

چکیده انگلیسی مقالات



Analysis of the Principle of Validity/sehhat/ and its Relationship with Some Other Rules in Islamic Jurisprudence

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Abstract:

The subject of this research is the examination of the principle of validity /sehhat/ and its relationship with some other rules. The general objective of this study is to familiarize with the concept, documentation, similar laws, and applications of the principle of validity. The principle of validity has similarities with some other rules such as the principle of /farAq/*, and legal/subjective authorization of previous state /~esteshAb/.

Examples of the applications of the principle of validity in jurisprudence have been investigated: unauthorized sale with doubt in the consent of the owner, bequest to a common thing between halal and haram, intentional titles such as prayer on a deceased person, and unintentional titles such as purification of clothes are examples of applications of the principle of validity in jurisprudence.

This research is one of descriptive-analytical studies and its data collection method is library-based. Dealing with this principle makes jurisprudence more practical in life and helps solve some existing problems and prevent disruption in the system. Various jurisprudential books have been used in this research and an attempt has been made to examine various aspects of this principle.

Keywords: Principle of Validity/sehhat/, Jurisprudential Rules, ~esteshAb, Principle of /farAq/, obligatory concept, Situational Concept



"Revisiting the Principle of Dominance* / Saltanat/ in Islamic Jurisprudence"

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Abstract: The subject of this research is "Revisiting the Principle of Dominance* /Saltanat/ in Islamic Jurisprudence". This principle is one of the most famous and foundational rules in Islamic jurisprudence, establishing the pillars of ownership. Due to the special position of property and ownership in human daily life, it holds particular importance among legal topics. The general aim of this research is to familiarize with the concepts, evidence, and applications of the principle of dominance.

The principle of dominance is related to several other principles, such as the rules of no harm/Aazarar/, the negation of hardship/nafy~e haraj/, and dis sovereignty/nafy~e sabil/. Various jurisprudential and foundational books have been utilized in this research to examine different aspects of this principle. This research falls under descriptive-analytical studies, with the data collection method being library-based. It seems that studying and explaining the principle of dominance has the most practical application in areas such as khums, zakat, leasing, mortgage, sale, pilgrimage/hajj/, endowment, gift-giving, etc.

*absolute legal power of the owner to exercise dominion or control over property

Keywords: Principle of Dominance, property, ownership, right to ownership, exercise of property rights.



Analysis of the Principle of Dis sovereignty/nafy~e sabil/and its Application in Economic Relations

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Abstract:

The principle of dis sovereignty/nafy~e sabil/ is an important rule in Islamic jurisprudence that has been established by scholars based on Quranic verses, hadiths, consensus, and reasoning. This principle serves as a basis for deriving Islamic legal rulings in many cases. According to this principle, any relationship, including contracts and transactions, that may lead non-Muslims to dominate or have superiority over Muslims is not valid.

This principle can be applied in various dimensions such as political, economic, social, and jurisprudential issues. In the current era where foreign powers and colonialism have cast shadows over Muslims and their lands in various forms, adhering to this principle is one of the best ways to escape from this humiliating situation.

The most important application of this principle lies in the realm of Islamic political and economic issues. By following this principle and heeding the recommendations for a resistance economy emphasized by the Supreme Leader, implementing it correctly can help save the country from dependence on foreigners. This article aims to describe one of the most effective ways to break free from foreign domination and achieve independence from non-Muslims using a descriptive and analytical approach based on jurisprudential sources. Based on this, the significance of the principle of dis sovereignty/nafy~e sabil/, foundations, arguments, implications, prerequisites, consequences and results have been explained.

Keywords: Jurisprudential rule, The principle of dis sovereignty/nafy~e sabil/, economic relations



The Scope of the Principle of Tolerance in the Evidence of Sunnah and its Application in Imami Jurisprudence

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Abstract: The principle of tolerance in the evidence of Sunnah is one of the rules that has been used in Imami jurisprudence for some recommended/mustahab/ and disliked/makruh/ rulings. It is undeniable that a significant portion of Islamic etiquette, values, and traditions are found in the sayings and traditions of the infallibles, while some of these traditions lack fundamental conditions of validity (such as the justice of the narrator or accuracy in transmission and chain of narration). Therefore, a central question arises as to whether it is permissible to accept such traditions with overlooking and leniency regarding their authenticity and with hope for reward.

There are proponents and opponents regarding the acceptance of this principle. This research aims to provide a correct understanding of this principle and explore its important applications in Imami jurisprudence. After clarifying the topic, various arguments from supporters and opponents are examined, followed by an analysis of the scope of this principle and its application in Imami jurisprudence.

Keywords: Evidence of Sunnah, Imami Jurisprudence, The received traditions/akhbAr ma~n balaq/



An Examination of the Principle of Grace in Islamic Theology

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Abstract:

The subject of this article is the examination of the principle of grace in Islamic theology. The general objective of this research is to familiarize readers with the concept, sources, types, and functions of this principle. One of the most well-known divisions of grace is into the 'Favorite of God Grace' and 'Gained Grace'. Gained grace is when a person benefits from grace and it leads them to fulfill their obligations, while Favorite of God grace is when grace only brings the person closer to obedience. The wisdom of God, divine generosity and kindness, the justice of God, human need for scientific and practical guidance, among others, are reasons for relying on grace. Some numerous verses and narrations refer to this principle.

The principle of grace serves multiple functions, with its most important ones being its application in proving prophethood, Imamat, the occultation of Imam Mahdi, guardianship (Wilayat) of the jurist, and infallibility. By examining various aspects of this principle, it can be concluded that religious obligations, prophethood and infallibility of prophets, promises and threats, evils and the occultation of Imam Mahdi are all acts of grace from God that guide humans towards perfection and eternal happiness.

Keywords: Grace, Principle of Grace, the Favorite of God Grace, Gained Grace, Prophethood, Imamat



The Principle of Action/IqdAm/ in Islamic Jurisprudence and Law

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Abstract: This article examines the principle of action in Islamic jurisprudence and law. In Iranian jurisprudence and law, this principle is considered one of the grounds for exemption from civil liability. According to the principle of action, if a person intentionally causes harm to themselves, the perpetrator of the damage is not liable for the damage caused. The principle of action is related to other legal principles such as the principle of liability of unlawful possession/Zemân Yad/, the principle of consent of the injured person, the principle of no harm, the principle of waste/~etlAf/, and the principle of causation/tasbib/. Similar laws exist in foreign legal systems such as Roman law, common law, and French law.

The application of the principle of action is examined in both civil and criminal matters. Examples include unauthorized sale, usurpation, lease agreements, abandonment/~a~rAz/, limited partnership/mudaraba/, debt repayment, and deposit/Wadi'ah/ in civil matters. In criminal matters, if a person causes harm to themselves or puts their property at risk through theft or fraud, they cannot be held criminally responsible under the principle of action due to their fault.

Keywords: Principle of Action/IqdAm/, Islamic Legal Principles, Civil Liability, Guarantee/Diman/, Harm

