

## The Importance of Sharia Purposes and their Role in Promoting the Intellect

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**Abstract:** *Sharia Purposes* (Maqāsid al- sharīaa) occupies a prominent place because it raises the awareness of the Muslims, and their humanitarian mission to exercise their role towards all creations in taking them out of darkness to the light, and to achieve the absent transformation in reviving our nation to perform its civilized role known about it in the past by abandoning immobility, and move toward critical thinking through diligence, renewal, change and formation of purposeful mind that Islam crystallized it by the revelation and guidance harmonically where no place for absurdity and contradiction, the issue that can't be without linking reasons to causes, means to purposes, as well as the current holistic view related to the reality *Fiqh* and the original goals that direct the view toward achieving the interests of the people, here and hereafter, which is the goal the *Sharia* came for in order to process many of the community's issues, and hence the evolutionism in these purposes will lead to the Intellect promoting at all levels to meet humanity aspirations, necessities, and improvements, and then the mind gains its role and consideration. Thus, this research highlights *Sharia Purposes* science role in advancing human Intellect through discussion of the various domains.

**Key words:** Sharia Purposes, Thought Renewal, Purposive Fiqh, Belief Domain, Educational Domain, Da'wa Domain.

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## أهمية المقاصد الشرعية ودورها في الارتقاء الفكري

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**المستخلص:** يحتل علم المقاصد مكانة مرموقة بين العلوم؛ لأنه العلم الذي ينهض بوعي المسلم، ورسالته الإنسانية ليمارس دوره تجاه العالمين في إخراجهم من الظلمات إلى النور، وتحقيق النقلة الغائبة في إحياء موات أمتنا المسلمة لتمارس شهودها الحضاري الذي عُرفت به في السابق، وذلك بالتخلي عن الجمود والتلقين والمحاكاة والتراجع الحضاري إلى التفكير الناقد والعقاد من خلال الاجتهاد والتجديد والتغيير وتشكيل العقل المقاصدي الهادف الذي بلوره الإسلام على هدايات الوحي والرّشاد، في تناغم وانسجام بحيث لا يكون فيه محل للعبثية والتناقض، ولا يتم ذلك إلا من خلال ربط الأسباب بمسبباتها، والوسائل بمقاصدها، والنتائج بمقدماتها، وكذلك النظرة الشمولية الآنية المرتبطة بفقهِه الواقع والغايات الأصلية التي تصوّب النظرة إلى تحقيق مصالح العباد في معاشهم ومعادهم، وهي الغاية التي جاءت بها الشريعة ومن خلالها تمّت معالجة العديد من مشكلات المجتمع وقضاياها وحاجاته، ومن هنا كانت الطورانية في الفكر المقاصدي الأمر الذي أدّى إلى نهضة الفكر في كل الأصعدة ليلبي تطلعات الإنسان في ضرورياته وحاجياته وتحسيناته؛ فيعود للعقل دوره ومكانته. ولكل هذا جاء هذا البحث ليرز أهمية المقاصد الشرعية ودورها في الارتقاء بالفكر من خلال مناقشته وإنزالها في مجالات متنوعة.

**الكلمات المفتاحية:** مقاصد الشريعة، تجديد الفكر، الفهم المقاصدي، المجال العقدي، المجال التربوي، المجال الدعوي.

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## Introduction

All praise be to Allah Almighty who said in its Holly Book: “Then we made thee according to the law of the Commander, so follow it and do not follow the whims of those who do not know<sup>(1)</sup> and may be blessings and peace be upon our Prophet Muhammad, who fully explained to us the features of the Sunnah and the straight path.

Caring the aims and outcomes of Sharia law in the history of Islamic intellect is considered a project to revive the nation and save its scholar and cognitive capabilities every time the light of its civilization is about to diminish on one hand, and it contains an answer to the troubling questions that confuse the minds on other hand. This answer, which starts from the niche of knowledge, goes beyond simple limits of recognition. Because Knowledge, originally, is what known by its existence, type, method, reason, and so on, and therefore recognition is opposite to denial and knowledge to ignorance.

It is a mercy from Allah on humanity that the foundations of the rules of the Sharia were purposes-based and wisdom-built, without it, the laws would not have been legislated, and the *halal* would not be permissible, and the *haram* would not be forbidden, and that the tension, anxiety, war and terror that prevails in our contemporary world will continue since it is far from the Sharia that secures to the individuals and the communities, and the whole world intellectual promotion to the extent that it achieves the values of the truth, justice, goodness and beauty.

Therefore, the researcher tried his best to gather several reasons for writing about this topic, the most important of it are:

- Explaining that *Sharia purposes* are wisdom-based for the interests of the people, here and hereafter.

- To apply these purposes on our life will be fruitful for the intellectual aspect.

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(1) Al - Gāshiya, 18.

- Because of the functions, roles and tasks of these purposes are performed on the level of the individuals and communities, no doubt that the most prominent of these functions will directly reflect in the process of intellect promotion with all its authentication types, whether are constructive, or selective, etc..

The study aims to investigate several objectives, including:  
Having an acquaintance with objectives of *Sharia purposes* and their impact on intellect development or promotion, providing an important glimpse about the interests of the *purposive* comprehension in a manner contributes to applicably solve many of our problems via the proper deep understanding of these purposes.

For the requirements of this study, the researcher followed the inductive analytical methodology dividing the research into a long discussion included; definition of the *sharia purposes*, the effect of these purposes on renewal intellect, and the purposive deep understanding for advancement of intellect, which I have restricted to some domains as in the research details.

The researcher supplemented the study with a conclusion includes the most important findings, along with some recommendations.

#### **Definition of *Sharia Purposes*:**

*Sharia Purposes* is a noun for the art of Islamic Sharia law, and it is a compound noun. To define this compound noun as a legal scientific title, it is necessary to define each of its two words, which are: (*Purposes, Sharia*).

#### **Definition of *Purposes* in Arabic Language:**

*Purposes* has different meanings in arabic language as<sup>(1)</sup>: depending on,

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(1) Abu Abd al-Rahman al-Khalil bin Ahmad, Al-Farahidi, Al-Ain, edited by: Dr. Mehdi Makhzoumi and Dr. Ibrahim Al-Samarrai, Part 5 (Al-Alamy Foundation for Publications), 54, and Abu Bakr Muhammad bin Al-Hassan bin Duraid, Al-Azdi, Gamharat al-Lugah, edited by: Ramzi Munir Baalbaki, ed. 1, V. 2 (Beirut: Dar Al-Alam for the Millions, 1987), 274, and Ismail bin Hammad, Al-Jawhari, Al-Sihhah Taj al-Lugah and Sahih Al-Arabiya, edited by: Ahmad Abd Al-Ghafour Attar, ed. 4, V. 2



direction to, coming to, doing something, straightening the path, and there are many evidences for that from the Qur'an, Sunnah, and Arabs says.

**Definition of *Sharia* in language:**

Sharia in language is religion, methodology, way,<sup>(1)</sup> and its origin in Arabic language is the resource of *water supply*<sup>(2)</sup>.

The reason that Sharia means the source and the spring of the water is that water is the source of human life, animals and plants, and the Islamic religion is the source of life, goodness, progress, and safety, here and the hereafter (O ye who believe! give your response to Allah and the apostle of Allah when He calleth you to that which will give you life)<sup>(3)</sup>.

**Definition of Sharia in what is dealt by the Shariah Schoalrs:**

Ibn Taymiyyah defined it saying: (The name of the Sharia, jurisprudence (Shara), and (Shiraa), includes all the beliefs and deeds that God has prescribed<sup>(4)</sup>). This definition is like many of Scholars (Olama) who define it with a comprehensive definition, except another definition to the Sheikh-Elislam, Ibn Taimiya, who said: (Sharia is obedience to God, God Messenger, and those Rulers among us)<sup>(5)</sup>.



(Beirut: Dar Al-Ilm for the Millions, 1407 AH – 1987), P. 524, and pages after it, and Ahmed bin Faris, Moajam Magayees al-Lugah, edited by: Abdul Salam Haroun, Edition 2nd edit. V. 5 (Egypt: Mustafa Al-Babi Al-Halabi Company, Library and Printing Press, 1392 AH), 95, and Muhammad bin Ahmed bin Al-Azhari, Al-Harawi, Tahdheeb al-Lugha, edited by: Dr. Abdel-Azim Mahmoud, and reviewed by: Muhammad Ali Al-Najjar, V. 8, (The Egyptian House for Authorship and Translation), 385.

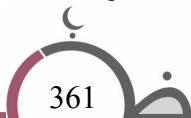
(1) See: Ibn Faris, Ibid vol.2, 526, al-Jawhari, Ibid, vol. 3, 1236, Majd al-Din al-Jazari ibn al-Atheer, The End in Gharib al-Hadith and the Impact, edited by: Taher Ahmad al-Zawy, and Mahmoud Muhammad al-Tanahi, c2 (Beirut: The Library Scientific, 1399 AH - 1979), 460.

(2) Ibid.

(3) Al-Anfal, 24.

(4) Ahmad bin Abdul Halim, Ibn Taymiyyah, Majmoo 'al-Fatwas, edited by: Abd al-Rahman bin Muhammad bin Qasim, Kingdom of Saudi Arabia: King Fahd Complex for the Printing of the Noble Qur'an, Medina 1416 AH / 1995.

(5) Ibid, vol. 19, p. 309.



**Islam:** in language is the sense of surrendering <sup>(1)</sup>, and idiomatically: (it is to obey Allah through monotheism, and purify faith from polytheism), and it is the religion of all prophets, but what is meant here is: the religion revealed to our Prophet Muhammad, which is the last and final religion<sup>(2)</sup>.

### **The definition of the *Sharia Purposes* in what is dealt by the Sharia Schoalrs:**

The early scholars did not have a clear, specific or precise definition of the aims of the purposes of Islamic Sharia ,even among those were interested in the purposes, such as al-Ghazali and al-Shatibi, but there were words and sentences related to some of its types, sections, expressions, synonyms, applications, argument and origins. They mentioned the five purposes (preservation of religion, soul, mind, offspring, and money), and they mentioned the necessary interests, and some wisdoms, and causes related to their provisions and evidences, and they mentioned, too, evidences from the Quran and Sunnah, and justified reasoning indicating to the validity of the purposes, and the necessity of relying on them with certain criteria and established controls, without deviating from the Sharia law or opposing its evidence and teachings, rules and principles. They also expressed about these purposes in many terms indicated by declaring, hinting, quoting, and gesturing of those scholars and their care for these purposes in the process of understanding the texts and rules in a balance.

**Among these expressions and derivations are** interest, wisdom, cause, benefit, corruption, goals, objectives, meanings, and intentions, etc.

**Contemporary scholars' definition of purposes (*maqasid*):** *Sharia purposes* in the modern era has received special attention by scholars and researchers. This is due to its importance and its role in the process of jurisprudence (*Fiqh Ijtihad*) (the inferring of rules by sharia scholars), and

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(1) Ibn Faris, Ibid, vol. 3, 469, Al-Ansari, Jamal Al-Din Ibn Manzur, Lisan Al-Arab, edit. 3, V. 12, (1414H. Beirut, Dar Sader), 295.

(2) Abu Al-Buqa ,Al-Hanafī, Al-Kafāwī, Al-Kuliyat: A Dictionary of Terms and Linguistic Nuances, Edited by: Dr. Adnan Darwish, and Muhammad al-Masri, vol.1 (Cairo: Dar al-Kitab al-Islami), 170, and Muhammad Rawas Qalaa Gi, and Hamid Sadiq, Moagam Lughat al-Foqaha, Volume 2 (Beirut: Dar Al-Nafais), 68.



in dealing with contemporary life issues considering legal evidence, texts and rules. This special attention extended to consider the purposes an independent science has its own origins and branches.

**Accordingly, there have been several definitions of this science as follows:**

1- Sheikh Muhammad al-Taher bin Ashour defined it as: (*Sharia purposes* are: the meanings and judgments observed for the legislator(Quran and Sunnah) in all or most cases of legislation, so that their observation does not pertain to be in a special type of Sharia rules)<sup>(1)</sup>, then he said: (This includes descriptions of Sharia and its general goals and meanings the legislation includes, and this also includes meanings of wisdom that are not noticeable in other kinds of wisdom, but are noticeable in many types of them)<sup>(2)</sup>, This definition, as it seems, is specific to the general purposes of the Sharia, so it is from this point of view is not valid to define the purposes in its general, comprehensive sense of the general and private purposes.

2- Allal Al-Fassi defined it by saying: (the goal and the secrets that the legislator(Allah or the prophet) established to each of its rules)<sup>(3)</sup> and it is noticed that this definition encompasses the purposes of both types, the general and the specific one.

3- Wahba Al-Zuhaili defined it by saying: (They are the meanings and goals observed in all or most of its rules, or they are the goal of the Sharia and the secrets established by the legislator in each of its rules)<sup>(4)</sup>. This definition is compounded from the definition of Ibn Ashur in his first part, and from Al-Fassi in the second part.

(1) Objectives of Islamic Law edited by: Muhammad Al-Habib Ibn Al-Khawja, 1425 (Qatar: Ministry of Endowments and Islamic Affairs, 2004), 51.

(2) Ibid.

(3) The Purposes and Honor of Islamic Sharia Law, Edit. 2 (Rabat - Morocco: Al-Risala Press, 1979), 3.

(4) Fundamentals of Islamic Jurisprudence, (Syria: Dar al-Fikhr for Printing, 1406H), 1017.

We abstract from these definitions that they are all close together, but indicate that the *Islamic Shariah Purposes* are the benefits intended by Allah based on the Sharia rules, thus we find the benefit of fasting is the attainment of piety, and the benefit of jihad, is the resistance of aggression and defending the nation by peace keeping, and the benefit of marriage is chastity and abstain from banned-sex and offspring to construct healthy world. These benefits are many and varied, and they combine in a great interest and an overall goal: achieving the worship of God, development of the humanity, and making people happy, here and hereafter, (For We assuredly sent Amongst every People an apostle, (With the Command), “Serve God, and eschew Evil”<sup>(1)</sup>).

#### **Sharia Purposes and their Effect on Intellect Renewal:**

The study the purposes is of a great importance in the renewal of intellect because it represents a methodological framework that control the concepts, and a scientific approach that frames the revelations not only in the Sharia sciences, but in the rest of the other sciences; i.e. social, economics, and political sciences, as well as experimental sciences in all its branches; and in terms of being a cognitive methodology for the various branches of knowledge. The purposes in its comprehension considered a scholar methodology for achieving the goals and objectives in the field of science and knowledge, as well as, the movement of authenticated Fiqh, without obscuring its glory, or freezing its effectiveness, or preventing its great contributions in highlighting the eternal characteristics of the Islamic law in its originality, fairness, tolerance and moderation, and its ability to continue and give solutions and treatments across all times and places.

The purposive deep awareness was present in the Muslim Fiqh mentality, and a real participant in the achieving of all aspects of enlightenment extending along the jurisprudential path in the glorious history of Islamic Sharia, starting with the era of the prophet, and passing through the era of the Rightly Guided Caliphate and the followers ages, and even in the darkest eras, there were shining purposive illuminations, so that Islamic law has remained the focus of admiration of nations and the direction of

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(1) Al-Nahl, 36.



researchers, seekers of knowledge from all humans-thought different laws and civilizations, and therefore talking about the effect of the understanding these purposes on the movement of scholars independent judgment (ijtihad) may sometimes mean talking about the history of Islamic Fiqh generally, which is undoubtedly a long history. Perhaps it started with the say of the Messenger of God, to his great companion, Mu'aaz - may God be pleased with him - when the prophet wanted to send him to Yemen: "**All praise is due to Allah who enabled the messenger of Allah's Messenger to the satisfaction of Allah's Messenger.**"<sup>(1)</sup>.

Therefore, investigating all the details related to the effect of the legal purposes on the movement of intellect and independent judgment (ijtihad) and then recalling all the components of the image through the ages is what appears beyond the capacity and nature of this research paper, and therefore we will content with presenting general aspects through which we include some of the examples and pick up some indicators that may be expressed in its summary on the importance of the purposes and their role on the intellectual and independent judgment movement (ijtihad), which we will address through the following points:

1- Paying attention to the spirit of the text, is considered one of the purposive forms in understanding where the purposive *Fiqh* accord the two characteristics of taking the the explicit text and maintaing its spirit in a way the meaning does not violate the text nor the text violates the meaning, so that the Sharia is based on a single system where no contradiction<sup>(2)</sup> to be away from the literalism and rigidity of some literalists (Zahirite) such as Ibn Hazm who denied the *Qias*(seeking simillar judgment when there is no evident sharia rule).

Paying attention to the spirit of the text is a search for its significances and

(1) Abu Dawud, Suleiman bin Al-Ash'ath Al-Azdi, Al-Sijstani, Sunan Abi Dawood, Edited by: Muhammad Muhyiddin Abdel Hamid, V. 3 (Beirut - Saida: The Modern Library), book: Al-Qadiyyah, Chapter: Igtihad al-Rai fi al-Ghadaa, Hadith No. (3592), 303.

(2) Ibrahim bin Musa al-Shatibi, al-Mowafagat, edited by: Abu Ubaidah Mashhur bin Hassan Al Salman, ed, 1, V. 2 (Dar Ibn Affan, 1417 AH / 1997), 392.

an exploration of its secrets lead to the target of the legislator, due to a benefit-based wisdom or corruption avoidance, and then we build our social and Islamic sciences on two objective dimensions<sup>(1)</sup> mentioned by Imam Al-Shatibi (the purposes of the legislator and the purposes of the individual)<sup>(2)</sup>, to put their legislative and judgmental extensions in details, undoubtedly influence the formation of purposive awareness that surrounds the mentality of indoctrination in its narrowest circles, and opens the horizon widely, as for the mentality of thinking and inferring, which gives its great effect in moving *Ijtihad* firstly towards understanding the text in light of its partial purpose and secondly in light of general purposes, and as a result, the scholars will able - to a greater extent - to understand the rule, define it and apply it.

2- In the past, the Purposive awareness of the Companions was an inspiring source in understanding the partial texts and linking them to the comprehension of Sharia and its general principles, in a way that enriched their jurisprudential talents and increased their mental abilities in adapting facts in a legal, original and deliberated manner within the framework of a vision includes and perceives all the possibilities, and the consequences that move the view of independent judgment (*Ijtihad*) towards proper and sound choice to the best and most beneficial for Islam and Muslims. *Sharia purposes* were behind the establishment of tax (*Kharaj*), mintage, and succession of caliphate, regions, and prisons<sup>(3)</sup> which was not in the era of the prophet peace be upon him.

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- (1) Abdullah Muhammad Al-Amin, *An-Na'im, Sharia Purposes (Maqasid al-Sharia) towards a framework for research in the social and human sciences*, Ed. 1, (Dar al-Fikhr, 2009), 62.
  - (2) Al-Shatibi, *Ibid*, Vol. 1, 27, and Nour al-Din Ibn Mukhtar al-Khademi, *al-Ijtihad al-Maqasidi, its authority, controls, and fields*, ed. 1, vol. 1 (Qatar: Ministry of Endowments and Islamic Affairs, 1998), 53.
  - (3) Hassan bin Omar bin Abdullah al-Maliki, *al-Sinauni, al-Asl al-Jamie li-Iidah al-Darar al-Manzumat fi Silk Jame al-Jawamie*, Ed. 1, Vol. 3 (Tunisia: Al-Nahda Press, 1928 AD), 15, and al-Zarqa Ahmed bin Sheikh Muhammad, *Sharh al-Gawaid al-Fiqhiya*, edited by: Mustafa Ahmad Al-Zarqa, 2nd Ed., Vol. 1 (Damascus: Dar Al-Qalam, 1989 -1409 AH), 210.



The purposes too, made the Imam Ali -may Allah be pleased with him- commaned Abu al-Aswad al-Du'ali to put the principles of the Arabic grammar to maintain the language of the Quran after mistakes being made in the speech of the people that time <sup>(1)</sup>. And the sharia purposive interest, too, let the Imam enable the craftsmen guarantee the assets they own in case they are unable to prove the assets depreciation was the reason, and the imam said: ((nothing benefit people than that))<sup>(2)</sup>

This entrepreneuring purposive awareness had a great impact in development of the independent judgment (ijtihad) among the followers (Tabiein) and their successors (Tabiei al- Tabiein), as many similar and various interpretations were corresponded, and the so-called school of opinion appeared in Iraq which followed the companions methodology in using the jurisprudential consideration reinforced by the correct maxim and supported by the teachings of the Quran and the Sunnah and the jurisprudence of the predecessors, the companions and the followers supported by taking into account interests, as well as the Shafi'i school, etc...

Undoubtedly, the researcher can summon hundreds of images that support this fact and reflect the purposive nature in it, by extrapolating the independent judgment (ijtihad) of the independent jurists within each doctrine, but there is no room for that, and for this the reference may substitute for the statement here, and perhaps the best evidence beside that the analogy appeared in the history of jurisprudence the largest entrance to *ijtihad*, so that some considered it, as *Shafi'I*, synonymous to *ijtihad*, and it can be said that all this jurisprudential heritage, and what could not be counted from the jurisprudence of the mujtahids, was behind its relying on analogy. If we know that the purposive idea was previously part of the

(1) Jalal Al-Din, Al-Suyuti, Al-Mizhar fi Olum al-Lugha wa Anwaaha, Edited by: Fuad Ali Mansour, Ed. 1, Vol. 2 (Beirut, Dar Al-Kutub Al-Ilmiyya, 1418 AH- 1998), 324, and Abdul-Razzaq Bin Faraj, Al-Saadi, "The Fundamentals of Arabic Language Science in Madinah ", Journal of the Islamic University of Madinah, Vol. 1, No. 105, 106, (Twenty-Eighth Year, 1417 AH - 1418 AH / 1987-1988), 297.

(2) Abdul-Jabbar, Suhaib, Al-Jami` al-Sahih lil-Sunan wa al-Masaneed, Vol. 36 (al-Maktaba al-Shamila, 2014, unprinted), 350.

*Qiyas* as it arose as one of its forms in the context of the explanatory approach, so it can be said that the effect of the purposive factor in one way or another was also dependent and influencing the *ijtihad* movement. He used to operate his work under various names such as (approval) or (sending interests)<sup>(1)</sup> or (observance of necessity) ... This represents the greatest testimony to the importance of the objectives in crystallizing and renewal thought.

#### **Domains of Purposive Understanding and Intelict Promotion:**

No doubt that the *Sharia Purposes* has functions and tasks that they perform to the extent makes benefits to the individual and community, and among the most prominent of these functions are the *Fiqh* origins (jurisprudence) and the principals of jurisprudence (*usul al-fikh*) functions, which have reflection on the process of jurisprudence studiousness (*ijtihad*), and then affect thought and deliberation to the extent to which it expands and revive the means, which make a great role in serving the *Sharia*. And one should remember that it is not possible for us to properly and soundly understand *Sharia* – as should - and find out the secrets of its rules and goals without understanding of the purposes, which makes us stand on a solid ground in understanding *Islam* as a law and a belief, as it enables us to properly interact with the origin related to our current time, instead of making us live in the past far from the concerns and requirements of reality.

In order for us to understand the secrets and purposes of the *Sharia*, we must read and understand them in their *Sunni* doctrine, social and historical context in which they are existed ..., and we will be obliged to know the reasons for the revelation of the *Quran* words, or the reasons for the emergence of the prophet says (*Noble Hadith*), and compare the *Sharia* texts by the basis of the Arabic language and its requirements. This is all of what we must adhere to to achieve the purposes-based understanding of the *Shari'a* and its texts<sup>(2)</sup>.

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(1) Nour al-Din al-Khademi, *ibid*, vol.1,116.

(2) Wasfi Ashour, Abu Zaid, "The Educational and Advocacy Positions for the Purposes of *Sharia* Law Rulings", *The Modern Muslim Magazine*, Issue No. 144, (December 2012),13.



Perhaps among the most prominent domains of purposive understanding in which forms of manifested intellectual development are the following:

- ❖ **The belief domain:** Doubtless that the reform of human is one of the highest goals of Islamic law, and its objectives, and as the goodness of man depends on the righteousness of his belief, the Holy Quran has paid more attention to this aspect and treated it more than others in order to build a sound human being.

Accordingly, it is not surprise when we find that the first thing Islam call did, is the reform of the belief aspect throughout the Meccan period, and in this Al-Taher Bin Ashour says<sup>(1)</sup>: The greater purpose of the Sharia is to bring goodness and ward off corruption. And that happens by reforming the condition of the human and warding off his corruption for the human is the one who dominates this world, his goodness and affects the goodness of the world. Therefore, we see Islam treating the goodness of the community with the goodness of its individuals who are parts of it, and with the goodness of the mankind. So, the call began to reform belief, which is a reform of the basis of human thought that leads him to thinking correctly about the conditions of this world. Then it cured the human by purifying his soul and essence because this leads him to good deeds and virtues as it narrated about the prophet peace be upon him: **(Beware! There is a piece of flesh in the body if it becomes good (reformed) the whole body becomes good but if it gets spoilt the whole body gets spoilt and that is the heart)**<sup>(2)</sup>. We also find that the Qur'an has made metaphysics and doctrinal issues based on blind obedience, in contrast to mental and intellectual issues in which Islam has released the freedom of mind for research, thinking and deliberation but to be conditionally controlled by the Quranic and Sunna texts, and since the error is probable in intellectual issues when treating the universal facts; it is in unseen matters, plunges one who involved in to a limitless darkness.

(1) Wasfi Ashour, vol.3.197.

(2) Al-Bukhari, Ibid, Book: Faith, Chapter: The Virtue of the One Who Cleared His Religion, Hadith No. (52), vol. 1, 20, Muslim, Ibid, the book: Al-Ikhtabnah, forbearing. No. (1599), vol.3, 1219.

As it is known, belief has three sections: divinities, prophecies, and news narrated about the prophet<sup>(1)</sup>. Within the divinities we find names and attributes, and among the names of God Almighty is the "Ever Wise", and among His attributes is "Wisdom".

The "Ever Wise" who does not create anything in vain and does not legislate anything without wisdom or without purpose<sup>(2)</sup>.

It is impossible for Him to legislate a rule or judgment without a goal and purpose, whether this purpose is clear to our mind or not, and whether we know it or ignore, and since we ignore it or it does not clear to our minds that does not mean it is not exist.

And anyone denies the purposing - comprehensively or partially - about the Sharia of God rules obstructs some of the name of God "the Ever-Wise attributes "wisdom" and this distorts the belief of monotheism for a Muslim.

Thus, giving care to the purposes, acting upon them, relying on them in establishing rules, and referring to them in the practice of independent judgment (ijtihad) is a kind of correcting and strengthening the Muslim creed.

**The Jurisprudence (Fiqh) Domain and Worship:** This must evidently clarify that the renewal of Islamic jurisprudence through the purposive view from the position occupied by "the way how the Islamic jurist see the world" in the proposed system of Islamic jurisprudence, and this shows how the jurist occupies a central position in the conception of jurisprudence as a result to the way the Islamic jurist sees the world. Here

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(1) Muhammad bin Khalifa bin Ali, Al-Tamimi, Attitudes of Sects on the Unification of Names and Attributes, 1st Edition, (Riyadh: Adwaa al-Salaf, 1422 AH – 2002), 24 and Dameeriya, Othman Juma, Introduction to the Study of the Islamic Faith, 2nd Ed, Vol. 1, (Maktabat al-Sawadi, 1996-1417H), 106.

(2) Al-Hafiz Abi Bakr Ahmad Ibn Al-Hussein, Al-Bayhaqi, al-Aietiqad wa al-Hidayat 'iilaa Sabil al-Rashad, edited by: Ahmed Essam Kateb Edition 1 (Beirut: Dar al-Awqaf al-Jadida, 1401H), P. 60, and Al-Qahtani, Saeed bin Ali bin Wahaif, Sharh Asmaa Allah al-Husnaa, Ed. 2 (Riyadh, Safir Press, 1413 H), P. 100.

there is a differentiation between; the jurist himself, the Quran, and the Sunnah as the sources of the jurist's knowledge, which are also part of the way the jurist sees the world, but seeing the world must be "conscious", not only a mere speculation or illusion. It must be based on a "scholar" view and contemporary methodology in the field of the science targeted by Sharia law, whether economics, medicine, politics, art, or other, while when a jurist does not have an understanding of the world as it is in reality, he is not "competent" to reach valid jurisprudential opinions. This understanding of the world is another expression of having of the jurist to the requirement of "jurisprudence of reality", which was put by Ibn Al-Qayyim as a condition to the *ijtihad* saying that:

(If the ruler does not comprehend the signs or evidences, or acquaintance with the surrounding circumstances and conditions of private and common provisions he will lose many people rights. He will also judges in what the people explicitly see false doubtless by his relying on the explicit matter without attention to the implication and circumstances evidences). Here are two types of *fiqh* (understanding and comprehension), the ruler must perceive; a *fiqh* about the sentences of the total events and a *fiqh* about reality and the circumstances of the people to distinguish the one who tell the truth from the false one. Then matches between them giving judgment of reality and makes not contrary to the reality. And anyone knows Sharia law, and its tending to guarantee the interests of people in this world and hereafter, its utmost justice it will be evident to him that fair policy is a part of it, and a branch of its branches, and who knows its purposes and condition, does not need policy other than its own policy)<sup>(1)</sup>.

This, too, is reflected in the jurisprudence<sup>(2)</sup> of the changes in the "understanding of the world" for the jurist since it will reduce the literal understanding of Islamic *fiqh*, for following the rules in its literal sense

(1) Shams Al-Din, Ibn Qayyim Al-Jouzia, Al-Tareeq Al-Hakamiyyah, vol. 1,) Maktabat Dar al-Bayan), 4.

(2) Jasser, Odeh, Purposes of Sharia as a Philosophy of Islamic law, A Systemic View, Arabization: Abd al-Latif al-Khayyat, 1st Ed, (Virginia: The United States of America, International Institute of Islamic Thought, 1423 H – 2012), 329.

makes that judgment a kind of rigid ritual, while the researcher means to emphasize that it is important to maintain a continuous follow-up in the domain of worship of Islamic fiqh, such as prayer, fasting and Hajj, but it is not possible to exaggerate in the expansion of the circle of worship against the circle of transactions. Hence, the required is to reach a balance between these two areas.

Let us cite some examples that clarify this point: The purpose of Zakat Al-Fitr is to help the poor people, and it was reported from the Prophet that he said: “Save them (i.e. the poor) wondering around (in the markets and the streets asking for food) on that day<sup>(1)</sup>.”

However, this zakat was discussed under the item of acts of worship based on this, it has been applied literally in every place and at all times, while when the place and the society changes to the point that dates, raisins and barley become useless for the poor (and the Iqt (Frozen acidified milk cooked) have disappeared in most countries), and like insisting on delivering them before the Eid prayer and not before enough time that the poor is able to benefit from it by purchasing the Eid needs like clothes and food ...; Because the primary purpose is "save them from the need" and therefore, literally applying this charity as a pure act of worship will inevitably waste the intended meaning(the purpose) for which it was prescribed.

Thus, the advantage of practicing and following the purposes of the Sharia is what we can gain as strength from understandin of the purpose of the Shari, and from what is appropriate to be a rule<sup>(2)</sup> because he who does not know the purposes of what he does is about to slip wrongly in his work, and distort him from its intention and reality, ... and the Muslim has to make his intent and deed compatible with the purpose of the legislator.

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(1) Al-Bayhaqi, (Ibid), vol. 4, the book: Zakat, Chapter: When Zakat Al-Fitr is to be paid, Hadith No. 7739, 292, Ahmad bin Muhammad bin Hanbal, the Musnad of Imam Ahmad bin Hanbal, vol. 9, 249.

(2) Taqi al-Din Ali bin Abd al-Kafi, Al-Sobky, and his son Taj al-Din, al-Ibhaj fi Sharh al-Minhaj, vol.1, (Beirut, Dar al-Kutub al-Ilmia, 1995 - 1416H), 8.





This is tangible and visible in reality and is not limited to Islamic ritual acts or orders and prohibitions only, but applied to life and its various activities all together. The work is not essentially performed unless we know its nature, and do it in the correct and right manner only after we know its purpose and intent, otherwise we perform the work or assignment in a body without spirit, form without content, and activity without effect or benefit.

The researcher does not exaggerate if he says that ignorance of the purpose of the rules makes the Muslim - in many cases - practice in contradiction to the intention of the legislator, and this may lead to the disruption of the effects of Sharia rules. An example of this is seeking permission when entering homes, as it is intended that a person's eyes do not see what is not permissible, or what people do not like to be seen from them or with them of the privacy of their homes, and God establishes the prohibition on entering a house that is not yours for the goal of chatting without permission, a rule for a house that is not yours, as for your house in which you live, if your family is in it, then there is no permission for it, only you greet them when you enter. The companion Qatada said: When you enter your house, greet your family, and then they are more entitled to the ones whom you have greeted. In case your mother or sister is living with you, they said: make a sound of wheeze and strike your foot until they be aware, As for the mother and sister, they may be in a situation in which you do not like to see them. Ibn Al-Qasim narrated that Malik said: the Messenger of Allah, may Allah bless him and grant him peace, was questioned by a man who said, "O Messenger of Allah, shall I ask permission of my mother to enter?" He said, "Yes " The man said, "I live with her in the house". The Messenger of Allah, may Allah bless him and grant him peace, said "request her permission." The man said, "I am her servant." The Messenger of Allah. may Allah bless him and grant him peace, said, "request her permission. Do you want to see her naked?" He said, "No." He said, "Then request her permission."<sup>(1)</sup>

(1) Muhammad ibn Ahmad ibn Abi Bakr Shams al-Din, Al-Qurtubi, al-Jami li-Ahkam al-Qur'an, edited by Ahmad Al-Bardouni and Ibrahim Atfeesh, 2nd Ed, vol.12, (Cairo: Dar Al-Kutub Al-Masrya, 1384 AH – 1964), 219.

Imam Shawkaani said (when the God finished rebuke for adultery and slander, He mentioned rebuke from entering the houses without asking permission, because sitting of men and women together may lead to one of the two mentioned crimes...)<sup>(1)</sup>, but someone who does not know this purpose or does not take it into account may stop at the door waiting for permission to enter, but he may send his eyesight into the house through its door or its windows. This man had fulfilled the formal obligation to ask permission but violated it in terms of its purpose.

Another example of which there is a lot of dispute among the observant people – the one who does not go deep into the purposes and goals of the Sharia law - which is the order to shorten clothes, or the prohibition on send down his lower garments (below ankles).

Muslim narrated about Abu Dharr (May Allah be pleased with him): "There are three (types of) people to whom Allah will neither speak on the Day of Resurrection nor look at them nor purify them, and they will have a painful punishment." The Messenger of Allah (PBUH) repeated that three times. Abu Dharr (May Allah be pleased with him) remarked: "They lost. Who are they, O Messenger of Allah?" Upon this, the Messenger of Allah (PBUH) said, "One who sends down his lower garments (below his ankles) out of arrogance, one who boasts of his favours done to another; and who sells his goods by a false oath."<sup>(2)</sup> Many scholars mentioned that<sup>(3)</sup> this warning is carried out on the one who lets down his lower garments, out of arrogance. By combining the texts that were mentioned on this topic, the

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(1) Muhammad bin Ali, Al-Shawkani, Fateh Al-Qadeer, 1st ed, vol.4, (Damascus, Beirut: Dar Ibn Katheer, Dar al-Kulum al-Tayeib, 1414 AH).23

(2) Muslim, Sahih Muslim, Vol. 1, Book: Kitab al-Iman, Chapter: Statement of Prohibition of trailing lower garment, Qamees or turban arrogantly, and reminders of generosity, Swearing produces a ready sale for a commodity, The three (types of) people to whom Allah will not speak on the Day of Resurrection, nor will He purify them, nor look at them, and they will have a painful punishment, Hadith No. 106, 102.

(3) Jamal al-Din Abu al-Faraj Abd al-Rahman, Ibn al-Jawzi, Kashf al-Mushkal min Hadith al-Sihain, edited by: Ali Hussein al-Bawab, Vol. 1, (Riyadh: Dar al-Watan), 365, and Al-Shawkani, Muhammad bin Ali, Nail al-Awtar, Edited by: Isam al-Deen al-Sababti, Ed. 1, Vol. 2, (Egypt: Dar al-Hadith, 1993- 1413H). 134.



total of the texts resulted in restricting the issuance of this threat to arrogance, disclaiming truth out of self-esteem, and vanity.

And we ask here: Would this stern warning applied to him if he sends down his lower garments without arrogance, disclaiming truth out of self-esteem or vanity? Wouldn't we by that judgment bring whole peoples into the fire of Hell? The legislator hereby is committed to the prohibition in form, but so, its purpose is not achieved. So, look how dangerous it is!

What is the most wonderful thing that Ibn Al-Jawzi narrated the Prophet (That a suit was bought for him with twenty-seven camels, and Tamim al-Dari had a suit that was bought for a thousand dirham, in which he prays at night, then he said: "So people came, and they showed asceticism, and fabricated a way decorated for them by fancy, then they sought evidence for it, but man should follow a path and require its evidence, then they were divided: some of them are outwardly pretentious, let the evil in the interior, indulge in lusts in their seclusion and devote themselves to pleasures, make people see in his clothing that he is a ascetic Sufi, but regarding him is nothing ascetic but the shirt. When one looks at him, he will see the arrogance of Pharaoh<sup>(1)</sup>.

Hence, it becomes clear to us the danger for a man to do something without knowing its intended purpose, and without knowing the purpose for which the ruling was prescribed, and it is evident to us that it is extremely important for the one who charged with a matter to agree with the purposes of the rules and to identify the purposes for which the rules were prescribed in some detail and definition as much as possible.

It is worth noting that our analysis does not mean that ritual worship and transactions are two distinct domains that do not intersect. Worship is intended in the Islamic Sharia rules - but it is required that a balance occurs between the aspect of worship and social purposes.

(1) Jamal al-Din Abu al-Faraj Abd al-Rahman, Ibn al-Jawzi, Sayid al-Khater, edited by: Hassan al-Masahi Sweidan, 2nd edition, Vol. 1, ( Damascus, Dar al-Galam, 2004-1425H). 41-42.

The second effect of the proposed order on the availability of a conscious vision and understanding of the world<sup>(1)</sup> is the realization of the openness of Islamic fiqh to the progress made by mankind in the natural and social sciences. Today it is no longer possible for a claimant to make judgments consistent with “reality” without conducting appropriate scientific research based on a scientific method, whether natural or social. We have seen how some issues related to Sharia competence, such as the “sign of death,” “the maximum period of pregnancy,” “the age of discernment,” or the “age of puberty,” which the jurists in the past used to pass judgment based on “the questioning of the people”, as far as their expression.

It is true that what we call “science” remains in development over time, and it is true that this calls for a permanent review and updating of our decisions and scientific answers, but the development of science is part of the natural development of the world’s view of the jurist, and the entry of science into the jurisprudential methodology in this aforementioned meaning is what guarantees “Openness” and leads to development in the Islamic jurisprudence system.

**The educational domain:** One of the important things should be realized is that the real goal of the purposes of the Sharia depends on compliance theoretically and practically, and that these purposes are the criteria of human thought in general and Muslims in particular, and this function is specific to the charged Muslim, because if he knows the purpose of the rule, he will “increase” his compliance, adherence and perfection of the work, once by compliance and docile, especially in matters of worship, this why A l-Aamidi said: (what indicates the cause – i.e. in the texts – has the priority for its proximity to the purpose because of the rapidity of docile and ease of acceptance)<sup>(2)</sup>.

That is why we find the Prophet’s companions have realized this disciplinary purpose and committed themselves to obeying him in what

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(1) Jasser, Odeh, Ibid, 330.

(2) Abu Al-Hassan Syed Al-Din, Al-Amdī, Al-Ihkām fī Usul Al-Ahkām, Edited by: Abdelraziq Afifi, V. 4, (Beirut, Damascus, al-Maktab al-Islami), 265.



God Almighty revealed to them by the prophet in all what they should do and refrain to do in compliance with his saying: **“It is not fitting For a Believer, man or woman, When a matter has been decided By God and His Apostle, To have any option About their decision: If anyone disobeys God And His Apostle, he is indeed On a clearly wrong Path”**<sup>(1)</sup>.

- When the Companions saw in the hand of the Prophet a gold ring, they put on gold rings, and when he took it off, they took off their rings.

Narrated by Ibn `Umar: Allah's Messenger (PBUH) had a gold ring made for himself, and he used to wear it with the stone towards the inner part of his hand. Consequently, the people had similar rings made for themselves. Afterwards the Prophet; sat on the pulpit and took it off, saying, "I used to wear this ring and keep its stone towards the palm of my hand." He then threw it away and said, "By Allah, I will never wear it." Therefore, all the people threw away their rings as well<sup>(2)</sup>.

When the Prophet saw in a man's hand a gold signet ring he took it away and cast it on the ground, then the man who is keen to obey the Messenger of God refused to raise the gold signet ring that the Messenger of God (PBUH) cast in the ground.

Abdullah b. 'Abbas reported that Allah's Messenger (PBUH) saw a person wearing a gold signet ring in his hand. He (the Holy Prophet) pulled it off and threw it away, saying: One of you is wishing live coal from Hell and putting it on his hand. It was said to the person after Allah's Messenger (PBUH) had left: Take your signet ring (of gold) and derive benefit out of it. Whereupon he said: No, by Allah, I would never take it when Allah's Messenger (PBUH) has thrown it away<sup>(3)</sup>.

(1) Al-Ahzab, 36.

(2) al-Bukhari, ibid, vol. 8, Book of Faith and Vows, Chapter: whoever took an oath against something, if isn't required to do so, Hadith No. 6651, 133.

(3) Muslim, ibid, vol.3, the book: Dress and Ornament, Chapter: Throwing of signet ring (of gold), Hadith No. (2090), 1655.

**Prompt obedience from the prophet companions:**

Abu Mas'ud al-Badri reported:

“I was beating my slave with a whip when I heard a voice behind me: Understand, Abu Masud; but I did not recognize the voice due to intense anger. He (Abu Mas'ud) reported: As he came near me (I found) that he was the Messenger of Allah (PBUH) and he was saying: Bear in mind, Abu Mas'ud; bear in mind. Abu Mas'ud. He (Abu Mas'ud) said: threw the whip from my hand. Thereupon he (the Holy Prophet) said: Bear in mind, Abu Mas'ud; verily Allah has more dominance upon you than you have upon your slave. I (then) said: I would never beat my servant in future”<sup>(1)</sup>.

**Prompt responding to Allah's command to wear the veil:**

Mother of the Believers, Umm Salamah - may God be pleased with her - Describes the condition of the women of the Companions - may God be pleased with them - when the verse of the veil was revealed and how they hasten to obey God and His Messenger. “When the verse (That they should cast their outer garments over their persons), **Al-Nour, 59**, was revealed, the women of Ansar came out as if they had crows over their heads by wearing outer garments.” Narrated by Abi Dawud and suspended by al-Bukhari. Umm Salamah also narrated: “May Allah have mercy on the early immigrant women. When the verse "That they should draw their veils over their bosoms was revealed, **Al-Nour, 59**, they tore their thick outer garments and made veils from them”<sup>(2)</sup>.

**Abide by the command of the Prophet, (PBUH), regardless of the cost:**

Abu Dhar said: While I was walking with the Prophet (PBUH) in the Harra of Medina, Uhud mountain came in sight. The Prophet (PBUH) said, "O Abu Dhar!" I said, "Labbaik, O Allah's Messenger (PBUH)!" He said, "I would not like to have gold equal to this mountain of Uhud, unless nothing of it, not even a single Dinar of it remains with me for more than three days, except something which I will keep for repaying debts. I would have spent all of it (distributed it) amongst Allah's Slaves like this, and like

(1) Muslim, ibid, vol.3, the book: Oaths, Chapter: Treatment of Slaves and Atonement of who slaps his slave, Hadith No. (1659), 1280.

(2) Abu Dawud, ibid, vol.4, Book: Clothing, Chapter: the Verse: “That they should cast their outer garments over their persons” Hadith No. (4101), 61.

this, and like this." The Prophet (PBUH) pointed out with his hand towards his right, his left and his back (while illustrating it). He proceeded with his walk and said, "The rich are in fact the poor (little rewarded) on the Day of Resurrection except those who spend their wealth like this, and like this, and like this, to their right, left and back, but such people are few in number." Then he said to me, "Stay at your place and do not leave it till I come back." Then he proceeded in the darkness of the night till he went out of sight, and then I heard a loud voice, and was afraid that something might have happened to the Prophet (PBUH) intended to go to him, but I remembered what he had said to me, i.e. 'Don't leave your place till I come back to you,' so I remained at my place till he came back to me. I said, "O Allah's Messenger (PBUH)! I heard a voice, and I was afraid." So, I mentioned the whole story to him. He said, "Did you hear it?" I replied, "Yes." He said, "It was Gabriel who came to me and said, 'Whoever died without joining others in worship with Allah, will enter Paradise.' I asked (Gabriel), 'Even if he had committed theft or committed illegal sexual intercourse? Gabriel said, 'Yes, even if he had committed theft or committed illegal sexual intercourse<sup>(1)</sup>."

#### **To love something the Prophet loves:**

Anas, may God be pleased with him reported that a tailor invited the prophet Muhammed (PBUH) share him a meal, Anas narrated he went with the prophet and saw the prophet likes the pumbkin. Anas added that he remains like eating the pumbkin since he saw the prophet loves it.<sup>(2)</sup>

#### **Great supplication for a woman responded to the command of the Messenger:**

On the authority of Abu Barzah Al-Islami, that Julaibib used to come to the women, pass by them and humor with them. I said to my wife: Do not let Julaibeeb to come to you. For if he comes to you, I will do so and so. He said: if one of Ansar had any widow, would not marry her until he knew

(1) Al-Bukhari, ibid, vol.8, Book: To make the Heart Tender (Ar-Riqaq), Chapter: The Hadith of the Prophet (PBUH): I would not like to have gold equal to this mountain of Uhud, Hadith No. (6444).94.

(2) ibid, vol.7, Book: The Food, Chapter: Eating from around the dish while taking meal with someone else if not hates it, Hadith No. 5379,86.

whether the Prophet had wishes to marry her or not. The Messenger of God (PBUH) said to a man from the Ansar: "Marry me your daughter". He said: Yes, it is my honor. He said: "I do not want her for myself." He said: To whom, O Messenger of God? The Messenger of God said: "To Julaibib." He said: So, the man said: O Messenger of God, I consult her mother, so he came to her mother and said: Messenger of God is engaged to your daughter. So, she said: Yes, it is my honour. So, he said: He does not engage her to himself, but rather he is preaching her to Julaibib. So, she said, "Julaibib? No, we will not marry him. When he wanted to get up, and go to the Messenger of God and tell him about what her mother said: The girl said: Who betroth me to you? Her mother told her and said: Do you refuse the order of the Messenger of Allah? Let me; because he will not let me get lost. So, her father went to the Messenger of God, may God bless him and grant him peace, and he told him, and he said: you can marry her to Julaibib. Messenger of God (PBUH) was there in a battlefield that Allah conferred upon him the spoils of war. He said to his Companions: Is anyone missing amongst you? They said: So, and so and so. He again said: Is there anyone missing amongst you? They said: So, and so and so. He then said: Is there anyone missing amongst you? They said: No. Thereupon he (the Holy Prophet) said: But I am missing Julaibib. They (his Companions) searched him amongst those who had been killed and they found him by the side of seven (dead bodies) whom he had killed and he had been killed (by the opponents). Allah's Apostle (PBUH) came there and stood (by his side) and said: He killed seven (persons). Then (his opponents) killed him. He is mine and I am his. He then placed him upon his hands and there was no one else to lift but Allah's Apostle (PBUH). Then the grave was dug for him and he was placed in the grave and no mention is made of a bath.

Thabit said: There was not a widow in Ansar of more wealth than her. Ishaq bin Abdullah bin Abi Talhah said: Do you know what the Messenger of God supplicated? He said: "May God pour wealth on her, and do not make her life toil." He said, "There was not a widow in Ansar of more wealth than her"<sup>(1)</sup>.

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(1) Ahmad Ibn Muhammad Ibn Hanbal, Al- Musnad edited by: Shuaib al-Arnaout, Adel Morshed, et al, Ed. 1, Vol. 33 (Beirut: Moassasat al-Resala, 1421 AH - 2001), Hadith No. (19785), 30.





Ibn Ashur said: (informing of the cause, activates charged responsible to obey, as he becomes aware of wisdom)<sup>(1)</sup>.

This does not mean that the servant of God does not obey the command of God and accepts to implement His judgment except with his knowledge of the purpose or the secrets of the rulings. Rather, it is sufficient that it is the command of God or the command of His Messenger (PBUH). This is alone is sufficient for compliance, surrendering, and adherence - as happened with most of the companions of the Messenger of God.

Here we are about the "increment" in these meanings, not just mention them. As "what is meant is that the Sharia ruling is not devoid of wisdom and interest, but this wisdom may be known, and it will facilitate compliance<sup>(2)</sup>."

Al-Manawi said in a valuable statement: (Whoever understands God commands and preventing, and knows why He commands and prevents, will obey the command willingly, and more hastened to what has been commanded and more fleeing of what has been prevented. Jurisprudence in religion is a great soldier with which God supports the people of believe who have seen the good and bad of things, the destiny of matters, and the good management of God Almighty in that with the light of their certainty to worship Him with insight and reassurance, and whoever lack this obeys Him in suffer and hate; Because if the heart obeys the command of God, then the soul is only driven if it sees the benefit or harm of something, and the soldiers of soul and Satan are desires, so a person needs their opposites from the soldiers to defeat them, which is the jurisprudence)<sup>(3)</sup>.

It is not reasonable for the slave who knows the goal of judgment to equate with the slave who does not know, in the speed of compliance and

(1) Mohammad Al-Taher Bin Ashour: al-Tahrir wa al-Tanwir, vol.14, (Tunisia: Tunisian Publishing House, 1984), 278.

(2) Muhammad ibn Husayn ibn Hasan, Al-Jizani, Usul al-Fiqh eind Ahl al-Sunna wa al-Jamaea, 5th Edition, (Dar Ibn al-Jawzi, 1427 AH) ,357.

(3) Abd Al-Raouf, Al-Manawi, Fayd Al-Qadeer fi Sharh Al-Jamie Al-Saghir, Vol. 2, 2nd Edition, (Egypt: al-Maktabat al-Tijariat al-Kubraa., 1356 AH), 2510.

submission, as well as integrity and perfection, and this is not considered a defamation in the servitude of the slave or his creed, as there is a minimum level of compliance, submission, integrity and performance that no one may abandon either knowing the purposes of rulings or not, but the worshipers vary in degrees of these comprehension of the meanings and they differ in the degree of their discipline to obedience and submission.

In the call domain, one of the important public functions of the purposes is that it guides the Islamic call, the movement for Islam, and works - to a large extent - on the unity of the nation<sup>(1)</sup>.

In addition to the unity to those working in the Islamic work arena it makes all the workers understanding, agreeing, and cooperating, excusing each other in the branches that were based on significant evidence from Sharia.

If the purposes in general have played a commendable and appreciated role in the arena of contemporary jurisprudence, both in legitimating and revelation, then we call for it to play a greater role in bridging contemporary da'wah with its various approaches. As this role has not yet reached its full extent, and there have been no calls for activating the purposes of rapprochement and unification among the preachers to God Almighty<sup>(2)</sup>.

Knowing the objectives of the Shari'a also shows its importance in (ordering priorities for the one who preaches in calling to God Almighty; he puts the necessities over the needs, and the needs over the improvements, and he makes the priority to what is in the public interest over what has a special interest, and the most important over the important, as he warns the people of the most harm, dangerous before warning them of less serious harm, as he addresses all people according to their minds, and with a speech that suits their level of understanding<sup>(3)</sup>).

(1) Wasfi Ashour, Abu Zayd, "The Educational and Advocacy Positions for the Purposes of Sharia Law Rulings", The Modern Muslim Magazine, Issue No. 144, (December 2012), 15.

(2) Ibid.

(3) Abdullah Al-Zubair Abdul-Rahman, "The Purposes of Sharia and their Impact on Reform, Legislation, and the Unity of the Islamic Nation", The International



It is clear that most of the disagreement between muslims is in the branches and parts of religion, in other words it is in the practical rules of Fiqh, and if they understand the purposes of the sub-rules, and they knew that when the purpose becomes clear, there is nothing wrong with the multiplicity and diversity of forms, and then overcome great problems, save enormous energies and transfer our battle to the real squares.

If the purposes bring together the jurists and reduces the areas of disagreement, then it is not surprising that they will have an effective role in reducing the disagreement between muslims in the field of calling to God.

Islamic work - its symbols and its people - will remain in great trouble unless we rectify this matter by spreading the culture of purposes and enabling the consciousness of purposes among the preachers. Because this is one of the greatest guarantees of the safety of the Islamic body, and the restoration of the health of the Islamic call in all its segments

and factions so that our nation assumes the rightful place for it.

### **Conclusion:**

Praise be to Allah, the one God, by it grace good deeds come to be perfect, and blessings are sent down, and may peace be upon the teacher of good deeds, our Prophet Muhammad bin Abdullah, and whoever follows his way to the Day of Judgment.

It is time for me to arrive at this station after this pleasant journey in which I wandered among the many prominent Muslim scholars of our renaissance, past and present, to take a sip of their sweet and gentle purposive resources, for *Sharia purposes* represent a significant reference for revival in Islamic intellict generally, and in other aspects particularly, and sure referring to these sources is the most capable for providing

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effective solutions and appropriate answers to many of the events fall in our Islamic nation, whether they are general events in the various aspects of ideological, cultural, social, civilization and economic life ... or *Fiqh* events that directly affect the life from the Sharia perspective.

And as per so important to be acquainted with *Sharia purposes*, this paper comes to clarify the role must be performed in light of these purposes to revive and promote the Islamic intellect (*Fikr*), as well as to focus on this spring of science as anucle for the process of the renewal innovative intellect.

#### Results:

1. The Islamic nation will never revive or regain its past glory without a big awareness from the side of its religious scholars with *sharia purposes*.
2. The importance of the *sharia purposes* in field of education and call (Da'wa) appears in ordering the priorities; the necessities firstly, then the needs followed by the improvements. In other words, the most important issues are given priority than the important aspect, and so on.
3. One of the perfect aspects of the *Sharia* (Islamic religion) in its belief domain is using for the purposivness without contradicting to the rules and the glorified texts of the religion.

#### Recommendations:

1. It is a must for Islam scholars to pay attention to the sharia purposes deep understanding for it focuses on the partial practical rules of *Fiqh*, particularly about current novel issues in Da'wa and enlightening.
2. It is urgent to make use from the efforts of our former muslim scholars in this domain of *Sharia purposes*.
3. It is highly necessary to include a curriculum about *Sharia purposes* to be taught in our universities and colleges in a method link our current era with the previous origins.
4. It is so important to conclude conferences, seminars,webinars to bring Islam scholars together for discussing the reasons beyond the drop and renaissance of the Islamic nation, and to find general and private solutions via *sharia purpose* for the humanity and the world.



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