



Faculty Of Dar El-Ulom

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**Title of Thesis: Qualifying The absolute and its effect on argument in Fiqh as applied on Nine Books of Hadith**

**a fundamental and Jurisprudential study**

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Department: Islamic law

Approval:

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### ABSTRACT

I dealt with research entitled: "Qualifying The absolute and its effect on argument in Fiqh as applied on nine Books of Hadith a fundamental and Jurisprudential study".

My objective of this studying this subject is trying to relate between Islamic jurisprudence and its Principles through the Sunnah, this by showing the effect of Qualifying the absolute in jurists different in many branches of jurisprudence, as applied on nine Books of Hadith. And then the research consist of introduction, foreword, three sections, and conclusion.

in the **introduction**: I showed the importance of this topic, and previous studies, and the methodology of the study , and the research's plan. in the **foreword**: I defined the absolute and the limited in language and terminology, then showed the difference between the absolute and the public, and then illustrated the definition of Qualifying absolute, then illustrated cases of a combination between the absolute and the limited, and its conditions, and the multiplicity of opposing restrictions, and qualifying of absolute.

**The first section**: effect of qualifying the absolute on jurisprudence difference in worship, I dealt it in five chapters, as follows: **Chapter I**: effect of qualifying the absolute on jurisprudence difference in purity, came in five subjects:

[in the water- in impurities- in the ablution- in Wiping over shoes- in washing], **Chapter II**: effect of qualifying the absolute on jurisprudence difference in prayer, came in four subjects: [Description of Prayer- leading the prayers- Conditions of prayer- Description of eclipse prayer], **Chapter III**: effect of qualifying the absolute on jurisprudence difference in Zakat , came in three subjects: [zakat of camels and sheep- accelerate Zakat- Zakat al-Fitr], **Chapter IV**: effect of qualifying the absolute on jurisprudence difference in fasting , came in four subjects: proven crescent of Ramadan and Shawwal, Making up fasts , fasting is forbidden, Night of Revelation.

**Chapter V**: effect of qualifying the absolute on jurisprudence difference in the pilgrimage, came in three subjects: [Representation in Pillgrimage- a woman traveling for Pillgrimage- permissible in Ihram. **The second section**: effect of qualifying the absolute on jurisprudence difference in the transactions, I dealt it in two chapters: **Chapter I**: effect of qualifying the absolute on jurisprudence difference in financial transactions, came in seven subjects: [in sales- in usury- in exchange- in mortgaging- in the lease- in the preemption- in uncertainty. **Chapter II**: effect of qualifying the absolute on jurisprudence difference in family transactions, came in six subjects: [in the marriage- in infancy- in divorce- in the custody- in alimonies- sociability.

**The third section**: effect of qualifying the absolute on jurisprudence difference in penalties and the Criminals, I dealt it in two chapters: **Chapter I**: effect of qualifying the absolute on jurisprudence difference in penalties, came in three subjects: [in Punishment for wine- in Punishment for theft- in punishment for adultery.

**Chapter II**: effect of qualifying the absolute on jurisprudence difference in the Criminals, came in two subjects, it: [in Retaliation- in Blood Money].

**The conclusion** includes the most important findings and recommendations reached by the researcher, Of the most important results that qualifying the absolute have a significant effect in difference of jurists in many of the jurisprudential issues.

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**The summary not more than 500 words**