

Inter-studies between jurisprudence and other sciences Commonalities; addition; influence

Amin Saleh Ghammaz¹, Meriem Attia Bouziane²

¹Assistant Professor of Fundamentals of Jurisprudence, King Khalid University, Abha, Saudi Arabia, aghamma@kku.edu.sa

²Assistant Professor of Fundamentals of Jurisprudence, King Khalid University, Abha, Saudi Arabia, mattia@kku.edu.sa

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Abstract

This study aims to demonstrate the impact of the science of the principles of jurisprudence as a method on the rest of the curricula of other Sharia sciences, as well as the places of participation and scientific additions in theses between the science of the principles of jurisprudence and other sciences, such as the sciences of interpretation, the sciences of the Noble Qur'an, the science of Hadith, and the science of jurisprudence in addition to the sciences of grammar and sciences of the Arabic language. The study included a statement of what is meant by the influence of the approach jurisprudence principles on other curricula and the importance of studying these additions and the controls that must be available in order to consider the impact and scientific additions, and a general extrapolation of the scientific theses in Saudi universities that dealt with the subject of inter-studies between the science of the principles of jurisprudence and other sciences, and a statement of the places of participation and influence. In the end, the study reached an explanation of the face of integration and the connection between the science of the principles of jurisprudence and the sciences of Islamic law, the Arabic language and logic, and how the science of the principles of jurisprudence as a general approach to reading affected all these curricula.

Keywords: scientific additions, interdisciplinary studies, the science of jurisprudence, the influence of the jurisprudence approach.

Introduction

Praise be to God, we praise Him, we seek forgiveness, and we seek refuge in God from the evils of ourselves and the evils of our deeds and whoever leads astray has no guide for him, and I bear witness that there is no god but Allah, alone with no partner, and I bear witness that Muhammad is His servant and His Messenger - may the blessings and peace of Allah be upon him. Next:

The science of the principles of jurisprudence is for the sake of the sciences and the most honorable of them because it is the science that is concerned with how to derive legal rulings. The process is one of its detailed pieces of evidence, in addition to the fact that this science is considered a guide to the process of correct deduction and a process diligence to keep pace with the needs of society and to give the Shari'a ruling to calamities and developments», thus emphasizing the validity of the Sharia for every time and place. We have noticed the nature of the fundamentalist approach, which possessed influential tools in the pattern of reading legal discourses, as it provided many of the legal science curricula with reading tools that control the comprehension process.

Research problem

This study attempts to answer the following main questions:

- What is meant by the impact of the methodology of the science of jurisprudence on other curricula of the legal sciences?
- What are the limits of sharing between the science of jurisprudence and other legal sciences?
- What are the most important scientific additions in interdisciplinary studies between the science of jurisprudence and other sciences?

Research Importance

The importance of this study lies in the statement of the aspects of complementarity and the connection between the science of the principles of jurisprudence and other sciences »and the statement of the most important scientific additions in these letters. As well as the impact of the fundamentalist curriculum on other curricula

Reasons for choosing the research topic:

Perhaps one of the most important reasons that prompted us to choose the subject of the influence of the fundamentalist approach on other approaches and inter-studies is the absence of an independent study - as far as we know - that included an indication of the limits of participation, influence and addition between the science of the principles of jurisprudence and other sciences.

In addition to trying to help postgraduate students and researchers by presenting the results of interpolation studies between the science of origins and other sciences.

Research aims:

- Statement of the impact of the methodology of the principles of jurisprudence on other sciences
 - Explain the concept of scientific additions.
 - Statement of the most important scientific additions in inter-studies between the science of origins and other sciences.

Research methodology:

This study relies on the following approaches:

The descriptive approach: It is represented in the first topic when talking about the definition of scientific additions, their importance, and the criteria for their consideration, as well as the impact of the methodology of the science of jurisprudence on other approaches.

The inductive method: It is represented in the second topic when talking about the most important scientific additions in interdisciplinary studies between the science of jurisprudence and other sciences.

Research Plan:

The nature of the study required that it be divided into an introduction, two chapters, and a conclusion, as follows:

Introduction: In it, we explained the problem of research, its importance, its objectives, the reasons for choosing the research topic, the previous studies, the research methodology, and its plan.

The first chapter: the definition of the introductions of the study

The first section: the concept of inter-studies.

The second section: the concept of scientific additions.

The second chapter: the centers of the methodological influence of the science of jurisprudence on the legal sciences and the places of scientific addition

The first section: Fundamentals of jurisprudence and the science of interpretation: supplying reading tools.

The second section: benefiting the science of hadith from weighting methods and fundamentalist reasoning.

The third section: the fundamentalist approach between the investigations of grammar and the investigations of language: derivation and addition

The fourth section: between jurisprudence and the science of jurisprudence, the relationship of the branch's lack of its origin

The fifth section: The science of the principles of jurisprudence provides the science of logic with the rules of consideration developed for rational knowledge.

Then came the conclusion and showed the most important results and recommendations.

At the end of the introduction to this research, we ask God - the Almighty - to make this work purely for His honorable face and in the service of His glorious law and may God's blessings be upon our master Muhammad and his family and companions altogether.

The first chapter: the definition of the introductions of the study

The first section: the concept of intra-studies

Intra-studies are those studies that depend on more than one cognitive field, as the combination of disciplines aims to find deep solutions to scientific problems and to achieve knowledge integration.

If we stop at this concept, we will find the science of jurisprudence a science that has methodological privacy because it is one of the sciences of the machine who carries in his womb the tools that help and control the process of understanding texts and discourses. So, the science of the principles of jurisprudence derived its material represented in the fundamental rules from the language and its rules and logic, which made us aware of those methodological and semantic additions that the science of the principles of jurisprudence added in the linguistic field and other fields. So that the science of jurisprudence is a science that is able to generate different approaches that help each of the science of interpretation, language, hadith, logic and belief to use the fundamentalist tools in their ethnic field.

Do interdisciplinary studies with the science of jurisprudence raise the problem of the approach?

Perhaps the person wonders, does the relationship between the fundamentals of jurisprudence and the sciences (interpretation, language, hadith, logic, and jurisprudence) raise the problem of the approach and its conjunctions? Perhaps this problem appears between quantitative studies and qualitative studies. If a researcher conducts a study in which he mixes the quantitative method with the qualitative method, he may have to combine these two approaches to eventually obtain an unfamiliar approach. Perhaps the problem lies in the validity of the results.

The second section: the concept of scientific additions

The term scientific addition raises deep questions in the ethnic field and the research methods, so the researchers tried to link the concept of scientific addition to the research problem and its results.

The researchers also concluded that scholarly addition does not necessarily mean innovation, precedence, or creativity in the science of jurisprudence, but rather its concept is broader centered on defining the scientific void that the researcher seeks to cover, whether at the level of methodology or topic.

The second chapter: the centers of the methodological influence of the science of jurisprudence on the legal sciences and the places of scientific addition

The first section: Fundamentals of jurisprudence and the science of interpretation: supplying reading tools.

What is meant by the science of interpretation: the science that is concerned with explaining the meanings of the Noble Qur'an And the interrelationship between the science of the principles of jurisprudence and the science of interpretation appears clear, as the Noble Qur'an is considered the first source of legislation,

We have noticed that the science of the principles of jurisprudence produced an accurate approach to reading the discourse and took care of the accurate theorization of many explanatory topics represented in the topics of the abrogating and the abrogated, the arbitrator and the similar, the truth and the metaphor,

The apparent and the interpreted, the general and the clear, the general and the specific and the absolute and the restricted and the operative and the understood. Scholars have counted the participation of the two scholars in more than 109 issues, in which the science of origins has tried to put the interpretative constraints for the meanings of words because they relate to: the divine text in which it investigates the highest levels of accuracy in reading.

After extrapolating the scientific treatises recorded in the inter-studies between the science of the principles of jurisprudence and the sciences of interpretation, we noticed that there are a number of messages that tried to show the common issues between the two sciences, such as the treatise entitled Common Issues between the science of the principles of jurisprudence and the sciences of the Qur'an collectively, a study by the student Asma bint Hammoud Al-Khudairi under the supervision of Ahmed bin Abdullah Al-Duwaihi, Imam Muhammad bin Saud Islamic University,

We also noticed the existence of scientific treatises that dealt with many topics of the methods of eloquence, the most important of which is the student's thesis entitled "Explanation of the Book in the Sunnah – An Applied Fundamental Study on the Book of Borders" - Master's Thesis – Umm Al-Qura University - Ibrahim Abdullah Ibrahim Al-Ansari, supervised by Ahmed Fahmy Abu Sunna; In 1426 AH; He also did not ignore the registration of students in explaining the impact of fundamentalist rules

on the science of interpretation, and we have seen in this field a large number of recorded messages, the most prominent of which are:

- The impact of fundamentalist rules on the interpretation and deduction of rulings from the beginning of Surat Ibrahim to the eighth of Surat Al-Hijr - collection and study, Syed B Saeed, The Message of the Islamic University; Supervision of Ahmed bin Saeed Mohammed Al-Awaji in 1439 AH.
- The impact of fundamentalist rules on the interpretation and deduction of rulings from Surat Al-Kahf to the eight Surahs of Taha - collection and study; Radwan Allah Murtada, The Message of the Islamic University, supervised by Babiker Muhammad Haj Ahmad Al-Saeedawi, in 1439 AH.
- The impact of fundamentalist rules on interpretation and deduction of rulings from the beginning of Surat Al-Imran to verse (74 - (Collecting and Studying) Widraogo teaching the message of the Islamic University; supervised by Hatem bin Humaid Rashid Al Dhaheri »in 1439 AH.
- The students' attempt to deal with such scientific theses are scientific attempts that show the border areas and the partnership between the two sciences, and also try to focus on the most important investigations in which the two scholars participated, and how each science dealt with these issues and what are the additions that the science of jurisprudence achieved in the field of the science of interpretation.

The second section: Benefiting the science of hadith from weighting methods and fundamentalist reasoning.

The relationship of the science of the principles of jurisprudence with the science of hadith is highlighted in its provision of critical and scrutinizing tools for the body of hadiths and scrutiny of its causes and its extension with methods of repelling the contradiction that occurs during the reading of texts. The connection of the science of hadith with the science of fundamentals because of the involvement of issues between them and the benefit of the two scholars from the approaches imposed by the two scholars in investigation and scrutiny.

One of the most important messages that were recorded in this field, which confirms the accuracy of the approach of the hadith scholars in narration and know-how, while the science of jurisprudence benefited the approach of the hadith with the rules of reason that control the reference of understanding.

The two researchers chose some of the messages recorded in this field, which established common knowledge between the two scholars, the most prominent of which are:

- Weighting in the texts of conflicting news among fundamentalists and hadith scholars - a balanced inductive study » Jawaher Ali Al-Rashidi, PhD thesis, Qassim University, supervised by: Dr. Muhammad bin Ali Al-Yahya.

- Inferring the hadiths of the forty nuclear on the principles of jurisprudence, Iman Abdul Rahman Al-Bahadal, master's thesis, Qassim University, supervised by Abdulaziz bin Muhammad Al-Awaid.
- The ills stipulated in the Two Sahihs have their fundamental and jurisprudential impact, an inductive and original study. Bushra Muhammad Al-Baradi, Master Thesis, Qassim University, Supervised by: Abdulaziz bin Muhammad Al-Awaid.
- The concept of the act of the Prophet - may God bless him and grant him peace - Waleed Ibrahim Al-Khalifa, master's thesis, Qassim University, supervised by Badr bin Ibrahim Al-Mahwis.
- The ills stipulated in the four Sunnahs have their fundamental and jurisprudential impact, an inductive, original and applied study; Fida Sultan Al-Maghreq, a master's thesis registered and not discussed, Qassim University, supervised by: Badr bin Ibrahim Al-Mahwes.
- The news of the one and his pretext; Ahmed Mahmoud Abdel-Wahhab Al-Shanqeeti; Master's thesis, Umm Al-Qura University, supervised by: Ahmed Musa Abu Al-Hamda in 1397 AH.
- Copying the Book and the Sunnah by the Book and the Sunnah » Fatimah Siddiq Omar Nujoom, master's thesis, Umm Al-Qura University, supervised by: Ahmed Fahmy Abu Sunna; In 1400 AD
- The authority of the Sunnah in Islamic legislation, Mim Muhammad Abu Bakr Bawazir, master's thesis, Umm Hassan University, Muhammad Hussein Abdul Ghani, 1403 AH

The registration of students in such treatises titled as weighting and ills brings us back to the fundamentalists' curricula and methods in repelling the contradictions of the texts and the methods of the fundamentalist schools in repelling them. Modernists is a scientific tool invented by the fundamentalists to dispel the illusions of the contradictions of the texts, and they are thus trying to combine texts without wasting them according to a method of combination or weighting, and the modernists have benefited from the tools of the fundamentalists in that. As for the letters that were recorded, for example, in the news of the one, the authoritativeness of the Sunnah, and the copying of the book by the Sunnah, they are letters that try to define the common issues between the two scholars, since the authoritative Sunnah as a comprehensive evidence is one of the investigations of the science of origins and the issues of transcription and its impact on inference on rulings.

Likewise, delving into the issues of the news of a single person and his authority, all of them are from the common investigations, but the fundamentalists' handling of these issues and the depth of their scrutiny was broader and more than the scholars of hadith due to their connection to the meanings and the ruling.

The third section: the fundamentalist approach between topics and grammar and language topics: extraction

The jurisprudence of fundamentalists' keeping up with the stage of transformational complexity enabled them to adopt grammatical relations to reach the meaning, until they became more concerned with the sentence system than the transformationalists themselves.

Because the outcome of the grammatical research for grammarians is to stand on the integrity of the syntax, while the outcome of the grammatical research for the fundamentalists centered on semantics, which are more accurate and deeper investigations than just standing on the syntax movement.

By taking care of the texts and divisions of origin and branch and grammatical ills by comparison with fundamental ills, grammatical rulings, and evidence, and putting the ills of grammar along the lines of the ills of jurisprudence and its origins from hearing, analogy, consensus, and accommodating a case.

Grammarians were affected by the division of rulings like the divisions of the fundamentalists who divided the legal ruling into obligatory and forbidden, recommended and disliked, and permissible. They also divided the grammatical ruling into obligatory and forbidden, good and ugly.

We also found that they were influenced by the hadeeth scholars also in the ways of taking care of the chain of transmission and examining the narration.

This was expressed by Professor Saeed Al-Afghani (1997 AD); Pointing out the impact of the curricula of religious sciences on the curricula of grammar, he said: (The scholars of Arabic followed the path of the hadith scholars, in terms of caring for the chain of transmission, its narrators, editing them, modifying them, and methods of carrying the language; and they had their own linguistic texts.

As those had their religious texts, then they followed the example of the theologians in grafting towards them with philosophy and education, then the jurists finally imitated principles similar to the principles of jurisprudence in their positioning of grammar. And they spoke in diligence as the jurists spoke; And they had their style in building rules on hearing, analogy, and consensus, and this is a clear effect from the effects of religious sciences in the sciences of language, Saeed Al-Afghani, Damascus, 1964 AD, p. 104.

We have found many treatises that attempt to highlight the influence of the fundamentalist approach on grammatical issues, the most prominent of which is this treatise entitled The fundamentalist approach to studying grammatical issues. Muhammed Abu Bakr, the sound of the message of the Islamic University, supervised by Hamad bin Hamdi Salem Al-Sa'edi; In 1440 AD.

The students also did not neglect the registration in the letters related to the language investigations and highlighting the relationship of the science of the principles of jurisprudence in the Arabic language, such as this thesis titled the relationship of the science of the principles of jurisprudence with the sciences of the Arabic language. Master's thesis, Umm Al-Qura University, supervised by Mahmoud bin Hamed Othman, in 1436 AH. We also sensed the presence of letters that attempt to highlight the linguistic curricula and the extent to which they benefit from the Shari'a curricula in the event of conflicting meanings. Among the most prominent of these messages is the thesis entitled "Linguistic, Sharia and Customary Facts and the Conflict between a Master's Thesis," Umm Al-Qura University. Umm Al-Qura, supervised by Raed bin Khalaf Al-Osaimi, in the year 7 AH

The letters of the meanings and their impact on the difference of jurists, Hussein Mutawa Hussein Al-Tarturi, PhD thesis, Umm al-Qura University, supervised by Muhammad Ibrahim al-Khadrawi; In 1401 AH.

We noticed in the letters that dealt with the language investigations that they focused on the fundamentalist derivation from the linguistic investigations, because the determination of the rules of deduction is based on the words of the Arabs and mastery in them.

The aforementioned letters also tried to show the linguistic investigations that refer to the auditory evidence in terms of arriving at the elicitation of rulings. The principles of jurisprudence dealt with the linguistic investigations that fit its purpose of inference, which are the investigations that are concerned with evidence, such as speech in command and prohibition, the specific, the general, the common, the absolute, the restricted, the general, and the clear, as well as its clarity. We noticed that the students touched on identifying the commonalities between The two sciences and show the nature of the topics dealt with and the mechanisms of dealing between the two sciences, as well as highlighting the scientific additions that are unique to what is the science of jurisprudence over the language investigations.

For example, the letter that dealt with the letters of the meanings dealt with it in terms of its occurrence in the tongue of the Arabs and traced its meanings, so this is the linguistic aspect of it »as I dealt with it in terms of its occurrence in the tongue of the street in terms of proving its indication of the jurisprudential principles of request, justification and release. Here lies the additions of the principles of jurisprudence to this linguistic research

We conclude that the fundamentalist approach was characterized by sobriety and its ability to derive rulings and accuracy in the formulation of terminology.

The fourth section: between jurisprudence and the science of jurisprudence, the relationship of the branch's lack of its origin It is no

secret that the essence of the science of jurisprudence is based on knowledge of the rulings of the taxpayer for his daily actions, and that these rulings are based on foundations based on them in order to reach knowledge of the ruling. Thus, the function of this science is clear in its laying down of fundamentalist rules that show how to infer rulings from their detailed evidence. The two researchers recorded and selected some scientific treatises that showed the participation of the two scholars in grammar and evidence, which is a partnership that differs from the partnership with language and grammar, as we showed the pattern of participation with language in the nature of derivation.

The common rules between the principles of jurisprudence and the jurisprudential rules of the researcher Suleiman bin Salim Allah bin Rajaa Al-Rehaili, supervised by Omar bin Abdul Aziz, the Islamic University of Madinah.

The two researchers chose some other scientific theses registered in Saudi universities to highlight this relationship, which is the relationship of lack, as we noticed the presence of the science of jurisprudence and its necessary presence, to provide the science of jurisprudence with the rules that enable it to solve contemporary calamities and developments in the various fields of life.

Its total foundations of interest, intentions and semantics are capable of this permanent and uninterrupted presence in the life of the taxpayer and in the development of the legislative system. It is one of the additions that legislative systems that suffer from legislative voids and the inability to keep up and find solutions must benefit from. Among the most prominent of these messages:

The impact of fundamentalist rules in the provisions of electronic transactions by the researcher: Fahd bin Ahmed bin Abdul Latif Al-Mousa., PhD thesis, Department of Fundamentals of Jurisprudence, Islamic University of Madinah.

Jurisprudential Rules and Controls in the Judicial Provisions Group - Commercial Cases, by the researcher: Lynn bin Abdullah Al-Tuwaijri, a master's thesis, Department of Fundamentals of Jurisprudence, Imam Muhammad bin Saud Islamic University in Riyadh.

The methodology of extracting jurisprudential rulings for contemporary emergencies by the researcher: Misfer Ali Muhammad Al-Qahtan, which is a PhD thesis in the Department of Sharia at Umm Al-Qura University.

The fifth section: The science of the principles of jurisprudence provides the science of logic with the rules of consideration developed for rational knowledge.

There has been much talk about the relationship between the principles of jurisprudence and logic, and some of them called for a rupture between them, because logic calls for the evaluation of abstract mental thought,

and the fundamentals will not need it because the fundamentals are a science based on legal tools that have examined the methods of deduction, even described as the science of the logic of the law, a large part of fundamentalist rules deals with the text in terms of its mental requirements and the organization of relations between evidence and rules. Therefore, the science of jurisprudence appeared as a methodological science concerned with the evaluation of reference and the control of general laws of inference.(Al-Shuttery, 2019)

The independence of the science of fundamentals of jurisprudence with logical rules invested in consideration and developed for rational knowledge made many researchers in this field call to make the science of foundations of jurisprudence a part of the science of logic because many of the concepts, methods and rules of the fundamentalists are what enters the chapter of natural logic such as the types of indications and in the chapter of argumentative logic such as the types of objections. In addition to debate, analogy, and what is included in the section of demonstrative logic, such as the types of legal rulings (Taha, 1998)

One of the most important of these studies, which the researchers monitored in Saudi universities, is a treatise on the relationship of the science of jurisprudence with the science of logic. A historical and analytical study by researcher Wael Al-Harithi, supervised by Ibrahim Ali, Umm Al-Qura University

Conclusion

The science of jurisprudence sought in its relationship with the sciences to establish an accurate scientific methodology, generating reading tools that try to reach definitive or close to definitive results. And if interstitial studies appeared in the twenties of the last century as an epistemological activity trying to transcend specialization and move towards epistemological multiplicity to provide accurate scientific answers in the fields of knowledge based on the dimensions of overlap and participation, we find the science of jurisprudence was founded on intermediary beginning and developing its epistemological foundations centuries ago.

Results

- Intra-studies are a method imposed by human knowledge at the stations of the development of the vision towards reaching accurate results in the belief that one specialization is unable to reveal these facts.
- Because the pattern of its tools seeks to find a ruling for the behavior of the person charged, and if this person deals in reality with everything that is around him, the principles of jurisprudence will be the basis for all these sciences, providing them with the tools of deduction, analysis and weighting.

- The creativity of the fundamentalist approach made it an interactive, integrated, and developing approach to cognitive curricula, as it contributed to supplying science curricula with scientific, mental tools that always seek to reach certainty or the predominance of tonality, which are higher ranks in judging results.
- The influence of the science of jurisprudence on other legal sciences such as hadith, jurisprudence, the sciences of interpretation, the Qur'an, logic and grammar was evident at the level of methodology and subject matter.
- The information revolution is trying to bring man back towards encyclopedia and knowledge integration, and there is no way to achieve these goals except for inter-machine studies that are directed towards linking information in one communication channels that bring together different disciplines.

Bibliography

- 1- Ibn Uthaymeen, Explanation of the Principles of Interpretation, from the publications of the Sheikh Muhammad bin Saleh Al-Othaimeen Foundation.
- 2- Saeed Al-Afghani, in the origins of grammar; Edition of the Syrian University, Damascus, 1964
- 3- Al-Zanjani, Mahmoud bin Ahmed, Takhreej al-Furu' on the Fundamentals, Muhammad Adeeb Salih, Beirut, Al-Risala Foundation, 2nd edition, 1398
- 4- Mashari bin Saad Al-Shathri, Ghamrat Al-Usool: Tasks and Relationships in the Science of Usul Al-Fiqh, Al-Bayan Center for Research and Studies, first edition 2019.
- 5- Taha Abdel Rahman, The Tongue and the Balance, or Mental Growth, The Arab Cultural Center, first edition, 1998.