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Schools of Thought among Scholars Regarding the Consideration of the Aims of the Responsible in Actions

# Schools of Thought among Scholars Regarding the Consideration of the Aims of the Responsible in Actions

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Received: 04/2023; Published: 01/2024

## Abstract:

This research paper deals with the different perspectives of scholars regarding the consideration of the objectives of the responsible in actions. It does so by defining the objectives of individuals, presenting evidence of their consideration as a whole, discussing the different views of scholars on this issue, presenting the evidence of each group, determining the most convincing view, and highlighting the main findings of the study.

**Keywords:** aims of individuals, actions, worship, customs.

Tob Regul Sci.™ 2024; 10(1): 156 - 183

DOI: doi.org/10.18001/TRS.10.1.12

## Introduction:

Praise be to Allah, the Knower of the unseen and the seen. May peace and blessings be upon His Prophet Muhammad, who was sent with a sincere intention and for the worship of Allah alone, and upon his family, his companions, and those who follow his way. The research paper then discusses the hadith "Truly, actions are judged by intentions", which is considered one of the fundamental hadiths that form the basis of religion. It is a principle that encompasses a third or a quarter of knowledge. Scholars have devoted their attention to explaining this hadith, extracting its rulings, judgments and benefits. However, when their opinions are examined, there are differences in their clarification of the term "actions" in the Hadith. This divergence stems from their different interpretations of the term 'actions', which subsequently leads to differences in the consideration of the intention of the accountable individual, whether in a general or specific context. In light of the above, this paper seeks to answer the following question:

**To what extent do scholars consider the intention of the accountable individual in their actions?**

This primary question leads to the following secondary questions:

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- What is meant by the intention of the accountable individual, and what evidence is there in Islamic law to support its consideration as a whole?
- What are the different perspectives of scholars regarding the general or specific consideration of the intention of the accountable individual in "actions" mentioned in the Hadith of intention? What are the arguments and evidence presented by each group? And which viewpoint is considered the most valid?

### **The main reasons for choosing this topic:**

- One of the main reasons for choosing this topic is my personal inclination towards the study of intentions (maqasid) and conducting research in this area.
- Some actions blur the distinction between pure worship (ibadat) and reasonable custom, leading to differences among scholars in considering the intention of the accountable individual, whether in a comprehensive or restricted manner.
- Some jurists believed that the legislator restricted the consideration of intention and purpose to acts of worship, thus limiting the definition of worship to acts that require intention alone. However, other jurists found it necessary to require intention in the case of animal sacrifices, even though they are considered customs, as mentioned by al-Qarafi in al-Amniyah.

**The importance of this issue lies** in the study of the intentions of the accountable individual, which Islamic law has made an integral part of the theory of intentions (maqasid). The achievement of the intended benefits can only be achieved in practice if there is an alignment between the intention of the accountable individual and the intention of the legislator in the legislation. Furthermore, the intention of the accountable individual determines the validity or invalidity, reward or punishment, of statements, actions and behaviours. Therefore, the importance of this research is evident in examining the extent to which scholars consider the intention of the accountable individual as the chosen agent in their actions, without disregarding the factors that may influence it, whether acquired from the individual or from external sources.

### **The objectives of this study are:**

- To clarify the meaning of the intention of the accountable individual and to provide evidence for its consideration as a whole.
- To present the different perspectives of scholars on the extent to which the intentions of accountable individuals are taken into account in their actions, and to determine the most valid perspective.

The study adopts a descriptive methodology, using research tools such as induction, analysis and inference to gather the scientific material and draw the main conclusions.

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In order to achieve the research objectives, the study is organised into an introduction, two chapters and a conclusion.

**Chapter 1:** Definitions of the purposes of accountability and the evidence for their consideration. This chapter consists of two sections. The first section discusses the definition of the accountable persons' purposes, while the second section presents the evidence for their consideration as a whole.

**Chapter 2:** The extent to which the purposes of accountable individuals are taken into account in their actions. This chapter consists of three sections. The first section examines the different perspectives of scholars on the general consideration of the purposes of accountable individuals. The second section presents the evidence for each perspective, and the final section discusses and evaluates the arguments to determine the most valid perspective.

### **Chapter 1: Definition of the Purposes of the Accountable Individuals and the Evidence for their Consideration**

In this chapter, I will discuss the meaning of the purposes of the accountable individuals and the evidence for their consideration in Islamic law, divided into two sections:

#### **Section 1: Defining the intention of the accountable individual**

Before defining the intention of the accountable individual as an additional component, I will explain the individual terms separately, as well as the related terminology and their interrelationships. I will then present the chosen definition of the intention of the accountable individual and finally present the evidence for its consideration in Islamic law, focusing on the following branches:

#### **Branch 1: The Definition of the Accountable Individual and Its Conditions**

The definition of the accountable individual and its conditions requires an introduction to the concept of obligation and its conditions according to the scholars of Islamic jurisprudence.

**First, the definition of obligation:**

**1) Linguistic definition:** Linguistically, obligation (takleef) means to command something that is difficult for a person, and takallufa (takalluf) means to consider something important. Al-

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Kulfah refers to what one is obliged to fulfil in terms of duties or rights<sup>1</sup>, and takleef is derived from the root word "kalafa", which means to burden or impose something<sup>2</sup>.

2) In the terminology of the scholars of Usul al-Fiqh (Principles of Islamic Jurisprudence), there are two schools of thought regarding the definition of "takleef" (obligation):

**A) Takleef in the sense of compulsion:** This refers to Allah's compelling the accountable individual to perform or refrain from performing an action that may be burdensome. Among the proponents of this view are al-Baqillani and al-Juwayni<sup>3</sup>. According to this school of thought, the scope of takleef is limited to what is obligatory (wajib) and forbidden (haram) because of the obligation and responsibility involved. The recommended (mandub), disliked (makruh) and permissible (mubah) acts are excluded from takleef because there is room for choice in engaging in them and the responsible individual is not considered sinful for leaving them or performing them.

**B) Takleef in the sense of command and prohibition:** This view holds that takleef includes both commanding an action and prohibiting it, regardless of whether it is decisive or non-decisive. Proponents of this view include al-Ghazali, Ibn Qudamah, Ibn al-Najjar and al-Tufi<sup>4</sup>. According to this view, the concept of command and prohibition is expanded to include what is obligatory, recommended, forbidden and disliked.

**Second, the conditions of takleef:** Scholars have mentioned conditions for the validity of takleef, some of which relate to the accountable individual, while others relate to the action that is obligatory. The following is a brief explanation of these conditions:

1) **Conditions of takleef:** For the validity of the obligation of an action, scholars set three conditions:

**A) The responsible person must have knowledge:** The responsible individual must have full knowledge of the essential elements, conditions and manner of performing the acts of worship,

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<sup>1</sup>- The Language Scales Dictionary, Ibn Faris, trans. Abdul Salam Haroun, Dar Al-Jeel, Beirut, 1st edition, (1991), vol. 5, p. 136; Al-Muhit Dictionary, Al-Fayruzabadi, Dar Al-Resalah, Beirut, 8th edition, (1425 AH/2005 AD), vol. 1, p. 850.

<sup>2</sup>- Vocabulary in the foreignness of the Quran, Al-Raghib Al-Isfahani, Al-Tawfeeqiyya Library, Cairo, Beirut, (n.d.), (n.d.), vol. 1, p. 721. Definitions, Al-Jurjani, Dar Al-Kutub Al-Ilmiyya, Beirut, 1st edition, (1403 AH/1983 AD), p. 65.

<sup>3</sup>- Approximation and Guidance, Al-Baqillani, Al-Resalah Foundation, Beirut, 1st edition, (1411 AH/1991 AD), vol. 1, p. 239; The Similarities and Parables, Ibn Al-Sabbaki, trans. Adel Abdul Mawjood and Ali Muhammad Awad, Dar Al-Kutub Al-Ilmiyya, Beirut, 1st edition, (1411 AH/1991 AD), vol. 2, p. 77. Proof in the Principles of Jurisprudence, Al-Juwayni, Commentary by: Salah bin Muhammad Al-Owaidah, Dar Al-Kutub Al-Ilmiyya, Beirut, 1st edition, (1418 AH/1997 AD), vol. 1, p. 14.

<sup>4</sup>- Al-Mustasfa from the Knowledge of the Principles of Jurisprudence, Al-Ghazali, trans. Muhammad Abdul Salam Abdul Shafi, Dar Al-Kutub Al-Ilmiyya, Beirut, 1st edition, (1413 AH/1993 AD), p. 60; Explanation of Al-Kawkab Al-Muneer known as Mukhtasar Al-Tahreer, Ibn Al-Najjar Al-Fatouhi, trans. Muhammad Al-Zuhaili and Nazih Hamad, Al-Obeikan Library, Saudi Arabia, 2nd edition, (1418 AH/1997 AD), vol. 1, p. 483.

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so that he can comply with what is commanded and refrain from what is forbidden<sup>1</sup>. It is necessary to clarify the action to the responsible person before obliging him, since it is not permissible to obligate him with an unknown or intolerable action.

**B) The accountable person must know the source of the obligation:** This means that the accountable individual must know that he is commanded by Allah Almighty, so that he can follow His commandments<sup>2</sup>. This condition applies especially to pure acts of worship, which require the intention of obedience, seeking closeness to Allah, and obtaining reward<sup>3</sup>. As for rational obligations, such as fulfilling trusts, returning usurped property, paying debts, and providing for one's spouse, they do not require the intention of seeking closeness to Allah unless the accountable individual explicitly intends it.

**C) The assigned verb must be within the capacity of the individual:** either in the action itself or in the renunciation of it, because the purpose of the assignment is compliance. If the action is beyond the capacity and ability of the person assigned, then compliance is not possible and the assignment becomes useless. The wise legislator is exempt from this.

Two questions arise from this condition:

\* There is no religious obligation to do the impossible<sup>4</sup>, whether it is impossible in oneself or impossible for others<sup>5</sup>.

\* There is no obligation to do what is beyond the control of the person commissioned. It is not valid, according to religious law, to assign someone to do something that is impossible for them to do, such as performing an action on behalf of someone else or preventing someone else from doing something. Therefore, a person is not obligated to purify his father, pray for his brother, or prevent his neighbour from stealing, except in the context of advising and enjoining good and forbidding evil, which is within his capabilities<sup>6</sup>.

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<sup>1</sup>- Reported by Al-Kawkab Al-Muneer, Ibn Al-Najjar, vol. 1, p. 490; Al-Mustasfa, Al-Ghazali, p. 69.

<sup>2</sup>- Reported by Al-Kawkab Al-Muneer, Ibn Al-Najjar, Vol. 1, p. 491; Al-Mustasfa, Al-Ghazali, p. 69.

<sup>3</sup>- (The Delight of the Observer) by Ibn Qudamah, trans. Abdul Karim Al-Namlah, Dar Al-Asima for Publishing and Distribution, Riyadh, 6th edition, (1410 AH/1999 AD), vol. 1, p. 166.

<sup>4</sup>- Impossibility in itself or rational impossibility:

- Definition: That which the mind cannot conceive to exist. Examples include the simultaneous affirmation and prohibition of an action on a person, or the coexistence of opposites such as sleep and wakefulness.

- Legal classification: Scholars classified this as "a single person at a single time with a single thing is not commanded or prohibited". See: Explanation of Al-Kawkab Al-Muneer, Ibn Al-Najjar, Vol. 1, p. 484; Al-Mustasfa, Al-Ghazali, pp. 69-72; Raudat al-Nazir, Ibn Qudamah, Vol. 1, p. 167.

<sup>5</sup>- Impossibility for others or ordinary impossibility:

- Definition: That which the mind cannot conceive of as existing, and which contradicts established norms, such as a man flying in the air without a plane, or the existence of a plant without a seed.

- Legal classification: Similar to the first type, scholars classified this as "a person is not obliged to do what is beyond his capacity." See: Explanation of Al-Kawkab Al-Muneer, Ibn Al-Najjar, vol. 1, p. 485; Al-Mustasfa, Al-Ghazali, pp. 69-72; Raudat al-Nazir, Ibn Qudamah, vol. 1, p. 167.

<sup>6</sup>- The Brilliant Planet, Ibn al-Najjar, vol. 1, p. 490. Al-Mustafa (the elect) by Al-Ghazali, pp. 69 to 72.

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These are the essential conditions of the commission. The assignment is only valid for a known action that is within the ability and choice of the assigned person. The following discussion will deal with the assigned person and his conditions.

**Thirdly, the conditions of the delegated person:** According to the scholars of Islamic jurisprudence, the delegated person is one who qualifies to be addressed by the speech or decision of Allah<sup>1</sup>. The jurists require two conditions for the validity of their assignment:

1. The ability to understand what is being said: This is achieved by reasoning, since the command is a command or a prohibition. Those who lack reason or understanding, such as the insane or small children, are unable to carry out the assigned task or direct their intention towards it. Understanding the purpose and comprehension of the command are conditions for intention and knowledge of what is intended<sup>2</sup>.

2. Being able to perform the task assigned: In language, ability is called suitability<sup>3</sup>. It can be said that someone is fit to consider a matter, which means that he is qualified for it<sup>4</sup>.

In the terminology of the scholars of Islamic jurisprudence, suitability refers to a person's eligibility for the obligation of his legitimate rights or for his actions to be considered valid according to religious law<sup>5</sup>.

After explaining the meaning and conditions of "taklif" (religious obligation) and its conditions, as well as "mukallaf" (the obligated person) and its conditions, I would like to mention that "taklif" has four pillars:

1. The "mukallaf" (the obligated person): He is the one who is commanded, and he is Allah, the Almighty.

2. The form of "taklif": It is the speech of the commandments and prohibitions, and all that is contained in them.

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<sup>1</sup>- "The Vast Ocean in the Fundamentals of Jurisprudence," Al-Zarkashi, 1st ed. (1414 AH - 1994 CE), vol. 2, p. 54; "Objectives of the Responsible According to the Jurists," Faisal Al-Halibi, Maktabat al-Rushd Nashirun, Riyadh, Saudi Arabia, 1st ed. (1430 AH - 2009 CE), p. 98.

<sup>2</sup>- "The Vast Ocean in the Fundamentals of Jurisprudence", Al-Zarkashi, Vol. 2, p. 56; "Openings of Mercy with the Explanation of the Steadfast Muslim", Abdul Ali bin Nizam al-Din al-Ansari, Dar al-Kutub al-Ilmiyya, Beirut, Lebanon, 1st ed. (1423 AH - 2002 CE), vol. 1, p. 114; "Foundations of Islamic Jurisprudence", Wahbah Al-Zuhayli, Dar al-Fikr, Damascus, 1st ed., (1406 AH - 1986 CE), vol. 1, p. 158.

<sup>3</sup>- "The Middle Lexicon", Ibrahim Mustafa and others, Arabic Language Academy in Cairo, Dar al-Da'wa, Cairo, Egypt, (n.d.), vol. 1, p. 32.

<sup>4</sup>- "Disclosure of the Secrets", Al-Bazdawi, Dar al-Kitab al-Islami, (n.d.), vol. 4, p. 237; "Chapters of Miracles in the Fundamentals of the Shari'ah", Al-Fanari, trans. by Muhammad Husayn Ismail, Dar al-Kutub al-Ilmiyya, Beirut, Lebanon, 1st edition, (2006 CE - 1427 AH), vol. 1, p. 313.

<sup>5</sup>- \*Foundations of Jurisprudence that a Jurist Should Not Be Ignorant Of\* - Ayyad al-Salami, Dar al-Tadmuriyah, Riyadh, Saudi Arabia, 1st ed., (1426 AH - 2005 CE), p. 69.

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3. The action or abstention that one is obliged to do: It refers to the action or abstention that is commanded or forbidden.

4. The "mukallaf" (the obligated person): It is the adult and healthy person. In order for the intention of the obligated person to be valid in "taklif"<sup>1</sup>, it is necessary for the obligated person to be suitable for what he is obligated to do, to have knowledge of who addressed him and what was addressed to him, and to be able to comply with it in terms of action or abstention.

**The second branch: Definition of "qasd" (intention) and some related terms:** The terms "qasd" (intention), "niyyah" (intention), "azm" (determination) and "iradah" (will) are used interchangeably by linguists and jurists with a common meaning according to their linguistic meanings and overlapping concepts. The following is an explanation of their linguistic meanings, followed by a mention of the areas of agreement and difference between them.

**First, "qasd" in language:** "Al-maqasid" is the plural form of "maqsad" (goal/intention), derived from the verb "qasad". It is said: "qasad yaqsud qasdun maqsudan." It has several meanings, the most important of which are: intention, dependence, the purpose and goal of something<sup>2</sup>, the straight path<sup>3</sup>, nearness and ease<sup>4</sup>, and balance and moderation<sup>5</sup>.

**Second, "niyyah" in the language:** "Niyyah" is the verbal noun of the verb "nawa", and it has two meanings: firstly, the purpose of something and its direction towards which it strives and radiates<sup>6</sup>, and secondly, a foreign word for the kernel of a date. It is sometimes used to express certain patterns. It is said that the kernel has a weight of five dirhams<sup>7</sup>.

**Third, "azm" in the language:** "Azm" is the verbal noun of the verb "azama", and in language it means determination, decisiveness and seriousness. It is said: "azama 'ala al-amr", which means that he has made a firm decision and made it a firm matter. Al-Khalil said: "Al-azm is what the

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<sup>1</sup>- \*The Vast Ocean\* - Al-Fayruzabadi, Vol. 1, p. 310; \*Lexicon Taj al-Lughah and Lexicon of Arabic\* - Al-Jawhari, trans. by Ahmed Abdul Ghafour Attar, Dar al-Ilm Lilmillions, Beirut, 4th ed., (1407 AH - 1987 CE), Vol. 2, p. 524.

<sup>2</sup>- \*The Vast Ocean\* - Al-Fayruzabadi, Vol. 1, p. 310; \*Lexicon Taj al-Lughah and Lexicon of Arabic\* - Al-Jawhari, trans. by Ahmed Abdul Ghafour Attar, Dar al-Ilm Lilmillions, Beirut, 4th ed., (1407 AH - 1987 CE), Vol. 2, p. 524.

<sup>3</sup>- \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 5, p. 96.

<sup>4</sup>- \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 5, p. 96; \*Selected Vocabulary\* - Al-Razi, trans. by Yusuf al-Shaykh Muhammad, Al-Maktabah al-Asriyah, Beirut, Lebanon, 5th ed., (1420 AH - 1999 CE), Vol. 1, p. 254.

<sup>5</sup>- \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 5, p. 96; \*Selected Vocabulary\* - Al-Razi, Vol. 1, p. 254.

<sup>6</sup>- \*Measures of Language\* - Ibn Fares, Vol. 5, p. 366; \*Refinement of Language\* - Al-Azhari, trans. by Muhammad Awad Murab, Dar Ihya al-Turath al-Arabi, Beirut, 1st ed., (2001 CE), Vol. 15, p. 399; \*Lexicon Taj al-Lughah and Lexicon of Arabic\* - Al-Jawhari, Vol. 6, p. 2516; \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 15, p. 348; \*The Enlightening Lantern\* - Al-Fayumi, Al-Maktabah al-Ilmiyya, Beirut, (n.d.), Vol. 2, p. 631; \*The Colleges\* - Al-Kafi, Muassasat al-Risalah, Beirut, 2nd ed., (1413 AH - 1993 CE), p. 902.

<sup>7</sup>- \*Measures of Language\* - Ibn Fares, Vol. 5, p. 366; \*Lexicon Taj al-Lughah and Lexicon of Arabic\* - Al-Jawhari, Vol. 6, p. 2517.

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heart commits to an action of which you are the doer, meaning that you are certain of it". It is also said: "What is so-and-so determined to do?", meaning what is he determined to do, as if he cannot give up the matter, but rather wavers and hesitates in it<sup>1</sup>.

**Finally, "iradah" in the language:** "Iradah" is the verbal noun of the verb "arada", and in language it is used to refer to will and volition. It is said: "arada al-shay'" which means he willed it<sup>2</sup>. The purpose of saying "iradati bihatha lak" is to mean (my intention with this is for you)<sup>3</sup>. It is also used to denote seeking and choosing<sup>4</sup>.

These are the main linguistic meanings of the word "qasd" (intention) and its related terms. They include the concepts of intention, purpose and determination. The terms "qasd" (intention), "azm" (determination), and "iradah" (will) are used interchangeably in the Arabic language with a general meaning that includes the commitment of the heart to an action and the direction towards performing or refraining from it<sup>5</sup>. However, there are some subtle differences in their meanings due to different perspectives on the nature of the action, whether it is limited to one's own actions or includes the actions of others, whether it is achievable or impossible<sup>6</sup>, whether it takes precedence or is comparable to other actions, and whether it relates to the present or the future. However, these differences do not limit the interchangeability of these terms, and it is permissible to use them interchangeably because of the similarity of their meanings<sup>7</sup>. Even Al-Qarafi affirmed their synonymy after mentioning that "iradah" is a broader

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<sup>1</sup>- \*Measures of Language\* - Ibn Fares, Vol. 4, p. 308; \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 12, p. 399; \*The Enlightening Lantern\* - Al-Fayumi, Vol. 2, p. 408.

<sup>2</sup>- \*The Vast Ocean\* - Al-Fayruzabadi, Vol. 1, p. 284; \*Al-Sihah\* - Al-Razi, Vol. 1, p. 131.

<sup>3</sup>- \*Lisan al-Arab (The Tongue of the Arabs)\* - Ibn Manzur, Vol. 3, p. 188.

<sup>4</sup>- \*The Enlightening Lantern in the Strangeness of the Great Commentary\* - Al-Fayumi, Vol. 1, p. 245.

<sup>5</sup>- \*Objectives of the Responsible According to the Jurists\* - Faisal Al-Halibi, p. 30.

<sup>6</sup>- \*Marvels of Benefits\* - Ibn al-Qayyim, Dar al-Kutub al-Arabi, Beirut, Lebanon, (n.d.), Vol. 3, p. 190.

\*Security in Understanding Intentions\* - Al-Qarafi, translated by Masa'id bin Qasim al-Falih, Maktabat al-Haramayn, Riyadh, Saudi Arabia, 1st ed., (1408 AH - 1988 CE), pp. 117-121, 120.

\*The Treasury\* - Al-Qarafi, Vol. 1, p. 240.

\*Linguistic Differences\* - Abu Hilal al-Askari, translated by Muhammad Ibrahim Salim, Dar al-Ilm wa al-Thaqafah, Cairo, Egypt, (n.d.), pp. 124-126.

. \*Principles of Matters with their Objectives\* - Ya'qub al-Bahsīn, Maktabah al-Rushd, Riyadh, Saudi Arabia, 1st ed., (1419 AH - 1999 CE), pp. 41-43.

. \*Objectives of the Responsible in Acts of Worship\* - 'Umar Sulayman al-Ashqar, Maktabah al-Falah, Kuwait, 1st ed., (1401 AH - 1981 CE), p. 25.

\*End of Rulings\* - Ahmad al-Husayni, Dar al-Jil, Beirut, Lebanon, 1st ed., (1413 AH - 1992 CE), pp. 17-18.

\*Response to the Chosen on the Scattered Pearls\* - Ibn 'Abidin, Dar al-Fikr, Beirut, 2nd ed., (1412 AH - 1992 CE), Vol. 1, p. 105.

<sup>7</sup>- Among them: \*Anxiety\*; \*Desire\*; \*Choice\*; \*Decree\*; \*Destiny\*; \*Care\*; \*Will\*. See their meanings in: \*Security in Understanding Intentions\* - Al-Qarafi, pp. 118-126. Also, refer to other terms in: \*Objectives of the Responsible in Principles\* - Faisal Al-Halibi, pp. 40-50.

\*Marvels of Benefits\* - Ibn al-Qayyim, Dar al-Kutub al-Arabi, Beirut, Lebanon, (n.d.), Vol. 3, p. 190.

\*Security in Understanding Intentions\* - Al-Qarafi, translated by Masa'id bin Qasim al-Falih, Maktabat al-Haramayn, Riyadh, Saudi Arabia, 1st ed., (1408 AH - 1988 CE), pp. 117-121, 120.

\*The Treasury\* - Al-Qarafi, Vol. 1, p. 240.



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term that includes intention, purpose, determination, and others. Therefore, scholars and jurists<sup>1</sup> have used the terms "niyyah" (intention), "iradah" (will) and "qasd" (purpose) in their technical usage and have expanded their usage when discussing the states and descriptions of the heart.

**The third branch: Defining the Purposes of the Accountable as a Composite Entity:** Having explained the meaning of the terms "al-mukallaf" (the accountable), "al-qasd" (intention) and related terms and their use by scholars, it should be noted that the objectives of the accountable as a compound entity were not specifically defined by early scholars. This has led some later scholars to attempt to define them from various perspectives, not all of which can be presented here<sup>2</sup>. However, these definitions have not been exempt from criticism by scholars<sup>3</sup> as some of them have focused only on the transactional aspect and have not encompassed all that may be intended, such as the definition of Ibn Ashur. Others have emphasised the criterion of reconciling the intention of the accountable person with the intention of the legislator, as required by the definition of 'Alal al-Fasi. Some definitions have a clear role, such as that of al-Khadimi, who used the defining terms themselves in the definition, saying: "The objectives",

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\*Linguistic Differences\* - Abu Hilal al-Askari, translated by Muhammad Ibrahim Salim, Dar al-Ilm wa al-Thaqafah, Cairo, Egypt, (n.d.), pp. 124-126.

. \*Principles of Matters with their Objectives\* - Ya'qub al-Bahsīn, Maktabah al-Rushd, Riyadh, Saudi Arabia, 1st ed., (1419 AH - 1999 CE), pp. 41-43.

<sup>1</sup>- Revival of the Sciences of Religion - Abu Hamid Al-Ghazali, Vol. 4, p. 365.

Security in Understanding Intentions - Al-Qarafi, p. 126.

The Compilation: Explanation of Al-Muhadhdhab- Al-Nawawi, Dar Al-Fikr, Damascus, (n.d.), Vol. 1, pp. 310-311, 317.

Objectives of the Responsible - Al-Ashqar, p. 26.

Compilation of Fatwas - Ibn Taymiyyah, King Fahd Complex for the Printing of the Holy Quran, Al-Madinah, (n.d.), Vol. 18, p. 251.

The Pillars of the Reader: Explanation of Sahih Al-Bukhari- Badr Al-Din Al-Ayni, Dar Ihya al-Turath al-Arabi, Beirut, (n.d.), Vol. 1, p. 23.

The Arsenal- Al-Qarafi, Vol. 1, p. 240.

The Scattered: In the Principles of Jurisprudence - Al-Zarkashi, Ministry of Awqaf Kuwait, Kuwait, 2nd ed., (1405 AH - 1985 AD), Vol. 3, p. 284.

The Marvels of Benefits- Ibn Al-Qayyim, Vol. 3, pp. 190-192.

Response of the Perplexed: On the Selected Pearl- Ibn Abidin, Vol. 1, p. 414.

Objectives of the Responsible - Al-Ashqar, pp. 30-35.

The End of Rulings: Explaining the Rulings of Intentions- Ahmed Al-Husseini, p. 18.

. Objectives of the Responsible\*\* - Al-Ashqar, p. 35.

<sup>2</sup>- See: Contradiction between the Signification and Intent in the Principles of Jurisprudence and Jurisprudential Rules- Khalid bin Abdul Aziz Al-Sulaiman, Dar Kunooz Ishbiliya, Riyadh, Saudi Arabia, 1st ed., (1434 AH - 2013 AD), Vol. 1, pp. 222-224.

- Principle of Matters by Their Objectives - Ya'qub Al-Bahsain, pp. 26-28.

- Objectives of the Responsible - Al-Ashqar, p. 486.

- Theory of Objectives in the Perspective of Shatibi- Al-Raisuni, p. 164.

- Objectives of the Responsible According to the Jurists - Faisal Al-Halibi, p. 77.

<sup>3</sup>- Contradiction of the Signification and Intent in the Principles of Jurisprudence and Jurisprudential Rules - Khalid Bin Abdul Aziz Al-Suleiman, Dar Kunooz Ishbiliya, Riyadh, Saudi Arabia, 1st ed., (1434 AH - 2013 AD), Vol. 1, pp. 222-224.

Principle of Matters by Their Objectives- Ya'qub Al-Bahsain, pp. 26-28.

Objectives of the Responsible- Al-Ashqar, p. 486.

Theory of Objectives in the Shatibi's Perspective - Al-Raisuni, p. 164.

Objectives of the Responsible According to the Jurists\_ Faisal Al-Halibi, p. 77.

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"are intended", "by the responsible person"<sup>1</sup>. There are also definitions that are not comprehensive because they limit the intention of the accountable person to the right intention without including the corrupt intention, as in the definition of the researcher Faysal Hilibi.

The most comprehensive definition, in my opinion, is that of the researcher Khaled Suleiman, who states that "They are the goals towards which actions are directed".

I prefer this definition to the previous ones because it includes the absolute intention and the verbal and actual actions.

## The second thing: Evidence for the Consideration of the Purposes of the Accountable in the Comprehensive Framework

In addition to the consensus of Muslim scholars, there are several references in the texts of the Qur'an and the Sunnah that support the consideration of and reliance on the intention of the accountable person in his actions. The evidence is as follows:

### The first branch: Evidence from the Qur'an for considering the intention of the accountable person:

Researchers of the objectives of the accountable and related Islamic legal principles have mentioned that the term "niyyah" (intention) is not mentioned in the Quran, and although the term "al-qasd" (intention) is mentioned, it is not used in the technical sense of objectives. However, this does not mean that the Quran neglects its technical meaning; rather, it gives it great importance to the extent that it is a kind of emphasis and reminder, using different words that together and separately convey the intended meaning. The Qur'an uses the terms "al-iradah" (will) and "al-ibtigha'" (seeking) in relation to actions, commands sincerity in worship<sup>2</sup>, and considers all this as the soul of actions. It emphasises the importance of having absolute intention in acts of worship and actions, which affects them in this world and the hereafter. The following verses from the Qur'ân al-kerîm illustrate the consideration of the goals of the righteous:

Firstly, the term "al-ikhlas" (sincerity) is mentioned in the Qur'an, for example in the following verse: "And they were not commanded but to worship Allah, and to be sincere to Him in religion, and to incline to the truth" [98:5]. The basis of the argument is that the actions of the

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<sup>1</sup>- Contradiction between the Signification and Intent in the Principles of Jurisprudence and Jurisprudential Rules- Khalid bin Abdul Aziz Al-Sulaiman, Vol. 1, p. 224.

<sup>2</sup>- Compendium of Sciences and Rulings- Ibn Rajab Al-Hanbali, trans. Muhammad Al-Ahmedi Abu Al-Nour, Dar Al-Salam for Printing, Publishing, and Distribution, 2nd ed., (1424 AH - 2004 AD), pp. 65-64.

-Objectives of the Responsible- Al-Ashqar, p. 61.

- Objectives of the Responsible According to the Jurists\*\* - Faisal Al-Halibi, p. 181.

- Principle of Matters by Their Objectives - Ya'qub Al-Bahsain, pp. 77-78.

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addressed individuals, especially acts of worship, are considered valid only with the presence of intention and sincerity, as sincerity cannot exist without them<sup>1</sup>.

Secondly, the term "al-iradah" (will) is mentioned in the Qur'an, for example in the following verse "And Allah had certainly fulfilled His promise to you when you killed the enemy by His permission, until you lost your courage and fell into disputing about the command [given by the Prophet] and disobeyed after He had shown you that which you love. Among you are some who desire the world, and among you are some who desire the Hereafter" [3:152]. From these verses and others like them, it can be concluded that the actions of accountable people fall into two categories based on their intentions and goals: a correct intention that is in line with the goals of the Shariah and seeks the pleasure of Allah and the Hereafter; and a corrupt intention that is contrary to the goals of the Shariah and seeks worldly gains. Each category has its consequences both in this world and in the Hereafter.

Thirdly, the term "al-ibtigha'" (seeking) is mentioned in the Qur'an, for example in the following verse: "There is no good in much of their private conversation, except for those who enjoin charity or what is right or reconciliation between people. And whoever does this seeking means to the approval of Allah, We shall give him a great reward" [4:114].

The texts related to seeking (al-ibtigha') indicate that the order of reward for an act is based on the intention of seeking the face of Allah, and not on any other purpose. Ibn Rajab commented on this verse by saying: "The command to enjoin good deeds, to reform relations between people, and other similar acts is considered good. Even if it is not done with the intention of seeking the face of Allah, it still benefits people and is considered a good deed. However, in relation to the individual, if the intention is to seek the face of Allah and His pleasure, then it is considered good for the individual and he will be rewarded for it. But if this is not the intention, then it is not considered good for the individual, and they will not be rewarded for it"<sup>2</sup>.

**The second branch:** Evidence from the Sunnah regarding the consideration of the intention of the accountant: Similarly, there are authentic hadiths that explicitly indicate the importance of considering the intention of the accountable person in acts of worship and business. Some examples are:

1. The narration of Umar ibn al-Khattab, may Allah be pleased with him, who reported that the Prophet, peace be upon him, said: "Truly, deeds are judged by their intentions, and everyone will

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<sup>1</sup>- The Crown in Deriving the Revelation - Al-Suyuti, trans. Saif Al-Din Abdul Qadir Al-Katib, Dar Al-Kitab Al-Ilmiyah, Beirut, (1401 AH - 1981 AD), p. 295. Explanation of the Luminous Planet- Ibn Al-Najjar, Vol. 4, p. 455.

- Principle of Matters by Their Objectives - Ya'qub Al-Bahsain, pp. 77-78.

<sup>2</sup>- Compendium of Sciences and Rulings- Ibn Rajab Al-Hanbali, pp. 65.

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have what he intended. So whoever emigrates for the sake of worldly gain or to marry a woman, his emigration is for what he emigrated for"<sup>1</sup>.

Ibn al-Qayyim explained the meaning of this hadith by saying: "The first part of the hadith indicates that actions are only valid with intention, and therefore there is no action without intention. Then, in the second part, it is clarified that a person will only have what he intended. This applies to acts of worship, transactions, oaths, vows, contracts and all other actions"<sup>2</sup>.

A narration from Aisha, the mother of the believers, may Allah be pleased with her, who said The Messenger of Allah, peace be upon him, said: "An army will attack the Kaaba, and when they reach a desert plain, the first and the last of them will be swallowed up by the earth." I said: "O Messenger of Allah, how will they be swallowed up when among them are their marketplaces and people who are not part of the raid?" He replied: "They will be swallowed up, then they will be raised according to their intentions"<sup>3</sup>.

These texts<sup>4</sup> and others indicate that intentions and goals have an effect on the judgments of actions, even if their outward forms are the same<sup>5</sup>.

**The third branch: Consensus on the consideration of the intention of the accountable person:** Since the time of the Companions or the generation that followed them and in subsequent generations, the scholars have unanimously agreed on the meaning indicated by the Qur'anic texts and the Hadiths regarding the consideration of the intention of the accountable person<sup>6</sup>.

**The fourth branch: Pointing out that the Shari'ah does not take into account actions that are performed without intention:** This is because acts committed by persons who are incapable of intending, such as the insane, the mentally impaired, the mistaken, the absent-minded, the asleep, the forgetful, the coerced, and others, if considered and judged by the wise legislator,

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<sup>1</sup>- Al-Bukhari in his Sahih - Book: The Beginning of Revelation, Chapter: What was the beginning of the revelation to the Messenger of Allah (peace be upon him), Narrated by: Umar ibn Al-Khattab, Hadith No. 01, Volume 1, p. 06.

<sup>2</sup>- Informing the inhabitants about the Lord of the Worlds - Ibn Al-Qayyim, trans. Muhammad Abdul Salam Ibrahim, Dar Al-Kutub Al-Ilmiyah, Beirut, 1st edition, (1411 AH - 1991 AD), Vol. 3, pp. 91 and 79; The Collection of Fatwas - Ibn Taymiyyah, Vol. 18, pp. 253-252; Compendium of Sciences and Rulings - Ibn Rajab, Vol. 1, pp. 61-60; Al-Muwafaqat - Al-Shatibi, trans. Abu Ubaydah Mashhur bin Hasan Al-Salman, Dar Ibn Affan, Saudi Arabia, 1st edition, (1417 AH - 1997 AD), vol. 3, p. 7.

<sup>3</sup>- Al-Bukhari in his Sahih - Book: Transactions, Chapter: What is mentioned about markets, Narrated by: Aisha, Hadith No. 2118, Volume 3, p. 66.

<sup>4</sup>- For more details see:

The Major Fatwas of Ibn Taymiyyah - Dar Al-Kutub Al-Ilmiyah, Beirut, 1st edition, (1408 AH - 1987 AD), vol. 6, p. 54.

Informing the inhabitants about the Lord of the Worlds - Ibn Al-Qayyim, Vol. 3, p. 81.

Al-Muwafaqat - Al-Shatibi, Vol. 3, p. 07.

<sup>5</sup>- Compendium of Sciences and Rulings - Ibn Rajab, vol. 1, p. 61-60.

The Major Fatwas of Ibn Taymiyyah - Vol. 18, pp. 253-252.

Al-Muwafaqat - Al-Shatibi, Vol. 3, p. 07

<sup>6</sup>- The principle of matters according to their ends - Ya'qub Al-Bahsain, p. 83.

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except for those acts that have legal consequences, would impose an unbearable burden. There is a consensus that imposing an unbearable burden is not part of Sharia<sup>1</sup>.

### The second theme: The Consideration of the Objectives of Obligated Individuals in Actions

In this topic, I will discuss the views of scholars on the extent to which the objectives of obligated individuals are generally considered, along with the evidence for each view. I will then discuss the evidence and weigh it against each other in the following claims.

**Requirement One:** Scholars' Views on the Consideration of the Objectives of the Obligated Individuals in General, and the Evidence for Each View.

**First branch: Resolution of the conflict:** Before presenting the views of the scholars on the extent to which they consider the goals of the obligated individuals, it is necessary to resolve the conflict. We need to clarify the relationship between the duties and the actions of the obligated individuals, and what is essential for their validity in terms of the intention and purpose of the individual. This can be explained as follows:

**First, the required action:** There are two types of required action in Sharia:<sup>2</sup>

1. Actions whose mere occurrence is sufficient to achieve their intended purpose, such as paying debts, returning deposits and trusts, obligatory expenses, imposing legal punishments, removing impurities, and others. The intended benefit of these actions is realised by their occurrence and results from their nature. Their validity does not depend on the intention and purpose of the performer, since their form is sufficient to fulfil the objective. The obligated person fulfils his responsibility even if he did not intend the objective.

2. Actions whose mere form is not sufficient to achieve their intended purpose, and which require the intention to fulfil them.

Examples include prayer, purification, fasting, the performance of pilgrimage rituals, and other acts of worship performed to submit to Allah and show reverence to Him. The intended purpose of these acts is to submit to Allah and fulfil their form. The intended purpose cannot be achieved without the intention. In this category, the Shariah requires intention and makes it a condition for the validity of the act. The obligated individual cannot fulfil his responsibility unless he fulfils this condition.

**Second, required abstention:** This includes all actions that are prohibited by Sharia. Simply abstaining from them releases the obligated individual from his responsibility, even if he does not

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<sup>1</sup>- The Differences - Al-Qarafi, Alam Al-Kutub, Beirut, (n.d.), vol. 2, p. 77; The Collection of Fatwas - Ibn Taymiyyah, vol. 14, p. 115.

<sup>2</sup>- The Desire: Understanding Intentions- Al-Qarafi, pp. 159.158; The Differences- Al-Qarafi, vol. 1, p. 130; The Miracles of Beneficial Knowledge- Ibn Al-Qayyim, vol. 3, pp. 187.186; The Collection of Fatwas- Ibn Taymiyyah, vol. 18, p. 257.

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feel the prohibition. However, in order to receive the reward associated with abstention, one must have the intention of worshipping.

**Third, permissible actions:** These actions are neither required nor forbidden. Intention and purpose are not essential to their validity. If the intention of the performer is to obey Allah and draw closer to Him through these actions, they will be rewarded<sup>1</sup>.

**Fourth, the point of dispute:** Based on the above, scholars agree on the following:

- Intention and purpose are conditions for receiving rewards, not for exemption from responsibility.

If the intention of the performer is to obey Allah and draw closer to Him through these actions, they will be rewarded. Permissible actions do not require intention in order to be permissible. If the intention is to obey and approach Allah, the performer will be rewarded.

They differ, however, in considering intention and purpose in those actions (means and habits) whose mere form is sufficient to achieve their intended purpose when they are performed, such as ablution, removing impurities, paying debts, returning deposits and trusts.

Abu Zar'a al-'Iraqi said of the requirement of intention for the validity of worship "The scholars have unanimously agreed on this matter in the specific acts of worship that are not means to an end. Abu al-Walid Muhammad ibn Ahmad ibn Rushd al-Maliki in his book "Bidayat al-Mujtahid" mentioned the consensus of scholars on the requirement of intention in acts of worship. Ibn Taymiyyah and Ibn Rajab mentioned that the scholars have two opinions regarding the consideration of objectives in actions: the opinion of the majority of the early scholars and the opinion of the later scholars"<sup>2</sup>.

**The second branch:** Schools of Thought Among Scholars Regarding the Consideration of Objectives in Actions Both Ibn Taymiyyah and Ibn Rajab narrated that there are two schools of thought among the scholars on this matter: the majority opinion among the early scholars and the opinion of the later scholars. The following is an explanation of them.

**The first opinion:** The followers of this opinion believe that objectives are taken into account without exception, and that actions in the hadith are taken according to their apparent and general meanings, without specifying anything. The mention of intentions in the Hadith does not only refer to righteous and blameworthy intentions, but also to praiseworthy and blameworthy intentions and praiseworthy and blameworthy actions. This is the opinion of the

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<sup>1</sup>- The Desire: Understanding Intentions- Al-Qarafi, pp. 157.156; Fath Al-Bari - Ibn Hajar, vol. 1, p. 15 and vol. 2, p. 445; Al-Muwafaqat - Al-Shatibi, vol. 1, p. 459; The Collection of Fatwas - Ibn Taymiyyah, vol. 10, p. 460.

<sup>2</sup>- Criticism in the Explanation of Facilitation - Abu Zur'ah Al-Iraqi, Vol. 2, p. 11; The Collection of Fatwas - Ibn Taymiyyah, Vol. 18, p. 257; The Commencement of the Learned - Ibn Rushd, Vol. 1, p. 15; Fath Al-Bari - Ibn Hajar, Vol. 1, p. 14; The Objectives of the Responsible - Faisal Al-Halibi, p. 219.

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majority of early scholars such as Ibn Jarir al-Tabari and Abu Talib al-Makki. It is also evident from the words of Ahmad<sup>1</sup>. This opinion was also chosen by Ash-Shatibi, Ibn Taymiyyah and Ibn al-Qayyim. Ash-Shatibi said: "Actions are based on intentions, and objectives are considered in acts of worship and customary actions. The proofs of this meaning are not limited"<sup>2</sup>. Ibn Taymiyyah said, "Objectives and beliefs are considered in actions and customs, just as they are considered in acts of worship and acts of obedience"<sup>3</sup>. Ibn al-Qayyim said: "This applies to acts of worship, transactions, oaths, vows, contracts and all other actions."<sup>4</sup>

The scholars have unanimously agreed on this matter in the specific acts of worship that are not

**Second opinion:** The proponents of this opinion believe that intentions are not taken into account without exception. Many later scholars, such as Ibn Rajab, hold this view. They argue that the term "acts" refers specifically to the obligatory or recommended acts of worship that do not require intention for their validity. They generalise the term "acts" to include actions that do not require intention, such as customary actions like eating and drinking, returning trusts and deposits, and others<sup>5</sup>.

**The second topic: Evidence for each school of thought:** This concludes the explanation of the two opinions and their evidence.

Regarding the evidence for the first opinion, the proponents of this opinion rely on the extensive evidence presented earlier in the discussion of the evidence for considering the intention of the obligors. They also refer to the hadith "Truly, actions are judged by intentions"<sup>6</sup>.

Their argument is that the word "inna-ma" (verily) in the hadith indicates a restriction according to the established meaning in the Arabic language and the science of principles, which confirms the ruling regarding what is mentioned and negates it regarding what is not mentioned<sup>7</sup>. The word "actions" in the Hadith is in the form of a generalisation that includes everything that is called an action in the general sense, unless there is evidence to restrict it<sup>8</sup>.

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<sup>1</sup>- The Collection of Fatwas - Ibn Taymiyyah, Vol. 18, p. 253; The Compilation of Knowledge and Judgment - Ibn Rajab, Vol. 1, p. 61.

<sup>2</sup>- The Agreements - Al-Shatibi, Vol. 3, p. 7.

<sup>3</sup>- The Grand Fatwas - Ibn Taymiyyah, Vol. 6, p. 54; Informing the Inhabitants about the Lord of the Worlds - Ibn Al-Qayyim, Vol. 3, p. 79.

<sup>4</sup>- Informing the Inhabitants - Ibn Al-Qayyim, Vol. 3, p. 91.

<sup>5</sup>- (Collection of Fatwas), Ibn Taymiyyah. Volume 18, Page: 253-252, (The Compilation of Knowledge and Wisdom). Ibn Rajab. Volume 1, Page: 60

<sup>6</sup>- Narrated by Al-Bukhari in his Sahih: Book: The Beginning of Revelation, Chapter: How was the beginning of revelation to the Messenger of Allah, peace be upon him?; through the route of Umar ibn Al-Khattab; Number: 01; Vol. 1, p. 06.

<sup>7</sup>- The Rules of Judgment: Explanation of the Pillars of Judgment - Ibn Daqiq Al-Eid, Vol. 1, p. 60; The Collection of Fatwas - Ibn Taymiyyah, Vol. 18, p. 264.

<sup>8</sup>- The Desire: Understanding Intentions - Al-Qarafi, p. 140; Revealing Secrets - Abdul Aziz Al-Bukhari, Vol. 2, p. 3; Al-Mustasfa - Al-Ghazali, p. 225; Guidance for the Elite - Al-Shawkani, Vol. 1, p. 302.

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"And thus, the phrase in the statement of the Prophet (peace be upon him), 'Truly, actions are judged by intentions,' implies that no voluntary action of a responsible individual can be exempt from intention and purpose. Al-Karamani stated: "This construction means restriction according to the scholars who have studied this matter and they differ in the aspect of its implication. It is said that the term 'actions' in the Hadith is a general plural form indicating inclusiveness, and it necessitates the restriction because its meaning is 'every action with intention', so there is no action except with intention"<sup>1</sup>.

**Second opinion:** Evidence for the Second Opinion: The proponents of this opinion argued that goals are considered in general, without exception, based on the Hadith, 'Verily, actions are judged by intentions.'

Their argument is that the hadith implies and implies the following meanings: actions are valid, acceptable, rewarded, or sufficient, or they are not sufficient, and therefore the term 'actions' in the hadith refers specifically to obligatory or recommended religious actions that require intention. However, actions that do not require intention, such as customary actions or returning trusts and deposits, do not require intention. This specific category is excluded from the general scope of actions mentioned in the Hadith<sup>2</sup>.

And among the actions that are not included in the general scope of the hadith are:<sup>3</sup>

First: Actions that are obligatory by force according to Islamic law. If someone is forced to perform an action in order to avoid punishment for himself, without intending to comply with the command of the Shari'a, his action is not considered as an intention to perform what is required. It is considered that the action is not valid without a valid intention<sup>4</sup>, and if the intention is absent, its presence and absence are equal. Therefore, the demand for the action is necessary in the second scenario, and what was necessary in the first scenario is also necessary. It becomes a sequence, or the compulsion becomes meaningless, and both scenarios are impossible, or the action is valid without intention, which is the desired result.

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<sup>1</sup>- Fath Al-Bari- Ibn Hajar, Vol. 1, p. 12; The Compilation of Knowledge and Judgment - Ibn Rajab, Vol. 1, p. 61; The Objectives of the Responsible - Faisal Al-Halibi, p. 223.222.

<sup>2</sup>- The Totality of Fatwas - Ibn Taymiyyah, Vol. 18, p. 253.252; The Compilation of Knowledge and Judgment - Ibn Rajab, Vol. 1, p. 60; Fath Al-Bari - Ibn Hajar, Vol. 1, p. 13.

<sup>3</sup>- Harmonies - Ash-Shatibi, Vol. 3, pp. 12-17.

<sup>4</sup>- The majority of scholars agree on the validity of actions without intention under compulsion, such as the ruler taking Zakat from its rightful owners without them intending to give it to him. The Hanafi school even considers it valid in apparent wealth without hidden wealth. Ibn Najim weakened this opinion, asserting that it is not permissible. Refer to: Response to the Chosen Pearl- Ibn Abidin, Vol. 2, p. 268; Similarities and Metaphors - Ibn Najim, p. 19; Hashiyah Ad-Dasuqi on the Great Explanation - Ibn Urfah, Vol. 1, p. 503; The Mother - Ash-Shafi'i, Vol. 2, p. 24; Al-Mughni - Ibn Qudamah, Vol. 2, p. 478; The Objectives of the Responsible - Al-Ashqar, p. 72; The Objectives of the Responsible - Al-Halabi, p. 224.



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Second: habitual acts. The jurists<sup>1</sup> have stated that customary actions do not require intention in their performance. Rather, their outward form is sufficient to achieve the intended purpose when they occur, such as returning deposits and debts and providing for wives, children and others. How, then, can it be said that acts take into account ends?

Third, acts of worship. Intention is not universally required in acts of worship. Rather, there are specific details and differences among scholars regarding particular acts of worship. Some of them have argued that intention is not required in some acts of worship, such as ablution<sup>2</sup>, fasting<sup>3</sup>, and giving alms<sup>4</sup>. Therefore, since there is disagreement on this issue, how can the claim that intention is taken into account be generalised without exception?"

Fourth, the obligation of intention in certain joking acts that have consequences, even if the person did not intend the effects of his joking. Examples of such actions are manumission, vows, marriage, divorce and annulment. This is supported by the statement of the Prophet (peace be upon him): "There are three matters that are treated seriously, even if they are done in jest: marriage, divorce, and the annulment of divorce"<sup>5</sup>. In another hadith, the Prophet (peace be upon him) said: "Whoever marries or divorces in jest, it is permissible"<sup>6</sup>. Umar ibn Al-Khattab (May Allah be pleased with him) also said: "There are four things that are permissible in all circumstances: manumission, divorce, marriage and vows"<sup>7</sup>.

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<sup>1</sup>- Intentions- Al-Qarafi, pp. 159-158; Precious Treasures of Benefits - Ibn al-Qayyim, Vol. 3, pp. 187-186; The Compilation of Fatwas - Ibn Taymiyyah, Vol. 18, p. 257.

<sup>2</sup>- Among them are Ath-Thawri, Abu Hanifa, and their companions (Abu Yusuf, Muhammad ibn al-Hasan, and Zufar), and al-Qurtubi attributed many of the Shafi'i's to them. Refer to: The Beginning of the Striving Scholar - Ibn Rushd, Vol. 1, p. 15; Similarities and Metaphors- Ibn Najim, p. 18; The Comprehensive Collection of Quranic Rulings - Al-Qurtubi, Vol. 6, p. 85; The Objectives of the Responsible - Al-Ashqar, p. 310; The Objectives of the Responsible- Al-Halabi, p. 225; The Beginning of the Striving Scholar- Ibn Rushd, Vol. 1, p. 15.

<sup>3</sup>- Among them are Ata' and Mujahid and Zufar. Refer to: Precious Arts in the Arrangement of Laws - Al-Kasani, Vol. 2, p. 83; The Beginning of the Striving Scholar and the End of the Moderate Scholar - Ibn Rushd, Vol. 2, p. 55; The Compilation: Explanation of Al-Muhadhdhab - An-Nawawi, Vol. 6, p. 300; The Objectives of the Responsible - Al-Ashqar, p. 329; The Objectives of the Responsible - Faisal Al-Halabi, p. 226.

<sup>4</sup>- That was narrated about Al-Awza'i. Refer to: The Talents of the Noble in Explaining Khalil's Summary - Al-Hattab, Vol. 2, p. 357; The Compilation: Explanation of Al-Muhadhdhab - An-Nawawi, Vol. 6, p. 180; Al-Mughni - Ibn Qudamah, Vol. 2, p. 476; The Objectives of the Responsible - Al-Ashqar, p. 325; The Objectives of the Responsible - Faisal Al-Halabi, p. 226.

<sup>5</sup>- The hadith is narrated by Abu Huraira and can be found in Abu Dawood's Sunan (Book of Divorce, Chapter: Regarding divorce in jest, Hadith: 2194, Vol: 2, Page: 259) and also in Tirmidhi's Sunan (Book of Divorce, Chapter: What is mentioned about seriousness and jest in divorce, Hadith: 1184, Vol: 2, Page: 481). It is classified as a good and strange hadith, and its application is acknowledged by scholars, as confirmed by Al-Albani in Irwa' al-Ghalil, Vol: 6, Page: 224.

<sup>6</sup>- Abd al-Razzaq included it in his Musannaf (Book of Marriage, Chapter: What is permissible in play during marriage and divorce, Hadith: 10243, Vol: 6, Page: 133), and Al-Albani authenticated it in his Talikat al-Radiyah, Vol: 2, Page: 241.

<sup>7</sup>- This is a reference from Ibn Abi Shaybah in his book "Al-Musannaf" under the chapter of divorce, subsection: "Divorce and remarriage are not games." He stated: "It is obligatory for him (the person who plays such games)." The narration is by Sa'id ibn al-Musayyib, with reference number 18403, volume 4, page 114.

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It is well known that joking does not have a specific intention behind it. Therefore, if one does not pay attention to the intention of the aforementioned actions, it indicates that the goals are not considered in a general sense.

Fifth: Actions that cannot be performed with the intention of obedience are those related to the initial perception that leads to the knowledge of the existence of the doer and the knowledge of what cannot be achieved except through faith. Scholars have unanimously agreed that it is impossible to intend obedience in such actions<sup>1</sup>. So how can it be said that every action requires intention?

If all the above points are established, it contradicts the claim of considering ends in a general sense. It is established that not every action requires intention, nor is every action in which goals are considered absolute<sup>2</sup>.

In the third section we look at discussions, reactions and evaluations.

Branch one: discussions, reactions and preferences:

First, the general answer:

Al-Shatibi explained the general principle of considering the objectives of accountable persons in a general sense, stressing that it is not permissible to neglect them under any circumstances. He mentioned that objectives related to actions can be divided into two types:

1) Necessary for every rational, responsible actor as they are. The purpose of their action, whether it is good or bad, is intended, whether the action is required, forbidden, or neither required nor forbidden by the Sharia. Whether the intention is to obey the command of the legislator or to violate it, in this case it can be said that every action is considered based on its intention in terms of its validity, because it is an accountable action and is subject to the rules of obligation. If the action is imposed with extenuating circumstances, such as compulsion, sleep, madness, and others, the rules of obligation do not apply to their actions, since they are not accountable, and an incomplete action does not exempt them<sup>3</sup>.

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<sup>1</sup>- (The Differences), Al-Qarafi  
Volume 1, Page: 129. (Security in Perceiving Intentions). Not specified. Page: 112  
(Objectives of the Two Universes), Faysal al-Hilbi  
.Page: 229

<sup>2</sup>- "Al-Muwafaqat" by Al-Shatibi, Vol. 3, p.17.

<sup>3</sup>- Al-Muwafaqat (The Compendium). Al-Shatibi. Volume 3, Page: 17. (Collection of Fatwas) .Ibn Taymiyyah. Volume 18, Page: 253-252. (The Compilation of Knowledge and Wisdom) .Ibn Rajab. Volume 1, Page: 60. (Unique Benefits), Ibn al-Qayyim, Volume 3, Page: 189, (Objectives of the Responsible) Author: Al-Hilbi - Page: 230

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Everything mentioned in the objections which deny the general consideration of ends can be reduced to these two categories:<sup>1</sup>

The intended meaning is to deal with the requirement of coercion, joke, search for evidence or other similar matters that have legal implications whether they are considered or not.

With regard to matters that are not intended, the ruling of legal obligation does not apply, except in cases where the ruling is based on societal norms. For example, someone who does not break his fast because of sleep or forgetfulness is considered valid according to social norms, not because he is obliged to do so. Similarly, other examples can be understood in the same context.

The objectives necessary for acts of worship in terms of their nature as acts of worship can be divided into two types:<sup>2</sup>

A) Actions that are inherently considered acts of worship, such as prayer, pilgrimage, and others. There is no disagreement that intention is essential in the performance of these acts.

B) Routine actions that become acts of worship and are rewarded on the basis of intention, such as eating, drinking, and others. No action is exempt from the requirement of intention except those that are inherently impossible<sup>3</sup>.

### Second, a detailed response to the objections raised:

1) Response to the objection related to coercion in the performance of religious duties: In Islamic law, duties can be divided into two types, and the ruling on compulsion varies according to the type:<sup>4</sup>

a) Obligations that do not require the intention of worship and obedience<sup>3</sup>. These acts are not considered valid forms of worship unless there is a benefit derived from them, in which case the demand for them is no longer applicable, such as taking back money from a usurper.

b) Obligations that require the intention of worship and obedience. In such cases, the validity of the act is obvious, and the compelled individual is not obliged to repeat the act. The true intention of the compelled individual is not known to others, but only to Allah. This applies to acts of worship such as prayer. The same rule applies to other acts of worship.

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<sup>1</sup>- "Al-Muwafaqat" by Al-Shatibi, Vol. 3, pp. 17-18

<sup>2</sup>- "The Harmony of Objectives" by Al-Shatibi, Vol. 3, p. 18; "The Objectives of the Responsible" by Al-Ashqar, p. 75; "Maqasid al-Mukallifeen" by Faisal Al-Halibi, pp. 231-230.

<sup>3</sup>- "The Harmony of Objectives" by Al-Shatibi, Vol. 3, p. 18; "Unique Aspects of Benefits" by Ibn al-Qayyim, Vol. 3, p. 193; "Similarities and Differences" by Ibn Najim, p. 25; "Similarities and Differences" by Al-Suyuti, p. 12; "The Objectives of the Responsible" by Al-Ashqar, p. 102.

<sup>4</sup>- "Al-Muwafaqat" by Al-Shatibi, Vol. 3, p. 18; "The Objectives of the Responsible" by Faisal Al-Halibi, p. 231; "Qa'idat al-Umoor bi Maqasidiha" by Ya'qub al-Bahsain, p. 164.

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Al-Ghazali mentioned that apparent obedience is considered obedience if the motivation behind it is legal obligation rather than compulsion. If someone performs an action only to avoid compulsion, his action is not considered to be in response to the call of the law, and it is only valid in an apparent sense between him and the ruler, as a means of securing the outward action.

But it is not sufficient as an act of obedience between them and Allah<sup>1</sup>. Ibn Taymiyyah also mentioned the consensus that performing an act of worship out of fear of punishment, authority, or blindly following the ancestors is not acceptable<sup>2</sup>.

2) Responding to the objection regarding the sufficiency of outward actions in achieving their intended purposes: Ordinary actions, even if they achieve their intended purpose in their outward form, are not considered acts of worship and are not considered valid for receiving rewards in the Hereafter without the intention of obedience<sup>3</sup>.

3) Answer to the objection to the general requirement of intention in acts of worship, with some variations: It is answered that those who hold this view base their argument on the idea that intention is rational in meaning, as are ordinary actions. However, intention is only required in actions that lack rationality in meaning. For example, purification combines worship and cleanliness, and the jurist should consider which aspect is stronger and prioritise it. Therefore, there is disagreement about intention in such cases<sup>4</sup>. As for Zakat, some argue that it does not require intention and considers it a debt like any other<sup>5</sup>. As for fasting, it is based on the premise that abstaining from certain actions is worthy of the prescribed time, and it is not invalidated by intending other actions, as they do not conflict<sup>6</sup>.

The underlying principle of rationality or piety in Shari'ah rulings is agreed upon by scholars<sup>7</sup>. The disagreement lies in some of its forms and applications when it comes to linking it to acts of

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<sup>1</sup>- "The Clarified" by Al-Ghazali, pp. 73-72; "The Enricher" by Ibn Qudamah, Vol. 2, p. 478.

<sup>2</sup>- "The Compendium of Fatwas" by Ibn Taymiyyah, Vol. 26, p. 30; "The Objectives of the Responsible" by Faisal Al-Halibi, pp. 233-232.

<sup>3</sup>- "Al-Muwafaqat" by Al-Shatibi, Vol. 1, p. 459

<sup>4</sup>- "The Distinguished Jurist's Primer" by Ibn Rushd, Vol. 1, p. 15. "The Comprehensive Compilation of the Judgments of the Qur'an" by Al-Qurtubi, Vol. 6, p. 85. "The Collection of Fatwas" by Ibn Taymiyyah, Vol. 18, p. 259. "The Objectives of the Responsible Individuals" by Faisal Al-Halibi, p. 237.

<sup>5</sup>- "The Enricher" by Ibn Qudamah, Vol. 2, p. 476. "The Comprehensive Explanation of the Selected" by Al-Nawawi, Vol. 6, p. 180. "The Objectives of the Responsible Individuals" by Al-Ashqar, p. 325. "The Objectives of the Responsible Individuals" by Faisal Al-Halibi, p. 237.

<sup>6</sup>- "The Comprehensive Explanation of the Selected" by Al-Nawawi, Vol. 6, p. 301-300. "The Marvels of Craftsmanship in the Arrangement of the Legal Principles" by Al-Kasani, Vol. 2, p. 83. "The Distinguished Jurist's Primer and the Goal of the Seeker" by Ibn Rushd, Vol. 2, p. 55.

- "The Objectives of the Responsible Individuals" by Al-Ashqar, p. 329. "The Objectives of the Responsible Individuals" by Faisal Al-Halibi, p. 238.

<sup>7</sup>- "The Harmony" by Al-Shatibi, Vol. 2, p. 513.

- "The Book of Holding Firmly" by Al-Shatibi, Vol. 1, p. 472.

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worship with a rational meaning. Some require intention for their validity, while others do not, but all agree that obtaining the reward and the consequent reward in the hereafter depends on intention<sup>1</sup>.

4) Answer to the objection regarding the obligation of responsibility for certain actions performed in a playful manner that have unintended effects, such as manumission and vows: The answer is as follows:

a) He who intends to produce an effect through a cause is not absolved from that cause simply because he did not intend it to occur.

This applies to playful actions which undoubtedly intend to cause an effect (which is merely the act of playfulness in words). Either the person did not intend the cause, negating or affirming it, or he intended that it should not occur. In any case, the cause requires the effect, whether one likes it or not<sup>2</sup>.

b) The obligation of responsibility for playful acts is based on the legislator's disregard of the intention to engage in playfulness, given the apparent purpose. This is because they are legal contracts with significant consequences in terms of lineage, freedom and obligations. Therefore, the legislator has determined their apparent causes and ordered their consideration, as they are important matters of Sharia. However, the intention of playfulness is neglected because it is an internal matter that contradicts the legislator's purpose. This is to protect and preserve these matters, to prevent any corruption of immunity and the loss of freedoms and obligations that the responsible party has undertaken<sup>3</sup>.

5) "The answer to the objection related to the consensus not to consider the goals first in assessing the existence of the Creator: Al-Shatibi replied that it is difficult not to consider the intention of seeking nearness and compliance in worship, because it becomes impossible due to the inability to impose what is intolerable. Therefore, it does not fall under any binding ruling, as the intention of worship is not really directed towards it. However, the obligation to consider it in terms of knowledge is valid, since it falls within the capacity of the responsible individual and is attainable. The ruling is different with regard to the obligation to consider it in terms of the intention of worship, since the intention of observance is not conceivable without the knowledge of God through observation. Therefore, it is not related to the intention, and the proof of seeking it or considering it as a religious obligation was not mentioned. Al-Qarafi stated in the

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<sup>1</sup>- "The Objectives of the Responsible Individuals" by Al-Ashqar, p. 79. "The Objectives of the Responsible Individuals" by Faisal Al-Halibi, p. 239-238.

<sup>2</sup>- "The Harmony" by Al-Shatibi, Vol. 2, p. 21. "Knowledge for Those Who Observe" by Ibn Al-Qayyim, Vol. 3, p. 101.

<sup>3</sup>- "The Justification of Legal Rulings," Vol. 3, p. 21.

- "The Objectives of the Responsible Individuals" by Faisal Al-Halibi, p. 240.

- "The Principle of Matters According to Their Objectives" by Ya'qub al-Bahsin, p. 156.

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principle of distinguishing between what can be intended for nearness and what cannot be intended for nearness: "As for what cannot be intended for nearness, it is divided into two categories: the first category is the initial observation that leads to the knowledge of the existence of the Creator. There is a consensus that it cannot be intended for nearness, because the intention of seeking nearness to Allah through action is a branch of the belief in His existence, and it precedes the observation that confirms it. Therefore, the intention of seeking nearness is not known to the observer, which makes it impossible for him to intend nearness. It is like someone who is unaware of the arrival of a guest; how can he intend to honour him? The initial observation in which the intention of seeking nearness is impossible is inconceivable<sup>1</sup>.

Al-Razi, in explaining the exceptions to the commands that must be intended for obedience, stated: "One of the two exceptions is the primary obligation, which is the cognitive observation of the obligation<sup>2</sup>.

It cannot be intended for obedience, even if the doer does not know his obligation until he fulfils it.

### The Third Branch: (Preponderance)

- After explaining the dispute among the scholars regarding the consideration of the objectives of the responsible individuals in actions, clarifying the reason for the disagreement among them, mentioning their schools of thought, presenting their evidence and the facets of deduction therefrom, and then discussing and answering, the researcher preponderates the opinion of those who consider the intention of the individual in acts of worship and customary practices, for the following reasons:

1. The intention is essential to the action in every voluntary act performed by the responsible individual as it is chosen. No action is performed without an intended purpose. The doer will be rewarded if it is praiseworthy and will be held accountable if it is blameworthy. The complete performance of an obligatory act cannot be omitted, except for a valid reason, as previously explained.
2. The strength of the evidence of the advocates of the first opinion, who consider the aims of the responsible persons in a general and comprehensive manner, and their immunity from contradiction.
3. The specification of generality in the phrase "actions" in the Hadith of the intention to perform acts of worship only contradicts the majority of jurists who maintain that a definite

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<sup>1</sup>- "Al-Amniyah fi Idraak al-Niyyah" by Al-Qarafi, page 112.

<sup>2</sup>- "Al-Mahsul" by Al-Razi, Volume 2, page 266.. "Qa'idat al-Umuru bi-Maqasidiha" by Ya'qub Al-Bahsin, page 169.

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article (alif lam) followed by a noun, if not customary, carries its apparent meaning. Therefore, the term "acts" in the Hadith includes all acts of worship and customary practices.

4. To refute the objections of the supporters of the second opinion and to respond to them in such a way that they are irrelevant to the subject of the dispute and do not contribute to achieving the desired result".

### Conclusion:

At the end of this study on "The Schools of Scholars in Considering the Objectives of the Accountable Individuals in Actions", I will mention the main results achieved as follows:

The objectives of the accountable individuals are "the goals and objectives that the actions of the qualified are directed towards achieving, as indicated by the discourse of the Shari'a".

With regard to the actions of the accountable individuals to which legal obligations are attached, some may lack the intention of the accountable individual, while others do not. Therefore, intention is a requirement for the validity of obligations, a condition for obtaining the reward of abstaining from prohibitions, and it is not necessary for the validity of permissible actions.

The actions mentioned in the hadith of intention can be either acts of worship or customs. Some actions fall between pure acts of worship and reasonable customs, which has led to differences among scholars as to whether the intention of the accountable individual is absolute or limited accordingly.

The origin of the disagreement in this matter is based on the differences among the jurists in defining the "general".

There are two schools of thought among scholars on this matter. The first is the opinion of many later scholars who do not consider the goals to be absolute. The second is the opinion of the majority of early scholars, such as Ibn Jarir al-Tabari, Abu Talib al-Makki, and the apparent statement of Ahmad, as well as the choice of scholars such as Al-Shatibi, Ibn Taymiyyah, and Ibn al-Qayyim, who consider the goals to be considered in an absolute sense. This is the opinion that the researcher adopts and supports after considering the evidence of both sides and engaging in discussions and responses.

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