



**Fundamental Extraction of Issues Related to
the General from the Jurisprudence of the
Companion Huthaifa Bin Al-Yaman (May Allah
be Pleased with Him)**

Dr. Mayada Fathil Ahmed

College of Islamic Sciences, University of Baghdad

Paper Received:

21st August, 2022

Paper Accepted:

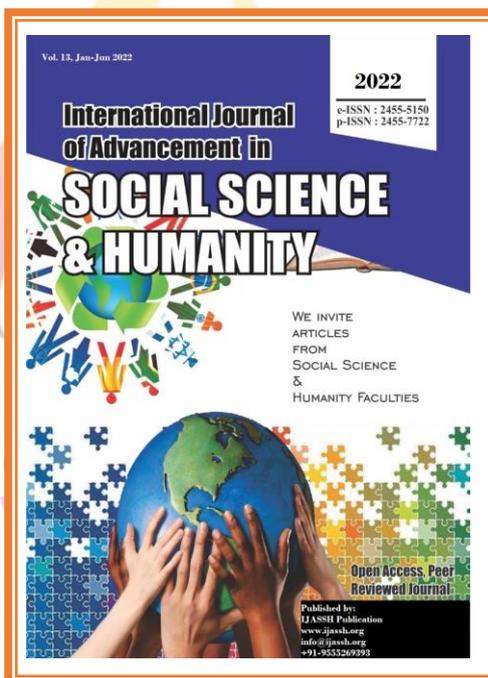
18th October, 2022

Paper Received After Correction:

10th November, 2022

Paper Published:

21st November, 2022



How to cite the article: Dr Mayada Fathil Ahmed, Fundamental Extraction of Issues Related to the General from the Jurisprudence of the Companion Huthaifa Bin Al-Yaman (May Allah be Pleased with Him), IJASSH, July-December 2022 Vol 14; 96-110

ABSTRACT

The fundamentalist extraction is important because it combines in its name between the branches and the principles, that is, between jurisprudence and the principles of jurisprudence, and it is not hidden from anyone that these two sciences have a great status, and the high degree among the other legitimate sciences, so how can science be a link between them, rather how with knowledge the desired and correct benefit from the principles of jurisprudence can only be achieved through it. Only through it can true jurisprudence be achieved. That is because the art of fundamentalist exegesis is by which the jurist is able to use the fundamental principles in the correct manner, and then derive practical legal rulings from their detailed evidence in the correct manner. As these rulings are valid, and it is one of the sciences that are in great need in this era in which specialization in the study of Sharia sciences prevailed; that is because the students specialized in the study of jurisprudence and its foundations turned to studying jurisprudence separately, and to studying the principles separately, and maintaining the science of jurisprudence on what these students inherited from their scholars without rooting it. It was necessary to study this art in order to make the correct link between these two sciences. Extraction is a practical application of the science of assets, and it develops the faculty of diligence in the student.

Keywords: *Fundamentalist extraction, Jurisprudence, he branches and the principles.*

INTRODUCTION

In this paper, I relied on the life of the great companion, the owner of the secret of the Messenger of Allah (may Allah bless him and grant him peace) Huthaifa ibn al-Yaman (may Allah be pleased with them). Where his biography was studied, as well as the identification of the fundamentalist extraction language and terminology, and he shed light on the general and knew him linguistically and idiomatically, and studied applied models of the fundamentalist extraction, as he applied the graduation on jurisprudential issues of Huthaifa bin Al-Yaman (may Allah be pleased with him), in which the general terms contained in the His sayings (may Allah be pleased with him). Here, the research will be divided into several sections, as shown below:

HUTHAIFA BIN AL-YAMAN (MAY ALLAH BE PLEASED WITH HIM) AND HIS SOCIAL LIFE.

His name, surname, and family

The Name: Huthaifa bin Al-Yaman bin Jaber bin Amr bin Rabia bin Al-Yaman bin Jarwa bin Al-Harith bin Mazen bin Qati`ah bin Abs bin Bagheed bin Rayth bin Ghatafan bin Saad bin Qais bin Alan bin Mudar bin Nazab is Maad bin Adnan¹.

¹ The Great Layers of Muhammad bin Saad Abi Abdullah Al-Basri (d. 230 AH), Dar Sader Beirut, (7/317), and the Tabaqat by Ibn Khayyat, by Khalifa bin Khayat Abi Omar Al-Laithi Al-Asfri (d. 240 AH), achieved by Dr. Akram Zia Al-Omari, 2nd floor, Dar Taiba - Riyadh, (1402 AH - 1982 AD), (1/48).

Lineage: Al-Qatai'i, Al-Absi, Al-Kufi, Al-Ashhali, an ally of Bani Abdul-Ashhal from the Ansar².

His nickname: Abu Abdullah, and it was said: Abu Sariyah³.

His title: The title of our master Huthaifa bin Al-Yaman (may Allah be pleased with him) with Al-Yaman, which is the nickname of his father Husayl bin Jaber (may Allah be pleased with him). His people called him by faith⁴.

His family: His mother was Al-Rubab bint Kaab bin Uday bin Kaab bin Abd Al-Ashhal. Rabab accepted Islam and pledged allegiance to the Messenger (may Allah bless him and grant him peace) and prayed for her forgiveness⁵.

His brothers and sisters: Saad, Safwan, Medlej, and Abdel Aziz.⁶

² Al-Ansab, by Abi Saad Abdul Karim Al-Samani (d. 562 AH), presented and commented by Abdullah Omar Al-Baroudi, 1st floor, Center for Cultural Services and Research, Dar Al-Jinan, Beirut - Lebanon, (1408 AH - 1988), (4/140, 5/109, 1/172). Al-Kashef, by Muhammad bin Ahmed Abi Abdullah Al-Dhahabi (died 748 AH), investigated by Muhammad Awamah, 1, Dar Al-Qibla for Islamic Culture, Alo Foundation - Jeddah, (1413 AH-1992 AD), (1/315).

³ Al-Ansab by Al-Samaani (1/219), The Great History of Muhammad bin Ismail bin Ibrahim by Abi Abdullah Al-Bukhari (d. 256 AH), achieved by Hashem Al-Nadawi, (I, Dar Al-Fikr), (3/95), and knowledge of trustworthy ones by Ahmed bin Abdullah bin Saleh by Abi Al-Hassan Al-Ajli (261 AH), achieved by Abd al-Alim Abd al-Azim al-Bastawi, 1st Edition, (Al-Dar Library - Madinah), (1405 AH-1985 AD), (1/289).

⁴ See: The Lion of the Forest in the Knowledge of the Companions, by Ali bin Muhammad Al-Jazari Ibn Al-Atheer, Volume 1, (I, Dar Ibn Hazm), (1433 AH-2012 AD), (1/468), and Al-Sira Al-Halabi, (2/529).

⁵ See: Refinement of Perfection in the Names of Men by Youssef bin Abdul Rahman bin Yusuf, Abi Al-Hajjaj, Jamal Al-Din Ibn Al-Zaki Abi Muhammad Al-Quda'i Al-Kalbi Al-Mazi (d. 742 AH), achieved by: Dr. Bashar Awwad Maarouf, (I, Foundation of the Message - Beirut), i. 1, (1400 AH - 1980 AD), (5/496), and Ibn Saad's The Great Classes, (7/713).

⁶ See: Lion of the Forest by Ibn Al-Atheer (7/106).

Its Science

Our master Huthaifa (may Allah be pleased with him) was known for his knowledge, jurisprudence, and long-term adherence to the Messenger (may Allah bless him and grant him peace) and that he was the owner of the secret of the Messenger (may Allah bless him and grant him peace). He lived among the Companions for a long time, so the people needed his knowledge and jurisprudence, as besides his knowledge he was humility, piety, and accuracy, so he did not issue fatwas except with what he knew and did not increase or decrease in the hadith of the Messenger (may Allah bless him and grant him peace). He does not respond to what did not happen, and he does not speak about what the hadith was not commanded to do. He (may Allah be pleased with him) said: The Messenger of Allah (may Allah's prayers and peace be upon him) told me what will happen until the Hour is established, and there is nothing of it except that I have asked him about it, except that I did not ask him what the people of Medina will leave Medina⁷. On the authority of al-Amash, on the authority of his brother, on the authority of Huthaifa, he said: The Messenger of Allah (may Allah bless him and grant him peace) rose to a position among us. He did not leave anything that would be in his position until the Hour of Resurrection but he spoke of it. Those who memorized it preserved it, and those who forgot it forgot. These may companion knew it and that there would be something from it. I forgot him, so show him and remember him as a man remembers the face of a man

⁷ Al-Tabaqat by Ibn Saad, (8/245).

when he is absent from him, then if he sees him he recognizes him⁸.

His death

Huthaifa ibn al-Yaman (may Allah be pleased with him) died in Mada'in on the night of Wednesday of the sacred month of Muharram. But historians differ on the day of his death. It was said that he died on the twenty-first, twenty-second, twenty-eighth, or twenty-ninth year of the thirty-sixth year of the migration of the Messenger of Allah (may Allah bless him and grant him peace).

Historians have mentioned that he died forty nights after the killing of Othman bin Affan (may Allah be pleased with him). Uthman (may Allah be pleased with him) was killed on Friday in the month of Dhu al-Hijjah, but they differed on the day of his death in the month of Dhu al-Hijjah, so it was said: he was killed in the middle of the days of Tashreeq, that is, on the twelfth day.

It was said that he was killed on the eighteenth day of the month of Dhul-Hijjah.

Based on this difference on the day of Uthman's death (may Allah be pleased with him), they differed on the day of Hudhayfah's death (may Allah be pleased with him)⁹.

⁸ Sahih Muslim: No. (2891): (4/2217).

⁹ Sahih Muslim: No. (2891): (4/2217).

DEFINITION OF FUNDAMENTALIST EXTRACTION

Definition of fundamentalist extraction as its members

Definition of fundamental extraction linguistically and idiomatically

Extraction linguistically: on the weight of "activation", which is a source for the verb "out", the character "Kh", the character "R", and the character "C" are two origins, and it may be possible to combine them. The first is the Enforcement of something. The second: is the difference between the two colors¹⁰. The first meaning is appropriate here; Because in the sense of exit, which is against entry, extraction is what is said most often in sciences and industries¹¹. Because what is meant by extraction here: is the enforcement of the fundamentalist rule from the branches of jurisprudence.

The extraction idiomatically: it is the statement of the exit of a thing, and the highlighting of something from another thing, or its subsection from it, citing it¹². Highlighting: it is the exhibition, and the thing: what is right to be known and told about, and it includes the senses and the morals.

¹⁰ Al-Mustadrak by Muhammad bin Abdullah Abu Abdullah Al-Hakim Al-Nisaburi (d. 405 A.H.), achieved by Mustafa Abdel Qader Atta, publisher Dar Al-Kutub Al-Ilmiyya - Beirut, (1411 A.H. - 1990 A.D.), The Book of Knowledge, (3/380), and Asad Al-Ghaba (1/469, 2/593).

¹¹ A Dictionary of Language Measures, by Abu Al-Hussein Ahmed bin Faris bin Zakaria Al-Qazwini Al-Razi (died: 395 AH), investigated by: Abd al-Salam Muhammad Harun, (I, Dar al-Fikr), (1399 AH - 1979 AD), (2/175).

¹² Vocabulary in the strange Qur'an, authored by: Abu Al-Qasim Al-Hussein bin Muhammad Al-Isfahani, investigated by: Muhammad Sayyid Kilani, (I, Dar Al-Maarifa - Lebanon), (p. 145).

Branching: is to make one thing subtract from another, including: extracting problems from an origin, this definition applies to extracting fundamental and jurisprudential rules from valid texts, and among the jurisprudential issues reported on the authority of the diligent imams, this definition also applies to deducing the branches and jurisprudential issues from the legal evidence and the principles of jurisprudence and jurisprudential¹³.

Defining assets in terms of language and convention

The fundamentalist extraction is a compound of an adjective and a descriptive, and the descriptive is the exaggeration, and we know its meaning linguistically and idiomatically, and it remains to define the adjective, which is the fundamentalist.

The fundamental is related to the principles of jurisprudence, and it is composed of two singular parts, one of which is the principles of jurisprudence, and the second is jurisprudential. So this word has two considerations, one of them: is considering the addition, and it needs to define the genitive, which is the origins, and the genitive, which is jurisprudence, and the other: is considering the scientific.

As for the first consideration, jurisprudence in the language is plural as an origin.

The origin in the language: the hamza, the S (sād), and the L (lam), three origins that are far from each other. One of them is the

¹³ See: Analytical study for the graduation of branches on the fundamentals of the fundamentalists and the jurists, a study presented to obtain a doctorate degree in the principles of jurisprudence, Umm Al-Qura University in Makkah Al-Mukarramah. Prepared by the student: Jibril bin Al-Mahdi bin Ali Mega. Supervised by: a. Dr.. Shaaban Muhammad Ismail. (1/63).

basis of the thing. The second: is life. And the third: What happened during the day after the evening¹⁴.

The first meaning is the appropriate one here, and it is what the fundamentalists express by saying: What else is built upon¹⁵. As for the origin of the terminology: it is applied to several things¹⁶, one of which is: the form on which it is measured, such as wheat by which rice is measured in the prohibition of usury. The second: Preponderance, as they say: The principle in speech is truth. That is: the most correct for the listener is the truth, not the metaphor. The third: is the evidence, as they say: The origin of this issue is from the Book (Al-Quran) and the Sunnah, that is: its evidence is from the Book (Al-Quran) and the Sunnah, and from it is the principles of jurisprudence, i.e.: its evidence. Fourth: The continuing rule, as they say: Permissibility of dead meat for the compelled, contrary to the principle, which is the prohibition.

The most appropriate here is the meaning of the evidence; Because it fits the linguistic meaning of the original, the evidence is based on the ruling, and the evidence is general and comprehensive for all the evidence agreed upon, the evidence that differs in it, and the rules of fundamentalism¹⁷.

¹⁴ See: the same source.

¹⁵ Dictionary of Language Standards (1/109).

¹⁶ See: The polite in the science of comparative jurisprudence - Editing of its issues and studying them in a theoretical and applied study, by Abdul Karim bin Ali bin Muhammad Al-Namlah, Al-Rushd Library - Riyadh, (1st ed., 1420 AH - 1999 AD). (1/11).

¹⁷ See: Explanation of the revision of the chapters, by Abu Al-Abbas Shihab Al-Din Ahmed bin Idris bin Abdul Rahman Al-Maliki, known as Al-Qarafi (T. (p. 15). And Al-Bahr Al-Mohit fi Usul Al-Fiqh by Al-Zarkashi, which is Badr Al-Din Muhammad bin Bahader bin Abdullah Al-Shafi'i (d. 745 - 794 AH), edited by: Sheikh Abdul Qadir Abdullah Al-Ani. And review it: Dr. Omar

As for jurisprudence language: it is the knowledge of something and the understanding of it. He prevailed over the knowledge of religion; For his supremacy, honor, and virtue over all other types of knowledge, just as the star prevailed over the Pleiades¹⁸.

In terminology: it is the knowledge of practical legal rulings, which is gained from detailed evidence¹⁹.

Definition of fundamental jurisprudence as a title and a science based on specific knowledge:

The second consideration is considering it a title and science over a specific knowledge, it is knowing the evidence of jurisprudence in general, how to benefit from it, and the state of the beneficiary²⁰.

The second requirement: Defining fundamental extraction as a title on a particular science.

The first subsection: Defining the fundamental extraction as a title on a particular science:

The science of extracting assets from the branches was defined as: the science that reveals the origins and rules of the imams, through their jurisprudential branches and their explanations of the rulings²¹.

GENERAL

The first requirement: Definition of the general language and idiomatically

Definition of the general language: comprehensive, from the thing in general: included. The general of the plant: long, and the people of the gift in general: it included them. It is said: The rain covered the earth, and his head was covered with uncle: he wrapped him in a turban²².

As for the definition of the general idiomatically: "It is an exhaustive expression for all that is suitable for it according to one situation."²³

The second requirement: general formulas

The general has formulas that indicate it, and these formulas are the most beautiful Imam Al-Shawkani saying: "They are: the nouns of the condition, interrogation, plurals, defining plurals, the definition of gender, the genitive, the noun of the gender, the negative accusative, the local

Suleiman Al-Ashqar, Ministry of Awqaf and Islamic Affairs in Kuwait, i/2 1413 AH - 1992 AD. (1/16).

¹⁸ See: Al-Muhadhab (1/13).

¹⁹ See: Al-Hakam and the Greatest Ocean, by Abu Al-Hasan Ali bin Ismail bin Sayeda Al-Mursi (T.: 458 AH), investigation: Abdul Hamid Hindawi, (I, Dar Al-Kutub Al-Ilmiyya - Beirut,) (1st ed., 1421 AH - 2000 AD, (4/128).), and Lisan al-Arab, by Muhammad bin Makram bin Manzur al-Afriqi, al-Masri (630-711 AH), (I, Dar Sader - Beirut), ed / first. (13/522).

²⁰ It is the definition of many fundamentalists, such as Ibn al-Hajib, al-Qarafi, al-Baydawi, al-Tawfi, al-Subki, and al-Shawkani, with slight differences in expressions. See: Mi'raj Al-Minhaj, by Imam Shams Al-Din Muhammad bin Yusuf Al-Jazari, (T.: 711 AH), verified and presented to him by: Dr. Shaaban Muhammad Ismail, Al-Hussein Islamic Press - Cairo, (1st floor), 1413 AH - 1993 AD, (1/39). And an explanation of the summary of the kindergarten, by Najm Al-Din Abi Al-Rabee' Suleiman bin Abdul Qawi bin Abdul Karim bin Saeed Al-Tofi, (d.: 716 AH), investigation: Dr. Abdullah bin Abdul Mohsen Al-Turki, Al-Resala Foundation, (1st floor), 1407 AH - 1987 AD, (1/133).

²¹ The definition of Al-Baydawi in Al-Minhaj, Al-Subki said in his explanation of it, looking: Al-Ibhaj in Sharh Al-Minhaj, by Sheikh Al-Islam Taqi Al-Din Ali bin Abdul Kafi Al-Subki, (d.: 756 AH), and his son: Taj Al-Din Abdul-Wahhab bin Ali Al-Subki, (T.: 771 AH).), put his footnotes and commented on it: Mahmoud Amin al-Sayed, Dar al-Kutub al-Ilmiyya, (1st floor), 2004 AD - 1424 AH, (1/19).

²² See: The graduation according to the jurists and the fundamentalists - a theoretical and practical study, authored by: Dr. Yaqoub bin Abd al-Wahhab al-Bahasin, published: Al-Rushd Library - Publishers, (3rd Edition), 1428 AH - 2007 AD. (p. 21).

²³ See: Lisan Al Arab (12/423), Al-Misbah Al-Munir (p. 350), and Al-Mu'jam Al-Wasat (2/629).

singular with lam, the pronunciation of all, all, and the like²⁴. This is her statement:

Interrogative nouns, which are: "Who", as the Almighty says: "Have you considered: if your water was to become sunken [into the earth], then who could bring you flowing water?"²⁵, and what does the Almighty say: That Day (Allah) will call to them, and say: "What was the answer ye gave to the messengers?"²⁶, and "where," as Allah Almighty says: they will say, "Where are those you used to invoke besides Allah?"²⁷. And "when," as Allah Almighty says: They were touched by poverty and hardship and were shaken until [even their] messenger and those who believed with him said, "When is the help of Allah?" Unquestionably, the help of Allah is near²⁸. And "any", as Allah Almighty says: "Whenever there cometh down a sura, some of them say: "Which of you has had His faith increased by it?"²⁹.

These formulas are either for the general public only, or for the particular only, or for both of them by way of participation, or they are not valid for any of these meanings, and the first meaning of the general is the most correct of the general form³⁰.

1. Condition names³¹. She: "Who" for the worlds³², As Allah Almighty

²⁴ See: Al-Majsool by Al-Razi: 2/513. And Irshad Al-Falools/197.

²⁵ Guidance of stallions (pg. 398).

²⁶ Surah Al-Mulk, from verse 30.

²⁷ Surat Al-Qasas, from verse 65.

²⁸ Surat Al-A'raf, from verse 37.

²⁹ Surat Al-Baqarah, from verse 214.

³⁰ See: Irshad stallions (pg. 402).

³¹ See: Al-Tahbir, Sharh Al-Tahrir (5/2345), and Al-Shinqeeti's Memorandum (p. 245).

³² And this is the phrase of Al-Baydawi - may God Almighty have mercy on him - Al-Isnawi said in

says: "And will provide for him from where he does not expect. And whoever relies upon Allah - then He is sufficient for him. Indeed, Allah will accomplish His purpose. Allah has already set for everything a [decreed] extent"³³. And "what" for non-knowledgeable people, as Allah Almighty says: "Whatever Allah grants to people of mercy - none can withhold it; and whatever He withholds - none can release it thereafter. And He is the Exalted in Might, the Wise."³⁴.

And "any" to the worlds and others, such as His saying: ((If any woman falls incensed, do not witness with us the last supper))³⁵, and for the non-knowledgeable, the Almighty's saying: "That is [established] between me and you. Whichever of the two terms I complete - there is no injustice to me, and Allāh, over what we say, is Witness."³⁶. And "where" in the place, as Allah Almighty says: " Accursed wherever they are found, [being] seized and massacred completely"³⁷, And "Ayaan" and "When" in time, towards: whenever you

"Nahayat Al-Soul, p. 184": Which is that "whom" is used to refer to God Almighty, such as the Almighty's saying: "And for whom you are not a provider" [Surat Al-Hijr, from verse 20], as well as "which", such as the Almighty's saying: "Say, what is the greatest testimony? Say God" [Surat Al-An'am, From verse 19], and the Creator - Glory be to Him - is described with knowledge and is not described with intellect.

³³ Surat Al-Tawbah, from verse 124.

³⁴ Surat Al-Talaq, from verse 3.

³⁵ Narrated by: Muslim (The Book of Prayer - Chapter on Women Going to the Mosques if it does not result in fitnah, and that they do not go out with perfume, p. 112, No.: 444) from the hadith of Abu Hurairah, with it.

³⁶ Surat Al-Qasas, from verse 28.

³⁷ Surat Al-Ahzab, from verse 61.

travel, I will travel. And when do you travel.

2. The form of “all”, “commonality”, “cohabiting”, “relation”, “general”, “all of”, “all”, and “other” are from the general forms³⁸. As Allah says: "Everyone upon the earth will perish"³⁹, and the words of Anas bin Malik, “The Prophet of Allah” and his companions with Al-Zawra. He said: “The Zora is in Madinah at the marketplace, and the mosque is all over the place.”, he called for a cup of water in it, and he put his palm in it and made it spring from between his fingers, and all his companions performed ablution⁴⁰. As Allah says: "That is because your Lord would not destroy the cities for wrongdoing while their people were unaware."⁴¹, also, as Allah says: "O you who have believed, enter into Islam completely [and perfectly] and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy"⁴².
3. The noun in the context of denial, “pervades, for two reasons,
 - The first: If a person says: “I ate something today,” whoever wants to disbelieve him says: “You did not eat anything today.” Their mention of this negation about denying that evidence indicates their agreement that it contradicts it, if his saying: “You did not eat anything today” did not necessitate the

generality, then they would not contradict; Because partial negative does not contradict partial positive.

- The second aspect: is that if the denial had not been in a general denial, our saying: “There is no Allah but Allah” would not have been a denial of all Allah except Allah - Glory be to Him, so it was decided by this: that the indefinite negation of “what”, “won’t”, “why”, “not”, or “no” is useful for the general public and whether the negation letter is included in a verb, towards: “I did not see a man”, or on the name, towards: “No man is in the house”, and towards: “No one stood” and “No one got up”⁴³.
- 4. Characters (A) and (L) are literal, not nominal⁴⁴, and their sign: is the correctness of the occurrence of “all” in its position, so it benefits the general public if it enters into the plural, whether it is healthy or broken, and whether it is a group of few or many, likewise, if you enter the plural noun, such as “ride”, “friend”, “people” and “group”, in addition, if you enter into the name of the genus, and the doctrine of the majority of scholars is that if there is a familiar one, it is carried on the covenant, and if it is not, it is carried on the immersion, as Allah says: "And when the children among you reach puberty, let them ask permission [at all times] as

³⁸ Guidance of stallions (pg. 404 and 411).

³⁹ urah Ar-Rahman, Verse 26.

⁴⁰ Narrated by: Muslim (Book of Virtues - Chapter on Miracles of the Prophet ﷺ pg. 590, No.: 2279).

⁴¹ Surat Al-An'am, from verse 131.

⁴² Surat Al-Baqarah, from verse 208.

⁴³ Guidance of stallions (pg. 409).

⁴⁴ The previous source (pg. 412).

those before them have done. Thus does Allah make clear to you His verses; and Allah is Knowing and Wise"⁴⁵.

5. Addition definition⁴⁶: it is one of the requirements of the generality, without a difference between the genitive being a plural, towards: "Ubaid Zaid", or a plural noun, towards: "the ride of the city came to me", or a gender noun, towards: "If ye would count up the favours of Allah, never would ye be able to number them: for Allah is Oft-Forgiving, Most Merciful"⁴⁷.
6. Relative nouns⁴⁸: like "who", "which", "whose", "which", and "with"
7. hypothalamus⁴⁹ and it's plural. Examples include, as Allah says: "And who believe in what has been revealed to you, [O Muhammad], and what was revealed before you, and of the Hereafter they are certain [in faith]"⁵⁰, also, as Allah says: "Indeed, those who devour the property of orphans unjustly are only consuming into their bellies fire. And they will be burned in a Blaze"⁵¹.

The Third requirement: general meaning

There is no disagreement about the definitiveness of the meaning of the general when there is a presumption indicating it, as in the saying of the Almighty: "And there is no creature on earth but that upon Allah is its provision,

and He knows its place of dwelling and place of storage. All is in a clear register"⁵², and His saying: "It is Allah who created the heavens and the earth and sent down rain from the sky and produced thereby some fruits as provision for you and subjected for you the ships to sail through the sea by His command and subjected for you the rivers"⁵³, as in the saying of the Almighty: " Allah is the Creator of all things, and He is, over all things, Disposer of affairs"⁵⁴. The general meaning of these verses is unequivocal⁵⁵.

Imam al-Shafi'i, may Allah have mercy on him, said: "This is general and there is no specific about it, for everything is from the sky, land, spirit, trees, and so on, Allah created him, and every animal, Allah has its sustenance, he knows its stable and its depot"⁵⁶. There is no disagreement in the definiteness of its indication of what falls under it from the minimum, which is three, or two on the difference in the least combination. Likewise, there is no disagreement about the speculative meaning of its significance after the

⁵² Surah Hud, from verse 6.

⁵³ Surah Ibrahim, from verse 32.

⁵⁴ Surat Al-Zumar, verse 62.

⁵⁵ See: The End of the Soul (p. 187), Al-Lawawih (1/94), Al-Bahr Al-Moheet (3/26), and the Goal of Reach in Explanation of the Core of the Origins, authored by: Zakaria bin Muhammad bin Ahmed bin Zakaria Al-Ansari, Zain Al-Din Abu Yahya Al-Siniki (T.: 926 AH).), published by: Dar al-Kubra al-Arabiya al-Kubra - Egypt (owners: Mustafa al-Babi al-Halabi and his two brothers). (p. 73), and Al-Attar's footnote on the explanation of the local glory on the collection of mosques, written by: Hassan bin Muhammad bin Mahmoud Al-Attar Al-Shafi'i (d.: 1250 AH), Dar Al-Kutub Al-Ilmiyya. (1/514), and the whole original to clarify the system in the collection of mosques, written by: Hassan bin Omar bin Abdullah Al-Sinaawy Al-Maliki (d.: after 1347 AH), published: Al-Nahda Press - Tunis, I / I 1928 AD. (1/125), and the principles of jurisprudence, written by: Muhammad Zakaria Al-Bardisi, published by: House of Culture for Publishing and Distribution. (p. 404), Usul al-Fiqh by al-Zalami (2/344), and al-Muhadhdhab (4/1515).

⁵⁶ Al-Risala (p. 89 - paragraphs: 179 and 180).

⁴⁵ Surat Al-Nur, from verse 59.

⁴⁶ See: Irshad stallions (pg. 412).

⁴⁷ Surah An-Nahl, from verse 18.

⁴⁸ Guidance of stallions (pg. 416).

⁴⁹ Al-Bahr Al-Moheet (3/83) and Irshad Al-Fahl (p. 417).

⁵⁰ Surat Al-Baqarah, from verse 4.

⁵¹ Surat An-Nisa, verse 10.

privatization. Because its door has been opened, it may be another assignment.

As the disagreement was in general if it came absolutely from the indication of the specifics on two sayings:

One of them: the general meaning is speculative, that is, these formulas and words indicate the general and specific, but its significance, in general, is more likely than its significance in particular.

It is the view of the majority of scholars from the fundamentalists and jurists. Their evidence: is that each year is subject to privatization, and privatization is common in it, meaning: the commoner is not devoid of him except for a little with the help of evidence, as Allah Almighty says: "And those who believed after [the initial emigration] and emigrated and fought with you - they are of you. But those of [blood] relationship are more entitled [to inheritance] in the decree of Allah. Indeed, Allah is Knowing of all things"⁵⁷, as Allah says: "To Allah belongs whatever is in the heavens and whatever is on the earth"⁵⁸ until it became a proverb: that there is no common without some of it has been singled out. This is sufficient evidence of the possibility.

And the second is: The general significance is definitive, that is: these formulas and words indicate the general definitive indication, so it is not possible to be specific, it is a most Hanafi school of thought. Their evidence for that: that if the utterance was put to meaning, that meaning was required to be fixed by that utterance when it was launched until the evidence for its opposite, and the generality of what the utterance was placed

⁵⁷ Surat Al-Anfal, from verse 75.

⁵⁸ Surah Al Imran, from verse 109.

for, was definitely necessary until the specific evidence is established.

The result of the dispute on this issue⁵⁹, is that based on the first doctrine, the analogy and the news of one strengthen the specification of the general; because its significance for these people is speculative, and the significance of the news of one and analogy is speculative, and presumptive stronger to allocate presumptively.

As for the second doctrine, the analogy and the news of one do not strengthen the specification of the general; Because its significance for these people is definitive, and the significance of analogy and the news of one is speculative, and the presumptive is not able to specify the deterministic.

The truth is: to say that the evidence of the year is presumed to be what the righteous predecessors of the Rightly-Guided Caliphs and the Successors settled upon. They designated many general texts with presumptive evidence; Care for the protection of religion, self, honor, money, or mind, among the necessities of life and the purposes of Sharia⁶⁰.

EXAMPLES OF JURISPRUDENCE APPLICATIONS

The first issue: following the Sunnah of the Messenger of Allah (may Allah bless him and grant him peace)

The great companion Huthaifa bin Al-Yaman (may Allah be pleased with him)

⁵⁹ See: Uncovering the Secrets on the Origins of the Pride of Islam Al-Bazdawi, authored by: Alaa Al-Din Abdul Aziz bin Ahmed Al-Bukhari, published: Dar Al-Kutub Al-Ilmia - Beirut 1418 AH - 1997 AD, investigation: Abdullah Mahmoud Muhammad Omar (1/444).

⁶⁰ See: Usul al-Fiqh by al-Zalami (2/345).

believes that all Muslims and readers should follow the example of the Messenger of Allah (may Allah bless him and grant him peace). He said: "O you readers, be upright, for you have gone far ahead, and if you take right and left, you have gone far astray"⁶¹. So Huthaifa (may Allah be pleased with him) quote as evidence, in his speech, he referred to the words of Allah Almighty: "And, [moreover], this is My path, which is straight, so follow it; and do not follow [other] ways, for you will be separated from His way. This has He instructed you that you may become righteous"⁶². He also quoted the hadith of Abu Hurairah (may Allah be pleased with him) " He said: The Messenger of Allah (may Allah bless him and grant him peace) said: "I have left among you two things, after which you will not go astray, the Al-Quran and my Sunnah, and they will not separate until they return to me at the Basin."⁶³.

Significance: The saying of Huthaifa bin Al-Yaman (may Allah be pleased with him): "The community of readers." The word "companionship" is a plural of cracking. It is one of the plural forms, and also the definition in addition to his saying (peace be upon him): "The community of readers." Both formulas indicate the generality of following the Sunnah. Messenger of Allah (peace be upon him).

Inferred from the fundamentalist rule: **(The general is inferred unless the allocator appears)**⁶⁴, It did not appear

here dedicated to the general term, so the general remained on its generality because there are two forms of the general and there is no provision for this general.

The second issue: is about the one in whose right the witr is confirmed.

Huthaifa bin Al-Yaman (may Allah be pleased with him) believes that the oddity is confirmed by the people of the Qur'an, as Abd al-Razzaq narrated on the authority of Ibn Uyaynah on the authority of Ammar al-Dahni on the authority of Salem bin Abi al-Jaad who said: Huthaifa bin Al-Yaman (may Allah be pleased with him) said: There is no witr except for one who recites the Qur'an⁶⁵. What is meant by the people of the Qur'an readers and preserve without the common people.

And his evidence in that, from the pure Sunnah of the Prophet, is the hadith of Ali (may Allah be pleased with him) who said: The Messenger of Allah (may Allah bless him and grant him peace) said: "O people of the Qur'an, perform the ritual prayer, for Allah Almighty and Majestic is Witr and He loves Witr"⁶⁶.

Significance: The saying of Huthaifa (may Allah be pleased with him): ((There is no witr but...)) is denied in the context of negation, and this formula benefits the generality, so all Muslims are included in this general; Because the witr is a prayer, it is absent when reading the Qur'an is absent.

⁶⁵ See: Musannaf Abdul Razzaq 3/6.

⁶⁶ See: Musnad Ahmad (2/164), Sunan Abi Dawood, The Book of Prayer, Chapter: It is recommended to pray Witr (2/128, 127), Sunan An-Nasa'i, The Book of Praying the Night and Volunteering the Day, Chapter on the Order of Witr Prayers (3/229, 228) Jami' al-Tirmidhi, the chapters on prayer, the chapter on what came that Witr is not inevitable, (2/316), Sunan Ibn Majah, The Book of Iqama al-Salaah and the Sunnah, in which there are chapters on what came in Witr, (1/370), al-Tirmidhi said: A good hadith and Ibn Khuzaymah authenticated it.

⁶¹ Sahih al-Bukhari, The Book of Holding fast to the Book and the Sunnah, chapter on following the Sunnah of the Messenger of God (may God bless him and grant him peace), (6/2656), Hadith No. (6853).

⁶² Al-An'am verse: [153]

⁶³ Al-Mustadrak on the two Sahih, by Al-Nisaburi Hadith No. (319).

⁶⁴ See: Al-Minhaj by Al-Baidawi with the explanation of Al-Isfahani (1/377).

Fundamentalist interpretation of the issue: Huthaifa bin Al-Yaman (may Allah be pleased with him) relies on what he sees as fundamentalist rule: (The general is inferred unless the allocator appears)⁶⁷.

The third issue: Every good deed is a charity

Huthaifa bin Al-Yaman (may Allah be pleased with him) believes that every good deed is charity, as evidenced by the saying of the Prophet (peace and blessings of Allah be upon him): “Every good deed is charity”⁶⁸. The hadith indicates the legitimacy of charity for every Muslim every day. The basic principle in charity is that it be with money, as in the hadith of Buraydah. The Messenger of Allah (peace and blessings of Allah be upon him) said: “Every Muslim has to give charity”⁶⁹. So they asked about someone who does not have anything, and he explained that what is meant by a charity is something more general than that, even if it is by helping the needy and enjoining good⁷⁰.

Significance is that the word (every) is a plural term, and this formula benefits the general public, therefore, “every” refers to tangible and intangible charity.

CONCLUSION

Fundamental extracting is one of the important fundamentalist methods that link assets to branches or refer branches back to their origins on the grounds that the branches of jurisprudence are practical

⁶⁷ Her statement has passed.

⁶⁸ Sahih Muslim, The Book of Zakat, Chapter: Clarifying that the name of charity falls on every kind of favor, (2/697), Hadith No. (1005).

⁶⁹ Sahih Muslim, The Book of Zakat, chapter on the statement that the name of charity falls on every kind of known good, (2/699), Hadith No. (1008).

⁷⁰ Al-Fath Al-Rabbani, Chapter: Qualities counted as charity, and what is mentioned in the body's charity (9/180).

rulings deduced from their detailed evidence. The evidence for jurisprudential rulings is what is known as (Usoul al-Fiqh), from which Islamic legal rulings are derived.

Through it, the researcher can extract many subsidiary rulings from the books of Islamic jurisprudence, which fall under the principles of Sharia, and they are evidenced by the book, the Sunnah, the consensus, and so on... and the method of extraction is from the methods of the fundamentalists, which is the connector between jurisprudence and the principles. The most important results were extracted from it:

- ❖ Huthaifa bin Al-Yaman and his father (may Allah be pleased with them) converted to Islam before the Battle of Badr, but they did not witness it in fulfillment of the covenant they made with the infidels not to participate in the war.
- ❖ He was at a high level of prophetic education, as he attained the rank of (the owner of the secret of the Messenger of Allah (may Allah bless him and grant him peace)).
- ❖ He died in Al-Madaen after the martyrdom of Othman bin Affan (may Allah be pleased with him) in the year 36 AH and was buried there.
- ❖ The great companion Huthaifa bin Al-Yaman (may Allah be pleased with them) relied on his ability to elicit rulings and narrate hadiths in his jurisprudential issues.

REFERENCES

It is after the Holy Qur'an

1. Al-Ibhaj fi Sharh Al-Minhaj, by Sheikh Al-Islam Taqi Al-Din Ali bin Abdul Kafi Al-Subki, (T.: 756 AH), and his son: Taj Al-Din Abdul-Wahhab bin Ali Al-Subki, (T.: 771 AH), put his footnotes and commented on it: Mahmoud Amin Al-Sayed, House of Scientific Books, (1st floor), 2004 AD - 1424 AH.
2. Guiding stallions to achieve the truth from the science of origins Author: Muhammad bin Ali bin Muhammad bin Abdullah Al-Shawkani Al-Yamani (died 1250 AH) Investigator: Sheikh Ahmed Ezzo Enaya, Damascus - Kafr Batna presented to him by: Sheikh Khalil Al-Mays and Dr. Wali Al-Din Saleh Farfour Publisher: Dar Al-Kitab Al-Arabi, Edition: First Edition, 1419 AH - 1999AD.
3. The Lion of the Forest in the Knowledge of the Companions, by Ali bin Muhammad Al-Jazari Ibn Al-Atheer, I 1, (I, Dar Ibn Hazm), (1433 AH - 2012 AD).
4. The comprehensive origin to clarify the pearls arranged in the collection of mosques, written by: Hassan bin Omar bin Abdullah Al-Sinaawy Al-Maliki (d.: after 1347 AH), published: Al-Nahda Press - Tunis, I / First 1928 AD.
5. Usul al-Fiqh, written by: Muhammad Zakaria al-Bardisi, published by: House of Culture for Publishing and Distribution.
6. Al-Osoul Min Il Al-Usool, by Muhammad bin Saleh bin Muhammad Al-Uthaymeen (died 1421 AH), Dar Ibn Al-Jawzi, (i., 1426 AH).
7. Al-Ansab, by Abi Saad Abdul Karim Al-Samani (d. 562 AH), presented and commented by Abdullah Omar Al-Baroudi, 1st floor, Center for Cultural Services and Research, Dar Al-Jinan, Beirut - Lebanon, (1408 AH - 1988).
8. The Ocean of the Ocean in the Origins of Jurisprudence by Al-Zarkashi, by Badr Al-Din Muhammad bin Bahader bin Abdullah Al-Shafi'i (died 745 - 794 AH), edited by: Sheikh Abdul Qadir Abdullah Al-Ani. And review it: Dr. Omar Suleiman Al-Ashqar, Ministry of Awqaf and Islamic Affairs in Kuwait, i/2 1413 AH - 1992 AD.
9. The Great History of Muhammad bin Ismail bin Ibrahim by Abi Abdullah Al-Bukhari (d. 256 AH), achieved by Hashem Al-Nadawi, (I, Dar Al-Fikr).
10. Graduation of the branches on the principles of the principles of the fundamentalists and the jurists, a study presented to obtain a doctorate degree in the principles of jurisprudence, Umm Al-Qura University in Makkah Al-Mukarramah. Prepared by the student: Jibril bin Al-Mahdi bin Ali Mega. Supervised by: Prof. Dr.. Shaban Muhammad Ismail.
11. Graduation according to jurists and fundamentalists - a theoretical and applied study, authored by: Dr. Yaqoub bin Abd al-Wahhab al-Bahasin, published: Al-Rushd Library - Publishers, (3rd Edition), 1428 AH - 2007 AD.
12. Refinement of perfection in the names of men by Yusef bin Abdul Rahman bin Yusuf, Abi Al-Hajjaj, Jamal Al-Din Ibn Al-Zaki Abi Muhammad Al-Quda'i Al-Kalbi Al-Mazi (d. 742 AH), investigation: Dr. Bashar Awwad Maarouf, (I, Al-Resala Foundation - Beirut), I 1, (1400 AH - 1980 AD).
13. Refining the language, Muhammad bin Ahmed bin Al-Azhari Al-Harawi, by Abi Mansour (d. 370 AH)

- Investigator: Muhammad Awad Mereb, (I, House of Revival of Arab Heritage - Beirut), (I 1, 2001 AD).
14. Al-Attar's Footnote on the Explanation of the Local Jalal on the Collection of Mosques, written by: Hassan bin Muhammad bin Mahmoud Al-Attar Al-Shafi'i (d.: 1250 AH), House of Scientific Books.
 15. Biography of the Flags of the Nobles, Shams Al-Din Labi Abdullah Muhammad bin Ahmed bin Othman bin Qaymaz Al-Dhahabi (T.: 748 AH), investigation: a group of investigators under the supervision of Sheikh Shuaib Al-Arnaout.
 16. Explanation of the revision of the chapters, by Abu Al-Abbas Shihab Al-Din Ahmed bin Idris bin Abdul Rahman Al-Maliki, known as Al-Qarafi (d. 684 AH), investigation: Taha Abdel-Raouf Saad, published: United Technical Printing Company, i / the first 1393 AH - 1973 AD.
 17. A Brief Explanation of Al-Rawdah, by Najm Al-Din Abi Al-Rabee' Suleiman bin Abdul Qawi bin Abdul Karim bin Saeed Al-Tofi, (T.: 716 AH), investigation: Dr. Abdullah bin Abdul Mohsen Al-Turki, Al-Resala Foundation, (1st floor), 1407 AH - 1987 AD.
 18. The Great Layers of Muhammad bin Saad Abi Abdullah Al-Basri (d. 230 AH), Dar Sader, Beirut.
 19. Al-Tabaqat by Ibn Khayat, by Khalifa bin Khayat Abi Omar Al-Laithi Al-Asfari (d. 240 AH), achieved by Dr. Akram Zia Al-Omari, 2nd edition, Dar Taiba - Riyadh, (1402 AH-1982 AD).
 20. The goal of access in explaining the core of the assets, written by: Zakaria bin Muhammad bin Ahmed bin Zakaria Al-Ansari, Zain Al-Din Abu Yahya Al-Siniki (d. 926 AH), published by: Dar Al-Kubra Al-Arabiya - Egypt (owners: Mustafa Al-Babi Al-Halabi and his brothers).
 21. Al-Kashef, by Muhammad bin Ahmed Abi Abdullah Al-Dhahabi (d. 748 AH), investigated by Muhammad Awamah, 1st edition, Dar Al-Qibla for Islamic Culture, Alo Foundation - Jeddah, (1413 AH-1992 AD).
 22. Kashf al-Asrar, Explanation of the Origins of al-Bazdawi, Author: Abdul Aziz bin Ahmed bin Muhammad, Alaa al-Din al-Bukhari al-Hanafi (died 730 AH), Publisher: Dar al-Kitab al-Islami.
 23. Lisan al-Arab, by Muhammad bin Makram bin Manzur al-Afriqi, al-Masri (630-711 AH), published: Dar Sader - Beirut, I / First.
 24. Al-Hakam and the Greatest Ocean, by Abu Al-Hassan Ali bin Ismail bin Sayeda Al-Mursi (T.: 458 AH), investigation: Abdul Hamid Hindawi, published: Dar Al-Kutub Al-Ilmiyya - Beirut, (1st floor), 1421 AH - 2000 AD.
 25. Al-Mustadrak on the Two Sahihs, by Abi Abdullah Al-Hakim Muhammad bin Abdullah bin Muhammad Al-Naysaburi, known as Ibn Al-Bay' (died 405 AH), investigation: Mustafa Abdel-Qader Atta, (d., Dar al-Kutub al-Ilmiyya - Beirut), (1 st.), 1411 - 1990 AD.
 26. The Sahih Al-Musnad Brief Transfer of Justice from Justice to the Messenger of God (may God's prayers and peace be upon him), by Muslim bin Al-Hajjaj Abi Al-Hasan Al-Qushayri Al-Nisaburi (d. 261 AH) Investigator: Muhammad Fouad Abdel-Baqi, (I, House of Revival of Arab Heritage - Beirut).

27. A Dictionary of Language Measures, Abu Al-Hussein Ahmed bin Faris bin Zakaria Al-Qazwini Al-Razi (d.: 395 AH), investigation: Abd al-Salam Muhammad Harun, published: Dar al-Fikr 1399 AH - 1979 AD.
28. Mi'raj Al-Minhaj, by Imam Shams Al-Din Muhammad bin Yusuf Al-Jazari, (T.: 711 AH), edited and presented to him by: Dr. Shaaban Muhammad Ismail, Al-Hussein Islamic Press - Cairo, (1st floor), 1413 AH - 1993 AD.
29. Knowing the Trustworthy by Ahmed bin Abdullah bin Saleh by Abi Al-Hassan Al-Ajli (261 AH), achieved by Abdul Aleem Abdul-Azim Al-Bastawi, 1st Edition, (Al-Dar Library - Madinah), (1405 AH-1985 AD).
30. Vocabulary in the Strange Qur'an, by Abu Al-Qasim Al-Hussein bin Muhammad Al-Isfahani, d. Investigation: Muhammad Sayed Kilani, Dar Al-Maarifa - Lebanon.
31. The polite in the science of comparative jurisprudence - Editing of issues and studying them, a theoretical and applied study, by Abdul Karim bin Ali bin Muhammad Al-Namlah, Al-Rushd Library - Riyadh, (1st floor, 1420 AH - 1999 AD).



IJASSH