Abstract---This is a comparative jurisprudential study in the choices of Imam Al-Babarti (D: 786 AH) in his book “Al-Anayah Sharah Al-Hedaya” chapter of ablution, as I explored his choices in the chapter and then studied them with the opinions of the rest of the sects with their evidence and preferred the opinion closest to the truth. This research was organized into an introduction, two chapters and a conclusion.

Keywords---Jurisprudential, Imam Al-Babarti, Ankles, Ablution, water.

1 Introduction

This Praise is to Allah, Lord of the worlds, The Entirely Merciful, the Especially Merciful, Sovereign of the Day of Recompense, I bear witness that none has the right to be worshipped but Allah alone, the truth king, and I bear witness that Muhammad is His slave and His Messenger. May Allah bless him, and his family and all his companions, and whoever followed them with charity until the Day of Judgment and blessed a lot of blessing. And thereafter...

The Islamic nation paid attention to the book of God the Holy Qur’an with great attention, so they memorized its verses and learned its meanings, and worked in it, and it was for the companions of the Messenger of God -peace be upon him- if they learned ten verses, he did not exceed them until they know their meanings, and they work with it. And one of the most honorable and best sciences that scholars inherited from the Prophet -peace be upon him-, is the science of jurisprudence in religion, which was taken from the Qur’an and which is known
for acts of worship and habits, and the need of Muslims as their need for the air.
Undoubtedly, it is one of the most important things that the students of science must be obligated to, The best of jurisprudence is taken after the Holy Quran and the Sunnah of the Prophet, the books of our scholars—may God Almighty have mercy on them—. In their books, they worked on the jurisprudence issues from the Holy Qur'an and Sunnah in the first place. Those scholars left us an important scientific wealth represented in the books of jurisprudence, which were circulated by scholars and students of science and took care of study and reading, and generations followed every generation that benefits from what he wrote before it, and benefits from their knowledge, then they add to it from the developments of the times and its conversations. The virtue is neither the first nor the last. And among those who mocked God Almighty to this great knowledge and the great honor, the scholar of the jurist: “Akmal Al-Din Al-Babarti” is the author of the book: “Al-Anayah Sharah Al-Hedaya”, which is considered a science from the scholars of the Hanafi doctrine.

The reasons for choosing the topic:

There are several reasons to choose this topic:
1. The book of Al-Anayah is one of the important and accredited books in Hanafi jurisprudence.
2. There is a large segment of the Islamic nation who goes with the Hanafi doctrine.
5. The status of Imam Al-Babarti among the Hanafi jurists is a high status in investigation, editing, revision and refinement.

Hence the importance of his choices in the Hanafi doctrine.

The importance of the topic:
1. The study of such a topic expands the jurisprudential horizons of the researcher and his scientific perceptions.
2. Contribute to collecting and directing the choices of Sheikh Al-Babarti and his jurisprudential opinions.
3. Enriching the jurisprudence library with a significant imam of the imams of the Hanafi’s.

Research problem:
The problem of research is clear by answering the study on the following questions:
1. Do Imam Al-Babarti have choices in his book.
2. Does he proceed out and his prefer from the Hanafi doctrine or adhere to the doctrine?
3. Did anyone precede him to these opinions that he preferred.

Topic targets:
The answer lies in: Do Al-Babarti have choices in his book "Al-Anayah Sharah Al-Hedaya", and what are the issues that he chose in the door of purity, I did not stand on a previous study that was concerned with collecting the sayings of Al-Babarti or his choices.
The research also aims to study these choices coupled with the sayings of the four doctrines of thought, by comparing the Imam’s choices with the opinions of the imams, with what appears to me.
2 Research Methodology

The curriculum that he adopted in the research writing is determined by the following:

1. The attribution of the Quranic verses to its surah and the number of the verse.
2. Referencing the hadiths that were mentioned in the letter, if they were in the SAHIHAIN, I will be satisfied with the mention of Al-Bukhari or Muslim, and if it is the rest of the Sunnah and the reference, mention more than one book.
3. Mentioned the sayings of the imams on each issue on the four schools of thought and the rest of the schools of thought, and whoever said it, if any of the companions, the followers and others.
4. The attribution of each saying to its approved sources, the statement of the source’s name and its author, Dar of publishing and its history, the number of the part and the page, and the name of the investigator, if any, when mentioned the first time, and when mentioned again, mention the source with the author, and the number and page number only.

2.1 Chapter One:
Definition of Imam Al-Babarti and the jurisprudence preferences

The first requirement: - His name and lineage:

First: His name, surname and nickname:
He is Akmal Al-Din Muhammad bin Mahmoud bin Ahmed bin Sheikh Shams Al-Din Ibn Sheikh Jamal Al-Din Al-Hanafi. It is said that Muhammad bin Muhammad bin Mahmoud(1), surname Imam Al-Babarti Akmal Al-Din(2), And his nickname is Abu Abdullah Al-Rumi Al-Babarti (3).

Second:- His lineage:
Attributed to Babarti, a village from the works of Dujail in Baghdad(4), Or Babart belonging to Arzan Al-Rum - a hundred kilometers from Erzurum, Turkey(5).

The second requirement: His birth and upbringing:
Imam Al-Babarti was born in the year seven hundred and ten(6), and he grew up and learned in his town Babart, then he moved to Aleppo and stayed at the Al-Sawjia school (7), and resided there for a period, and moved to Cairo after the year (740 AH) (8).

In Aleppo, Judge Nasir Al-Din Ibn Al-Adim(9) put him in the Al-Sawjih school, and he stayed there for a while. Then he came to Cairo after the year forty, and was appointed as a sheikh in Al-Khanaqah (Al-Sawjia School). And delegated her affairs to him. He was strong-willed, great-tempered, dignified, chaste in directness, the age of the buildings and increased their knowledge, and the judiciary was offered to him repeatedly, but he refused, and he was well-versed in jurisprudence, Arabic, and principles (10).

2 Seen: Tabaqat Al-Mufassireen: p. 299.
3 Seen: Anbaa Al-Ghamr bi’abna’ Al-Eumuri: 1/298.
4 Seen: Luobo Al-Labbah fi Tahrir Al-Ansab: 1/24.
6 Salim Al-Wusul ila Tabaqat Al-Fuhul: 4/223.
7 Al-Sawjia school: It is the school established by Jamal Al-Din Al-Sawwji, who was a merchant, and was endowed by Sharif Kamal Al-Din Hamza Al-Tuwssi. Seen: Al-Daaris fi Tarikh Al-Madarisi: 1/208.
9 He is Muhammad bin Omar bin Ahmed bin Hebat Allah bin Muhammad bin Hebat Allah bin Abi Jarada, Kamal Al-Din Ibn Al-Adim Al-Aqili, Al-Halabi, Al-Hanafi, Attended Al-Hafiz Abu Abdullah Al-Barzali, and heard from Ibn Rawahah, Ibn Qumaira, Ibn Khalil, and heard from the sheikhs of Baghdad. He lived in Hama and gave lessons and sermons. He died in the year 694 AH. Seen: Tarikh Al-Islam wa Wafyat Al-Mashahir wa Al'aelam, 15/795.
10 Seen: A Anbaa Al-Ghamr bi'abna' Al-Eumuri i: by Ibn Hajar, 1/298; Shadharat Al-Dhahab fi Akhbar min Dhahaba, 8/504.

The third requirement: His sheikhs, his students, his authoresses, and his death:

First: His sheikhs: Imam Al-Babarti was a student of many eminent sheikhs, the most prominent of whom are:
1. Al-Dalasi\(^{(11)}\).
2. Ibn Abd Al-Hadi\(^{(12)}\), and others\(^{(13)}\).

Second: His students: He was a students of Imam Akmal Al-Din Al-Babarti, many eminent scholars, it is not enough to mention them all here, but I will limit myself to mentioning some of them, and they are:
1. Badr Al-Din Mahmoud Ibn Israel Ibn Abd Al-Aziz, known as Ibn Qadi Samouneh, Al-Rumi Al-Hanafi, who died in the year eight hundred twenty-three\(^{(14)}\).
2. Aladdin Ali bin Muhammad bin Ali Al-Dimashqi Al-Hariri Al-Hanafi\(^{(15)}\).
3. The Iraqi Abdul Rahim bin Al Hussein bin Abdul Rahman and Makhdoom Al-Hanafi\(^{(16)}\).

Third: His authoresses:
Imam Al-Babarti has many books, in many arts, including:
1. Al-Anayah Sharah Al-Hedaya fi Al-Fiqh Al-Hanafi\(^{(17)}\). Print which we are going to study about.
2. Sharah Al-Talkhis fi Al-Maeani\(^{(18)}\). Printed.
3. Sharah Al-Fiqh Al’Akbar attributed to Abu Hanifa\(^{(19)}\). Printed.
4. Al-Nuqud wa Al-Rududu\(^{(20)}\) printed.

Fourth: His death:
There are different historical accounts regarding the death of Imam Al-Babarti on two sayings:
He died on Friday the nineteenth of Ramadan in the year (786 AH - 1786 AD), and he was over seventy\(^{(21)}\). which is more likely; Because those who say it are ancient translators and the nearest to him. And It was said that he died in Ramadan in the year 776 AH\(^{(22)}\).

Fourth requirement: Definition of jurisprudential preferences:

First: The choice in linguistically and idiomatically.
Choice in linguistically: "It is the selection" the same is the choice, and you have the best of these camels and sheep and their one choice, and in the case of pluralism this is the same, and the best thing is better: pick it, choose it, and select it. In language, it is: to prefer one thing over another\(^{(23)}\).
Choice in idiomatically means: seeking what is good and doing it, and it may be said for what a person deems good, even if it is not good\(^{(24)}\).
H. He is Muhammad bin Ahmed bin Suleiman Al-Dalasi, Sheikh Al-Muammar Sadr Al-Din. Tell about Ibn Khatib Mazzeh, over eighty years old. And he died in Cairo in the year six hundred and seventy-five. Seen: Aeyan Al-Easr wa A’ewan Al-Nasr, 4/275.

12 He is Muhammad bin Ahmed bin Abdul Hadi bin Abdul Hamid bin Abdul Hadi bin Qudamah Shams Al-Din Al-Hanbali. He was born in the year seven hundred and five, and the judge Taqi Al-Din Suleiman bin Hamza and Abu Bakr bin Abd al-Dayem heard, and he died in the year seven hundred and forty-four. Seen: Al-Wafi Bi alufyat, 2/113.

13 Seen: Bughyat Al-Wueat fi Tabaqat Al-Lughawiyn wa Al-Nahat, 1/239.

14 Salim Al-Wusul ila Tabaqat Al-Fuhul: Haji Khalifa, 3/308.


16 Al’daw Al-Laamie li Ahli Al-Qarn Al-Taasie, 11/158.

17 Muejam Al-Matbueat Al-Arabia wa Al-Mueariba: 2/504.

18 Tabaqat Al-Mufassireen: by Al-Daoudi, 2/253.

19 Tabaqat Al-Mufassireen: p. 299.

20 Al’aelam: 7/42.

21 Diwan Al-Islam: 1/56.


23 Taj Al-Earus min Jawahir Al-Qamus: 37/16.

24 Al-Tawqif elaa Muhimaat Al-Taearifi, P. 41.

Second: The jurisprudence in linguistically and idiomatically:
The jurisprudence in linguistically: "It is understanding. A man’s jurisprudence is broken, and so-and-so neither understands nor purifies him, I made you understand something, and the scholar is a jurist about it. And you understand if you work and get involved in it. You will surpass him if you research him in knowledge” (25).
The jurisprudence in idiomatically: "is the knowledge of the practical legal rulings derived from detailed evidence” (26).

Third: The definition of book “Al-Anayah Sharah Al-Hedaya”.

The Islamic heritage has been characterized by a tremendous intellectual production in various scientific fields. Islamic jurisprudence has taken a high position among other sciences; because people need it in all aspects of their lives, Therefore, scholars and students of knowledge have been interested in it alike, and among them is the Imam Akmal Al-Din Al-Babarti (27).

His book Al-Anayah is considered one of the most important works of the jurist on the Hanafi school of thought, in which its author, Akmal Al-Din Al-Babarti, explained the book “Al-Hidayah Sharh Bidayat Al-Mubetaker” in the Hanafi jurisprudence of Imam Burhan Al-Din Al-Marginani. He called it “Al-Anayah Sharah Al-Hedaya” abbreviated from the book Al-Nahayah Sharah Al-Hidaya, by his sheikh Husam Al-Din Al-Sanaqi (28).

2-2 Chapter Two

Ablution related issues

Before we begin, we must know ablution in terms of language and terminology, before entering into issues related to it, and it has five requirements:
The ablution in linguistically: Derived from ablution: it is good and clean (29).
The ablution in Idiomatic: “It is the use of water in specific organs, beginning ablution with the intention” (30).

The first requirement: entering the ankles in ablution. The majority of jurists agreed that the feet must be washed during ablution(31), but they differed as to whether or not the ankles must be included in ablution, according to two views:

The first opinion: the entry of the ankles in ablution(32).

The majority of the Hanafis(33), the Malikis (34), the Shafi’is(35), the Hanbalis(36), the Dhahiriya(37), and the Zaydis(38), said that the ankles are incorporated in ablution.

The second opinion: The ankles should not enter the ablution. And it is said by Imamiyyah(39), and Ibn Zafar and Abi Abdullah from the Hanafis(40), and the choice of Al-Babarti(41).

Evidence for the owners of the first opinion:

1. God Almighty saying: { and wash your feet to the ankles}(42).

   The people of interpretation said: Along with the ankles and the heels are the two bones protruding at the joint of the leg and foot(43).

   Significance: According to a reading in the accusative case, the ghusl is specific and appreciative, and wash your feet(44).

2. Narrated Humran:

   (the freed slave of Othman bin `Affan) I saw `Uthman bin `Affan asking (for a tumbler of water) to perform ablution (and when it was brought) he poured water from it over his hands and washed them thrice and then put his right hand in the water container and rinsed his mouth and washed his nose by putting water in it and then blowing it out. Then he washed his face thrice and (then) forearms up to the elbows thrice, then passed his wet hands over...
his head and then washed each foot thrice. After that `Uthman said, ‘I saw the Prophet (Peace be upon him) performing ablution like this of mine, and he said, ‘If anyone performs ablution like that of mine and offers a two-rak`at prayer during which he does not think of anything else (not related to the present prayer) then his past sins will be forgiven\(^{45}\).

3. The Messenger of Allah (Peace be upon him) said:
Woe to the heels because of hell-fire \(^{46}\).
Significance: The Prophet, may God bless him and grant him peace, threatened those who perform ablution from people who leave their heels without the water of ablution spilling over them. If the ankles were not included in ablution, he would not have threatened them with woe\(^{47}\).

Evidence for the owners of the second opinion:
God Almighty saying: \{ and wash your feet to the ankles\}:
Significance: the ankles are not included in ablution. Because the ankles end and terminus. The terminus, i.e. the limit, does not fall under the end, i.e. in the limited, For God Almighty says: \{Then complete the fast until the night ‘i.e., sunset\}\(^{48}\), The night is out of fasting\(^{49}\).

The most correct opinion:
After presenting the sayings of the people of jurisprudence - may God have mercy on them - and their evidence, it became clear to me that the most correct opinion is what the owners of the first view held, that the ankles must be entered in ablution. It is the most correct saying because of the strength of their evidence on which they relied, and the evidence of their opponents is no more than an analogy that is invalidated by evidence, and God knows best.

\(^{39}\)Seen: Sharayie Al-Islam fi Masayil Al-Halal wa Al-Haram, 1/17.

\(^{40}\)Seen: Badayie Al-Sanayie fi Tartib Al-Sharayieci, 1/7.

\(^{41}\)Seen: Al-Anayah Sharah Al-Hedaya: Al-Babarti, 1/18.

\(^{42}\)Surah Al-Ma`idah: Verse 6.

\(^{43}\)Seen: Bahr Al-Uloom, 1/372; Fath Al-Bayani fi Maqasid Al-Qur`an, 3/366.

\(^{44}\)Seen: Jami` Al-Bayani fi Tawil Al-Qur`an, 10/57; Kifayat Al`akhyar fi Hali Ghayat Al-Aikhtisari, p. 25.

\(^{45}\)Agreed upon, Al-Jaami’ Al-Sahih Al-Mukhtasar, Book of Ablution, chapter on ablution three times, No. (158), 1/71; Al-Jaami’ Al-Sahih called Sahih Muslim, Book of Purification, Chapter Description and Perfection of Ablution, No. (560), 1/141.

\(^{46}\)Agreed upon. Narrated by Al-Bukhari, Book of Knowledge, Chapter: Whoever raises his voice with knowledge, No. (60), 1/33; And Muslim: Book of Purification, chapter on the obligation of washing the feet with their fullness, No. (589), 1/147.

\(^{47}\)Seen: Akhtilaf Al-Adhith, 8/633 ; Al-Bayani fi Madhhab Imam Shafi`i, 1/132.

\(^{48}\)Surah Al-Baqarah: Verse 187.

\(^{49}\) Seen: Futuh Al-Ghayb fi Al-Kashf ean Qinae Al-Riyb, 5/291, Al-Binaya Sharah Al-Hidaya, 1/162.

The second requirement: Saying: In the name of Allah at the beginning of ablution.
In the name of Allah in ablution is to say: “In the name of God” \(^{50}\). The people of jurisprudence differed regarding the ruling on Saying: In the name of Allah before ablution, with two opinions:

The first opinion: In the name of God at the beginning of ablution is desirable.
It is the saying of the Hanafis (51), the Malikis (52), the Shafi'is (53), and the most correct view of the Hanbalis (54), and the Imamiyyah (55), and it is the choice of Al-Babarti (56).

The second opinion: In the name of God at the beginning of ablution is obligatory. And ablution is not sufficient without it, whether he left it out of forgetfulness or intentionally, and with it the Zaydiyyah said (57), and it is a saying of the Hanbalis (58), and it is the choice of Abu Bakr and the doctrine of Hassan and Ishaq (59).

Evidence for the first opinion:

1. God Almighty saying: {O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles}. Significance: The verse that mentioned the obligation of ablution did not mention saying: “In the name of God. It indicated the denial of the obligatory saying: “In the name of God in ablution” (61).

2. Narrated Humran: (the freed slave of Othman bin ‘Affan) I saw `Uthman bin `Affan asking (for a tumbler of water) to perform ablution (and when it was brought) he poured water from it over his hands and washed them thrice and then put his right hand in the water container and rinsed his mouth and washed his nose by putting water in it and then blowing it out. Then he washed his face thrice and (then) forearms up to the elbows thrice, then passed his wet hands over his head and then washed each foot thrice. Significance: Ibn Shihab said, and our scholars used to say: “This ablution is the best thing that a person performs ablution with for prayer” (63). The hadith did not mention the name of God, which indicates that it is not obligatory (64).

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50 Seen: Fotohat Al-Wahhab bi Tawdih sharah Manhaj Al-Tulaab known as Hashiyah Al-Amal, 1/122.
52 Seen: Ashal Al-Madariq sharah Irshad Al-Madhab Al-Imam Malik, p. 65; Euyun Al'adilat fi Masayi Al-Khilaf bayn Fuqaha' Al-Amsar, 1/16.
54 Seen: Al-Kafi fi Fiqh of Imam Ahmad, 1/57.
55 Seen: sharayie Al-Islam: by Al-Hilli, 1/19.
59 Seen: Al-Kafi fi Fiqh of Imam Ahmad: by Ibn Qudamah, 1/57.
60 Surah Al-Ma'Idah: Verse 6.
61 Seen: Al-Tafsir Al-Kabeer, 11/302; Ahkam Al-Qur'an, 4/35.
62 Agreed upon, Al-Jaami' Al-Sahih Al-Mukhtasar, Book of Ablution, chapter on ablution three times, No. (158), 1/71; Al-Jaami' Al-Sahih called Sahih Muslim, Book of Purification, Chapter Description and Perfection of Ablution, No. (560), 1/141.
63 Al-Mughni: Ibn Qudamah, 1/194.
64 Ahkam Al-Qur'an: Al-Jassas, 4/35.
3. Abdullah bin Masoud, he said: I heard the Messenger of God - peace be upon him- say: [If one of you purifies himself, let him mention the name of God over him, for it purifies his whole body, and if one of you does not mention the name of God upon his purification, he will not be cleansed unless the water has passed over him] [65].

The significance of this hadith: It is an argument; Because he ruled the purity of the organs without saying the name of God [66].

Evidence for the second opinion:

1. On the authority of Abu Hurairah - may God be pleased with him - he said: The Messenger of God -peace be upon him- said: [The prayer of a person who does not perform ablution is not valid, and the ablution of a person who does not mention the name of Allah (in the beginning) is not valid] [67].

Significance: His saying: “No ablution,” the word “no” to negate the type, and its predicate is omitted. Its assessment is: no ablution takes place, or it occurs for someone who has not been named, i.e., the name of God is not mentioned over it. And the deletion of its predicate “no” is common, especially if the predicate is as general as the existing one, and the result is that other than that is indicative of the negation [68].

2. Abdullah bin Masoud, he said: I heard the Messenger of God - peace be upon him- say: [If one of you purifies himself, let him mention the name of God over him, for it purifies his whole body, and if one of you does not mention the name of God upon his purification, he will not be cleansed unless the water has passed over him] [69].

Significance: The hadith made the whole body invalidate ablution, with evidence that it is not permissible to touch the Qur'an with the chest, and with the fact that the invalidator remains in some of the body, the prayer is not valid [70].

3. Some of the Companions of the Prophet (peace be upon him) were looking for (water for) Wudu’. The Messenger of Allah (peace be upon him) said: ‘Do any of you have water?’ He put his hand in the water and said: ‘Perform Wudu’ in the Name of Allah.’ I saw the water coming out from between his fingers until they had all performed Wudu’. Thabit said: ‘I said to Anas: ‘How many did you see?’ He said: ‘About seventy’ [71].

The most correct opinion:

After presenting the sayings of the jurists - may God have mercy on them - it is more likely that Imam Al-Babarti and the owners of the first view chose that saying “In the name of God” at the beginning of ablution is desirable; This is due to the strength of the evidence that they inferred, and the weakness of the evidence of the owners of the second saying that did not escape from an article, and the absence of firm evidence that indicates the obligation to say the name of God in ablution.

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[65] Sunan Al-Daraqutni, Book of Purification, Chapter on Labeling for Ablution, No. (11), 1/73. He said: Yahya bin Hisham is doubtful hadith.
The third requirement: the intention in ablution.

Intention: It is the determination to make the Intention coupled with its action. If you are late in initiating it, it is absolutely invalid, and if you advance a lot, so is the case, and there is a difference in its validity and invalidity. And if he intended something in his heart and uttered something contrary to it, then what is considered is what he intended, not what he uttered. There is a difference of opinion among the jurists regarding the ruling on the intention to perform ablution, based on three opinions:

The first opinion: Intention to perform ablution is a confirmed Sunnah.

The enunciation of it is desirable for the Hanafi school of thought, and it is said by Al-Thawri, Al-Awza'i, Al-Hasan bin Hayy, and Malik in the narration.

The second opinion: The intention to perform ablution is obligatory.

The owners of the second opinion went, and it is not sufficient for purification and ablution, and no washing, and no tayammum, except with the intention, which is the saying of the Malikis, Shafi'is, Hanbalis, Zahiriyah, and the Imamiyah. And it is said by Rabi'ah, Ishaq bin Rahwayh, Al-Zuhri, Al-Layth bin Saad, Abu Thawr, Abu Obaid, and Dawud, which is the choice of Al-Babarti.

The third opinion:

The owners of this saying went that if the intention is absent, ablution is absent, and what was like this is a condition, and it is the saying of the Zaydiyyah.

Evidence for the first opinion:

1. The intention in ablution is prescribed to be an act of worship, for without it is not called an enjoined worship.

Evidence for the second opinion:

1. God Almighty saying: { O you who have believed, when you rise to [perform] prayer, wash your faces}. Significance: In the verse there is evidence that the intention is obligatory in ablution if the obligation is coupled with the intention of performing the prayer.

2. Prophetic hadith: ["The reward of deeds depends upon the intentions"]. Significance: It is not permissible to do tayammum except with the intention, and ablution and tayammum are two purities, so how do they separate?

Al-Fawakh Al-Dawani Alaa Risalat Ibn Abi Zaid Al-Qayrawani, 2/267.
Ablution is an act of worship, and it is not valid without the intention. And that worship is an act that the obligated person performs contrary to his own whims, out of veneration for the command of his Lord, and ablution with this reward.

Evidence for the third opinion:
1. The apparent meaning of the Prophet’s hadith: ["The reward of deeds depends upon the intentions"]
   The significance of the hadith: If the intention is not lacking in ablution, and what was like this is a condition, the saying of those who said that the intention is a condition is the apparent.

The most correct opinion

And it is the choice of Imam Al-Babarti, and it is what the majority of jurists have held that the intention is obligatory is the closest to the truth, because an explicit text from the Prophet -peace be upon him- came to this effect, ["The reward of deeds depends upon the intentions], The hadith necessitates the intention in worship, and God knows best.

Fourth requirement: arrangement in ablution.
Arrangement in ablution: is to start with his hands to the wrist, then his face, then his arms, then his head, then his leg, and the jurists differed about the ruling on arranging the organs in ablution according to two opinion:

The first opinion: The arrangement in ablution is a Sunnah.
The arrangement of the parts of ablution as stated in the verse in Surat Al-Ma‘idah is a Sunnah according to the Hanafis, the Malikis, and a narration from Imam Ahmad. It is the choice of Al-Babarti. This is the saying of Dawood and Al-Zuhri and the choice of Al-Muzni. It was narrated on the authority of Ali and Ibn Masoud. And it said Saeed bin Al-Musayyib. Al-Hassan, Ataa, Al-Nakha‘i, and Makhula. and Al-Awza‘i.
The second opinion: Arrangement in ablution is obligatory. The Shafi'is⁸⁸, and the most correct of the Hanbalis⁹⁹ said that the arrangement is obligatory in ablution, starting with washing the face and ending with washing the feet, and it is not permissible to give one part over the other. And it is said by Abu Ubaid Al-Qasim bin Salam, Abu Ishaq, and Abu Thawr⁴⁰.

Evidence for the first opinion:
1. God Almighty commanded the washing of the organs, and he used the letters of the conjunction “waw” one on the other with the plural, and it does not require arrangement⁴¹.
2. According to the hadith of Mujahid, he said: Abdullah Ibn Masoud said: (It is alright to start with your feet before performing ablution with your hands)⁴².

3. Because the Prophet -peace be upon him- persevered in it, and his perseverance in it is evidence of the Sunnah and does not indicate that it is a cornerstone, for he was persevering in the Sunnah as he persevered in rinsing his mouth and sniffing water up⁴³.

4. The plural in the verse of ablution in the manner of order is a restricted plural, and it is not permissible to restrict the absolute except with evidence, and the action of the Prophet -peace be upon him- can be carried to the approval of the book, which is that he only did so to enter it under the absolute plural, but in that it is a plural rather than from As it is arranged, and in this way it is in accordance with the approval of the book⁴⁴.

Evidence for the second opinion:
1. God Almighty saying: {O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles}⁴⁵.

Significance: God Almighty says: {wash your faces}. The letter /Fa/ for commentary, so whoever said: It begins with washing the hand, he has violated the apparent meaning of the Qur'an⁴⁶.
2. That God Almighty commanded the washing of specific organs of conjunction to each other with the letter /waw/, and /waw/ required arrangement, so it was necessary to arrange for that.[107]

3. That the verse introduced wiping the head between washing the hands, washing the feet, and cutting it off from its counterpart. It indicates: that he intended to affirm the arrangement; And because it is an act of worship that includes different verbs in the origin of its status, they are related to each other, so it is necessary to arrange them, such as prayer and Hajji[108].

The most correct opinion:
Which is what the owners of the second opinion of the Hanbalis and Shafi’is held that the arrangement is obligatory in ablution is more likely, because the verse came in the order of this on the one hand, and on the other hand, it was not reported from the Prophet - may God’s prayers and peace be upon him - that he differed between the members of ablution, so the text of the verse and the action of the Prophet - Peace be upon him - on the obligation.

The fifth requirement: the rule that water left the member of the body.
Used water: It is the water with which the impurity has been removed[109], and it is not the water that is in excess of ablution, and the jurists differed in its ruling on two opinions:

The first opinion: The water used is pure and not Purified.
The water that left the part of the body is pure and not impure. This is the view of some of the Hanafis[110], and according to it the Shafi’is[111], the Hanbalis[112], the Zahiriyaa[113], and the Zaydis[114].
The Malikis[115] said: pure water is hated, and it is the choice of Al-Babarti[116].

103Seen: Al-Mabsout: Al-Sarakhsi, 1/56.
104Seen: Badayie Al-Sanayie fi Tartib Al-Sharayiei: Al-Kasani, 1/22.
105Surah Al-Ma’idah: Verse 6.
106Al-Bayan fi Madhhab Imam Shafi’i: Al-Omrani, 1/135.
107Sharah Al-Talqini, 1/162.
111Seen: Hilyat Al-Ulama fi Ma’rifat Madhhab Al-Fuqaha’: Al-Shashi, 1/81; Al-Bayan fi Madhhab Imam Shafi’i: Al-Omrani, 1/43.
112Seen: Tahqiq Al-Matalib bi Sharah Dalil Al-Taalib, 1/82.
115Seen: Bidayat Al-Mujtahid wa Nihayat Al-Muqtadir, 1/33.
The second opinion: The water that is used is impure.
Some of the Hanafis said: The water used is impure and not pure[117], and it is a narration on the authority of Abu Hanifa and Abu Yusuf[118], and it is the narration of al-Hasan bin Ziyad on the authority of Abu Hanifa[119].
Evidence for the first opinion:
1. Narrated Jabir bin Abdullah: I fell ill, Allah’s Messenger (Peace be upon him) and Abu Bakr came to visit me on foot. The Prophet (Peace be upon him) came to me while I was unconscious. Allah’s Messenger (Peace be upon him) performed ablution and poured the Remaining water of his ablution over me whereupon I became conscious.[120]
Significance: The hadith indicates the purity of the water used for ablution with it[121].
2. Abu Musa said: The Prophet asked for a tumbler containing water and washed both his hands and face in it and then threw a mouthful of water in the tumbler and said to both of us (Abu Musa and Bilal), “Drink from the tumbler and pour some of its water on your faces and chests”.[122]
3. Narrated Abu Juhaifa: Allah’s Messenger (Peace be upon him) came to us at noon and water for ablution was brought to him. After he had performed ablution, the remaining water was taken by the people and they started smearing their bodies with it (as a blessed thing).[123]

Evidence for the second opinion:
1. Abu Huraira reported God’s messenger as saying, “None of you must pass water into standing water that is not flowing, then wash in it”.[124]
Significance: This hadith paired between the prohibition of urination in standing water and washing in it, and since the prohibition of urination is only for the reason of impurity, so the prohibition of washing is also for the reason of impurity in terms of conjugation[125].
2. because the defilement is the exit of something impure from the body, and with it some of the body is actually defiled, and the rest becomes defiled, according to an estimate. If he performs ablution, that impurity is transferred to the water, and the water becomes impure, as a measure and judgment[126].
3. There are those who infer that the Prophet - may God’s prayers and peace be upon him - delayed washing the feet when performing ablution before it was extensive, that the water used is impure. For if he was not impure, it would not have any meaning to be ashamed of the pure[127].

The most correct opinion:
After presenting the sayings of the jurists - may God have mercy on them - it became clear that the most correct opinion is what Imam Al-Babarti chose and what the owners of the first saying held that the water used is pure and not purifying is stronger than the evidence of their opponents.

* Seen: Al-Mabsout: Al-Sarakhsi, 1/53; Badayie Al-Sanayie fi Tartib Al-Sharayiei: Al-Kasani, 1/68.
* Narrated by Al-Bukhari: The Book of Patients, Chapter: To visit an unconscious person, No. (5327), 5/2139.
* Seen: Al-Minhaj Sharh Sahih Muslim bin Al-Hajjaj, 11/55.


3 Conclusion

Praise be to God, by whose grace good deeds are accomplished, and prayers and peace be upon the Seal of the Prophets and Messengers, our Prophet Muhammad, and upon all his family and companions, and the followers and those who followed them in goodness until the Day of Judgment. And thereafter...

By the grace of God Almighty, I have concluded and completed this research, and I can summarize the most important results that I have reached, which are:

1. He is Akmal Al-Din Muhammad bin Mahmoud bin Ahmed bin Sheikh Shams Al-Din Ibn Sheikh Jamal Al-Din Al-Hanafi. It is said that Muhammad bin Muhammad bin Mahmoud.
2. Surname Imam Al-Babarti Akmal Al-Din, he is called Kamal Al-Din and his nickname is Abu Abdullah Al-Rumi Al-Babarti.
3. Attributed to Babarti, a village from the works of Dujail in Baghdad, Or Babart belonging to Arzan Al-Ruma - a hundred kilometers from Erzurum, Turkey.
4. Al-Babarti worked in science and acquired science buildings in his country. Then he left for Aleppo and took from its scholars, then he moved to Cairo after the year seven hundred and forty.
5. Imam Al-Babarti was a student of many eminent sheikhs, as he moved to countries to learn about their elders, the roaming of Imam Al-Babarti had an impact on a large digit of his elders.
6. Imam Al-Babarti has many books, in many arts.
7. Imam Al-Babarti has a great scholarly status in his time, as he is the sheikh of Al-Saawjja school.
8. There are different historical accounts regarding the death of Imam al-Babarti, the most correct of which is that he died on Friday the nineteenth of Ramadan in the year (786 AH - 1786 AD).
9. The Book of Al-Anayah Sharah Al-Hedaya and has important preferences for Imam Al-Babarti.

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