

The Jurisprudential Methodology Of Imam Al-Kawashi In Presenting Schools Of Islamic Law Through His Exegesis: Al-Talkhiş Fi Tafsir Al-Qur'an Al-Athim

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Abstract

This research, titled "*The Jurisprudential Methodology of Imam Al-Kawashi in Presenting Schools of Islamic Law through His Exegesis Al-Talkhiş fi Tafsir al-Qur'an al-Azim*," comprises an introduction and two chapters.

The **Introduction** addresses the significance of the topic, the research methodology, the research plan, and a preliminary overview.

Chapter One covers:

1. The definition of jurisprudential methodology and its types.
2. A biographical introduction to Imam Al-Kawashi.

Chapter Two analyzes Imam Al-Kawashi's methodology in presenting jurisprudential schools (madhahib) through his exegesis. This is examined via numerous fiqh issues he addressed in interpreting ayat al-hkam (Qur'anic legal verses). Al-Kawashi meticulously cites opinions from juristic schools and traditions outside his own Shafi'i madhhab, employing diverse approaches to present and critique them. He identifies positions aligned with or divergent from the Shafi'i school and occasionally performs tarjih (weighing of evidence) between conflicting views. The study concludes with a summary of findings, followed by

Keywords: Jurisprudence (Fiqh) and its Principles (Uşul), Jurisprudential Methodology of Al-Kawashi

RESEARCH INTRODUCTION

All praise is due to Allah, the Almighty, the Praiseworthy, Who revealed the Quran as guidance for mankind and clear proofs of guidance and the criterion. He perfected its verses for humanity, established the balance within it, and made it a light for them at all times, guiding them and from which they derive rulings throughout the ages. Peace and blessings be upon the one after whom there is no prophet, our Prophet Muhammad (peace and blessings be upon him), the trustworthy messenger, a mercy to all the worlds, and upon all who follow his path until the Day of Judgment. To proceed: Knowledge is light, and among the noblest of sciences is jurisprudence (fiqh). Part of knowledge is understanding the interpretation of the Book of Allah, the Almighty, in general, and the interpretation of the verses pertaining to legal rulings in particular. Knowledge is further enhanced by studying our eminent scholars and examining their jurisprudence and legal deductions on matters that Muslims need in all areas. Allah, the Exalted, has blessed me by making me a student and researcher of jurisprudence, and to Him be all praise. I have chosen the topic of the jurisprudential methodology of Imam al-Kawashi in presenting the schools of jurisprudence in his commentary, "Al-Talkhis fi Tafsir al-Quran al-Azim" (The Summary of the Interpretation of the Magnificent Quran). Undoubtedly, the legal issues mentioned and deduced by Imam al-Kawashi constitute a wealth of knowledge that reflects the efforts of our eminent scholars. The interpreters and jurists who derived rulings thus set an example of the breadth and flexibility of Islamic law with the changing events over time. May God Almighty reward them for the wealth of knowledge they provided and the service they rendered to our true religion.

The Importance of the Topic

A. The importance of this research lies in understanding Imam al-Kawashi, the exegete, jurist, and linguist, and in understanding his scholarly efforts and his knowledge of various schools of Islamic jurisprudence and their leading figures. His extensive knowledge in this area is evident in his

commentary, "Al-Talkhis fi Tafsir al-Qur'an al-'Azim" (The Summary of the Exegesis of the Great Qur'an.)

B. It also lies in understanding his important commentary and his ideas, as well as the limited knowledge of Imam al-Kawashi among scholars, whose thought is largely unknown.

C. Furthermore, the importance lies in exploring the jurisprudential methodology of exegetes, linguists, and hadith scholars in their presentation of the opinions of schools of Islamic jurisprudence outside their own. Only those who study this topic will truly appreciate its significance.

METHODOLOGY

A. I presented the jurisprudential methodology by defining it, outlining its various types, and briefly describing the methodology employed by Imam al-Kawashi in his commentary, "Al-Talkhis fi Tafsir al-Qur'an al-'Azim" (The Summary of the Exegesis of the Glorious Qur'an). I presented his methodology and prioritized the definition of the jurisprudential methodology due to its earlier mention in the research title.

B. I followed a comparative inductive approach in this research, tracing the details of the topic from Imam al-Kawashi's book, "Al-Talkhis fi Tafsir al-Qur'an al-'Azim." I extracted the jurisprudential issues from his interpretation of the verses related to legal rulings and then described the methodology he used in presenting the various jurisprudential opinions and schools of thought.

C. During this study, I extracted the jurisprudential issues from Imam al-Kawashi's commentary and referenced them to their source, "Al-Talkhis fi Tafsir al-Qur'an al-'Azim," specifying the volume and page number.

D. I cited the Qur'anic verses, attributing each verse to its respective chapter, and traced the hadiths and narrations mentioned in the research back to their sources in the books of the Sunnah. C. I explained unfamiliar terms by citing their known meanings from linguistic dictionaries and also mentioned their root.

D. I attributed all legal opinions to the books of the schools of Islamic jurisprudence, as mentioned by Imam al-Kawashi in his commentary, as well as to other books of exegesis and other sources as needed and for clarity.

D. Then the conclusion, and the alphabetical arrangement of sources and references.

Research Plan

Section One: An Introduction to the Jurisprudential Methodology, Imam al-Kawashi, and His Commentary, comprising three sections:

Section One: A Brief Definition of the Jurisprudential Methodology.

Section Two: A Brief Overview of Imam al-Kawashi (may God have mercy on him).

Section Three: An Introduction to the Commentary (al-Talkhis fi Tafsir al-Qur'an al-'Azim.)

Section Two: Imam al-Kawashi's Jurisprudential Methodology in Presenting the Schools of Islamic Jurisprudence through His Commentary (al-Talkhis fi Tafsir al-Qur'an al-'Azim).

The first section: An introduction to the jurisprudential methodology and Imam al-Kawashi, comprising two points:

The first point: A brief definition of the jurisprudential methodology.

First: The linguistic and technical definition of methodology.

The linguistic meaning of methodology: a clear path; to make a path clear and distinct,⁽¹⁾ The matter became clear and straightforward. The straight path.⁽²⁾

The term "methodology" in its technical sense does not differ from its linguistic definition except in the qualification it carries or what is attributed to it. Therefore, its definitions are numerous, depending on what qualifies it. We will choose from these definitions the one given by Dr. Abdul-Fattah Khader⁽³⁾. He says: (It is an organized intellectual process carried out by a person called the researcher in order to investigate the facts regarding a particular issue or problem called (the research topic) by following a scientific method)⁽⁴⁾ The term "methodology" has a general meaning, which is specified by what it refers to. We say: the jurisprudential methodology, or the hadith methodology, or the linguistic methodology, and so on.

Second: Definition of jurisprudence linguistically and technically.

Jurisprudence (Fiqh) in Arabic: The word "fiqh" means knowledge of religion. It is said, "The man became learned in jurisprudence (faqih), he is a jurist (faqih)." And "he understood" (faqih) means

he comprehended. "Studying jurisprudence" (tafaqquh) means learning jurisprudence)⁽⁵⁾ .And jurisprudence: which is knowledge of the purpose of the addressee in his speech.⁽⁶⁾)

Jurisprudence in terminology: The well-known definition of jurisprudence is that it is: (Knowledge of the practical legal rulings acquired from their detailed evidence)⁽⁷⁾ Many scholars have specified this definition for the fundamentalists, and scholars have defined jurisprudence with many definitions: we choose from them (Jurisprudence in the terminology of the fundamentalists: knowledge of the subsidiary legal rulings acquired from their detailed evidence, and among the jurists it is the memorization of the branches and its minimum is three, and among the people of the truth it is the combination of knowledge and action, due to the saying of Al-Hasan Al-Basri: The jurist is only the one who turns away from the world, is an ascetic in the Hereafter, and is aware of his own faults.⁽⁸⁾ .)

Third: Defining the Jurisprudential Methodology as a Title and a Science: By defining methodology and jurisprudence linguistically and technically, we can discern and deduce the definition of the jurisprudential methodology: It is the set of rules and principles that illustrate the approach of a jurist in writing, research, presentation, deduction, and independent reasoning. Or, in other words, it is the method that scholars followed in deriving jurisprudential rulings, and the means they employed specifically for each jurist or school of jurisprudence. Dr. Abdul Majeed Mahmoud defined it as follows ⁽⁹⁾:He says: (The clear path that shows how the jurist applies the issues and characteristics of his jurisprudential approach.⁽¹⁰⁾)

Fourth: Types of Methodologies.

Scholars believe that methodologies vary according to their subject matter. What concerns us here is the methodology of legal interpretation: this methodology focuses on deriving legal rulings from Quranic verses, explaining the practical rulings derived from them, and highlighting their impact on organizing the life of the individual Muslim. This methodology relies on interpreting the verses of rulings according to the approach of a particular imam, based on the principles and rules of his school of thought, such as al-Shafi'i and other schools. Works have been written on this topic, such as al-Qurtubi's "al-Jami' li-Ahkam al-Quran" (The Comprehensive Commentary on the Rulings of the Quran). However, Imam al-Kawashi's commentary was comprehensive, addressing all aspects, including the interpretation of verses of rulings. After studying his commentary, we can say that Imam al-Kawashi employed the following general methodologies:

1. The deductive method: This is evident in his examination of textual and rational evidence in deriving legal rulings from the verses of rulings.
2. . The inductive method: This is evident in his examination of the opinions of scholars from the Shafi'i school and other schools, and his presentation of the evidence used by al-Shafi'i and his followers, as well as by other schools.
3. The comparative method: This is evident in his discussion of the opinions of scholars and their evidence in order to arrive at the most sound opinion.

The second requirement: A brief overview of Imam Al-Kawashi, may God Almighty have mercy on him.

First: His name and lineage: He is Muwaffaq al-Din Abu al-Abbas Ahmad ibn Yusuf ibn al-Hasan ibn Rafi' ibn al-Hasan ibn Sudan al-Kawashi al-Shaybani al-Mawsili. Sheikh Ahmad was nicknamed "al-Shaybani" after the Banu Shayban tribe. He was known as al-Kawashi after Kawasha, a fortress in the eastern part of Mosul. Imam Abu al-Abbas Muwaffaq al-Din al-Kawashi (may God have mercy on him) was born, as most historians who wrote about him mentioned, in the year 590 AH in the fortress of Kawasha.

Secondly: His upbringing: He was raised in his birthplace, and Muwaffaq al-Din al-Kawashi was nurtured by his father. He received meticulous care from a young age, and his father spared no effort in teaching him the Quran, its various readings, and grammar. He acquired knowledge from a number of scholars of his time, both from his hometown and those he met during his travels.

Thirdly: His teachers, students, the praise of scholars for him, and his works: Among his first teachers were his father, Yusuf ibn al-Hasan ibn Rafi', the memorizer and historian Ibn al-Athir, and other scholars. Due to the scholarly stature of Sheikh Muwaffaq al-Din al-Kawashi, many students of knowledge were eager to sit with him, learn from him, benefit from his wisdom, and emulate his asceticism. Among those who studied under him were Kamal al-Din Abd al-Rahman al-Kawashi, the expert in inheritance law Abu al-'Ala' al-Bukhari, and others. A number of scholars

of his time praised him. Al-Dhahabi said: "The learned ascetic Muwaffaq al-Din Ahmad ibn Yusuf ibn Hasan al-Kawashi al-Mawsili al-Kawashi, the commentator." Al-Safadi said: (The great ascetic and learned Imam Muwaffaq al-Din Abu al-Abbas al-Mawsili al-Kawashi, the commentator, resident of Mosul) and other scholars. Sheikh Muwaffaq al-Din al-Kawashi was knowledgeable in all the Sharia sciences and excelled in them, and this is evidenced by his writings, as he left a number of books, including: *Al-Talkhis fi Tafsir al-Qur'an al-Azim*, which is the book that we are studying; and *Al-Tabsira fi al-Nahw*, and others. He died in the year (680 AH⁽¹¹⁾). May God have mercy on him..

The third requirement: Introducing the interpretation of (The Summary in the Interpretation of the Great Qur'an): It is considered a great interpretation of the Holy Qur'an in which its author controlled the aspects of the transmitted readings, and he took into account the mention of the stories and the reasons for revelation in a concise manner and the arts of meanings in a single word to demonstrate the miraculous nature of it. It is one of the moderate interpretation books in which its author combined the interpretation based on transmitted knowledge and the interpretation based on permissible opinion.

The second topic: The jurisprudential methodology of Imam Al-Kawashi in presenting the jurisprudential schools through his interpretation (Al-Talkhis fi Tafsir Al-Qur'an Al-Azim)

Upon examination and analysis, we find that Imam al-Kawashi, in his book "*Al-Talkhis fi Tafsir al-Qur'an al-Azim*" (The Summary in the Interpretation of the Great Qur'an), and upon examining his presentation of opinions on legal issues, does not limit himself to the opinion of Imam al-Shafi'i, presenting his school of thought and its supporting evidence. Rather, we find him frequently presenting, and indeed frequently quoting, the opinions of other schools of jurisprudence, meticulously presenting their evidence and explaining their views with great accuracy. He even mentions narrations within a single school, demonstrating his precision, integrity, and vast knowledge. He does not confine himself to mentioning the points of agreement and disagreement within the Shafi'i school on a given issue, but also cites the opinions of scholars outside the school on numerous matters. Sometimes, he clarifies the basis for each opinion and provides evidence, addressing the differences of opinion on the issue among other schools, whether the three well-known schools (Hanafi, Maliki, and Hanbali) or the opinions of prominent figures from other schools, such as Imam al-Awza'i, al-Layth ibn Sa'd, al-Hasan al-Basri, 'Ata' ibn Abi Rabah, Mujahid, and others. He clarifies the point of contention and analyzes the legal issue in depth, sometimes... He discusses it with a precise scientific discussion and responds to its proponents without bias. Then, after the discussion and analysis, we see him showing his agreement or disagreement with this opinion. He may mention it incidentally, or he may lean in some matters towards the opinion of someone other than the Shafi'i school because of its superiority to him and the strength of his reasoning. Imam al-Kawashi sometimes did not merely transmit the opinions, but he would edit the opinions, discuss and provide evidence for each opinion, and then give preference to the opinions. Sometimes he corrects, sometimes he weakens, and he alerts the reader to what is correct so that he may take it and what is weak or anomalous so that he may dispense with it. He discusses the opinions that agree and disagree with the opinion of the Shafi'i school and discusses them with a precise discussion on the issue.

Through this research, I will present Imam Al-Kawashi's approach to presenting jurisprudential opinions outside of his Shafi'i school of thought.

Firstly: His method is to mention the opinion of one of the jurists regarding a single legal issue:

As in the matter of obligatory charity and voluntary charity mentioned in the Almighty's saying: ((It is not for you to guide them, but Allah guides whom He wills. And whatever good you spend is for yourselves, and you do not spend except seeking the pleasure of Allah. And whatever good you spend will be repaid to you in full, and you will not be wronged)).⁽¹²⁾ Al-Kawashi says: "And you will not be wronged" (meaning you will not be wronged) in any way. This reward for voluntary charity is given to Muslims and non-Muslims under Islamic rule, while obligatory charity is given only to Muslims. Abu Hanifa permitted giving the obligatory charity of Fitr to non-Muslims under Islamic rule.⁽¹⁴⁾⁽¹³⁾ .

Secondly: Sometimes, his method is to mention the agreement of two or more imams of the jurists on a particular opinion, and he may mention an opinion or opinions that contradict the agreement of the imams, that is: he states the agreement of two or more imams on this jurisprudential issue, and this is for the purpose of establishing and clarifying the issue. As in the matter of the duration

of the vow of abstinence mentioned in the Almighty's saying: ((For those who swear off their wives, there is a waiting period of four months. But if they return [to normal relations], then indeed, Allah is Forgiving and Merciful)).⁽¹⁵⁾Al-Kawashi said: "According to Al-Shafi'i, a slave and a free person are equal during the period of *ila'* (a vow of abstinence from marital relation) ⁽¹⁶⁾ According to Abu Hanifa and Malik, she is considered half a slave, as Abu Hanifa considers the woman's slavery ⁽¹⁷⁾ Malik considers the husband's slavery.⁽¹⁹⁾⁽¹⁸⁾

Thirdly: His method is to mention the opinion of a leading jurist among the imams of jurisprudence, in which he disagrees with a group of jurists, and he mentions their names:

As in the matter of a woman donating her dowry, as mentioned in the Almighty's words : ((And give the women their dowries as a free gift. But if they, of their own accord, remit any part of it to you, then enjoy it with pleasure and satisfaction.))⁽²⁰⁾

Al-Kawashi said: "And 'from' here is for the gender, as evidenced by the permissibility of a man accepting the entire dowry, as in His saying: 'So avoid the abomination of idols ⁽²¹⁾ ' Except according to Al-Layth ibn Saad ⁽²²⁾ A woman is only permitted to donate a small amount ⁽²³⁾ . They said: If she gives something as a gift and then asks for it back, it is known that she did not give it willingly, and making the condition conditional on willingness indicates caution in accepting what a woman gives.⁽²⁴⁾ .

Fourth: His method is to mention the jurisprudential issue with multiple opinions from several jurists, each of whom has an opinion that differs from the other.

As in the matter of distributing Zakat funds as mentioned in the Almighty's saying: ((Charity is only for the poor and the needy, and those employed to collect it, and those whose hearts are to be reconciled, and for freeing captives, and for those in debt, and for the cause of God, and for the wayfarer. This is an obligation from God. And God is Knowing and Wise.)) ⁽²⁵⁾ Al-Kawashi said: "Al-Shafi'i requires that it be distributed equally among the categories, but he permits giving preference to some of a category over others. If one category is missing, its share is returned to the remaining categories. The minimum that is sufficient according to him is three of each category " .

⁽²⁶⁾ Abu Hanifa may direct it to one of them if he wishes ⁽²⁷⁾ . Malik distributes it where needed, giving priority to those in need first, and does not give anyone more than their means allow.⁽²⁹⁾⁽²⁸⁾ .

Fifth: One of his methods of reasoning is that he mentions in the jurisprudential issue the arguments of the imams of jurisprudence, whether it is a group of imams of jurisprudence or a specific imam who makes this evidence an argument for him in deducing a ruling.

As in the matter of permitting the arrangement in His Almighty saying : ((He said, "This is a she-camel; she has a right to drink, and you have a right to drink on a known day."))⁽³⁰⁾ Al-Kawashi said: (This is an argument for Abu Hanifa and his companions to permit the marriage contract) ⁽³²⁾⁽³¹⁾

Sixth: One of his methods is that he mentions in a jurisprudential issue the presentation of more than one narration if a jurist has two narrations on it.

As in the matter of selling houses in Mecca mentioned in the Almighty's saying: Indeed, those who disbelieve and hinder [people] from the way of Allah and [from] al-Masjid al-Haram, which We made for all people, whether resident therein or visitor. And whoever intends [to commit] therein deviation [from truth] or wrongdoing - We will make him taste a painful punishment. ⁽³³⁾

Al-Kawashi said: (If by the Sacred Mosque is meant the sanctuary, then the meaning is: the one residing in it and the one leaving it and the one coming to it are the same, it does not specify some over others, except that no one is disturbed from the house he has settled in if he has preceded him to it, according to Muhammad and one of the two narrations from Abu Hanifa and Al-Shafi'i, he specifies the Meccan with his house, and it is not permissible to sell the houses of Mecca according to Muhammad and one of the two narrations from Abu Hanifa, and Al-Shafi'i permitted it, and if by the Sacred Mosque is meant the House itself, then the meaning is: that it is a qibla for all people) ⁽³⁴⁾

Seventh: One of his methods is to mention to one of the imams of jurisprudence the companions who agree or disagree with him on a certain opinion.

As in the case of one who deems wine permissible, as mentioned in the Almighty's saying: They ask you about wine and gambling. Say, "In them is great sin and [yet, some] benefit for people. But their sin is greater than their benefit." And they ask you what they should spend. Say, "The surplus." Thus does Allah make clear to you the verses [of revelation] that you might give thought. ⁽³⁵⁾

Al-Kawashi said: "Wine is what boils, thickens, and foams without being cooked over a fire, made from grape juice, dates, and raisin and date infusions. Drinking it is punishable and sinful, and deeming it permissible is considered disbelief. Abu Hanifa and Abu Yusuf only deem permissible what is made from grape juice as disbelief, and the same applies to all intoxicants according to Al-Shafi'i⁽³⁶⁾ ").⁽³⁷⁾

Eighth: It is sometimes his method to refer to Imam Abu Hanifa as a Kufan and to his companions as the jurists of Kufa.

As in the matter of the distance that permits breaking the fast, as mentioned in the Almighty's saying: ((The month of Ramadan in which the Quran was revealed as guidance for mankind and clear proofs of guidance and the criterion. So whoever sights the crescent of the month, let him fast it; and whoever is ill or on a journey - then an equal number of days [must be made up]. Allah intends for you ease and does not intend for you hardship and [wants] for you to complete the period and to glorify Allah for that [to] which He has guided you; and perhaps you will be grateful.))⁽³⁸⁾

Al-Kawashi says: (The journey that permits breaking the fast is sixteen farsakhs according to Al-Shafi'i, and a journey of three days according to Al-Kufi).⁽³⁹⁾

Ninth: His method is to mention the evidence of one of the imams of jurisprudence for his statement and opinion and for what he has adopted.

As in the issue of shortening prayers while traveling, as mentioned in the Almighty's saying: ((And when you travel throughout the land, there is no blame upon you for shortening the prayer, if you fear that those who disbelieve may disrupt you. Indeed, the disbelievers are ever to you a clear enemy.))⁽⁴⁰⁾

Al-Kawashi says: (Shortening prayers while traveling, according to Abu Hanifa, is obligatory, because God Almighty negated the sin by saying: ((There is no blame upon you for seeking bounty from your Lord. But when you depart from 'Arafat, remember Allah at al-Mash'ar al-Haram. And remember Him as He has guided you, for indeed, you were before that among those astray))⁽⁴¹⁾. The denial of blame applies only to concessions, not to obligations.⁽⁴³⁾⁽⁴²⁾

Tenth: One of his methods is that sometimes he mentions certain phrases in the jurisprudential issue without mentioning the names of the jurists, such as the phrase: (some of them, most of them, the general body of jurists, most of the jurists, some of them, the general body of scholars, the school of thought of the majority, the jurists differed, and so on, which is an indication of what the jurists said about what they went to in this issue.)

As in the question of whether a divorced woman becomes permissible for her first husband simply by virtue of the second marriage contract or not, as stated in the Almighty's saying: ((If he divorces her, she is not lawful for him afterward until she marries another husband. And if he divorces her, there is no blame upon them for returning to each other if they think that they can maintain the limits set by Allah. And those are the limits of Allah, which He makes clear to a people who know.))⁽⁴⁴⁾

Al-Kawashi says: (On the authority of Saeed bin Al-Musayyab: She is permissible for the first husband by the mere contract, even if the second does not have intercourse with her. And most of the jurists say that intercourse is necessary, based on the hadith of Rifa'ah's wife and her marriage to Abd Al-Rahman bin Al-Zubayr, and her saying to the Messenger of God, may God bless him and grant him peace: Abd Al-Rahman divorced me and made my divorce irrevocable, and what he has is like a gift of a garment. So he, may God bless him and grant him peace, said: "Do you want to return to Rifa'ah? No, until you taste his sweetness and he tastes your sweetness").⁽⁴⁵⁾

CONCLUSION

Praise be to God, and peace and blessings be upon our Prophet Muhammad, his family, and all his companions. At the end of my research, I arrived at several conclusions, including:

1. Imam al-Kawashi employed various methodologies in his interpretation of the verses related to legal rulings, namely the deductive, inductive, and comparative methods.
2. He was a learned and diligent scholar in all Islamic sciences, being a linguist, exegete, and jurist.
3. He gave precedence to Imam al-Shafi'i over other imams in many legal matters.
4. Imam al-Kawashi's commentary, as he called it, is a comprehensive and concise interpretation of the Glorious Qur'an.

5. Imam al-Kawashi frequently offered his own opinion and preferred one view over another in many legal matters.

6. He presented the different schools of Islamic jurisprudence on legal issues, clarifying who agreed with and who disagreed with the Shafi'i school, discussing these differences, and refuting some of the opinions. Whatever is correct in this research of mine is from God Almighty, and whatever is wrong is from the whisperings of Satan and my weakness and shortcomings. I ask God to forgive me for that.

footnotes

⁽¹⁾See: Mukhtar al-Sahah (1/688)

⁽²⁾See: Al-Nihayah fi Gharib al-Athar (5/281)

⁽³⁾He is Dr. Abdel Fattah Kamal Muhammad Khader, born in the village of Kafr al-Fuqaha in the Qalyubia Governorate - Sharqia in Egypt. He devoted himself to science and preaching and held positions in the presidency of the Department of Qur'anic Sciences. Among his works: He died in 2016 AD. See: Al-Balad Newspaper.

⁽⁴⁾The crisis of scientific research in the Arab world (p. 11.)

⁽⁵⁾See: Al-Ain (2|37.)

⁽⁶⁾Colleges (p. 67.)

⁽⁷⁾End of the Soul (1|22).

⁽⁸⁾Radd al-Muhtar (1|26.)

⁽⁹⁾He is Dr. Abdul Majeed Mahmoud Abdul Majeed, a specialist in Sharia sciences, an assistant professor at the Faculty of Dar Al-Uloom. Among his works are: Jurisprudential Trends, Jurisprudential Perspectives, and others. He passed away in 2022 AD. See: Dr. Abdul Majeed Mahmoud by the researcher: Tawfiq Al-Qurashi.

⁽¹⁰⁾Jurisprudential trends among the scholars of Hadith in the third century AH (p. 11)

⁽¹¹⁾His biography is discussed in: Majma' al-Adab fi Mu'jam al-Alqab (6/593), Ma'rifat al-Qurra' al-Kibar 'ala al-Tabaqat wa al-I'sar (368), Mawsu'at al-Mawsil al-Hadariyya (3/31.)

⁽¹²⁾Surah Al-Baqarah: Verse 272.

⁽¹³⁾That is, the majority of scholars did not permit giving Zakat al-Fitr to non-Muslims living under Islamic rule (dhimmi). However, Imam Abu Hanifa distinguished between Zakat, the distribution of which is explicitly stated in the hadith narrated by the Prophet (peace and blessings be upon him) concerning Mu'adh, recorded by al-Bukhari in his Sahih, Book of Zakat (1/330, no. 1496): "Take it from their rich and then give it to their poor"—which cannot be given to dhimmis—and Sadaqat al-Fitr and other forms of charity, such as expiations and vows. He alone permitted giving these to them, citing evidence from the Quran and Sunnah. This is one of his unique opinions. See also: Al-Ikhtiyar (1/173), Al-Hawi by al-Mawardi (8/471), Al-Sharh al-Kabir by al-Dardir (1/492), and Al-Mughni by Ibn Qudamah (2/365).

⁽¹⁴⁾Summary in the interpretation of the Holy Qur'an (1/309).

⁽¹⁵⁾Surah Al-Baqarah: Verse 226.

⁽¹⁶⁾Consider the statement of Imam Al-Shafi'i: Al-Umm (5|247), Al-Bayan (10|282.)

⁽¹⁷⁾The opinion of Imam Abu Hanifa is considered in this: Al-Mabsut (7|20), Tabyeen Al-Haqaiq (2|262)

⁽¹⁸⁾The opinion of Imam Malik on this matter is seen in Al-Zarqani's commentary on Mukhtasar Khalil (3|446).

⁽¹⁹⁾Summary in the interpretation of the Holy Qur'an (1/262).

⁽²⁰⁾Surah An-Nisa: Verse 4.

⁽²¹⁾Surah Al-Hajj: From verse 30.

⁽²²⁾Al-Layth ibn Sa'd: He is Abu al-Harith al-Layth ibn Sa'd ibn Abd al-Rahman al-Fahmi, their freed slave from Basra, one of the followers of the followers. He was a jurist and hadith scholar of Egypt. He died in the year 175 AH. See his biography in: Tabaqat Ibn Sa'd (9|534).

⁽²³⁾Consider the statement of Al-Layth ibn Sa'd: Al-Isfahani's interpretation (2/1097).

⁽²⁴⁾Summary of the interpretation of the Great Qur'an (1/45)

⁽²⁵⁾Surah At-Tawbah: Verse 60.

⁽²⁶⁾Consider the opinion of Imam Al-Shafi'i: Al-Umm (2/63), Al-Majmu' (6/185, 186.)

⁽²⁷⁾Consider the opinion of Imam Abu Hanifa: Al-Jami' Al-Saghir (p. 98), Al-Hidayah (1/113.)

⁽²⁸⁾Consider the opinion of Imam Malik: Al-Mudawwana (1/295).

⁽²⁹⁾Summary in the interpretation of the Holy Qur'an (2/340.)

⁽³⁰⁾Poets: Verse 155.

⁽³¹⁾In Arabic, the word "muhayā'ah (مُهَيَّأَةٌ)" is a verbal noun derived from "hāya'a (هَيَّأَ)" meaning something prepared or arranged. The phrase "tahāya'a al-qawm tahāyu'an (تَهَيَّأَ الْقَوْمُ تَهَيُّؤًا)" is derived from "hay'ah (هَيْئَةٌ)" meaning a specific arrangement or form. It refers to a designated turn or rotation. In legal terminology, jurists define it as the division of benefits according to a successive and alternating pattern. For further definitions and the permissibility of "muhayā'ah" according to the Hanafi school, see: Lisan al-'Arab (1/189) and al-Hidayah (4/39).

⁽³²⁾Summary in the interpretation of the Holy Qur'an (3/367)

⁽³³⁾Surah Al-Hajj: Verse 25.

⁽³⁴⁾Summary in the interpretation of the Holy Qur'an (3/249).

⁽³⁵⁾Surah Al-Baqarah: from verse 219.

⁽³⁶⁾Consider the opinion of Imam Al-Shafi'i: Al-Bayan (12|448), Rawdat Al-Talibin (10|168)

⁽³⁷⁾Summary in the interpretation of the Holy Qur'an (1/253.)

⁽³⁸⁾Surah Al-Baqarah: from verse 185.

⁽³⁹⁾Summary in the interpretation of the Holy Qur'an (1/217).

⁽⁴⁰⁾Surah An-Nisa: Verse 101.

⁽⁴¹⁾Surah Al-Baqarah: from verse 198.

⁽⁴²⁾Consider the opinion of Imam Abu Hanifa: Al-Mabsut (1/407).

⁽⁴³⁾Summary in the interpretation of the Holy Qur'an (1/533-532).

⁽⁴⁴⁾Surah Al-Baqarah: Verse 230.

⁽⁴⁵⁾Summary in the interpretation of the Holy Qur'an (1|266).

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