the description would not be permissible, and if this is permissible, it must not be permissible."

I object to this evidence: the reasoning by the description need not prescribe The Purpose as the Cause; Because the second, although it is more likely to justify the description; Because he is the real influence in the ruling, and it is the intention

of the legislator from it, and the explanation for the description is more correct than The Purpose as the Cause in the ease of perusal of the description, and the difficulty of perceiving wisdom, and thus the leveling occurred.

The second evidence: The objectors cited from The Purpose as the Cause by saying, "That the amount obtained from the interest in the original, which is the one who arranged the legislator's reason for ruling in it is not known to exist in the branch, because the interests and corruption are from the internal matters whose values cannot be determined, and there is no privilege Each of its endless ranks is from the other rank, and at that time it is not permissible for the inferred to prove the ruling of the branch in it.

I object to this guide:

If it was not permissible to justify it because it is unknown, it would not be permissible to describe it, because knowledge of the inclusion of the description on it without knowledge of it is impossible, but it becomes the justification for the description that includes it by agreement, such as travel, for example, it is a reason for the permissibility of minors because it includes hardship, not because it is travel, and then if It was assumed that the judgment was originally for that estimated benefit or corruption, and it was also suspected that the degree of that benefit or corruption occurred in the branch.

The third evidence: They said that if the Purpose as the Cause were permissible, seeking wisdom would become obligatory, and seeking wisdom would become obligatory. The reasoning for it is not permissible, i.e., the mujtahid is commanded to Analogy when the text is missing, and he cannot Analogy except when the cause is present, and it cannot exist except after the request. Of the internal matters in their access to hardship and hardship is not obligatory.

I object to this guide:

Al-Razi discussed this evidence by saying: "If we disagreed about the permissibility of the ruling's justification, we would have agreed that the description being a reason for the ruling is justified by wisdom. If that does not necessitate the necessity of seeking wisdom, then your statement is invalid.

The Evidence For The Second School Of Thought Is That The Purpose As The Cause Is Absolutely Permissible In Analogy, And They Cited The Following As Evidence For That:

The first evidence: They said that the explanation is permissible in the description. The Purpose as the Cause is first. Because it is its origin, and the origin of a thing does not fall short of it; And because it is the same interest and corruption, and this is the reason for the introduction of the laws; Reliance on the original is more important than reliance on the branch.

I object to this guide:

“There is no dispute that the description is subordinate, but the reason for assigning the ruling to the apparent descriptions according to the wisdom is the confusion or hiddenness of the wisdom.”

The evidence of the owners of the third doctrine: The one who says in detail between the apparent wisdom that is depleted by itself and the hidden and disordered wisdom, the permissibility in the first without the second, and they infer for that, “because the consensus is that if the judgment is accompanied by an apparent and disciplined description, it contains wisdom that is not disciplined by itself, that it is valid to justify it, even if it is not what is intended. Who legislated the ruling, rather what it contained of hidden wisdom, so if the wisdom which is the purpose of the law of the ruling is equal to description in appearance and discipline, then it is more appropriate to justify it.

As for The Purpose as the Cause:

- 1 The turbulent wisdom varies according to different people and situations, and it is not possible to know the assignment of the ruling from it except with hardship and embarrassment. This is raised in Islamic law, as evidenced by the Almighty’s saying: Because travel is disciplined, and is not attached to hardship; Because hardship is disturbed, so if he were stuck in hardship, the porter would be hardship in his work in urban areas, and the luxurious traveler would not be permitted, and this is difficult to know.
- 2 Unanimity by justifying the rulings with the apparent and disciplined descriptions that include the possibility of the ruling, and if the turbulent Purpose as the Cause is correct, the need for the rules of the ruling and looking at it is eliminated, because it increases the embarrassment in the search for wisdom and its control while dispensing with one of them.

Example: The turbulent wisdom is the necessity of the hadd punishment for the adulterer and the reason for adultery, and the wisdom is the mixing of lineages. The reasoning for fornication is an apparent and disciplined description of the necessity of the hadd punishment, and its wisdom, which is the mixing of lineages, cannot be made the cause of the hadd punishment, because in the second one is left behind in some form, such as a man who gathered boys from heedless of their families, then they grew up; So there was a mixture of lineages, that is, wisdom was achieved and in these images, if the Purpose as the Cause; The purpose of it was achieved, and thus the punishment for adultery was required, but no one says the limit of the one who did it, because the purpose of legislating the ruling is not obtained from him.

Al-Amidi, may God have mercy on him, extended the evidence and discussed it, this presentation of the doctrines of the fundamentalists in the purpose as the cause in Analogy, i.e. making wisdom the influencer to give the ruling in the original and the ruling of the branch is measured against it, and the chosen one of the doctrines that says in detail, is what Safi al-Din and Al-Amidi, may God Almighty have mercy on them, for the objections made to the evidence of those who are absolutely prohibited and permitted, and the strength of the evidence of the two articulates between the permissibility of The Purpose as the Cause that is

disciplined and its prohibition in the turbulent; Because of the combination of the first and second sects in it, and what Dr. Al-Shalabi, may God have mercy on him, did in The Purpose as the Cause, a comparison between the method of the Companions, may God be pleased with them, and the fundamentalists after them. So, following the approach of the Companions in reasoning, they justified the interest and weighed things with the benefits or harm that they entail, God Almighty knows best.

The Second Topic: The Relationship Of The Purpose As The Cause In Analogy To Sharia Purpose

Preface:

To know the extent of the relationship and the interrelationship between what we have mentioned of the purpose as the cause in Analogy according to the fundamentalists, and the purposes of Islamic Sharia. Knowing the relationship in two demands:

The First Requirement: The Intent Is Synonymous With Wisdom

The fundamentalists differed in defining the concept of wisdom. Some of them made it the appropriate meaning of the reasonable, and some of them used wisdom as interest or wisdom is the intent of the law of governance, and wisdom is the purpose, and some of them made it the motive, and these meanings are apparent in their definitions as it has passed. To the reason for their differences in their methods and fundamentalist tendencies, by defining the meaning of wisdom according to their concept of following each method.

We mention some of the sayings of scholars in the use of the intent synonymous with the concept of wisdom, including the saying of Al-Amidi: "The wisdom is what is meant by the law of governance," and Al-Wonsharisi's saying: "The wisdom in the terminology of the legislators is what is intended to prove or deny the ruling."

And we see Dr. Ahmed al-Rayssouni reach by following the scholars' sayings about wisdom that the intent is synonymous with wisdom, and he mentioned that by saying: "As for wisdom, it is used completely synonymous with the intent of the Lawgiver or his intent, so it is said that this is his intention, or his wisdom is such, so there is no difference."

Some contemporary scholars believe that wisdom and purpose are names for one meaning, which is the purpose of the legislation of the ruling. If the judgment is justified by the appropriate meaning (wisdom / intent) entails the existence of the judgment when there is a suspicion of wisdom and its negation by its negation.

What is clear from the above is that the scholars used the intent as a synonym for wisdom in their fundamental issues.

Answer: It is not absolute, so the intent is synonymous with wisdom in the reasoning with it in Analogy. In some forms it is synonymous with wisdom, and in

forms it differs from wisdom. "There is a significant difference between wisdom and partial intent, which has an impact on the issue of justification. As for the intent, it is the interest that the jurist is certain of, without which the ruling would not have been legislated at all. Based on that, wisdom may differ from the intent and may be part of the intent and may be equal to the intent, and criticism directed at reasoning with wisdom and entrusting the ruling with it does not apply to justification by intent.

The Second Requirement: The Types Of Purposes In Terms Of Their Comprehensiveness And Their Relationship To Analogy

Scholars divide the purposes according to various considerations. In this part of the study, we mention the sections of the purposes in terms of their inclusion of the legal rulings because of their relationship to the study of this topic and the purposes in this consideration are three types:

- 1- General purposes: Sheikh Ibn Ashour defined them: "they are the meanings and rulings observed by the legislator in all or most cases of legislation so that their observation is not limited to the universe in a special type of Shari'a rulings, so it includes the descriptions of the Shari'a and its general purpose and the meanings that the legislation is not free from observing."

It was also known from some contemporaries: "They are the universal issues and the general goals that the Sharia has observed in all its legislations, such as acts of worship, transactions, customs and crimes, or most of them."

The general purposes that include the five colleges, preceded by the necessity of preserving the religion and what is related to the legal rulings of bringing interests and warding off evil, facilitating and removing embarrassment and other purposes of the general Sharia, and this type of purposes is not concerned with the study of The Purpose as the Cause of the fundamentalists in Analogy; Because it is not possible to deduce it from the influencer to assign the legal ruling and its analogy from its types of rulings. Because trading in liquor and recreational devices and other taboos also preserves money, it is necessary to look at the type of money that leads to its preservation. This is what we will show later.

- 2- Specific purposes: "they are the goals, objectives and meanings of a specific chapter of Islamic Sharia, or homogeneous chapters thereof, or a specific field of its fields."

For example, the purposes of worship and transactions, and so on from the chapters of jurisprudence. The original purpose of worship is to achieve servitude to God and submission to Him, to establish the principle of compliance, and to report His thanks, praise and praise for Him. The purposes of the judiciary and testimony, the purposes of donations, the purposes of penalties.

This type of intentions (special purposes) are not intended in the study of The Purpose as the Cause in Analogy, but it is related to Analogy in another way and we will explain it later.

- 3- Partial purposes: "The ruling and the secrets that the Legislator observed in each of its rulings related to the particulars."

An example of this is the purpose of removing hardship and embarrassment in the concession of breaking the fast for those who cannot stand fasting, the purpose of the call to prayer, notification, warning and gathering, and the purpose of the sacrifice being preferable to the male over the female, for the purpose of reproduction; Because the female is the abode of reproduction, and the purpose of the punishment in adultery is the mixing of lineages, and the purpose of the sanctity of alcohol is to preserve people's minds, and scholars have paid more and deeper attention to it than studying general and specific purposes.

It is clear from the types of purposes in this consideration that not all of them are concerned with the study of The Purpose as the Cause in Analogy. The Cause and the permissibility of justifying it if it is disciplined, here is the place of the relationship between The Purpose as the Cause and the partial intent.

For example: Imam Al-Ghazali said in the prohibition of alcohol: "We ruled that everything that intoxicates a drink or food is prohibited by analogy with wine, because it is forbidden to preserve the mind, which is the basis of the mandate.

It is clear from the words of Imam Al-Ghazali: It is harsh on wine, everything that disturbs the mind, whether it is a drink, eaten, injected, or smelled, with a partial intent to preserve the mind from defects and corruption, so it is followed by the prohibition against eating hashish and taking hallucinogenic pills in corruption of the mind. the drink".

In this concept of the partial intent, it is valid to justify it and the analogy of its types from the legal rulings in calamities; Because of his discipline in fulfilling the subject matter of the ruling, the relationship between the purpose as the cause according to the fundamentalists and the reasoning with the partial intent is the relationship of Ishghar Mahal: i.e. one of them replaces the other considering the discipline of assigning the ruling so that it applies to all its types so that it becomes valid for Analogy. With a special purpose from the chapters of jurisprudence, which includes the issue in Analogy, such as the purposes of worship or transactions, and then return to preserving one of the general purposes, such as the prohibition of alcohol, due to the purpose of preserving the mind from the side of nothingness, and preserving the soul, including health and psychological damage, and saving money because of the waste and loss of money The general purposes and the specific purposes are not intended in the purpose as the cause of Analogy; But it has to do with Analogy in need of issues in calamities in different sections of jurisprudence, to set Analogy in the special

purposes extracted from the ills of the provisions, which lead to the preservation of a holistic purpose, and God Almighty knows best.

Conclusion

Praise be to God, who with the grace of good deeds are completed, and by His grace good deeds are completed. Prayers and peace be upon our master and intercessor on the day of great distress, the best of all human beings, our beloved Muhammad, may God's prayers and peace be upon him and his family and companions all.

- 1 It was found that the use of the intent is synonymous with wisdom for scholars in their fundamental issues; It is not at all that the intent is synonymous with wisdom in the reasoning with it in the Analogy, as it may prove in forms and lag behind in other forms.
- 2- The purpose as the cause in the fundamentalist Analogy. It is the partial intent, i.e.: making the partial intent is the one that influences the ruling, and the intent revolves with its ruling as proof and denial, and the analogy of its genders is one of the legal rulings in calamities; For his discipline in achieving the purpose of governance.
- 3- The study proved that the relationship between the purpose as the cause according to the fundamentalists and the justification of partial intent is the relationship of Ishghar Mahal: i.e., one of them replaces the other, considering the discipline of administering the ruling so that it applies to all of its types so that it is valid for Analogy.
- 4- It is not possible to make the overall intent or the general objectives that affect the assignment of the legal ruling and the analogy to it from its genera of rulings, i.e. synonymous with the purpose as the cause in Analogy, for example, we cannot say that trade is resolved with the intent of saving money from the aspect of existence; Because trading in alcohol, amusement devices and other taboos also preserve money, it is necessary to look at the type of money that leads to its preservation.
- 5- It was found that the general and general purposes have a relation to the measurement; It is considered a measure of measurement in some issues. It achieves the correct judgment through the realization of the intention of the street with a general intent or a holistic intent.

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