

Theory of restriction of necessities in Five intentions

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Abstract

The scholars of the principles of the Islamic jurisprudence are divided the intentions of God in Islamic Figh to universal intentions and particular intentions. And the universal intentions are divided to necessities and needs and goods. The necessities are observation of religion and spirit and intellect and tradition and property. The author tries to manifest the decreases of this theses by allege the history of this theses. And he tries to explain the necessity of adding some other necessities in these theses too. The most origin that must added is the origin of justice that seen in the most of Islamic laws. And the other is observation of society that's necessary to added. Other intentions such as observation of freedom and observation of ethic must be illustrated in some other papers.

Keywords: Five intentions, benefit, society, justice.

Bibliography

1. Amedi, seifoddinn, Ali Ibn Mohammed, alehkam fi osul Ahkam, taaligh: Abdurrahman afifi, almaktabulislami, Damesgh, 1402.
2. Ibn babuyeh Ghomi, Muhammad Ibn Ali Ibn Hussein, alkhisal, Tahghigh: Ali Akbar Ghaffâri, jamaat Mudarresin fi hawzah Elmiyyah. Qom. Bitâ.
3. Ibid, elelolsharayeri, almaktaba haydarya, Najaf, 1386.
4. Ibid, fighureza, mousse Aalolbait le Ehya'e Turath, Mashhad, 1406.
5. Ibid, man la yahzorahul faghih, Jamaatol Mudarresin. Qom, 1404.
6. Ibn ashore, Muhammad Tahir, maghased shari'ah, darulnafayes, Jordan, Amman, 1421.
7. Ibn abduhsallam, ezoddin abdulaziz, ghawaedul Ahkam fi eslahilanam., Tahghigh, nazih Kamal Mahmud, darulfikr, Damesgh, 1421

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8. barghi, ahmad Ibn Mohamed Ibn Khaled, almahasen, taaligh: Jalâl aldin Husseini, dar ol kutub al Islamia, Tehran, 1370.
9. jowaini, abulmaali abdulmalik Ibn Abdullah (imam haramine), alburhan fi osul Figh, Tahghigh Abdul Azim Mahmud dib, dorol Wafa, Mesr, Al Mansurah, 1418.
10. hor-e-ameli, Muhammad Ibn Hasan, alfosul ul muhimmah fi osul aeimah, Tahghigh, Muhammad Ibn Hasan ghaeni, Moassesa maaref Islami imam reza, Qom, 1418.
11. Ibid, wasael-u-shia ILA tahsil-i-masael-i-sharya. Tahghigh: Muhammad Razi, dar Ehya Turas Arabi, Beirut, Bita.
12. hanafi, Hasan, min-al-nas ila-al-wage mohawela ila Bina elm osul Figh, dar-ul-madar aleslami, Beirut, 2000
13. Razi, Fakhroddin Muhammad Ibn Omar, Al mahsul fi elm osul, Tahghigh: taha jabber olwani, Moassesa alresalah, Beirut 1412
14. Rahimyan, Saeid rawesh-e-kashf-e-ahkam wa naghsh an dar taqeer-e-ahkam, Moassesa, Tanzim wa nashr-e-asar-e-iamm khmieni, Qom, 1374.
15. reisoni, ahmad, ahdafe din az didgahe shatebi, tarjomehe sayed Mohsen Islami, sayed Mohammed Ali abhari, dafter tabliqhte eslami, Qom, 1376.
16. Siuoti, Jalâl adin Abdurrahman, al ash bah wa nazaer fi ghawaedul wa foruo shafeiyah, Moassesa alkotub alsaghafyah, Beirut, 1415
17. Shatebi, Ibrâhim Ibn Musa alchemy, almoafeghat fi osul Ahkam, taaligh: Muhammad hasanein makhluf, darulfikr, Beirut, Bita.
18. Shawkani, Muhammad Ibn Ali, Ershad ul fohul ila tahghighat hagh min al osul, dar ul marefat, Beirut, 1347
19. Ameli, Muhammad Ibn jamal adin Makki (Shahidi awal), alghawaed ea fawaed, Tahghigh: sayed Abdul Hâdi Hakim, Makatib Mofid, Qom, bita
20. Ibid, eghtesadona, darultaarof lelmatboat, Beirut, 1408.
21. Tabarsi, ahmad Ibn Ali, Al Ehtejaj, Tahghigh sayed Muhammad bagher Khorsan, dar-o-noman, Najaf, 1386.
22. Ghazzali. Abu Hamed Muhammad Ibn Ahmad. Almostasfa min elmi Osoul, dar kutub Elmiyyah, Beirut 1417.
23. fasi, alahl, maghased-ol-sharyat-ol-islamyah wa makaremoha, Moassesa alal fasi, darulbaeza, 1411.
24. gharafi, shahabudin, Sharh Tanghih ul fosul, Tahghigh taha abdulraauf saadm Maktabat kolyat Alazhar ya, Mesr, Bita.

25. Qharzawi, Yusuf, Madkhal le Derasat sharya alislamiya, Moassesa resala, 1414.
26. Ghomi, abulghasem (Mirzaye Ghomi), Gawain ol Osoul, chap sangi ghadimi, Bita.
27. Modarresi, sayed Muhammad tashi, altashrei ol Islami manahejohu WA maghased, Modarresi, Qom. 1413.
28. Motahhari, Mortaza, Islam wa moghtazyat e Zaman, sadra, Tehran, 1370.
29. Ibid, yadashtha, sadra, Tehran, 1382.
30. Musawi ,Khomeini, Roohollah (imam Khomeini), Anwar ul hidaya, moassesa Tanzim wa Nashr Asar e imam Khomeini, Qom, 1372.
31. Albeit, moassesa Tanzim wa Nashr Asar e imam Khomeini, Qom, 1418.
32. Ibid, Tahzib ol osul, darulfikr, Qom, 1410.
33. Nouri Tabarsi, Hussein Ibn Muhammad tashi, Mostadrak ul wassail wa mostanbatul Masael, Moassesa Aalolbait le Ehya'e Turas, Beirut, 1408.