

## **Improvement Purposes: The True Sharia A Case Study**

**By**

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### **Abstract**

Induction, research, study and contemplation indicate that the true Sharia came to achieve the people's necessary, needy and ameliorative interests, and that all legal rulings were prescribed to achieve these interests, and that there is no legal ruling except with the intention of achieving one or more of these interests, so that the legislation guarantees all interests in its three divisions. Legislation approach to take care of these interests in two main ways: the legal rulings that secure the creation and formation of these interests, and the legal rulings for preserving, maintaining and nurturing these interests and preventing assault or violation of them, or guaranteeing and compensating for them.

**Keywords:** (Destinations, improvements, legislator)

### **Introduction**

There are many provisions to preserve the necessary interests of the people and strive to find them in the best way and then ensure that they are protected and taken care of. Religion is a necessary benefit for man because it regulates the relationship between man and God, between man and himself, and between man and society. Islam has laid down many rules that govern all these relationships. In belief in God, His angels, His books, His messengers, the Day of Resurrection, good and evil, and the five pillars of Islam are legislated: the two testimonies, establishing prayer, paying zakat, and fasting Ramadan. They make a pilgrimage to the temple of God. Putting the types and methods of worship to develop religion in the soul and establish it in the heart and discover it in life and society and spread it all over the world, and it was necessary to invite him to bring men from darkness to light.

### **1st Requirement**

#### ***Definition of the purposes of improvement in language and terminology***

The purpose of the improvement is a descriptive compound consisting of two words (purposes) and (al-tahsiniyyah), while (purposes) is a language: the plural of intent, and the intent is a language derived from the verb intent, and the intent is: straightening the way, dependence, justice, orientation, mediation, doing something, and whatever you want from it. These expressions, which were mentioned in their place from the lexicons of the language, Ibn Jinni said: (And their positions in the speech of the Arabs are such as determination, orientation, stoops, and advancing towards something, whether it is moderate or unfair. This is its origin in reality, although it is specific to some places with the intention of straightening up without inclination).

As for (al-Hussainiyah), it is a word that is taken from the verb: good, and the infinitive (al-tahsin) is from al-Hasan against ugliness. The first: it is recommended from the point of view of the intellect, and it is preferred from the point of view of desire, and it is preferred by the side of goodness. And most of what is used in the definitions of the common people is what is preferred by sight, and what is used most in the language of the Qur'an is what is favored by insight, and it is said that the best in terms of preference, and from this section is the Almighty's saying: (follow the best of it). And if this linguistic mastery paved the way for us, we realized that the ameliorative purposes are the purposes that bring beauty and splendor, and the advantages that pave the way for the perfection of living and the glimpse of a mirror.

### ***Purposes of Improvement Idiomatically***

Fundamentalist blogs have, since an early age, classified purposes, according to the power of interest in them, into three ranks: necessary purposes, necessary purposes, and enhancement purposes. This classification had a reputation, extensiveness, and becoming in the fundamentalist and purposeful study, and it established a balance for distinguishing between interests, and it became the refuge of the mujtahids and muftis in balancing, weighting, and realizing the limits, whenever calamities startled them, and their pace deceived them. It is for interests and purposes, but it is not definitively binding, and ijthihad in it is an appealed legislator, to revise, refine, or rectify, according to the new demands of life and living, and perhaps the mujtahid or the mufti in the renewed classification has met it with authorization and referencing.

Whatever the case, the improvements have settled in the third place in the classification scale for purposes, and scholars have continued to define them in varying terms in accuracy and precision, accompanied by representation at times, and without it at other times. Among the famous definitions is the definition of Al-Juwayni: There appears in it the purpose of bringing honor, or negating its opposite, and it is permissible for this type to be joined to the purification of the juvenile, and the removal of impurity)." Al-Ghazali was dependent on his sheikh in defining refinements, with his independence in some detail, he says: "What is not due to necessity or to There is a need, but the position of improvement and embellishment falls on the merits and ranks and taking care of the best methods in worship and dealings and urging noble morals and good habits).

## **2nd Requirement**

### ***Evidence that are Considered Reported Evidence***

- 1- God Almighty's telling on more than one topic that He is Wise, and this necessitates that His rulings be legitimate for certain purposes.
- 2- His telling him, Glory be to Him, that he did such-and-such for such-and-such, such as His saying: "The permission is only made for the sake of sight."
- 3- In the legal texts, there is a statement stating some purposes, such as the Almighty's saying: "Allah intends ease for you, and He does not intend difficulty for you."
- 4- Many of the evidence of the Holy Qur'an are clear and indicative, and it is weakened that what is intended in them is not apparent in them, or most of them are a statement or an alert on the purpose of Shariah purposes.

As for the extrapolation of the transmission evidence, it was on two sides

- 1- Examining well-known rulings. And consequently, knowledge of the purposes of Sharia, such as understanding the cause of muzabana (which is the sale of dates on palm trees in the same way from those who are not on palm trees in appreciation or loss).
- 2- Extrapolation of evidence for rulings that share a cause, so that certainty is obtained that this

reason is intended by Islamic law. Such as the prohibition of selling food before taking possession of it, and selling food with food on credit, and the intention is the popularity of food in the markets, and that eating it is a legitimate objective.

Evidence of Reason:

- 1 - God took care of the interests of the servants in their livelihood, as he made blessings for them, and if he knows that, it is impossible for God to take into account the interest of his creation in their lives and then neglect their interest in the legal rulings.
- 2- God Almighty created man, honorable and honorable, and one of the requirements of honor is that a person achieves his interests in the best way.
- 3- Any system that is not intended to achieve a benefit or ward off a harmful system is a failed system that is attributed to its creator due to ignorance and negligence. How is this befitting of God if it does not meet human beings. God forbid God Almighty.

### ***3rd requirement***

#### ***The argument for the fundamentalists***

1- Induction: Al-Shatibi inferred the proof of the improvement purposes that come in the third rank after the necessary and necessary purposes by induction. Specific, but rather with evidence added to each other, with different purposes, so that one thing is organized from their totality on which this evidence are united, according to what has been proven among the common people, the generosity of Hatim, the bravery of Ali, may God be pleased with him, and the like. In proving the intent of the Legislator in these rules, people did not rely on specific evidence, nor on a specific way, but rather it happened to them from the phenomena and generalities, absolutes and restrictions, and special details in different objects, and different facts, in every section of the chapters of jurisprudence, and every type from its types until they compiled the evidence of the Sharia, all circles on the preservation of those rules.

He said in another place: And that is that the Holy Qur'an came with the definition of the interests of the two worlds to bring them, and the definition of their evils in order to ward off them. These three are established in the Book of Purposes, and if we look at the Sunnah, we find that they do not exceed the determination of these matters, for the Book brought them with principles that refer to them. In the Sunnah, nothing was left of it, and the induction shows that, and it is easy for those who are knowledgeable of the Book and the Sunnah, and when the righteous predecessors were like that, they said it and stipulated it.

It also clarified in another place that nothing was abrogated from these rules, and this is evidenced by complete induction and that the Sharia is based on preserving necessities, necessities and improvements, and all of that was not abrogated anything from it. Whoever studies the books of the abrogator and the abrogated one will achieve this meaning, for the copying is in the particulars of them, and the Meccan ones are few.

It is clear from this that the purposes of improvement are general and fixed universals. This is because the abrogation does not refer to the general principles, and the general legal rules, but rather to the particulars. As for the universals, they are the ones on which the entire Sharia is based, and they are not specific to a place without a place, or a chapter without a chapter, and no rule without a rule, and as long as it is like that, it remains until the Hour of Judgment.

#### ***2- General texts: Among the general texts that indicate the consideration of ameliorative purposes, we mention***

First: Allah's saying: {Allah commands justice, goodness, and generosity towards relatives. And He forbids immorality, injustice, and oppression. He instructs you, so that you

may remember).

This noble verse is one of the collections of words that the Messenger, may God bless him and grant him peace, singled out. Ibn Rajab (736 AH, 795 AH): The collections of words that the Messenger, may God bless him and grant him peace, singled out are of two types: - One of them is what is in the Qur'an as the Almighty saying: (Allah commands justice, goodness, and generosity towards relatives. and oppression. He instructs you, so that you may remember). The second: What is in the words of the Messenger, may God's prayers and peace be upon him, and it is widespread and is found in the traditions narrated from him, may God's prayers and peace be upon him.

Ibn Masoud said: This is the most comprehensive verse in the Qur'an for good to be complied with and for evil to be avoided. Al-Izz bin Abd al-Salam (577 AH, 66 AH) said: And the most comprehensive verse in the Qur'an to encourage all interests and rebuke all evils is this verse, for the thousand and the blame are in justice and benevolence to the common people and being absorbed in, and nothing remains of justice and its majesty except that it is included in its command with charity. And justice is equalization and fairness, and benevolence either brings benefit or repels evil, as well as thousand and blame in indecency and evil and oppression in general, immersed in all kinds of immorality and what is denied in words and actions.

Second: The Prophet (peace be upon him) said, "Iman has over seventy branches - or over sixty branches - the uppermost of which is the declaration: 'None has the right to be worshiped but Allah'; and the least of which is the removal of harmful object from the road, and modesty is a branch of Iman." The Prophet, may God's prayers and peace be upon him, combined the reality of religion between two parties, the first of which began with the doctrine of monotheism from this beginning and ended with the end of the second party, and it is the simplest model for serving public purposes such as removing harm through people, and thus realizing that the purposes of the street are confined between the faces of interests, whether large or small. Izz al-Din bin Abd al-Salam (577 AH, (66 AH) said that the metaphorical ranks of the people of faith end by removing harm from the road, because the people of faith are better than other types of charity. His reward is doubled by the double of his benefit, as the muezzin and the khateeb, their reward is doubled by the number of their listeners, and the same is the order of the congregation with one good with one word, and the group forbidding one evil with one word.

***Third: 'Abdullah bin Mas'ud (May Allah be pleased with him) reported***

The Prophet (ﷺ) said, "He who has, in his heart, an ant's weight of arrogance will not enter Jannah." Someone said: "A man likes to wear beautiful clothes and shoes?" Messenger of Allah (ﷺ) said, "Allah is Beautiful, He loves beauty. Arrogance means ridiculing and rejecting the truth and despising people." This noble hadith contains two great principles, the first of which is knowledge and the end of it is behavior, so that God, Glory be to Him, is known by the beauty in which nothing can match Him, and he is worshiped with the beauty that He loves in terms of words, deeds and morals. And his body by manifesting his blessings upon him in his clothing, and purifying him of impurities, juveniles, dirt, hateful hair, circumcision, and clipping nails, so he introduces him to the qualities of beauty and he recognizes him with actions, words and beautiful manners, so he is known by beauty that is his description, and he restores with beauty that is his law and religion, so the hadith combined two bases: knowledge and behavior.

***3- Partial Evidence***

First: God Almighty said: (O you who believe! When you rise to perform the prayer, wash your faces, and your hands, and your arms to the elbows, and wipe your heads, and your feet to the ankles. If you had intercourse, purify yourselves). So what is meant by ablution in this verse is purity, and purity is intended for itself as evidenced by the Qur'an, the Almighty said: (He intends to purify you). As for the hadith, he, may God's prayers and peace be upon him, said: (The religion is built on cleanliness) Allah's Messenger (peace be upon him) said, "My people will come on the Day of Resurrection with bright faces, hands and feet from the traces of Wudu. If any of you can lengthen his brightness, let him do so." And because the many news contained in the fact that ablution is a reason for forgiveness of sins.

Second: 'Uthman bin 'Affan (May Allah be pleased with him) reported:

The Messenger of Allah (ﷺ) said, "He who performs the Wudu' perfectly (i.e., according to Sunnah), his sins will depart from his body, even from under his nails." Abu Hurayrah (May Allah be pleased with him) reported that the Messenger of Allah (ﷺ) said, "Shall I not tell you something by which Allah effaces the sins and elevates ranks (in Jannah)?" The Companions said, "Certainly, O Messenger of Allah." He (ﷺ) said, "Performing the Wudu' thoroughly in spite of difficult circumstances, walking with more paces to the mosque, and waiting for the next As- Salat (the prayer) after observing Salat; and that is Ar-Ribat, and that is Ar-Ribat." This is also supported by the desirability of ablution for every prayer and God Almighty's praise of the Ansar in His saying: (Allah loves the repentant, and He loves those who keep clean). The Qur'an is comprehensive for the body, clothing and place.

4- Mental Evidence: The generality of the legislation requires that the improvement purposes should be considered for the following considerations:

First: When "God Almighty's intent was that the religion of Islam would permeate all people in every country and every age, and that it would be the last means to reform people in all their conditions, a reform that can be permanent and permanent, and that those who receive it are the bearers of this reform and its callers to all nations, no offense was God Almighty wants the Muslims to be distinguished by the grace of good manners so that their words will be a means of accepting his call to non-Muslims, and so that the manifestations of their actions in the eyes of the invitees will be a good example. , and debate with them in the most dignified manner). Is it only good manners. Addressing all the advocates of the nation, he said: (And do not debate with the People of the Scripture except in the best manner possible). Therefore, the refinement of morals was one of the foundations of the social system in Islam.

Second: The example of perfect morals is the Messenger; may God's prayers and peace be upon him. God Almighty said in his speech: (And you are of a great moral character). When I asked Aisha about his character, she said: "His character was the Qur'an." It is a comprehensive word whose meaning is that if you present any of the verses of the Qur'an mentioned in good manners and righteous deeds, and you contemplate the biography of the Messenger of God in the aspect in which the Qur'an is mentioned, you will find that the biography of the Messenger of God matches what it included within The Quran.

The Qur'an, then, is the collector of noble morals, and the Messenger is the manifestation of those noble qualities, and the Qur'an enjoins the nation in detail to act upon it, and commands it in general to follow its Messenger, as God Almighty said: (You have in the Messenger of Allah an excellent example), so we know that Islam is the noblest of morals, and this meaning is supported by what is in the Muwatta: Malik said: It was reported to him that the Messenger of God said, "I have been sent to perfect good manners."

Third: The Messenger, may God's prayers and peace be upon him, used to encourage the virtues and virtues of sayings and actions and forbids their shortcomings and harshness, on the authority of Muadh bin Jabal, he said: The last thing that the Messenger of God recommended to me when I put my feet in stitches is that he said: Be good in your manners to people, O Muadh bin Jabal, and in Another hadith is that the Messenger of God, may God's prayers and peace be upon him, said to Abu Dharr: "Do not belittle any good deed, even if you meet your brother with a good face." And in a hadith on the authority of Abu Hurairah that the Messenger of God said: and good manners).

Fourth: Our true religion has many etiquettes and virtues that enter into every aspect of life, even in the most trivial matters such as entering and leaving the toilet, how to sit in it, and how to clean oneself. Narrated Salman al-Farsi: It was said to Salman: Your Prophet teaches you everything, even about excrement - He replied: Yes. He has forbidden us to face the qiblah at the time of easing or urinating, and cleansing with right hand, and cleansing with less than three stones, or cleansing with dung or bone.

These etiquettes have been called by Islam, and urged upon, in order to integrate the believing personality and achieve harmony among people, and there is no doubt that the display of these etiquette and virtues will increase the beauty of the behavior of the Muslim. It enhances his virtues, endears his personality, and draws him close to hearts and souls, as these manners are among the core of Sharia and its purposes." Al-Qarafi said in his book Differences, The Sixteenth and Thirty-Six Differences, between the rule of vows and the rule of other legal duties when he spoke about the position of literature in work and that it is preceded in rank. And what benefit is greater than politeness, until Ruwaym said to his son: O my son, make your work urgent, and your politeness precise.

That is, a lot of literature so that its ratio in abundance is the ratio of flour to salt, and a lot of literature with a little good knowledge is better than a lot of work with little literature. With noble morals and reforming doctrinal matters, such as spreading peace, feeding food, maintaining kinship, honesty and chastity, because that was appropriate to their nature, urging them to enter into Islam, if he started them with prayer, fasting, zakat and restricting women to four, they would have turned away.

Al-Tahir bin Ashour said: The issues of legal transactions and morals are more evidence and effects on the legislator than the issues of transactions and calamities, as most of the legislation before migration was limited to the first two types, not the third, because the nation's ignorance in the principle of its command to know God and His Messenger and the last day and worship was more ancient and stronger than their ignorance of the ways fairness in treatment.

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