

# The Tricks Between the Two Immams, Al-Shatibi and Ibn Al-Qayim (A Comparative Jurisprudent Study)

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## Abstract

This research deals with the subject of the rule of Tricks, and Tricks, as defined by scholars: They are what was intended to achieve a goal that is forbidden by Sharia. In this research, we have explained the divisions of Tricks of Al-Shatibi, Ibn Al-Qayyim and other scholars. The researcher has come to the prohibition of the forbidden Tricks by which one leads to the forbidden, even if it appears to be a solution, this is due to its negative consequences and its opposition to the purpose of the legislation that came to reform people and ward off corruption from them.

**Keywords:** Tricks, Immams, Al-Shatibi, Ibn Al-Qayim

## Introduction

### The Importance of the Study

The research deals with an important topic related to Tricks, their types, and the Islamic ruling on them. It is known that the wise legislator has blocked the roads leading to all evils in every possible way, and the Tricks that we are going to talk about open these roads, it paves the way for attaining what God has forbidden, and they are pretexts to turn the legal rulings against what they were created for. For this reason, the forbidden Tricks are the ones that turn the permissible into the forbidden, and the forbidden into the permissible, through which usury, fornication, bribery, consuming people's rights, falling into taboos and nullifying duties are permitted. The Holy Sharia has warned against such Tricks and devilish ways, so he, peace and blessings be upon him, said: "God cursed the Jews, fat was forbidden to them, so they boiled it (melted it) and sold it"<sup>1</sup>. And he, may God's prayers and peace be upon him, said: "May God curse the briber and the bribed"<sup>2</sup>. And he, peace be upon him, said: "May God curse the eater of usury, the one who pays it, the one who writes it down, and the two who witness it"<sup>3</sup>. And he, peace and blessings of God be upon him, said: "Gabriel came to me and said: O Muhammad, God cursed the wine, the one who squeezed it, the one who squeezed it, the one who drank it, the one who carried it, and the one that was carried to him, and he pledged allegiance to it, its legs, and its drinkers"<sup>4</sup>. It is known here that the contemporary is the squeezing of grapes. And he, may God's prayers and peace be upon him, said: "May God curse the hyphenated woman, the woman who has tattooed her hair, the woman who has tattooed her hair, and the woman who has tattooed her body"<sup>5</sup>. And he linked between them and

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<sup>1</sup> Muslim bin Al-Hajjaj Al-Naysaburi, Sahih Muslim, (Beirut: Dar Al-Jeel and Dar Al-Afaaq Al-Jadeeda), 3rd Edition, C: 5, p: 41, Book of Mosques, chapter on the prohibition of selling alcohol and dead meat, Hadith No. (4134).

<sup>2</sup> Ahmed bin Hanbal, Musnad of Imam Ahmad, (Cairo: Cordoba Foundation), Musnad Abi Huraira, Hadith No. (9011), Part: 3, Pg: 541. Al-Arna'oot said: It is authentic for others, and this is a good chain of transmission.

<sup>3</sup> Muslim, Sahih Muslim, Part 5, p.: 50, Book of Houses, Chapter Cursing the one who eats usury and the one who pays it, Hadith No. (4176).

<sup>4</sup> Muhammad bin Abdullah al-Hakim al-Nisaburi, al-Mustadrak on the two Sahihs, and with him the comments of al-Dhahabi in the summary, achieved by Mustafa Abdul Qadir Ataa, (Beirut: Dar al-Kutub al-Ilmiyya, 1411 AH, 1990 AD), 3rd edition, vol: 2, p: 37, Book of Sales, Hadith No. (2234). Al-Hakim said: This is a sahih hadith with a chain of transmission, and the hadith of Abdullah bin Omar witnessed it, but they did not narrate it. Al-Dhahabi said in the summary: It is authentic.

<sup>5</sup> Muhammad bin Ismail al-Bukhari, The Sahih Mosque with the numbering of Fath al-Bari, (Cairo: Dar al-Shaab, 1987AD, 1407 AH), Part 7, p. 220, Book of Dress, Chapter of Wasl in Poetry, Hadith No. (5933).

the one who consumes usury and the one who pays it, and the one who permits it<sup>6</sup> in the hadith of Ibn Masoud, and that is because of the common destiny between these types. It is deception and deception, for the tattooed person shows what is not in her character, and the one who analyzes shows from desire what he does not have, and the one who eats usury makes it permissible by deception and deception, so it appears from the contract of sale that he does not have a reality, and that spoils the lineage. And God, Glorified and Exalted be He, has transformed those who made lawful His prohibitions with Tricks, monkeys and pigs, as a recompense for their kind of work, they distorted his law and changed it, so God transformed their faces and others from their creation, and God censured the people of deception and bad cunning, and made it clear that he deceived them, and that they only deceive themselves, and that no evil cunning is surrounded except by its people.

In summary, forbidden Tricks are satanic methods whose goal is to reach what God has forbidden, so a Muslim who believes in God should not adopt them to satisfy himself, and to find for them what justifies her reprehensible act by committing what God has forbidden. They came to the matter in person, and it was easier for me<sup>7</sup>. Ibn Abbas was asked about the sale of the sample, which is one of the usurious Tricks in the sale, and he said: God does not deceive this is what God and His Messenger have forbidden<sup>8</sup>.

And praise be to God, first and foremost, He clarified His law, making it like a white pilgrimage, its night like its day, and no one deviates from it except a perisher.

### **The Problem of the Study**

This study will attempt to answer the following questions:

1. What are the types of Tricks? And what is permissible from it and what is prohibited by the two Imams Al-Shatibi and Ibn Al-Qayyim?
2. What are the evidences for invalidating forbidden tricks from the Qur'an and Sunnah according to the two mentioned imams, and other scholars as well? And what is the evidence of the permissibility of Tricks?

### **The limits of the study**

This study will be limited to clarifying the two opinions of the two Imams Al-Shatibi and Ibn Al-Qayyim regarding tricks, and to indicate the extent of congruence and differences between them in this issue, with the statement of the viewpoint of other scholars in it.

### **Study literature**

Within the limits of my research and knowledge, I did not find a book or research that deals with this subject, except what was discussed by the two scholars Al-Shatibi and Ibn Al-Qayyim, and a book attributed to Imam Muhammad bin Al-Hassan, the owner of Abu Hanifa, but I did not succeed in obtaining it because it is not printed within the limits of my knowledge.

### **Research Methodology**

This research followed the inductive approach in explaining and discussing the opinions and evidence of the scholars, using brevity and clarity in the phrase, and the graduating of the noble verses and the honorable hadiths in an adequate way, with an indication of the degree of the hadith.

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<sup>6</sup> Ahmed bin Al-Hussein Al-Bayhaqi, Knowledge of Sunan and Antiquities, investigated by Abdul Muti Amin Qalaji, (Karatch + Aleppo + Damascus: Dar Al-A'a' University of Islamic Studies + Dar Al-Wa'i + Dar Qutaiba, 1991 AD, 1412 AH), I 1, C: 10, p. 180, Book of Shagar the chapter on marriage of the halal, Hadith No. (4472). And his text on the authority of Abdullah bin Masoud: "The Messenger of God, may God bless him and grant him peace, cursed the one who tattoos, the one who is tattooed, the hyphenated, the one who is connected, the one who is permitted, the one who is permitted, and the one who eats usury and the one who eats it."

<sup>7</sup> He popped this saying by Al-Bukhari in his Sahih and in relation to Ayyub, he said the chapter on what forbids deceit in sales, and Ayyub Al-Sakhtiani and his remembrance, part: 9, p.: 24. It was mentioned by Ibn al-Qayyim in Ighaath al-Lahfan from the traps of Satan, investigated by Muhammad Hamid al-Faqi, (Beirut: Dar al-Maarifa, 1975 AD, 1395 AH), 2nd ed., Part: 1, p.: 354.

<sup>8</sup> Ibn Qayyim al-Jawziyya, Tahdheeb Sunan Abi Dawood, (Madina: The Salafi Library, 1968 AD, 1388 AH), 2nd Edition, The Book of Riba, Part: 2, p.: 142.

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**The first requirement:** Defining the trick, linguistically and idiomatically.

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- **Second:** Sections of tricks according to Ibn Qayyim al-Jawziyya - may God have mercy on him -.
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**The sixth requirement:** the correct opinion.

## The first requirement

### Defining the trick, linguistically and idiomatically

#### Section one: Defining it linguistically<sup>9</sup>

Linguistically, the trick: Derived from transformation, from a state of transformation, and it is a specific type of action and action in which the doer is transformed from one state to another, it is customary to use it in the hidden ways, by which a man achieves his goal so that he does not realize it except with a kind of intelligence and acumen, this is more specific than their subject in the origin of language, and it is an absolute transformation from one condition to another, whether the intent is something permissible or forbidden, the trick here is what was intended to reach a goal that is forbidden by Sharia, rationality, or custom.

#### Section two: Defining it idiomatically:

Al-Shatibi - may God have mercy on him - defined deception idiomatically, so he said: It is deception in a way that is apparently legitimate or not justifiable to drop a ruling or turn it into another ruling, so that it does not fall or is not turned except with that medium, so you do it to reach that intended purpose with the knowledge that it is did not initiate him.<sup>10</sup>

It is noted on this definition that he knew deception by deception, and this is inaccurate, so it was necessary to replace this word with a word indicating its meaning, such as saying “to reach” or the like.

Ibn Qayyim al-Jawziyyah - may God have mercy on him - defined tricks by saying: “It is what is intended to achieve a goal that is forbidden by law, reason or custom”<sup>11</sup>.

For further explanation of the nature of tricks, Al-Shatibi - may God have mercy on him - explained by giving some examples, he said: “God Almighty has enjoined things and forbidden things, either absolutely without restriction or arrangement on a reason as He enjoined prayer, fasting, Hajj and the like. It prohibited adultery, usury, murder and the like, and it also enjoined things arranged on causes and prohibited other things as well, such as obligating zakat, penances, fulfilling vows, intercession for a partner, and prohibiting a divorced woman and benefiting from usurped property and the like. Until that duty is apparently not obligatory, or forbidden is apparently permissible as well.

<sup>9</sup> Muhammad bin Makram bin Manzur al-Masry, Lisan al-Arab, (Beirut: Dar Sader), i 1, part: 11, p.: 183 acting.

<sup>10</sup> Ibrahim bin Musa Al-Shatibi, Al-Muwafaqat, investigated by Abdullah Diraz, (Beirut: Dar Al-Maarifa, 1997 AD, 1417 AH), 10th edition, Part: 2, p.: 378.

<sup>11</sup> Ibn Qayyim al-Jawziyya, Flags of the Signers from the Lord of the Worlds, achieved by Abd al-Raouf Saad, (Beirut: Dar al-Jeel, 1973 AD), part: 3, p.: 240.

This reasoning is called “stunt” or “deception” and examples are given for that of someone who was covered during the month of Ramadan and traveled to eat or have intercourse, or had money that he was able to perform Hajj with and gave it to him or damaged it with some form of damage, so that he was not obligated to perform Hajj, and such as fleeing from the obligation of zakat by giving money Or destroying him, or separating his society, this is in the analysis of the forbidden and the dropping of the duty, and the same is also done in the prohibition of the lawful, such as the wife breast-feeding the daughter of the husband or the co-wife to be forbidden to her husband, or the establishment of a right that is not proven, such as the will to the heir in the form of acknowledgment of religion.

The conclusion, as he says, is that the trick is: “It refers to the reversal of the legally established rulings to other rulings by an apparent correct action of vain inwardness, whether the rulings are from the letter of assignment or from the speech of the placement<sup>12</sup>.

It can be said that deceptions are types, some of which are forbidden, and some of which are permissible, so the permissible is what does not include prohibition of the permissible, or the analysis of the forbidden or the change of a legal ruling, and the forbidden is what is contrary to that, which leads to a clash of legal texts and analysis of taboos.

## **The second requirement**

### **Sections of tricks**

#### **First: Categories of tricks according to Al-Shatibi - may God have mercy on him -<sup>13</sup>**

Al-Shatibi divided the tricks in the general and comprehensive sense of what is forbidden, and permitted them into three categories, which are:

1. There is no controversy in the invalidity of tricks hypocrites.
2. There is no disagreement about its permissibility, such as uttering the word disbelief when forced upon it, and this is authorized for a worldly interest that does not corrupt it in general, neither in this world nor in the hereafter, and this is unlike the first, it is not authorized in it because it corrupts the hereafter in absolute terms, and the interests and evils of the hereafter are given priority in consideration over worldly interests and evils by agreement. It is not correct to consider a worldly interest that prejudices the interests of the hereafter, so it is known that what prejudices the interests of the hereafter is not in accordance with the intention of the legislator, so it was invalid, and from here it came to disparage hypocrisy and its people what came.
3. And it is the subject of confusion and ambiguity, and in it the attention of the jurists was confused on the one hand that it did not appear with clear and definitive evidence that it adhered to the first or second section that were mentioned above, and it did not appear to the legislator in it a specific purpose that agreed that it was intended for him, and it also did not appear that it was contrary to the interest that was set for it in the Sharia, so it became This division is disputed, so whoever says that it is contrary to the interest prohibits it, and whoever says that it does not contradict it is permissible. Examples of this section are many, including: marriage of the permissible, and the sale of deadlines, and we will detail a summary of what he mentioned about the marriage of the permissible, and explain how the problem was.

He - may God have mercy on him - said in it: “It is tricked – meaning the marriage of the permissible – to the wife’s return to her first divorced, with a trick that apparently agrees with the words of God, the Blessed and Most High: It is as if her return to the first after divorcing the second in agreement with the texts of the legislator comprehending his purposes. Rather, it is the first thing that he receives from him to understand the legal purposes, and his saying, peace and blessings be upon him: “No, until you taste his honey and he tastes yours”<sup>14</sup>. Apparently, what is meant in the second marriage is the taste of the sweetness, and it happened in the muhallal, if the intent of deception was considered in the corruption of this marriage, it would have been clarified by him, peace and blessings be upon him, and because it is a trick does not prevent it. Otherwise, this is necessary for every trick, such as uttering the word *kufr* for compulsion, and everything else that falls under the

<sup>12</sup> Al-Shatby, Al-Muwafaqat, Part 3, p. 108.

<sup>13</sup> Al-Shatibi, Al-Muwafaqafaat, verified by Mashhour Hassan, (Dar Ibn Affan, 1997 AD), I 1, part: 3, p.: 124.

<sup>14</sup> Al-Bukhari, Sahih Al-Bukhari, Investigation of Al-Baghah, The Book of Divorce, Chapter: Who Permitted Divorce Three, Hadith No. (2639), Part 5, p: 2014.

oath that is permissible by agreement. If this is proven and it agrees with the reasonable, it indicates the validity of his agreement to the intent of the legislator. Likewise, if the party of interest is considered, then the interest of this marriage is apparent. Because he intended to reconcile between the spouses, as it was the cause of harmony between them in the correct manner; And because the marriage does not require the intent to stay forever; Because this is the restriction that the Shari'a rejects and for which divorce is legislated, and it is like the marriage of the Christians, and the scholars have permitted marriage with the intention of dissolving the oath, without intending to remain infallible, and they have permitted the marriage of a traveler in a town that has no intention other than to spend the time of stay in it, and so on.

Also, it is not necessary if the general rule is legislated for the benefit that the interest exists in each of its members in kind, as previously mentioned, as in the marriage of the solution of the oath, and the one who says: If you marry So-and-so, then she is divorced according to the opinion of the owner of them and in the marriage of the traveler and so on.

I say: These are some of the evidence for those who said that fraud is permissible in this matter, and other people have forbidden it and they have their evidence in that.

**Second: Categories of tricks according to Ibn Qayyim al-Jawziyya - may God have mercy on him<sup>15</sup>**

Ibn al-Qayyim's division of tricks did not differ from al-Shatibi's division - may God have mercy on him - which did not go into detail, unlike Ibn al-Qayyim who divided it into the five mandated rulings and mentioned among them the obligatory, desirable, makrooh, permissible and forbidden.

Ibn al-Qayyim, may God have mercy on him, says: And if tricks are divided as a language - that is, considering the general comprehensive meaning of what is permissible and what is forbidden from them - then it is divided into the five rulings, then directing the obligatory causes is a trick to the occurrence of their causes, so eating, drinking, wearing and traveling obligatory is a trick for what is intended, and legal contracts are obligatory. And all of its mustahabb and permissible is a trick to achieving what is intended, and the forbidden causes are all a trick to achieve their purposes from them... So the trick is divided into praiseworthy and blameworthy, so the forbidden tricks are blasphemy, and some are big, and some are small, and the non-prohibited ones are what are disliked, some are permissible, and some are desirable And among them is what is obligatory, so the trick with apostasy, on the annulment of the marriage is blasphemy, then it does not come except on the saying of those who say that the annulment should be expedited with apostasy. For when it is known that she apostasy, she will be killed, except according to the saying of those who say that the apostate should not be killed, rather the imam will imprison her until she becomes Muslim or dies, and the same applies to deceiving the apostasy from depriving the heir is kufr, and issuing a fatwa on it is blasphemy, it is not completed except on the opinion of those who believe that the apostate's money belongs to the treasury. This saying is correct, and among the forbidden tricks is for the woman to enable her husband's son from herself to annul her marriage, as she has become the immolation of his son, and vice versa, or if he had intercourse with his mother-in-law to annul the marriage of his wife, although this ploy is only consistent with the saying of those who see that the sanctity of intermarriage is proven by adultery as proven by marriage as Abu Hanifa and Ahmad say in the well-known of his madhhab.<sup>16</sup>

**Third: Categories of forbidden tricks according to Ibn al-Qayyim - may God have mercy on him<sup>17</sup>:**

Ibn al-Qayyim divided forbidden tricks into three types:

First: That the trick is forbidden, and it means the forbidden.

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<sup>15</sup> Ibn al-Qayyim, Media of the Signatories, Part 3: p. 241.

<sup>16</sup> Abu Bakr bin Masoud al-Kasani, Badaa' al-Sana'i in the Order of Laws, (Beirut: Dar al-Maarifa, 1986 AD), vol. 8, p. 100. Muwaffaq Al-Din bin Qudamah, Al-Mughni in the Jurisprudence of Imam Ahmad, (Beirut: Dar Al-Fikr, 1405 AH), i 1, part: 7, p.: 482.

<sup>17</sup> Ibn Qayyim al-Jawziyyah, Relief of Al-Lahfan from the Traps of Satan, investigated by Muhammad Hamid al-Faqi, (Beirut: Dar al-Ma'rifa, 1975), part: 2, p.: 82. Ibn al-Qayyim, Media of the Signatories, Part 3, p. 328.



Secondly: That the trick is permissible in itself and is intended by the forbidden, so it becomes forbidden. The prohibition of means, such as traveling to cut off the road and killing the infallible soul, and these two sections in which the trick is intended for the forbidden false intent, and leads to it as it is established for the correct and permissible intent and leads to it, for travel is a valid path for this and for this.

Third: That the road was not set up to lead to the forbidden, but rather it was laid to lead to the lawful, such as confession, sale, marriage, gift, and so on, so the fraudster takes it as a ladder and a path to the forbidden, and all of these are absolutely forbidden.

Ibn al-Qayyim mentioned a fourth type of trickery and divided it into three sections as well:

First: That the path is forbidden in itself, and if what is meant by it is really, such as that he has a right over a man, then he denies it and does not make it clear to him, so his owner establishes two false witnesses who testify about him and they do not know the evidence of that right, and like that a man divorces his wife three times and denies the divorce and there is no evidence for her, so she establishes two witnesses who testify He divorced her even though they did not hear the divorce from him, this kind of trick in which he said that he is sinning his owner for the means without the intended and in such an honorable hadith came: "Repay the trust to the one who entrusted you, and do not betray the one who betrayed you."<sup>18</sup>

Second: That the road be legitimate and what it leads to is lawful, and these are the reasons that were set up by the Lawgiver leading to its causes such as selling, leasing, watering, farming, and agency.

Ibn al-Qayyim said: "Neither our words, nor the words of the predecessors, regarding denouncing tricks, apply to this section. Rather, the helpless is the one who is unable to do it, and the wise one is the one who is clever, and upon him is more capable, especially in war, for it is a deception, and all helplessness is to leave this trick, and the human being is called upon to seek refuge in God." Exalted be He from helplessness and laziness, inability is the inability to do a useful trick, and laziness is the lack of will to do it, and whoever did not deceive when he was able to do this trick, he missed his opportunity and neglected his interests, as the poet said: If a person does not deceive and finds his grandfather, he is wasted and hardened while he is a mastermind.

Third: Fraud to reach the truth by a permissible way, but it did not legislate for it, and that means reaching the truth or repelling injustice by a permissible way, which was not set up to do so, but rather it was put for someone else, who takes it as a path to this correct purpose.

For example: if he rented a house from him for a period of years for a known rent, then he fears that the plotter (the lessor) will betray him at the end of the period and cause the lease to be rescinded by showing that he did not have the authority to rent, or that the lessor owned his son or wife, or that he was the lessor before his rent, and it turned out that the one who was arrested was the equivalent of the wages for what he had fulfilled from the period of time, the lessor takes away from him, so the trick in getting rid of this trick is for the lessee to guarantee him the realization of the property leased to him or to someone else, if it is due or the lease appears to be corrupt, he shall return to him what he took from him, or take the declaration of one who is afraid of him that he has no right in the property and that every lawsuit he claims because of it is void, or he rents it from him for one hundred dinars, for example, then spends each dinar with ten dirhams, if he asks him for the same amount of money, he will ask him for the dinars that he signed the contract, and if he is not afraid of that, but if he is afraid that he will be treacherous at the end of the period, let him divide the amount of the rent according to the number of years and make most of it for the year in which he fears his treachery, and likewise if the lessor fears that the tenant will betray him and leave at the end of the period, let him make most of the rent for the period in which he is safe from his departure and the small amount of it for the end of the period.

But if he is afraid that he will be treacherous at the end of the period, let him divide the amount of the rent according to the number of years and make most of it for the year in which he fears his treachery, and likewise if the lessor fears that the tenant will betray him and leave at the end of the period, let him make most of the rent for the period in which he is safe from his departure and the small amount of it for the end of the period. Commenting on the foregoing, it can be said: There is no difference in this division in the sentence between Al-Shatibi and Ibn Al-Qayyim - may God Almighty have mercy on them - for what was done on the part of Al-

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<sup>18</sup> Abu Issa al-Tirmidhi, Sunan al-Tirmidhi, investigated by Bashar Awad with footnotes by Abd al-Rahman al-Faqih, (Beirut: Dar al-Gharb al-Islami, 1998 CE), part: 2, p. 555. The book of sale, chapter on the performance of the trust, hadith No. (1264), and al-Tirmidhi said: This is a good strange hadith.

Shatibi is the summary, and what was done on the part of Ibn Al-Qayyim is the detail, although Ibn al-Qayyim neglected the third division, which is the problem in which the dispute occurred because of the lack of clarity in the evidence in it, which was clearly stated by al-Shatibi, he says: "When it was proven that the rulings were legislated for the interests of the servants, the actions were considered in that, because it is the intention of the legislator in them as it became clear, if the matter is outwardly and inwardly based on legality, then there is no problem. If the apparent agreement and the interest is contrary, then the act is incorrect and illegal; Because legitimate actions are not intended for themselves, but other matters are intended by them, which are their meanings, and they are the interests for which they were legislated, so, whoever did that other than this situation is not according to the setting of the projects, for we know that the pronouncement of the two testimonies, the prayer and other acts of worship were prescribed to draw closer to God and return to Him and single Him out with glorification and reverence, the conformity of the heart to the limbs in obedience and submission, so if he does that with the intention of obtaining a share of the fortunes of this world in terms of payment or benefit, such as speaking the two testimonies with the intention of obtaining his blood and money and not otherwise, or for the one who prays to show people off to be praised for that, or to obtain a rank in this world, then this act is not of the project in Xi; Because the interest for which it was legislated has not been achieved, rather what is meant by it is against that interest, and on this we say in zakat, for example: What is meant by its legitimacy is to remove the vice of stinginess and the interest of providing for the poor, and to revive the souls prone to damage, so whoever donated his money at the end of the year to escape from the obligation of zakat on him, then if it was in another year or before that, then this act strengthens the description of stinginess and provides for it and raises the interest of providing for the needy, so it is well known that the image of this gift is not the gift that the Shariah mandates; Because the gift is an attachment and benevolence to the one who is given to him, and it expands upon him, whether rich or poor, and brings his affection and friendship, and this gift is the opposite of that, And if it was on the project from real ownership, this would have been in accordance with the interest of attachment and expansion and removing the vice of scarcity, and was not an escape from the payment of zakat.<sup>19</sup>

I say: From this it becomes clear that the actions that are used to destroy the legitimate interests are prohibited because they contradict these interests for which the rulings were legislated in order to achieve them, although it is legitimate and conforms to the legal rulings according to what appears from them, its meaning is in violation of the spirit of these texts, demolishing them and working against them. For this reason, these kinds of tricks were forbidden in Sharia.

### **The third requirement**

#### **Revoking forbidden tricks in the Book and the Sunnah**

The tricks concerned here are the forbidden ones that we have already known about and their types. The Holy Book, the purified Sunnah, the Companions, and the Muslim scholars have extensively criticized, warned and invalidated them.

#### **First, from the book:**

- 1) What God described the hypocrites with in the Almighty's saying: "*And of the people are some who say, "We believe in Allāh and the Last Day," but they are not believers*"<sup>20</sup>. God cursed them and threatened and vilified them, and the truth of their command is that they revealed the word of Islam in order to protect their blood and money, not for what was intended in the Sharia to enter under God's obedience by choosing and believing in my heart, and for this they were in the lowest depths of Hellfire.<sup>21</sup>
- 2) God Almighty said about the hypocrites by their deeds: "*O you who have believed, do not invalidate your charities with reminders [of it] or injury as does one who spends his wealth [only] to be seen by the people and does not believe in Allāh and the Last Day. His example is like that of*

<sup>19</sup> Al-Shatby, Al-Muwafaqat, part: 3, p. 120.

<sup>20</sup> Surah Al-Baqarah, Verse 8.

<sup>21</sup> Al-Shatby, Al-Muwafaqat, Part 3, p. 109.

*a [large] smooth stone upon which is dust and is hit by a downpour that leaves it bare. They are unable [to keep] anything of what they have earned. And Allāh does not guide the disbelieving people*<sup>22</sup>. Almighty said: “And [also] those who spend of their wealth to be seen by the people and believe not in Allāh nor in the Last Day. And he to whom Satan is a companion - then evil is he as a companion”<sup>23</sup>. And he said: “*Indeed, the hypocrites [think to] deceive Allāh, but He is deceiving them. And when they stand for prayer, they stand lazily, showing [themselves to] the people and not remembering Allāh except a little*”<sup>24</sup>. He slandered, because it is a manifestation of obedience to a worldly intent to reach it.

- 3) God Almighty said of the companions of Paradise: “We have tested them as we have tested the owners of Paradise”<sup>25</sup>. To His saying: “*And it became as though reaped*”<sup>26</sup>. When they deceived the right of the poor by intending to exact a fine at a time other than when they came, God Almighty punished them by destroying their money.
- 4) Almighty said: “*And you had already known about those who transgressed among you concerning the sabbath*”<sup>27</sup>. And these are among the Israeli; Because they tricked themselves into hunting on the Sabbath in the form of hunting on others, as they used to trap whales and catch them on a day other than the Sabbath, so God cursed them to bring them to the forbidden in the form of halal.<sup>28</sup>
- 5) Almighty said: “*And when you divorce women and they have [nearly] fulfilled their term, either retain them according to acceptable terms or release them according to acceptable terms, and do not keep them, intending harm*”. And it was interpreted that God forbade a man to take a woman back, intending to harm her by divorcing her until the waiting period is about to expire, then taking her back, then divorcing her until the waiting period is about to end, and so he does not take her back for the purpose of his only harming her<sup>29</sup>. It was stated in the verse: “*nd their husbands have more right to take them back in this [period] if they want reconciliation*”<sup>30</sup>. To his saying: “*Divorce is twice*”<sup>31</sup>. Divorce was at the beginning of Islam to an unspecified number, so the man would take the woman back before her waiting period expired, then he would divorce her, then he would take her back like that on purpose, so divorce was revealed twice, and with that, the Almighty said: “*And it is not lawful for you to take anything of what you have given them*”<sup>32</sup>. The verse is about the one who harmed the woman until she was ransomed from him, and all of these are tricks to achieving a goal for which that ruling was not prescribed.

### **Second: Evidence from the Noble Prophetic Sunnah:**

From the Messenger of God, may God’s prayers and peace be upon him, there are many hadiths that forbid tricks by which he leads to what is forbidden by law, among which we mention the following:

- 1) The Prophet, peace and blessings be upon him, said: “The two sellers are at option until they separate, unless it is an option transaction, and it is not permissible for him to part with him for fear of his resignation.”<sup>33</sup>

Imam Ahmad cited it as evidence, and said: It invalidates the tricks, and this is one of the clearest evidences of the invalidity of deceptions in order to forfeit the right of the one who has the right; The legislator,

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<sup>22</sup> Surat Al-Baqarah, Verse 264.

<sup>23</sup> Surah An-Nisa, Verse 38.

<sup>24</sup> Surah An-Nisa, Verse 142.

<sup>25</sup> Al-Shatby, Al-Muwafaqat, Part 3, p. 110.

<sup>26</sup> Surat Al-Qalam, Verse 20.

<sup>27</sup> Surat Al-Baqarah, Verse 65

<sup>28</sup> Ibid

<sup>29</sup> Al-Shatby, Al-Muwafaqat, Part 3, p. 110.

<sup>30</sup> Surat Al-Baqarah, Verse 228

<sup>31</sup> Surat Al-Baqarah, Verse 229

<sup>32</sup> Ibid

<sup>33</sup> Al-Bukhari, Sahih Al-Bukhari, Book of Sales, Chapter: Ease and Tolerance in Buying and Selling, Hadith No. (2079), Part: 3, Pg: 76.



may God's prayers and peace be upon him and his family, has established the council's choice in selling as a wisdom and in the interest of the contracting parties, and in order to obtain the complete satisfaction that God Almighty has stipulated in it, the contract may happen suddenly without any forethought or consideration of the booty, the beauties of this complete Sharia necessitate that the contract be made a harem in which the two parties to the contract meditate, reconsider, and each of them makes up for a defect that was hidden, there is nothing better than this ruling, nor is it attached to the benefit of creation, if one of the contracting parties who neglected the other was able to stand up at once and hasten to separate, the interest of the other and the purpose of the choice for him would be lost. Suppose that you were confused to sign the option, so it is not permissible for him to choose him, he did not enter into this prohibition, and it is not said: It is a pretext for forfeiting the right of the other from the option, because the door of blocking pretexts when a clear interest is missed, or includes a clear misfortune, is not considered, if the contracting party is prevented from separating until the other rises, that would have caused him harm and an outright corruption, for what the Shariah brought in this is more complete and more appropriate for the interest and wisdom.<sup>34</sup>

- 2) He, peace and blessings of God be upon him, said: "Do not commit what the Jews did, for you would make lawful the prohibitions of God with the slightest tricks"<sup>35</sup>. i.e. the easiest and the closest, but he mentioned the slightest tricks; Because the divorced three, for example, is one of the easiest tricks for him to give some of the borrowed Elitus ten dirhams and borrow it to have a whim with his wife and he has made her sweet for him, unlike the legal way, which is the marriage of desire, because it is very difficult for her to return to the first.

Likewise, whoever wants to loan one thousand for one thousand five hundred, it is the lowest of tricks to give him one thousand except for one dirham in the name of the loan and sell it as a piece of paper equal to one dirham for five hundred. Likewise, the ploy of the Jews by setting up nets on Friday and taking what happened in them on Saturday is one of the easiest tricks, as well as melting fat and selling it and eating its price<sup>36</sup>.

- 3) On the authority of Ibn Umar - may God be pleased with them both - he said: I heard the Messenger of God, may God's prayers and peace be upon him, say: "If people mislead about dinars and dirhams, sell by sample and follow the tails of cows, and abandon jihad in the way of God, God will bring down upon them a calamity, and he will not lift it until they review their religion."<sup>37</sup>

I say and this is the sale of the sample is a form of fraud to reach usury, for it is apparently usury in reality and its form is that the seller sells the thing for debt or credit at a price and then buys it from the one who sold it to him for a lower price in cash, so this is usury undoubtedly and the general scholars have prohibited it.

- 4) He, peace and blessings of God be upon him, said: "Land hunting is permissible for you as long as you do not hunt it or it is repelling you"<sup>38</sup>. And this is in the Hajj for the Muharram, for the

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<sup>34</sup> Ibn al-Qayyim, *Blocking Pretexts and Prohibiting Deceptions*, (Beirut: Dar Al-Fikr, 1995 AD), Part: 1, p.: 359.

<sup>35</sup> Nasir al-Din al-Albani, *Irwa al-Ghalil in his graduation: The hadiths of Manar al-Sabil*, (Beirut: The Islamic Bureau, 1985 CE), c:5, p.: 375. And as for Al-Hafiz bin Katheer, he cited the hadith in his interpretation through Ibn Battah, and he said: This is a new chain of transmission, and he mentioned that Ahmad bin Muhammad bin Muslim is trustworthy.

<sup>36</sup> Ibn al-Qayyim, *Blocking Pretexts and Prohibiting Deceptions*, Part 1: Pg: 359.

<sup>37</sup> Jamal Al-Din Al-Zaila'i, *Setting up the Flag in the Graduation of Ahadith of Guidance*, (Beirut: Al-Rayyan Foundation for Printing, 1997 AD), C: 4, p.: 17. Ibn al-Qattan said: This hadith is authentic and its men are trustworthy. Al-Suyuti, *Jami' al-Ahadith*, Chapter If with al-Ta', Hadith No. (2302), Part: 3, Pg: 334. Al-Manawi said: The chain of transmission is Ahmad Hassan.

<sup>38</sup> Al-Hakim, *Al-Mustadrak*, Part 1, p. 621, Chapter: The First Book of Rituals, Hadith No. 1659. Al-Tirmidhi, *Sunan Al-Tirmidhi*, previous source, Part 2: pg: 196. The Book of Hajj, Chapter on Eating Hunting for the Muharram, Hadith No. (846). Al-Tirmidhi said: The hadith of Jabir is an interpreted hadith, and we do not know the requirement that we heard it from Jabir, and according to some scholars, they do not see anything wrong with hunting for the forbidden if he does not hunt it or does not hunt for it. Al-Shafi'i said: This is the best hadith narrated in this section, and work on this, and it is the saying of Ahmad and Ishaq, and Al-Albani said: It is weak.

Messenger of God interrupted the door of deception by accessing the food of the game by making the one who is forbidden someone else to hunt for him in order to eat from it.

- 5) He, peace and blessings of God be upon him, said: "It does not unite the scattered people nor separate the community for fear of charity"<sup>39</sup>. This means that the trick that leads to the dropping or decreasing of zakat due to collection and separation is prohibited, if some sold the quorum before the completion of the year in order to prevent the forfeiting of zakat, then he differentiated between the community, and the zakat does not forfeit on his behalf by fleeing from it.<sup>40</sup>
- 6) Evidence for its prohibition is the Almighty's saying: "*And do not confer favor to acquire more*"<sup>41</sup>. The commentators of the Salaf and those after them said: Do not give a gift that you ask for more than it, which is to give more gifts to you than your gift.<sup>42</sup>

Ibn al-Qayyim says: All of this indicates that the forms of contracts are not sufficient in solving them and obtaining their rulings unless he does not intend them with a corrupt intent, it may be more corrupt than the apparent stipulation from this aspect, and the apparent stipulation is more corrupt than it in terms of announcing and showing what is forbidden.<sup>43</sup>

#### Fourth requirement

##### Evidence for those who say that tricks are absolutely permissible

Some of those who permitted tricks at all cited evidence, including the following, and we will explain the answer to them, God willing.

Evidence from the Qur'an and Sunnah:

**First:** As for their evidence from the book, they are:

- 1) God said to his prophet Ayoub: "*[We said], 'And take in your hand a bunch [of grass] and strike with it and do not break your oath'*"<sup>44</sup>. So he authorized his prophet Job to break his oath by hitting him with a bunch<sup>45</sup>, it was a vow to hit it with a number of blows, and it is in the apparent common sense that it is only sporadic, so the Almighty guided him to the trick in his exit from the right, so we measure the rest of the door, and we call it the faces of the exits from the straits, and we do not call it the tricks that alienate people from its name<sup>46</sup>.
- 2) The Almighty told His Prophet Yusuf, peace be upon him, that he made his solicitation in his brother's saddlebag so that he could take him – that is, Joseph's brother from among his brothers, and God praised him for that, and informed that he was with his consent and permission, as he said: "*Thus did We plan for Joseph. He could not have taken his brother within the religion [i.e., law] of the king except that Allāh willed. We raise in degrees whom We will, but over every possessor of knowledge is one [more] knowing*"<sup>47</sup>. So, the Almighty informed that this is a plot against His Prophet, and that it is by His will and that He raises the rank of His servant with the gentle and

<sup>39</sup> Al-Bukhari, Sahih Al-Bukhari, Part 2: p.: 144, The Book of Charity, a chapter that does not combine separate and does not differentiate between a society.

<sup>40</sup> Muhammad bin Uthaimin, Al-Sharh al-Mumti' Ali Zad al-Mustaqni', (Dar Ibn al-Jawzi, 1428 AH), vol: 6, p.: 40.

<sup>41</sup> Surat Al-Muddaththir, verse 6.

<sup>42</sup> Al-Suyuti, Al-Durr Al-Manthur, investigation by Hajar Research Center, (Egypt: Dar Hajar, 2003 AD), C: 11, p.: 602.

<sup>43</sup> Ibn al-Qayyim, Media of the Signatories, Part 9, p. 203. Ibn Al-Qayyim, Sed Al-Dhari'a, Part: 1, p. 373.

<sup>44</sup> Surah Sād, Verse 44.

<sup>45</sup> bunch: a handpiece or bundle of basil.

<sup>46</sup> Muhammad Ali Al-Says, Interpretation of Verses of Judgments, (Al-Asriyya Library for Printing, 2002 AD), Part: 1, p.: 683.

<sup>47</sup> Surah Yusuf, verse 76.

subtle knowledge that no one but Him is guided to, and that this is from His knowledge and wisdom.<sup>48</sup>

- 3) Allah says: “And they planned a plan, and We planned a plan, while they perceived not”<sup>49</sup>. Then the Almighty informed that he is deceiving those who plot his prophets and messengers, and many tricks are of this nature, deceived by them against the oppressor, the immoral, and those from whom it is difficult to liberate the truth from, so it is a means to the victory of the oppressed, the oppression of the oppressor, the victory of the right and the nullification of the wrong. And God Almighty is able to take them without the face of good deception, but He rewarded them for the kind of their work and to let His servants know that the cunning that leads to the manifestation of the truth and is a punishment for the cunning is not ugly.
- 4) Allah says: “Indeed, the hypocrites [think to] deceive Allāh, but He is deceiving them”<sup>50</sup>. And his deception for them is to show them a matter and conceal it for them, so what do you deny to the masters of tricks who show a matter by which they reach the innermost part of others, following the example of the action of God Almighty<sup>51</sup>.

**Second:** Their evidence from the Sunnah

They quoted from the Sunnah the following:

- 1) The hadith of Abu Huraira, who said: “The Messenger of God, may God’s prayers and peace be upon him, appointed a man on Khaybar, and he brought them Junayeb dates. He said, ‘Have you eaten Khaibar dates like this?’ He said: We take a saa’ of this for two saa’s, and two saa’s for three. He said: Don’t do it, sell the combination for dirhams, then buy the dirhams as a foreigner”<sup>52</sup>. So I guided him to the trick to get rid of usury, as he described another contract, and this is the basis for the permissibility of the family.
- 2) The Prophet, may God’s prayers and peace be upon him, met a group of polytheists while he was with a group of his companions, so the polytheists said: Who are you? The Messenger of God, may God’s prayers and peace be upon him, said: “We are from water”<sup>53</sup>. Some of them looked at each other and said: There are many neighborhoods in Yemen, so perhaps they are among them, and they left. They said: This is a trick, as it is intended that it is created from water, unlike the meaning that comes to the mind of the listener.
- 3) A man came to the Prophet, may God bless him and grant him peace, and said: Carry me? He said: “I only have a son of a camel.” He said: What do I do with a son of a camel? The Prophet, may God’s prayers and peace be upon him, said: “Do camels give birth except to camels”<sup>54</sup>.

### **The fifth requirement**

#### **The answer to the religion invalidates the tricks on the evidence of those who do them**

The scholars answered the evidence of those who say that it is permissible on the sentence:

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<sup>48</sup> Abd al-Rahman al-Saadi, Tafsir al-Saadi, (Beirut: Al-Resala Foundation, 1420 AH), 1, volume: 1, p.: 402.

<sup>49</sup> Surah An-Naml, Verse 50.

<sup>50</sup> Surah An-Nisā, Verse 142.

<sup>51</sup> Ibn al-Qayyim, Flags of the Signatories, A Sahih Chapter of Jouze Al-Hail, Part 3: P.: 190, Abu Abdullah Obaid Allah bin Muhammad Bin Battah Al-Akbari, Annulment of Al-Hail, Investigated by Zuhair Al-Shawish, (Beirut: The Islamic Bureau), part: 1, p. :42.

<sup>52</sup> Al-Bukhari, Sahih Al-Bukhari, Part 8, p.: 170, Book of Sales, Chapter: If he wants to sell dates for good dates, Hadith No. (2201)

<sup>53</sup> Ibn Al-Qayyim, Relief of Al-Lahfan from Satan’s Traps, Part 2: Pg: 105.

<sup>54</sup> Al-Tirmidhi, Sunan al-Tirmidhi, Part 3: pg: 425. The Book of Righteousness and Relationship, Chapter on what came about joking, Hadith No. (19991). Al-Tirmidhi said: This is a strange, authentic hadith.

**First:** Ibn al-Qayyim responded to their reasoning by his almighty saying in the story of Ayoub, peace be upon him, which is the Almighty's saying: "[We said], "And take in your hand a bunch [of grass] and strike with it and do not break your oath"<sup>55</sup>.

Ibn al-Qayyim said: Our sheikh said: The answer is that this is not what we are in. The jurists regarding this oath in our Sharia have two sayings, meaning if he swears to hit his slave or his woman a hundred blows, one of them is: the saying of someone who says: The reason for the beating is total or separated, and then some of them stipulate that with the combination of reaching the object, his blood with it is a light touch. The fata is obligatory for this word when it is launched.

This is not a trick, rather the trick is to distract the utterance from its obligatory when launching, and the second saying: That its necessitating multiplication is known, and if this is a requirement in our law, it is not correct to protest against us with what contradicts our law from the laws before us, because if we say that it is not a law for us at all, then it is apparent, and if we say "and it is a law for us" then it is conditional because it does not contradict our law, and the condition has been negated<sup>56</sup>.

Also, whoever contemplates the verse knows that this fatwa is specific to the ruling, for if it were the general ruling in the right of everyone, it would not be hidden from a generous prophet who required his oath, and there was no great lesson in retrieving it for us. Tell it to us. As for what was required by custom and analogy, it should not be narrated, and the specialization is indicated by the Almighty's saying: "Indeed, we found him patient"<sup>57</sup>. And this sentence came out of the explanation as in its analogues, so he knew that God Almighty gave this fatwa as a reward for him for his patience and relief from his wife and mercy on her, not that this required this oath and also, God Almighty only gave him this fatwa so that he does not break as God Almighty told.

**Second:** And the Sheikh of Islam Ibn Taymiyyah, may God have mercy on him, answered about their reasoning about the story of Yusuf, and he put it into practice in his brother's demise. He said, may God have mercy on him: "Among what may be thought to be of the kind of tricks that we have explained prohibition, and not of their kind, is the story of Joseph when God nearly took him to take his brother, as the Almighty mentioned that in his book, for there are various kinds of good tricks in it". He mentioned what he said to his boys: "And [Joseph] said to his servants, "Put their merchandise into their saddlebags so they might recognize it when they have gone back to their people that perhaps they will [again] return"<sup>58</sup>. It caused them to return, and they mentioned meanings in that: including that he feared that they would not have paper to return to, and among them that he feared that taking the price would harm them, and among them that he saw if he had not taken the price from them, and including that he showed them his generosity in returning the goods to be claiming to them to the lute, including that he knew that their honesty required them to return it to him, so this fraudster is doing a good deed, and what is meant is their return and the coming of his brother, and that is a matter in which there is a benefit for them and for their father and for him, and it is a good intention, but he did not know them himself for other reasons in which also benefit them and him and their father and complete what their flame wanted of good in affliction"<sup>59</sup>.

Third: As for the answer to their reasoning, God Almighty says: "And they planned a plan, and We planned a plan, while they perceived not"<sup>60</sup>. That cunning is of two types, benign and evil, so the praiseworthy is the one in which rights are conveyed to their owners, the victory of the truth, and the repelling of injustice and evil, what is in it a loss of a right or an injustice to anyone or the defense of a right.

## The sixth requirement

### Preferred opinion

<sup>55</sup> Surah Sād, Verse 44

<sup>56</sup> Ibn al-Qayyim, Notification of the Signatories, Chapter: Responding to Those Who Refuse to Deception, Part 3: p. 210.

<sup>57</sup> Surah Sād, Verse 44

<sup>58</sup> Surah Yusuf, Verse 62.

<sup>59</sup> Ibn Taymiyyah, Establishing the Evidence for the Revocation of Analysis, Part 1: p. 1

<sup>60</sup> Surah An-Naml, Verse 50.

From the foregoing, it became clear to us the preponderance of the sayings of al-Shatibi, Ibn al-Qayyim and those who agreed with them among the scholars who prohibited the permissibility of forbidden tricks, for the following:

- 1) Because their evidence is strong and free from opposition.
- 2) Weak evidence opponents and being in place of inference.
- 3) And because God Almighty built his law on a great principle, which is the prohibition of forbidden means, or permissible means whose conduct leads to forbidden ends, which is the principle of blocking the means and for that reason it is forbidden to look, and it is forbidden to sell grapes to someone who makes them wine, or sell weapons to someone who knows that it will spoil it, and the like.

And tricks are means that seem permissible, but their results are forbidden. Therefore, it is legally prohibited, and God Almighty knows best and is wiser.

### **Conclusion**

Through this research, the researcher reached the following results:

- 1) That the subject of the dispute in the tricks is what was intended to violate the law or the use of illegal means to reach forbidden purposes.
- 2) Ibn al-Qayyim's division of tricks did not differ from al-Shatibi's division of them, for al-Shatibi did not drown in preference, unlike Ibn al-Qayyim, who divided it into the five mandated rulings, including obligatory, desirable and makrooh, permissible and forbidden.
- 3) And they are the evidence for those who say that tricks are absolutely permissible and that they are not in a place of inference, which is more likely than the evidence for those who say in detail and the permissibility of what was permissible in its means and ends, and the prohibition of anything else.

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## Endnotes

- 1) Muslim bin Al-Hajjaj Al-Naysaburi, Sahih Muslim, (Beirut: Dar Al-Jeel and Dar Al-Afaq Al-Jadeeda), 3rd Edition, C: 5, p: 41, Book of Mosques, chapter on the prohibition of selling alcohol and dead meat, Hadith No.(4134) .
- 2) Ahmed bin Hanbal, Musnad of Imam Ahmad, (Cairo: Cordoba Foundation), Musnad Abi Huraira, Hadith No. (9011), Part: 3, Pg: 541. Al-Arna'oot said: It is authentic for others, and this is a good chain of transmission.
- 3) Muslim, Sahih Muslim, Part 5, p.: 50, Book of Houses, Chapter Cursing the one who eats usury and the one who pays it, Hadith No.(4176) .
- 4) Muhammad bin Abdullah al-Hakim al-Nisaburi, al-Mustadrak on the two Sahihs, and with him the comments of al-Dhahabi in the summary, achieved by Mustafa Abdul Qadir Ataa, (Beirut: Dar al-Kutub al-Ilmiyya, 1411 AH, 1990 AD), 3rd edition, vol: 2, p: 37, Book of Sales, Hadith No. (2234). Al-Hakim said: This is a sahih hadith with a chain of transmission, and the hadith of Abdullah bin Omar witnessed it, but they did not narrate it. Al-Dhahabi said in the summary: It is authentic.
- 5) Muhammad bin Ismail al-Bukhari, The Sahih Mosque with the numbering of Fath al-Bari, (Cairo: Dar al-Shaab, 1987AD, 1407 AH), Part 7, p. 220, Book of Dress, Chapter of Wasl in Poetry, Hadith No . .(5933)
- 6) Ahmed bin Al-Hussein Al-Bayhaqi, Knowledge of Sunan and Antiquities, investigated by Abdul Muti Amin Qalaji, (Karatch + Aleppo + Damascus: Dar Al-A'a' University of Islamic Studies + Dar Al-Wa'i + Dar Qutaiba, 1991 AD, 1412 AH), I 1, C: 10, p. 180, Book of Shagar the chapter on marriage of the halal, Hadith No. (4472). And his text on the authority of Abdullah bin Masoud: "The Messenger of God, may God bless him and grant him peace, cursed the one who tattoos, the one who is tattooed, the hyphenated, the one who is connected, the one who is permitted, the one who is permitted, and the one who eats usury and the one who eats it".
- 7) He popped this saying by Al-Bukhari in his Sahih and in relation to Ayoub, he said the chapter on what forbids deceit in sales, and Ayyub Al-Sakhtiani and his remembrance, part: 9, p.: 24. It was mentioned by Ibn al-Qayyim in Ighaath al-Lahfan from the traps of Satan, investigated by Muhammad Hamid al-Faqi, (Beirut: Dar al-Maarifa, 1975 AD, 1395 AH), 2nd ed., Part: 1, p.: 354.
- 8) Ibn Qayyim al-Jawziyya, Tahdheeb Sunan Abi Dawood, (Madina: The Salafi Library, 1968 AD, 1388 AH), 2nd Edition, The Book of Riba, Part: 2, p.: 142.
- 9) Muhammad bin Makram bin Manzur al-Masry, Lisan al-Arab, (Beirut: Dar Sader), i 1, part: 11, p.: 183 acting.
- 10) Ibrahim bin Musa Al-Shatibi, Al-Muwafaqat, investigated by Abdullah Diraz, (Beirut: Dar Al-Maarifa, 1997 AD, 1417 AH), 10th edition, Part: 2, p.: 378.
- 11) Ibn Qayyim al-Jawziyya, Flags of the Signers from the Lord of the Worlds, achieved by Abd al-Raouf Saad, (Beirut: Dar al-Jeel, 1973 AD), part: 3, p.: 240.

- 12) Al-Shatby, Al-Muwafaqat, Part 3, p. 108.
- 13) Al-Shatibi, Al-Muwafaqaat, verified by Mashhour Hassan, (Dar Ibn Affan, 1997 AD), I 1, part: 3, p.: 124.
- 14) Al-Bukhari, Sahih Al-Bukhari, Investigation of Al-Baghah, The Book of Divorce, Chapter: Who Permitted Divorce Three, Hadith No. (2639), Part 5, p: 2014.
- 15) Ibn al-Qayyim, Media of the Signatories, Part 3: p. 241.
- 16) Abu Bakr bin Masoud al-Kasani, Badaa' al-Sana'i in the Order of Laws, (Beirut: Dar al-Maarifa, 1986 AD), vol. 8, p. 100. Muwaffaq Al-Din bin Qudamah, Al-Mughni in the Jurisprudence of Imam Ahmad, (Beirut: Dar Al-Fikr, 1405 AH), i 1, part: 7, p.: 482.
- 17) Ibn Qayyim al-Jawziyyah, Relief of Al-Lahfan from the Traps of Satan, investigated by Muhammad Hamid al-Faqi, (Beirut: Dar al-Ma'rifa, 1975), part: 2, p.: 82. Ibn al-Qayyim, Media of the Signatories, Part 3, p. 328.
- 18) Abu Issa al-Tirmidhi, Sunan al-Tirmidhi, investigated by Bashar Awad with footnotes by Abd al-Rahman al-Faqih, (Beirut: Dar al-Gharb al-Islami, 1998 CE), part: 2, p. 555. The book of sale, chapter on the performance of the trust, hadith No. (1264), and al-Tirmidhi said: This is a good strange hadith.
- 19) Al-Shatby, Al-Muwafaqat, part: 3, p. 120.
- 20) Surah Al-Baqarah, Verse 8.
- 21) Al-Shatby, Al-Muwafaqat, Part 3, p. 109.
- 22) Surat Al-Baqarah, Verse 264.
- 23) Surah An-Nisa, Verse 38.
- 24) Surah An-Nisa, Verse 142.
- 25) Al-Shatby, Al-Muwafaqat, Part 3, p. 110.
- 26) Surat Al-Qalam, Verse 20.
- 27) Surat Al-Baqarah, Verse 65
- 28) Ibid
- 29) Al-Shatby, Al-Muwafaqat, Part 3, p. 110.
- 30) Surat Al-Baqarah, Verse 228
- 31) Surat Al-Baqarah, Verse 229
- 32) Ibid
- 33) Al-Bukhari, Sahih Al-Bukhari, Book of Sales, Chapter: Ease and Tolerance in Buying and Selling, Hadith No. (2079), Part: 3, Pg: 76.
- 34) Ibn al-Qayyim, Blocking Pretexts and Prohibiting Deceptions, (Beirut: Dar Al-Fikr, 1995 AD), Part: 1, p.: 359.
- 35) Nasir al-Din al-Albani, Irwa al-Ghalil in his graduation: The hadiths of Manar al-Sabil, (Beirut: The Islamic Bureau, 1985 CE), c:5, p.: 375. And as for Al-Hafiz bin Katheer, he cited the hadith in his interpretation through Ibn Battah, and he said: This is a new chain of transmission, and he mentioned that Ahmad bin Muhammad bin Muslim is trustworthy.
- 36) Ibn al-Qayyim, Blocking Pretexts and Prohibiting Deceptions, Part 1: Pg: 359.
- 37) Jamal Al-Din Al-Zaila'i, Setting up the Flag in the Graduation of Ahadith of Guidance, (Beirut: Al-Rayyan Foundation for Printing, 1997 AD), C: 4, p.: 17. Ibn al-Qattan said: This hadith is authentic and its men are trustworthy. Al-Suyuti, Jami' al-Ahadith, Chapter If with al-Ta', Hadith No. (2302), Part: 3, Pg: 334. Al-Manawi said: The chain of transmission is Ahmad Hassan.

- 38) Al-Hakim, Al-Mustadrak, Part 1, p. 621, Chapter: The First Book of Rituals, Hadith No. 1659. Al-Tirmidhi, Sunan Al-Tirmidhi, previous source, Part 2: pg: 196. The Book of Hajj, Chapter on Eating Hunting for the Muharram, Hadith No. (846). Al-Tirmidhi said: The hadith of Jabir is an interpreted hadith, and we do not know the requirement that we heard it from Jabir, and according to some scholars, they do not see anything wrong with hunting for the forbidden if he does not hunt it or does not hunt for it. Al-Shafi'i said: This is the best hadith narrated in this section, and work on this, and it is the saying of Ahmad and Ishaq, and Al-Albani said: It is weak.
- 39) Al-Bukhari, Sahih Al-Bukhari, Part 2: p.: 144, The Book of Charity, a chapter that does not combine separate and does not differentiate between a society.
- 40) Muhammad bin Uthaimin, Al-Sharh al-Mumti' Ali Zad al-Mustaqni', (Dar Ibn al-Jawzi, 1428 AH), vol: 6, p.: 40.
- 41) Surat Al-Muddaththir, verse 6.
- 42) Al-Suyuti, Al-Durr Al-Manthur, investigation by Hajar Research Center, (Egypt: Dar Hajar, 2003 AD), C: 11, p.: 602.
- 43) Ibn al-Qayyim, Media of the Signatories, Part 9, p. 203. Ibn Al-Qayyim, Sed Al-Dhari'a, Part: 1, p. 373.
- 44) Surah Sād, Verse 44.
- 45) bunch: a handpiece or bundle of basil.
- 46) Muhammad Ali Al-Says, Interpretation of Verses of Judgments, (Al-Asriyya Library for Printing, 2002 AD), Part: 1, p.: 683.
- 47) Surah Yusuf, verse 76.
- 48) Abd al-Rahman al-Saadi, Tafsir al-Saadi, (Beirut: Al-Resala Foundation, 1420 AH), 1, volume: 1, p.: 402.
- 49) Surah An-Naml, Verse 50.
- 50) Surah An-Nisā, Verse 142.
- 51) Ibn al-Qayyim, Flags of the Signatories, A Sahih Chapter of Jouze Al-Hail, Part 3: P.: 190, Abu Abdullah Obaid Allah bin Muhammad Bin Battah Al-Akbari, Annulment of Al-Hail, Investigated by Zuhair Al-Shawish, (Beirut: The Islamic Bureau), part: 1, p. :42.
- 52) Al-Bukhari, Sahih Al-Bukhari, Part 8, p.: 170, Book of Sales, Chapter: If he wants to sell dates for good dates, Hadith No(2201) .
- 53) Ibn Al-Qayyim, Relief of Al-Lahfan from Satan's Traps, Part 2: Pg: 105.
- 54) Al-Tirmidhi, Sunan al-Tirmidhi, Part 3: pg: 425. The Book of Righteousness and Relationship, Chapter on what came about joking, Hadith No. (19991). Al-Tirmidhi said: This is a strange, authentic hadith.
- 55) Surah Sād, Verse 44
- 56) Ibn al-Qayyim, Notification of the Signatories, Chapter: Responding to Those Who Refuse to Deception, Part 3: p. 210.
- 57) Surah Sād, Verse 44
- 58) Surah Yusuf, Verse 62.
- 59) Ibn Taymiyyah, Establishing the Evidence for the Revocation of Analysis, Part 1: p. 1
- 60) Surah An-Naml, Verse 50.