

The jurisprudential issues in which two sides were mentioned by the Shafi'is in the book Al-Bayan by Al-Amrani (558 AH) "On Covering the Awrah" a comparative jurisprudential study)

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Abstract

Praise be to God, Lord of the Worlds, and the best of prayers and peace be upon our Master Muhammad, the faithful Prophet, and upon his family and companions, and after:

This research talks about issues in which there are two aspects of the Shafi'i school in one of the conditions of prayer, which is "covering the private parts" through the book Al-Bayan by Imam Al-Omrani (may God have mercy on him), which is considered one of the important books in the Shafi'i school of thought, and I talked about these issues in the form of comparative jurisprudence with the rest Considerable Islamic schools of thought, and I have made this research involve two topics with an introduction and a conclusion, and the first topic included two requirements, the first: in the love of Imam Al-Omrani, and the second: in the approach of Imam Al-Omrani in his book Al-Bayan, and the second topic in some issues that have two sides regarding the condition Covering the private parts, and there are several demands.

Introduction

Praise be to God, Lord of the Worlds, and prayers and peace be upon Sina Muhammad and his family and companions altogether, and after:

The jurisprudence of religion is one of the greatest things that man works with, and one of the important books in this regard was the book Al-Bayan in the doctrine of Imam Al-Shafi'i by Imam Al-Omrani, "may God have mercy on him."

Reason for choosing the topic:

1. Shedding light on an aspect of the research of the Book of Statement, which is what the Shafi'i scholars mentioned regarding issues that have two aspects to them.

2. Highlighting Imam Al-Omrani's understanding of the way he raised the issue of the two sides of the Shafi'is, and how he chose the way he considered the most likely, with evidence for choosing the weighting.

3. The purpose and benefit of the topic:

The interest in the subject of the letter is reflected in the following:

1. Standing on what the Shafi'is mentioned from both sides in some of the jurisprudential issues that were presented to them, which makes the reader familiar with this school of thought in terms of this consideration, and then clarifying those who disagreed and agreed with him in both sides from the rest of the considered Islamic schools of thought,

which makes the seeker of knowledge have an encyclopedic jurisprudential background It serves Islam and Muslims.

2. Directing students of knowledge to reveal the mysteries and treasures of this blessed book, and introducing its author, which motivates them to move forward on their approach, and enact their own way.

Research problem:

This thesis deals with the problem of mentioning the two aspects of the Shafi'i school through the book Al-Bayan in the doctrine of Imam Al-Shafi'i of the Imam Al-Omrani, then after the statement of the two aspects, the problem of the jurisprudential dispute with the rest of the schools is revealed, and this problem is addressed by mentioning those who agree with the two aspects, and those who oppose them, with a statement of the argument of each saying .

The first topic: the life of Imam Al-Omrani, may God have mercy on him, and his methodology in his book:

The first requirement: the life of Imam Al-Omrani:

His name, lineage, nickname, and title: Yahya bin Abi al-Khair bin Salim bin Asaad bin Abdullah bin Muhammad bin Musa bin Imran al-Amrani al-Siri al-Yamani (1), and his lineage: he is called al-Umrani: in relation to one of his ancestors, and al-Siri: by breaking and opening al-Tahtaniyya and then seeing neglected in relation to Sir Balad Sharqi Al-Jund from the country of Yemen (2), as for his nickname: Imam Al-Omrani was nicknamed Abu Al-Hussein, as well as Abu Zakariya; Because everyone who is called Yahya will have his nickname like this, and he will also be called Abu al-Khair (3), and his title: Shaykh al-Shafi'i in Yemen, and he will also

be called al-Qadi, and he will also be called Imad al-Din (4).

Second: His birth, upbringing, his quest for knowledge, and his travels: Imam Al-Omrani was born in the year 489 AH, in a village of Yemen called: Musanat Sir. To Mecca and Medina as a pilgrim, a pilgrim, and a visitor (5).

Third: His sheikhs and students:

His sheikhs: Among them: Imam Abu al-Fotouh bin Othman bin Asaad bin Abdullah bin Muhammad bin Musa bin Imran, who is the maternal uncle of Imam al-Amrani (6), and Imam Abdullah bin Ahmad bin Muhammad bin Abi Abdullah al-Hamedani (7), and the imam Zaid bin Abdullah Al-Yafa'i, died in 515 AH (8), Judge Muslim bin Abi Bakr (9), and others.

As for his students, among them: Taher bin Yahya bin Abi al-Khair Salem, Abu al-Tayyib al-Amrani, died in the year 587 AH (10), Saif al-Sunnah Abu al-Hasan Ahmad bin Muhammad bin Abdullah Abu al-Abbas, al-Buraihi, al-Kindi, al-Saksy, known as (Saif al-Sunnah), He died in the year 585 AH (11), Ali bin Abdullah Al-Harmi (12), Amr bin Abdullah bin Suleiman bin Al-Sari, died in the year 555 AH (13), and many others created.

Fourth: His academic degree and scholars' praise for him: Imam Al-Omrani is considered from the fourth class in the Shafi'i classes, and it is the class of those who strive for fatwa and weighting (14). ferries:

1. Imam Al-Subki mentioned him in Al-Tabaqat: "The venerable Sheikh Abu Al-Hussein, the Sheikh of the Shafi'is in the region of Yemen, the author of the statement and other famous works" (16).

2. Ibn Katheer mentioned him in his book *Tabaqat al-Shafi'i*: "Yahya ibn Abi al-Khair Salem bin Asaad bin Yahya Abi al-Khair al-Yamani al-Umrani, the author of the statement and the additions of the polite, was a brilliant imam, his book indicates his many virtues, his important benefits, his abundant knowledge, and his many arts." (17)

3. Ibn Shahba said: "Yahya bin Abi al-Khair bin Salem bin Asaad bin Yahya Abu al-Khair al-Amrani al-Yamani, the author of the statement, was the Shafi'i sheikh in the country of Yemen and was an ascetic, pious and scholarly imam" (18).

4. Al-Ghazi said about him: "Yahya bin Abi Al-Khair bin Salem Al-Amrani, the learned imam, Sheikh Abu Al-Hussein, Al-Yamani Al-Shafi'i, the author of the book *Al-Bayan wal-Zawa'id*, and others." The investigator, Imam Al-Omrani, may God have mercy on him.

Fifth: His writings and classifications: Al-Omrani left many works, including: *Al-Zawa'id Ala Al-Muhadhdhab* by Al-Shirazi Al-Shafi'i: It was in the order of Mukhtasar Al-Muzni. Al-Yafaei, it was said that he did not comment on *Al-Muhadhdhab* only after he memorized *Al-Mohadhdhab* and read it fifty times, and the statement is in the doctrine of Imam Al-Shafi'i: He began compiling the statement in the twenty-eighth year and finished it in the year thirty-three, and a message in the Sunnah according to the doctrine of the people of hadith, and the victory in responding to the wicked Mu'tazila Qadariyyah, and the brain

It insists on the issue of speech, in which the response is to the Mu'tazila and Ash'ari, and other useful works (20).

Sixth: His creed and doctrine:

His creed: He was a Hanbali creed; That is, he says with the sound, the letter, and the direction, as is the doctrine of the Hashwiyah, and it was upon him the belief of the majority of the people of Yemen (21), and there is no doubt that the people of Yemen used to believe that before the emergence of the owner of the "statement", and today most of them or all of them have retracted from this belief, and they have all become Ash'ari (222).

His sect: He was a Shafi'i school of thought, rather he is one of the scholars of the sect, and one of the people of fatwa and weightings in it, and he is considered one of the jurists of the fourth class of the Shafi'i classes, and they are the people of authorship and classification whom the Shafi'i scholars after them relied on their compositions and classifications(23).

Seventh: His death: Imam Al-Omrani died after a life full of study, teaching, debate and compilation, in Dhu Al-Sufal, in the country of Yemen, and was buried there, in the year 558 AH (24). Rabi' al-Akhir before dawn" (25).

The second requirement: his methodology in writing the statement in the doctrine of Imam Shafi'i:

Since Imam Al-Omrani had a wide knowledge of the books of the advanced Shafi'i school, with the superior jurisprudence he possessed, he had a great influence on his methodology in writing this work, and I can summarize this methodology with the following points:

1. Al-Imam Al-Omrani arranged his book in the order of *Al-Muhadhdhab* in terms of chapters, chapters and transmission of issues.

2. The author mentions in each chapter of jurisprudence the linguistic and idiomatic

meanings, with evidence from the Book and the Sunnah.

3. The old and new sayings of Al-Shafi'i, if any, are quoted in the matter, and mostly from his famous books.

4. He mentions the ways and aspects of the madhhab, and what comes out of the sayings according to the saying of the owner of the madhhab, and shows the more correct ones, and discusses the more likely ones.

5. He transmits a lot of issues from the books of other Shafi'i jurists and attributes each saying to its author, and this saying may be discussed in a discreet scientific discussion, with mentioning the disagreement of the companions among themselves in one issue and discussing the points of disagreement.

6. Al-Omrani mentions the sayings of other schools of thought, shows their evidence and discusses them, and shows the evidence of his school in order to reach what he wants from.

7. Imam Al-Omrani mentions the sayings of the companions and followers in the jurisprudential issue in which they have an opinion, and he also mentions the sayings of the scholars of the schools of thought, such as Al-Awza'i, Al-Thawri, and Al-Layth.

The second topic: issues in which there are two sides in the condition of "covering the private parts" through the book of the statement of Imam Al-Omrani, and it contains five demands:

The first requirement: the ruling on covering the private parts while being alone:

Imam Al-Omrani said: "Is it obligatory to cover it in a state of solitude other than prayer? There are two sides to it: one: it is not obligatory, because there is no one to look at

it, and the second: it is obligatory, which is the school of thought" (26).

There is no disagreement among the scholars on the obligation to cover the nakedness between people from the eyes of the onlookers (27), and they differed regarding the obligation to cover it in seclusion, according to two schools of thought:

The first saying: It is obligatory to cover the awrah when being alone in prayer and otherwise, and it is the more correct of the two views according to the Shaafa'is (28), and it is the view of the Hanafis (29), and the saying of the Malikis (30), and it is the view of the Hanbalis (31), and the Dhahiriyyah (32).

And their argument:

of the year:

1. On the authority of Al-Miswar bin Makhrama, may God be pleased with him, he said: "I came with a stone that I was carrying heavy, and I was wearing a light lower garment." M: Go back to your garment and take it And do not walk naked" (33).

The face of evidence: His saying: "And do not walk naked" is general in prohibition, whether it is in the meeting or being alone (34).

2. On the authority of Bahz bin Hakim, on the authority of his father, on the authority of his grandfather, may God be pleased with him, who said: I said: "O Messenger of God, do we uncover our private parts and what do we leave behind?" He said: Protect your private parts except from your wife or what your right hand possesses. He said: I said: Oh Messenger God, if the people are with each other? He said: If you can not let anyone see her, then do not let them see her. He said: I said: O Messenger of God, if one of us is alone? He

said: God is more deserving of people to be ashamed of Him (35).

The point of evidence: His saying: "God is more worthy of being shy from Him than people," meaning: so cover your obedience to Him, and seek what He loves from you and pleases Him.

It is reasonable:

1. Although God Almighty sees the hidden as he sees the exposed, yet he sees the exposed as abandoning etiquette and the concealed as being polite, and this etiquette must be observed when one is able to do it (37).

The second saying: It is desirable to cover the private parts in solitude, and it is the second aspect according to the Shafi'is (38), and it is the correct one according to the Maliki school of thought (39), and a narration according to the Hanbalis (40), and the Imami Shiites (41).

And their argument:

It is reasonable:

1. It is not obligatory for him to conceal it from the wife and the concubine, and their situation is not limited to the state of being alone (42).

2. The prohibition of unveiling is for looking, and there is no one in seclusion to look, so it is not obligatory to cover (43).

Weighting:

After mentioning the two schools and their evidence, it appears that the first saying is the most correct, due to the strength of the evidence, and the fact that covering the private parts is one of the Islamic etiquette.

The second requirement: the ruling on one who finds nothing but what covers one of his

slaves, which of them is more deserving of concealment.

Imam Al-Omrani said: "And if he finds nothing but what conceals one of them.. then there are two aspects to it: one of them: that the anus is preferable, because it is obscene in the state of bowing and prostrating, and the second: that kissing is more appropriate, and it is stipulated, because it is not covered by anything else, and the anus is covered by the buttocks, and because it is facing the qiblah." (44)

There is a difference of opinion among scholars regarding this matter:

The first saying: Covering the anus is more important than the anus, and it is a saying according to the Hanafis, and it is a view according to the Shafi'is, and a narration according to the Hanbalis and the Dhahiriyyah (45).

And their argument:

Because it is obscene when bowing and prostrating (46).

The second saying: It is better to cover the kisses, and it is a saying according to the Hanafis, and to it the Malikis went, and it is a view according to the Shafi'is, and a narration according to the Hanbalis, and it is the doctrine of the Imamis (47).

And their argument:

1. Because the kiss is used to face the qiblah (48).

2. The kiss is not covered by anything other than the anus that is covered by the buttocks (49).

Weighting:

After mentioning the two sayings and the evidence that shows that the worshiper has the choice between covering him for the kiss or the anus, and it may differ according to the gender, so the man's anus is more appropriate, and the woman's kiss is more appropriate, because they are more obscene than others. God only knows.

The third requirement: the extent of the nakedness of the hermaphrodite during prayer and its ruling:

Imam Al-Omrani said: "As for the problematic hermaphrodite: If he was thin, and we said: The nakedness of the female slave is between the navel and the knee, that was the nakedness of the female. And he prayed.. So is he obligated to repeat? There are two sides: one: the judge did not mention: other than him, that he is not obligated to repeat it, because it is permissible for him to be a man, and the second: he is obligated to repeat it, because his obligation has been preoccupied with the imposition of the prayer, and he doubts that it will be waived, and the principle is that it remains in his responsibility. (50).

The hermaphrodite is divided into two types, the problematic hermaphrodite, which is the one in whom the signs of masculinity or femininity are not evident, and he does not know that he is a man or a woman, or the signs conflict in him, and the non-problematic one is he who is more prominent than the other (51). There are two opinions regarding prayer:

The first saying: The nakedness of the hermaphrodite who is a problem during prayer is like the nakedness of a woman.

And their argument:

1. We obligated that to be a precaution. Because everything that is forbidden to a woman is forbidden to a man without the other way around (53).
2. Because his obligation has preoccupied himself with the imposition of prayer, and he doubts that it will be waived, and the principle is that it remains in his responsibility (54).

The second saying: The awrah of the shemale who is a problem during prayer is like the awrah of the man, and it is a facet according to the Shafi'is, and to him the Hanbalis and the Imami Shiites (55).

And their argument:

1. If covering what exceeds a man's private parts is possible, then it is not obligatory for him to do something that is likely and hesitant (56)

Weighting:

After mentioning the two sayings and their evidence, it appears that the first saying is the most correct, because the basic acts of worship involve precaution against falsehood, and this is achieved in the first saying, not the second, and God knows best.

The fourth requirement: the ruling on covering the private parts with mud for those who cannot find anything else:

Imam Al-Omrani said: "And if he finds nothing but pure clay... is he obligated to cover himself with it?" There are two aspects to it? [One of them]: Abu Ishaq said: He is not required to cover himself with it, because he pollutes himself with it, and because it dries and scatters from him, and the second: He is obliged to conceal it with it.

The scholars are unanimously agreed that covering the private parts is obligatory in general for human beings, and in prayer it is even more obligatory (58), but they differed regarding the one who did not find a cover for his private parts in prayer except clay, so should he be covered with it first, according to two sayings:

The first saying: If someone does not find a covering for his private parts during prayer other than pure clay, he must cover himself with it. This is the Hanafi school of thought, and a saying of the Malikis, and a point according to the Shafi'i, and a version according to the Hanbalis (59).

And their argument:

of the year:

1. On the authority of Abu Hurairah, may God be pleased with him, he said: The Prophet, may God's prayers and peace be upon him, said: "Whatever I commanded you to do, do as much of it as you can" (60).

The point of evidence: If there is no water, and there is mud in the ground, does he paint himself with mud in order to cover his private parts, and this is possible and possible for him (61).

It is reasonable:

1. Because it is a pure sutrah, so it resembles a garment (62).

The second saying: He does not have to cover himself with it, rather he prays naked, which is the most correct view according to the Malikis, and a version according to the Hanbalis, and to him the Imami Shiites went (63).

And their argument:

1. Because it is likely to fall and the offense is enlarged, so it is like non-existence (64).

2. He does not deviate from the authenticity of the naked person with clay or henna and the like (65).

3. That if the coating with mud and the like is one of the evidences of covering that is considered during prayer, then it is necessary to download the extensive reports contained in how the naked person prays on the rare assumption, since it is most likely that he can obtain what is coated on his private parts of mud and the like, even if he mixes a bit of dirt in the surplus of his purification (66).

Weighting:

After mentioning the two sayings with the evidence, it appears that the first saying is the most correct, because what does not catch all of it does not leave its bulk, and because of the ugliness of the awrah, it covers it as much as possible, even if the covering is a concealment of its color, and God Almighty knows best.

The fifth requirement: the ruling on praying naked in groups and individually, which is better:

Imam Al-Omrani said: "Do men pray in congregation, or individually? Al-Shafi'i said in the new: If they wish.. pray in congregation, and if they wish.. pray individually. .

The scholars agreed on the correctness of the prayer of the naked person who does not find anything to cover his private parts, individually or in congregation. Because he is unable to stipulate the condition of covering the private parts, but they differed as to which is better for him to pray in congregation if they are sighted so that one can see each other, and they are not in darkness so that one can see the

other, and they are not women; Because their imam stands in the middle of them, or the prayer alone, on three sayings:

The first saying: The prayer of the naked in congregation or individually in the ruling is the same, and it is correct according to the Shaafa'is (67).

And their argument:

1. It is in the congregation that one realizes its virtue and misses the virtue of the Sunnah of standing, and in the individual one realizes the virtue of standing and misses the virtue of the congregation, so they settled (68).

The second saying: If the naked meet in such a way that some of them see each other, they pray individually and distance themselves from each other, and it is the doctrine of the Hanafis and the Malikis, and it is the old saying of Al-Shafi'i, and it was said by Imam Al-Awza'i (69). (70)

And their argument:

It is reasonable:

1. So that each other's eyes don't fall on each other's private parts, so we said distancing; Because concealment is achieved by it (71).

And I objected to him: that lowering the gaze occurs by being in one line, covering each other (72).

2. Advancement is obligatory for the imam due to the perseverance of the Prophet - may God's prayers and peace be upon him - on him, and the naked ones are mediated by their imam and he does not advance on them, and abandoning the obligation is necessary for the hatred of the prohibition that necessitates sin (73).

3. If the imam precedes them and commands the people to lower their gaze, they do not

escape falling into evil either, because they can rarely lower their gaze in a way that does not fall on the imam's private parts, although lowering their gaze during prayer is also disliked, as it is commanded to look in each case to a specific place to be The sight is lucky from a

The disease of these acts of worship is like the rest of the members and limbs, and in lowering the gaze, this is missed, which indicates that he does not reach the achievement of the congregation except by committing an abominable matter, so the congregation falls away from them (74).

And I object to the two evidences: that the congregation does not fall for missing the year in the situation, as if they were in distress, and one of them could not be presented (75).

4. Leaving the congregation is the first precaution for private parts (76).

5. The congregation is a virtue, and abandoning looking is a duty, so the duty was given priority over virtue (77).

The third saying: It is Sunnah to pray in congregation for the naked, with their imam in the middle, and there is no need for them to repeat it.

And their argument:

of the year:

On the authority of Abu Hurairah, he said: The Messenger of God, may God's prayers and peace be upon him, said: "The congregational prayer is equivalent to twenty-five individual prayers." »(80).

The point of evidence: that the hadith is general in every worshiper, and the congregation does not fall due to the impossibility of its cause in the situation, as if

they were in a narrow place that their imam could not precede them (81).

From the effects:

On the authority of Ibn Omar that a people broke their boat, so they went out naked.

It is reasonable:

1. The congregation has been prescribed for naked women, although covering in their case is more important, and the congregation in their case is lighter, so it is more appropriate for men (83).
2. They were able to join the congregation without excuse, more like the concealed ones (84).
3. The congregation is legitimate in fear with what it contains of a lot of work and separation from the imam and so on, so if it is prescribed here, it is first and each one of them is commanded to lower his gaze (85).

Weighting:

After mentioning the three sayings and their evidence, and discussing them, it seems that the most correct view is what the first opinion went to in the fact that the naked people have the choice between congregational and individual prayer, because the evidence is contradictory, combining them in the first saying, and acting on all the evidence is better than invalidating one of them, and God Almighty knows best.

Conclusion

After this interesting journey with the book (The Statement in the Doctrine of Imam Al-Shafi'i by its author, Imam Abi Al-Hussein Yahya bin Abi Al-Khair bin Salem Al-Amrani Al-Yamani Al-Shafi'i (deceased: 558 AH), in the jurisprudential issues that were mentioned in two aspects of the Shafi'i

in his book Al-Bayan, in the condition of covering the private parts, I see It is necessary to record the results that I came out with, as follows:

1. That Imam Al-Omrani was one of the greatest Shafi'i scholars, and his sayings and deductions were a matter of appreciation and interest among the Shafi'i scholars who were his contemporaries and those who came after him.
2. That Imam Al-Omrani has saturated in his book the investigations of jurisprudential issues, and among these issues there are two aspects of the Shafi'i, he mentioned them, and explained the evidence for each of the two aspects.
3. In his evidence, he relied on the Book, the Sunnah, and the consensus with analogy, and he mentioned the evidence from the Book without attributing the verses to their chapters, and he also mentioned the hadith with the meaning, without attributing it to its sources.
4. He mentions the two aspects with the mention of those among the Shafi'i scholars who said them, which indicates his extensive knowledge of the Shafi'i books, and when he mentions the two aspects, he does not mention those who disagree with them or agree with them from the rest of the Islamic schools of thought, but is limited to the Shafi'i school of thought only.

Margins

- (1) Look: The Doctrine Contract in the Layers of the Doctrine Campaign, Ibn Al-Mulqin Siraj Al-Din Abu Hafs Omar Bin Ali Bin Ahmed Al-Shafi'i Al-Masry (deceased: 804 AH), investigation: Ayman Nasr Al-Azhari - Sayed Mohani, Dar Al-Kutub Al-Ilmya, Beirut - Lebanon, Edition Al-Awli, 1417 A.H. - 1997 A.D.: 1/134.

- (2) See: Attribution to Places and Countries, Jamal al-Din Abdullah al-Tayyib bin Abdullah bin Ahmad in Makhruma al-Hamiri: 1/406.
- (3) Look: Tabaqat Al-Shafi'i Al-Kubra, Tajuddin Abd Al-Wahhab bin Taqi Al-Din Al-Subki (deceased: 771 AH), investigator: Dr. Mahmoud Mohammed Al-Tanahi d. Abd al-Fattah Muhammad al-Hilu, Hajar for printing, publishing and distribution, edition: second, 1413 AH: 1/212, the style of the flags of time in the layers of the notables of Yemen, Ali bin Al-Hussein Al-Khazraji (died 812 AH), investigation: Abdullah Muhammad Al-Habashi, and others, Dar Al-Kutub Al-Ilmiya, First edition, 2021: 4/46, Tabaqat al-Shafi'i, Abu Bakr bin Ahmad bin Muhammad bin Omar al-Asadi al-Shahbi al-Dimashqi, Taqi al-Din Ibn Qadi Shahba (deceased: 851 AH), investigator: Dr. Al-Hafiz Abdul-Aleem Khan, The World of Books - Beirut, Edition: First, 1407 AH: 1/327.
- (4) See: The ladder of access to the layers of stallions, Mustafa bin Abdullah the Ottoman Constantinople known as "Kateb Chalabi" and as "Haji Khalifa" (d. 1067 AH), investigator: Mahmoud Abdel Qader Al-Arnaout, IRCICA Library, Istanbul - Turkey, 2010 AD : 3/398.
- (5) Look: Tahdheeb al-Asmaa wa'l-Lughaat: 2/278, The Necklace of Sacrifice in the Deaths of Notables of the Age: 4/207, Tabaqat al-Khawass, People of Truth and Sincerity, Abu al-Abbas Ahmad ibn Ahmad ibn Abd al-Latif al-Sharji al-Zubaidi (T.: 893 AH), al-Dur al-Yamaniyah, Edition The first, 1406 AH-1986 AD: 1/363, Sources of Islamic Thought in Yemen, Abdullah Muhammad Al-Habashi, The Cultural Complex - Abu Dhabi, 1425 AH, 2004 AD: p. 173.
- (6) Consider: behavior in the layers of scholars and kings, Muhammad bin Yusuf bin Yaqoub, Abu Abdullah, Bahaa al-Din al-Jundi al-Yamani (deceased: 732 AH), investigation: Muhammad bin Ali bin al-Hussein al-Akwa al-Hawali, Al-Irshad Library - Sana'a - 1995 AD, Edition: The second: 1/291.
- (7) See: Layers of Jurisprudence of Yemen: 1/154.
- (8) Look: The Necklace of Sacrifice in the Deaths of Notables of Time, Abu Muhammad Al-Tayyib Bin Abdullah Bin Ahmed Bin Ali Bamakhrama, Al-Hijrani Al-Hadrami Al-Shafi'i (870 - 947 AH), Investigation: Bu Juma Makri / Khaled Zwari, Dar Al-Minhaj - Jeddah, Edition: First, 1428 AH - 2008 AD: 4/34.
- (9) See: behavior in the layers of scholars and kings: 1/294.
- (10) See: Tabaqat al-Shafi'iyyah al-Kubra: 7/115, Al-Alam, Khair al-Din bin Mahmoud bin Muhammad bin Ali bin Faris, al-Zarkali al-Dimashqi (deceased: 1396 AH), Dar al-Ilm Li'l Millions, Edition: Fifteenth - May / May 2002 AD: 3 /223.
- 1 (11) See: Tabaqat Saliha al-Yaman / known as Tarikh al-Buraihi, Abd al-Wahhab bin Abd al-Rahman al-Buraihi al-Sakski al-Yamani (deceased: 904 AH), investigator: Abdullah Muhammad al-Habashi, Al-Irshad Library - Sana'a: 1/219.
- (12) See: Suluk fi Tabaqat al-Ulama wa'l-Malik: 1/297, The Necklace of Sacrifice in the Deaths of Notables of the Age: 4/208.

- (13) See: *Tabaqat al-Yaman Jurisprudence*: 1/195.
- (14) See: *Literature of the Mufti and the Asker*, Othman bin Abdul Rahman, Abu Amr, Taqi al-Din known as Ibn al-Salah (deceased: 643 AH), investigator: Dr. Muwaffaq Abdullah Abdul Qadir, Library of Science and Governance - Al-Madinah Al-Munawwarah, Edition: Second - 1423 AH-2002 AD: 1/98.
- (15) See: *Layers of Jurists of Yemen*: 1/182.
- (16) *Tabaqat al-Shaafa'i al-Kubra*: 7/336.
- (17) *Tabaqat al-Shafi'is*, Abu al-Fida' Ismail bin Omar bin Katheer al-Qurashi al-Basri, then al-Dimashqi (deceased: 774 AH), investigation: Dr. Ahmed Omar Hashim, Dr. Muhammad Zainhum Muhammad Azab, Religious Culture Library, 1413 AH - 1993 AD: 1/654.
- (18) See: *Tabaqat Al-Shafi'i* - by Ibn Qadi Shahba: 1/327.
- (19) *Diwan al-Islam*, Shams al-Din Abu al-Ma'ali Muhammad bin Abd al-Rahman bin al-Ghazi (deceased: 1167 AH), investigator: Sayed Kasravi Hassan, Dar al-Kutub al-Ilmiyyah, Beirut - Lebanon, Edition: First, 1411 AH - 1990 AD: 3/323.
- (20) See: *Tabaqat al-Shafi'iyyah al-Subki*: 1/210, *Tabaqat al-Shafi'iyyah* by Ibn Qadi Shahba: 1/328, *Tabaqat al-Yaman Jurisprudence*: 1/177, *Lexicon of Authors*: 13/196, *Sources of Islamic Thought in Yemen*: p. 105.
- (21) See: *Mirat Al-Jinan*: 3/327, *The Necklace of Sacrifice in Fawayat Aayan Al-Dahr*: 4/207.
- (22) See: (23) See: *Layers of Jurisprudence of Yemen*: 1/182.
- (24) See: *The Dictionary of Authors*, Omar Reda Kahaleh, Al-Muthanna Bookshop - Beirut, Dar Revival of Arab Heritage, Beirut: 13/196,
- (25) *Tabaqat al-Shafi'i al-Kubra*: 7/337.
- (26) The statement in the doctrine of Imam Shafi'i: 2/115.
- (27) See: *Al-Kasb*, Abu Abdullah Muhammad bin Al-Hassan bin Farqad Al-Shaibani (deceased: 189 AH), investigator: Dr. Suhail Zakkar, Abd al-Hadi Harsouni - Damascus, Edition: First, 1400 AH: 1/77, *The Beginning of the Muftahid and the End of the Muqtadid*, Abu al-Walid Muhammad ibn Ahmad ibn Muhammad ibn Ahmad ibn Rushd al-Qurtubi, famously known as Ibn Rushd al-Hafid (deceased: 595 AH), Dar al-Hadith - Cairo 1425 AH - 2004 AD: 1/121, *Fath al-Bari Sharh Sahih al-Bukhari*, Zain al-Din Abd al-Rahman bin Ahmad bin Rajab bin al-Hasan, al-Salami, al-Baghdadi, then al-Dimashqi, al-Hanbali (deceased: 795 AH), investigation: Mahmoud bin Shaban bin Abd al-Maqsud, And others, Al-Ghuraba Archaeological Library - The Prophet's City, and the investigation office of Dar Al-Haramain - Cairo, Edition: First, 1417 AH - 1996 AD: 115/2.
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- (31) See: fairness in knowing the most correct from etc Love, Aladdin Abu Al-Hassan Ali bin Suleiman Al-Mirdawi Al-Dimashqi Al-Salhi Al-Hanbali (deceased: 885 AH), Dar Ihya Al-Turath Al-Arabi, Edition: Second: 1/315.
- 32 (32) See: Al-Muhalla bi-Athar: 2/240.
- (33) Sahih Muslim, Book of Menstruation, Chapter on Taking Care of the Awrah: 1/268, No.: 341.
- (34) See: Fayd al-Qadir, Sharh al-Jami' al-Saghir, Zain al-Din Muhammad, who is called Abd al-Ra'uf bin Taj al-Arifin bin Ali al-Manawi (deceased: 1031 AH), Dar al-Kutub al-Ilmiyyah, Beirut - Lebanon, first edition 1415 AH - 1994 AD: 3/433.
- (35) Sunan al-Tirmidhi, Muhammad bin Isa bin Surah bin Musa bin al-Dahhak, al-Tirmidhi, Abu Issa (deceased: 279 AH), investigator: Bashar Awwad Maarouf, Dar Al-Gharb Al-Islami - Beirut, 1998 AD, Book of Literature, Chapter on Preserving the Awrah : 4/394, No.: 2769. Al-Tirmidhi said: This is a good hadith.
- (36) See: Hashiyat al-Sindi on Sunan Ibn Majah = Sufficient need in explaining Sunan Ibn Majah, Muhammad bin Abd al-Hadi al-Tatawi, Abu al-Hasan, Nur al-Din al-Sindi (deceased: 1138 AH), Dar Al-Jil - Beirut, second edition: 1/593.
- (37) See: Radd Al-Muhtar Al-Durr Al-Mukhtar, Ibn Abdeen, Muhammad Amin bin Omar bin Abd al-Aziz Abdeen al-Dimashqi al-Hanafi (deceased: 1252 AH), Dar Al-Fikr - Beirut, Edition: Second, 1412 AH - 1992 AD: 1/404.
- (38) See: Al-Bayan fi Madhhab Al-Imam Al-Shafi'i: 2/115, Tuhfat Al-Muhtaaj: 2/110.
- (39) See: Hashiyat al-Adawi on explaining the sufficiency of the divine student, Abu al-Hasan, Ali bin Ahmad bin Makram al-Sa'idi al-Adawi (relative to Bani Uday, near Manfalout) (deceased: 1189 AH), investigator: Youssef Sheikh Muhammad al-Baq'a'i, Dar al-Fikr - Beirut 1414 AH - 1994 AD: 1/454.
- (40) See: Hashiyat al-Rawd al-Murabba', Sharh Zad al-Mustaqni', Abd al-Rahman bin Muhammad bin Qasim al-Asimi al-Hanbali al-Najdi (deceased: 1392 AH), Edition: First - 1397 AH: 1/492.
- (41) Look: The Shiites' Ways to Collect Sharia Issues, Muhammad bin Al-Hassan Al-Amili, investigation: Abd Al-Rahim Muhammad Al-Razi, Tehran, 1922 AD: 1/64.
- (42) See: Al-Hawi's book on jurisprudence on the doctrine of Imam Ahmad bin Hanbal, Abu Talib Abd al-Rahman bin Umar al-Basri al-Abduliani (T: 684 AH), study and investigation: Abdul Malik bin Abdullah bin Dahish: 1/226.
- (43) See: Al-Bayan fi Madhhab Al-Imam Al-Shafi'i: 2/115, Al-Majmoo' Al-Nawawi: 3/165.

- (44) The statement in the doctrine of Imam Shafi'i: 2/127.
- (45) See: Radd al-Muhtar ala al-Durr al-Mukhtar: 1/413, al-Hawi al-Kabir al-Mawardi: 2/175, al-Uddah Sharh al-Umdah: 1/70.
- (46) See: Al-Aziz Sharh Al-Wajeez known as Al-Sharh Al-Kabeer: 2/40.
- (47) See: Durar al-Hakam Sharh Gharar al-Ahkam: 1/58, Hashiyat al-Dasuqi on al-Sharh al-Kabeer: 1/ 221, Nihayat al-Muhtaj Sharh al-Minhaj: 2/11, Al-Kafi fi Fiqh al-Imam Ahmad: 1/229, Al-Kafi by al-Kulayni: 6/ 501.
- (48) See: Durar Al-Hakam Sharh Gharr Al-Ahkam: 1/58.
- (49) See: Al-Iddah Sharh Al-Umdah: 1/70.
- (50) The statement in the doctrine of Imam Shafi'i: 2/120.
- (51) See: Systematic jurisprudence on the doctrine of Imam Shafi'i: 5/127.
- (52) See: Hashiyat al-Dasuqi on al-Sharh al-Kabeer: 2/55, Hashiyat Ibn Abidin: 1/404, Mughni al-Muhtaj: 3/132.
- (53) See: Hashiyat al-Dasuqi on al-Sharh al-Kabeer: 2/55.
- (54) See: Al-Bayan fi Madhhab Al-Imam Al-Shafi'i: 2/120.
- (55) See: Al-Mughni by Ibn Qudamah: 1/433, 434, Tahrir al-Ahkam, by al-Hilli: 1/203.
- (56) See: Al-Mughni by Ibn Qudamah: 1/433.
- (57) The statement in the Shafi'i madhhab: 2/126.
- (58) See: Preface to the meanings and chains of transmission in Al-Muwatta': 6/376.
- (59) See: Durar al-Hakam Sharh Gharar al-Ahkam: 1/58, in the language of the traveler to the closest path: 1/284, Aiding the seekers to solve the words of Fath al-Mu'in: 1/135, Al-Furu' by Ibn Muflih: 1/328.
- (60) Sahih Muslim, Book of Hajj, Chapter: Obligating Hajj once in a lifetime: 2/975, No.: 1337.
- (61) See: Explanation of the Forty Nuclear: 30/2.
- (62) See: Al-Bayan fi Madhhab Al-Shafi'i: 2/126.
- (63) See: The language of the traveler to the nearest tract: 1/284, Al-Bayan in the Shafi'i madhhab: 2/126, Al-Insaf for Al-Marawi: 1/448, The Prayer Book for Al-Hairi: 1/67.
- (64) See: Luami Al-Durar fi Hattik Astar Al-Mukhtasar: 2/10.
- (65) See: The Prayer Book of Al-Hairi: 1/67.
- (66) See: previous source: 1/67.
- (67) See: Al-Umm, Al-Shafi'i Abu Abdullah Muhammad bin Idris bin Al-Abbas bin Othman bin Shafi' bin Abd Al-Muttalib bin Abd Manaf Al-Muttalib Al-Qurashi Al-Makki (deceased: 204 AH), Dar Al-Maarifa - Beirut, 1410 AH / 1990 AD: 1/111, missions in Explanation of Al-Rawdah and Al-Rafi'i: 3/171.
- (68) Consider: Al-Bayan in the doctrine of Imam Al-Shafi'i, Abu Al-Hussein Yahya bin Abi Al-Khair bin Salem Al-Omrani Al-Yamani Al-Shafi'i (deceased: 558 AH), investigator: Qasim Muhammad Al-Nouri, Dar Al-Minhaj - Jeddah, Edition: First, 1421 AH - 2000 AD: 2 / 130, Asna al-Matalib fi Sharh Rawd al-Talib: 1/177.

- (69) Abd al-Rahman bin Amr bin Yahmed, Abu Amr al-Awza'i, born in the year (88 AH), the Sheikh of Islam, and the scholar of the people of the Levant. See: Siyar A'lam Al-Nubala', No. (48), 7/107, and Al-A'lam by Al-Zarkali, 3/320.
- (70) See: Al-Inaya Sharh Al-Hidaya: 1/352, Al-Mudawana, Malik bin Anas bin Malik bin Amer Al-Asbahi Al-Madani (deceased: 179 AH), Dar Al-Kutub Al-Alami, Edition: First, 1415 AH - 1994 AD: 1/186, Al-Majmoo' Sharh Al-Muhadhdhab: 3/186.
- (71) See: Al-Mabsoot by Al-Sarkhasi: 1/342.
- (72) See: Al-Mughni by Ibn Qudamah: 1/128.
- (73) See: Al-Bahr Al-Ra'iq Sharh Kanz Al-Daqa'iq: 1/372.
- (74) See: Bada'i al-Sana'i fi Tartib al-Sharia'i: 1/141.
- (75) See: Al-Sharh Al-Kabeer on Matn Al-Muqni': 1/468.
- (76) See: Al-Waseet fi Al-Madhdhab, Abu Hamid Muhammad bin Muhammad Al-Ghazali Al-Tusi (deceased: 505 AH), investigator: Ahmed Mahmoud Ibrahim, Muhammad Muhammad Tamer, Dar Al-Salam - Cairo, Edition: First, 1417 AH: 2/176.
- (77) See: Al-Bayan fi Madhdhab Al-Imam Al-Shafi'i: 2/131.
- (78) Qatada bin Da'ama, Abu Khattab Al-Sadusi, Al-Basri, born in the year (60 AH), Al-Dhahabi said about him: Hafiz Al-Asr, the role model of the interpreters and the hadith scholars, and Ibn Hajar said: He is trustworthy
- It is proven, he died in the middle of the year (117 AH or 118 AH). See: Sir A'lam al-Nubala': 5/269, and Taqreeb at-Tahdheeb: 1/453.
- (79) See: Al-Hawi Al-Kabir Al-Mawardi: 2/407, Supervision of the Scholars' Doctrines, Abu Bakr Muhammad bin Ibrahim bin Al-Mundhir Al-Nisaburi (deceased: 319 AH), investigator: Sagheer Ahmed Al-Ansari Abu Hammad, Makkah Cultural Library, Ras Al-Khaimah - United Arab Emirates Edition: First, 1425 AH - 2004 AD: 2/241, Issues of Imam Ahmed bin Hanbal and Ishaq bin Rahawayh, Ishaq bin Mansour bin Bahram, Abu Yaqoub Al-Marwazi, known as Al-Kusaj (deceased: 251 AH), Deanship of Scientific Research, Islamic University of Madinah, Kingdom of Saudi Arabia, Edition: First, 1425 AH - 2002 AD: 2/465, Al-Mahalla Al-Athar by Ibn Hazm: 2/ 255, The Torrential Torrent Flowing Over the Gardens of Flowers, Muhammad bin Ali bin Muhammad bin Abdullah Al-Shawkani Al-Yemeni (deceased: 1250 AH), Dar Ibn Packs, first edition: 1/164.
- (80) Sahih Muslim, Book of Mosques and Places of Prayer, Chapter on the Virtue of Congregational Prayer, and Explanation of Strenuousness in Neglecting It: 1/450, No.: 649.
- (81) See: Al-Mughni by Ibn Qudamah: 1/128.
- (82) See: Al-Mubdi' fi Sharh Al-Muqni', Ibrahim Bin Muhammad Bin Abdullah Bin Muhammad Bin Muflih, Abu Ishaq, Burhan Al-Din (deceased: 884 AH), Dar Al-Kutub Al-Ilmiya, Beirut - Lebanon, Edition: First, 1418 AH - 1997 AD: 1/328.
- (83) See: Al-Mughni by Ibn Qudamah: 1/128.

- (84) See: Al-Sharh Al-Kabeer on Matn Al-Muqni': 1/468.
- (85) See: Al-Mubdi' fi Sharh Al-Muqni': 1/329.