

الإشهاد على الطلاق في ضوء الشريعة والقانون

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خلاصة البحث:

يتمحور موضوع هذا البحث حول الإشهاد في الطلاق على ضوء الشريعة والقانون ومما لا شك ولا ريب فيه أن الأحكام الشرعية ثابتة وقفية لا تتبدل ولا تتحول، وموضوع الإشهاد في الطلاق عبارة عن موضوع عبادي وقفي محض فتقريباً لا يكاد يخلو كتاب من كتب الفقه أو الحديث إلا وتطرق له، فبواب له باباً، أو عقد له فصلاً، أو كتاباً، فمنهم من جعله شرطاً مندوباً في الطلاق، ومنهم من ذهب إلى جعله شرطاً واجباً فيه، على غرار قانون الأحوال الشخصية الذي لم يتطرق له إلا شيئاً يسيراً فمن خلال هذا نحاول بسط الخلاف على القرآن من تفسير وتأويل المفسرين إلى جانب ذلك السنة النبوية وفقه العلماء وآرائهم واستنباطاتهم في الموضوع الذي هو بين أيدينا.

الكلمات المفتاحية: الإشهاد، الطلاق، الرجعة، الواجب، الشرط، الشريعة، الأحوال الشخصية، القانون.

Witnessing Divorce In The Light Of Sharia And Law

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Abstract:

The topic of this research revolves around witnessing in divorce in the light of Sharia and the law, and there is no doubt about it that the legal rulings are fixed and endowment that do not change or transform, and the subject of witnessing in divorce is a purely religious and endowment subject. For him, he opened a chapter for him, or contracted a chapter or a book for him, so some of them made it a mandatory condition in divorce, and some of them went to make it an obligatory condition in it, similar to the Personal Status Law, which only touched a little bit, so through this we try to spread the dispute over The Qur'an is from the interpretation and interpretation of the interpreters, in addition to the Sunnah of the Prophet, and the jurisprudence of the scholars, their opinions and their deductions on the subject that is in our hands.

key words: Witnessing, divorce, taking back, duty, condition, sharia, personal status, law.

Certification:

It is for the husband to witness two male witnesses to the divorce of his wife so that his divorce is a fixed Sunni divorce God Almighty said: Then when they have fulfilled their term, hold them graciously, or separate them graciously, and bring the just ones among you to witness and establish the testimony.

قال الله تعالى: ﴿فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ وَأَشْهِدُوا ذَوِي عَدْلٍ مِنْكُمْ﴾
Scholars differed about the meaning of witnessing in His saying, Glory be to Him: {And bring two just witnesses among you to witness

whether it is about divorce or recidivism, or both. This has a controversial effect on the issue.

Al -Hafiz Ibn Jeer Al -Tabari said in the interpretation of the Almighty saying: ﴿ And testify with a justice of you ﴾ (and testify to constipation if you hold them, and that is the irreversibility) with a just one of you (and they are the one who is the one who is satisfied with them Divorce and return (2).

Al-Baghawi said in the interpretation of the Almighty's saying: {And those of you who are just and worthy of witness among you} are commanded to bear witness to the return or separation (3). By witnessing the divorce, and it was said about the return, and it is apparent that he returns to the return, not to the divorce. And according to Al-Shafi'i, it is obligatory to return, delegated to him in the band. The benefit of witnessing is that there is no denial between them, and that he is not accused of holding her and that one of them does not die, and the rest claims that the marriage is proven to inherit.

The second: Witnessing, according to most scholars, that taking back is recommended. If he has intercourse, kisses, or engages in sexual intercourse with the intention of taking him back, and he speaks of taking back with the intention of taking him back, then he is referring to Malik, and if he does not want to take him back, then he is not a referral, And they said, "Looking at the vagina is a return." Al-Shafi'i and Abu Thawr said that if he speaks of taking back, then it is a return, and it was said that he had intercourse with a reversal in any case, whether he intended it or not. spoiled, and he does not return to her intercourse until he cleans her from his corrupt water, and he has the right to take it back in the rest of the first waiting period, The second: Witnessing, according to most scholars, that taking back is recommended. If he has intercourse, kisses, or engages in sexual intercourse with the intention of taking him back, and he speaks of taking back with the intention of taking him back, then he is referring to Malik, and if he does not want to take him back, then he is not a referral. And they said, "Looking at the vagina is a return." Al-Shafi'i and Abu Thawr said that if he speaks of taking back, then it is a return, and it was said that he had intercourse with a reversal in any case, whether he intended it or not. spoiled, and he does not return to her intercourse until he cleans her from his corrupt water, and he has the right to take it back in the rest of the first waiting period, Her ignorance of that, and she was his wife, and if she had been married and he had not consummated the marriage with her, then the first established evidence of her taking her back, then Malik has two versions, one of which is that the first has more right to her, and the other is that the second has more right to her, so if the second had consummated

With it, there is no way for the first to it, the fifth: His saying: {Those of justice among you} Al-Hassan said from the Muslims, and on the authority of Qatada

from among your free men, and that necessitates the specialization of testimony on the return to males without females, because {those who are

It is masculine, and that is why our scholars said that there is no entry for women except for money. The sixth: The Almighty's saying: {And establish testimony for God} that is, to approach God in establishing testimony on its face, if the need arises for it without alteration or change (4).

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Al-Hafiz Ibn Hajar said in Al-Fath: "...and it is also with Al-Tirmidhi his saying, and two witnesses bear witness, taken from the Almighty's saying: {And bear witness to those of justice among you} and it is clear and as if he alluded to what Ibn Mardawayh brought out on the authority of Ibn Abbas. Witnesses, so it was revealed." (7) He meant this verse, and he also said: "Ibn al-Mundhir said, "The scholars are unanimous in saying the apparent meaning of this verse, so they permitted the testimony of women with men, and the majority singled that out for debts and money, and they said that their testimony is not permissible in terms of hudud and retaliation. And the Kufians permitted it, he said, and they agreed to accept their testimony as separate While men do not see it, such as menstruation, childbirth, initiation, and the faults of women, and they differed in breastfeeding ... Abu Ubaid said, but their agreement is that their testimony is permissible in the money.(8)

And as for their agreement to prevent it with regard to punishments and retaliation, it is because of His saying: {Then they did not produce four witnesses} (9). Their difference is in marriage and the like. So whoever attaches it to the money, that is because of the dowry and expenses and the like. Borders he said, and how do they testify about what they have no control over in terms of a contract or a solution" (10).

And Abd al-Zaq mentioned in his Musannaf a narration on the authority of Ibn Juraij, who said: "It is not permissible to marry, nor divorce, nor take back



anything except with two witnesses. He said: A man asked Imran bin Husayn about a man who was divorced and did not testify and took it back but did not testify. He said: "He was divorced without waiting period, and he took it back in other than one year, so let him bear witness to his divorce and his reconsideration, and seek God's forgiveness." And from the way of Ibn Juraij he said: Ayoub bin Abi Tamimah told me, On the authority of Ibn Sirin: that a man asked Imran bin Husayn, and he said: A man divorced and did not testify, and took back and did not testify. He said: "What an evil thing he did.

It is not a Sunnah, to bear witness to what he did" (11), Al-Suyuti said in Al-Durr Al-Manthoor, and Abd Al-Razzaq and Abd bin Hamid brought out on the authority of Ata, he said: Marriage by witnesses, divorce by witnesses, and reconsideration by witnesses (12), and Al-Bukhari said in the chapter of his saying, the Almighty:) O Prophet, if you are divorced Divorce women for their period and count the period ((13) {we counted it} (14) we have memorized it and enumerated it, and the divorce of the Sunnah is that he divorces her purely without sexual intercourse, and two witnesses testify (15).

This has been held by the public that witnessing in divorce is not obligatory, and they agreed on mustahabb (16) Al-Amir Al-Sana'ani said in Subul Al-Salam, the Almighty's saying: {And bear witness to those of justice among you} after mentioning divorce, and the matter appears to be the obligation of witnessing, and with it Al-Shafi'i said in the old days, as if his doctrine settled on its non-obligation (and according to Al-Shafi'i, witnessing is obligatory in the return, and it is delegated to him in separation, i.e. divorce), because he Al-Muza'i said in Tayseer Al-Bayan, "People have agreed that divorce without witnessing is permissible, and as for taking back, it is possible that it is within the meaning of divorce, because it is its context, so it is not obligatory to bear witness in it, because it is the right of the husband, and he is not required to bear witness to his possession."

It is possible that attestation is obligatory, which is the apparent meaning of the discourse... And the hadith is possible that Imran said it as an ijtihaad, since there is a stage for ijtihaad in it, except that his saying: "I go back in a non-Sunnah" may be said that if the Sunnah is uttered in the tongue of a Companion, it means the Sunnah of the Prophet, may God's prayers and peace be upon him, so it is marfu'. However, it does not indicate the affirmation due to the hesitation that it is from his Sunnah, may God bless him and grant him peace, between the affirmation and the deputation and witnessing of the return is apparent if it was by explicit saying and they agreed on the return by saying and they differed if the return was by action. And because the Almighty mentioned witnessing, and there is no witness except for what was said, and I answered that there is no sin on him, because the Almighty said {except against their wives} (17) and she is a wife, and witnessing is not obligatory as it was previously." (18) And Sheikh Al-Islam Ibn Taymiyyah, may God have mercy on him, said in Majmoo'



Fatwas: The Almighty said: {And those of you who are of justice bear witness, and establish the testimony for God} So he commanded witnessing of the return and witnessing it is commanded by the consensus of the nation. Controversy with consensus and disagreement with the Book and the Sunnah, and none of the well-known scholars said that, because divorce was permitted in the first place and And he did not order witnessing, but he commanded witnessing when he said: {So when they have reached their term, hold them graciously, or separate them honourably} What is meant here by the paradox is to release her if the waiting period is over, and this is not divorce, nor revocation, nor marriage. And witnessing in this is the agreement of the Muslims, so know that witnessing is only on the return, and from the wisdom of that is that he may divorce her and take her back, so Satan makes it seem to him to conceal that until he divorces her after that with an unlawful divorce, and no one knows, so it becomes forbidden with him, so God commanded him to testify on the return to show that he had been divorced as he commanded The Prophet, may God's prayers and peace be upon him, whoever finds the footage, must bear witness to it; lest the devil beautify the secrecy of the snapshot; This is unlike divorce, because if he divorced her and did not take her back, but rather let her go, then it appears to people that she is not his wife, but rather she is divorced, unlike if a wife remains with him, because people do not know whether he divorced her or not.

Also, the condition of witnessing alone is weak. It has no basis in the Book or in the Sunnah, because it has not been proven from the Prophet, may God's prayers and peace be upon him, a hadith in it. It is absurd that what Muslims always do has conditions that were not explained by the Messenger of God, may God's prayers and peace be upon him, and this is from what pervades the calamity, so all Muslims need to know this (19).

So the matter appears from what the scholars of commentators, hadith scholars, and jurists, may God have mercy on them, said that witnessing in divorce is obligatory. The scholar Ahmed Shaker, may God have mercy on him, said in the book "The Divorce System in Islam" "It appears from the context of the two verses that the Almighty's saying: {and bear witness} refers to divorce and to Back together and order For obligation, because it is its true meaning, and it does not deviate from something other than obligation, such as scarification, except with a presumption, and there is no evidence here that distracts it from obligation, rather the evidence here supports its implied obligation: because divorce is an exceptional act that the man performs, and he is one of the parties to the contract alone, whether the woman agrees with him or not, as we have explained. That repeatedly, and it entails rights for the man

Before the woman, and the rights of the woman before the man, as well as the return, and there is fear of denial from one of them, so the testimony of witnesses removes the possibility of denial, and establishes for each of them his right before the other, so whoever witnesses his divorce has brought the divorce

in the manner commanded, and whoever witnesses the return is likewise, and whoever did not He does so, he has transgressed God's limit that He has set for him, so his work falls invalid, and does not result in any of its effects" (20).

Allamah Jamal al-Din al-Qasimi, may God have mercy on him, said: "And the apparent meaning of the matter in the verse is that it is obligatory in both of them, and the preponderance must be with weighted evidence, and what supports the obligation is that all the commands in the verse, before and after, are unanimously obligatory, and there is no evidence to divert the command by witnessing from its apparent meaning, so it remained as before and does not His right, even if the Qur'an does not benefit participation in the ruling, but it is supportive and supportive, if there is no disposer of affairs, then the order to testify at the time of divorce indicates that swearing by divorce, or suspending its occurrence by an order, is all of what is not considered a divorce in the Sharia, because what is requested in it Witnessing, he must intend to commit it, resolve it, and prepare for it. It is worthy of a bond that he intends to dissolve, and it was concluded in the closest contract, to witness it, after it is preceded by a review of two judgments by the spouses, as indicated by the verse of judgment, so let him consider the divorce.

The project, and the innovated divorce" (21), and he also said: "Those who went to the obligation of witnessing and stipulating it for its validity among the Companions: the Commander of the Faithful Ali bin Abi Talib, and Imran bin Hussain, may God be pleased with them both, and among the followers of the Imam (Muhammad Al-Baqir, and Imam Jaafar Al-Sadiq) (22), and their children are the imams of the family of the House, may God be pleased with them, as well as Ataa, Ibn Jurayj, and Ibn Sirin, may God have mercy on them" (23).

Al-Zamakhshari, may God have mercy on him, said in his interpretation: "It was said: The benefit of witnessing is that denial does not occur between them, and that he is not accused of holding her, and that one of them does not die, and the rest is called to prove the marriage to inherit from you" (24), and Abu Muhammad Ibn Hazm Al-Zahiri said: It is not a reference to her until he is pronounced in return and testifies, and he teaches it before the completion of her count.

It is permissible to single out some of this for others, and it was the one who divorced and did not witness the people of justice, or retracted and did not witness the people of justice,

transgressing the limits of God Almighty, and the Messenger of God, may God's prayers and peace be upon him, said: "Whoever does an act that is not in accordance with our command will have it rejected" (25), these words (Ibn Hazm)



What is required for the certificate:

The testimony has two types of conditions: conditions of endurance, and conditions of performance. As for the conditions of endurance, they include:

That the witness be sane at the time of bearing it, so it is not right to bear it from a madman or a boy who does not make sense; Because carrying the testimony is about understanding and controlling the incident, and this can only be achieved by the instrument of understanding and control, which is the mind to be seeing, so it is not valid to bear witness from the blind according to the Hanafis. So-and-so, that the forbearance is based on knowledge, or on the basis of an observation of the thing testified by himself and not by someone else: For the hadith of Ibn Abbas, may God be pleased with them both, he said: It was mentioned on the authority of the Messenger of God, may God's prayers and peace be upon him, that a man bears witness, so he said to me: "Oh Ibn Abbas, do not testify except against what shines

For you is like the light of this sun, and the Messenger of God, may God's prayers and peace be upon him, gestured with his hand to the sun." (26) And this is not accomplished except by knowledge or observation, except in matters in which testimony is valid by hearing, such as marriage, lineage, death, and other than that stipulated by the jurists. This is required for inspection, and the jurists stipulated that it is not permissible for the witness to testify about what he saw from the handwriting of himself unless he remembers that and is certain of it, because the handwriting resembles the handwriting, and the seal resembles the seal. His testimony is based on what he finds from his own handwriting, and on the authority of Ahmad, there are two narrations in that, and this issue is based on the question of a judge who finds something in his office that he does not memorize, such as the admission of a man or the testimony of witnesses, or the issuance of a judgment from him and he has sealed it with his stamp, because he does not judge that.

According to Abu Hanifa, and according to them, it is decreed and it is not required to bear puberty, freedom, Islam, and justice, even if the witness at the time of endurance was a sane boy, or a slave, or an unbeliever, or a debauchee, then the boy reached puberty, and the slave was emancipated, and the infidel converted to Islam, and the debaucher repented, so they testified At the judge, their testimony was accepted. As for the conditions of performance: some of them are due to the witness, and some are due to the testimony, some are due to what is witnessed, and some of them are due to the quorum (i.e. the number of witnesses) (27)

Conditions to be met in the witness:

That the witness is qualified to testify, by fulfilling its conditions, and among those conditions:

Puberty: The testimony of children and boys is not valid, due to the Almighty's saying: And about the insane until he becomes sane, or recovers »(29) And because if he does not believe in preserving his money, then he does not believe in preserving the rights of others first, and some Malikis went And some of the Hanbalis are of the permissibility of boys testifying among themselves in injuries and killings before they disperse, and the Malikis added: if they understand their testimony, and that no old man enters between them, and there is disagreement about their females.

Reason: The testimony of someone who is not sane is unanimously valid, because he does not make sense of what he says and does not describe it, whether his mind goes insane or intoxicated, because he is not attainable and trust is not achieved in his saying: and because he does not sin by lying in the sentence, and he does not guard against it.

Freedom: It is not permissible to testify of one who has slavery according to the majority of jurists, as in all states, because in the testimonies the influence of words over others, and it is a type of guardianship, and because the one who has slavery is busy serving his master and does not devote himself to performing the testimony, and the Hanbalis went to accept his testimony in everything except in the limits And retribution.

Sight: The testimony of the blind is not valid according to the Hanafis at all. The Shafi'is held that the testimony of the blind is not valid in actions, because the path of knowledge is through sight, and likewise in sayings except in what is proven by elaboration, because it is based on hearing and not seeing, otherwise in the translation in the presence of the judge because he interprets what he heard and when The Malikis may testify in words without actions in what is not suspected of sayings if he is shrewd, and the voices are not suspicious of him, and he is certain of what is witnessed and witnessed. The blind, if the sound is certain, because he is a man of justice and the narration is accepted, so his testimony is accepted like the seeing one, and because the hearing is human

The senses by which certainty is achieved, and the witness may be one of his blind familiarity, and his companionship increased with him, and his voice was known with certainty, so his testimony must be accepted, in what he is certain of as seeing, and there is no way for me to deny the occurrence of certainty in some cases and exhalation went from the tap (which is a narration on the authority of Abu Hanifa) to accept his testimony in what is taking place in listening, because the need for it is to hear, and there is no defect in it, and the Maliki, Shafi'i, and Hanbali schools went that if a blind bears a testimony that requires sight, and he is seeing, then my uncle, if it is carried on a man known by name and lineage, he acknowledges a man in this capacity, then he has To testify after being blind, and his testimony is accepted due to the attainment of knowledge, and if it is not so, it is not accepted.

The Hanbalis stated that if his voice is certain because he is very familiar with him, it is correct to testify about it, and likewise the ruling if he testifies with the ruler, while he is insightful, then blind before the ruling with his testimony, then it is permissible to rule with it according to them, and according to Abu Yusuf from the Hanafis, because it is a meaning that occurred after the testimony was given, so it is not prevented Judgment with it, as if the two witnesses died or were absent after giving testimony, and Abu Hanifa and Muhammad went to accept his testimony in the two previous cases, because the establishment of capacity is a condition at the time of the judiciary in order for it to become an argument of non-existence.

Islam: The basic principle is that the witness is a Muslim, so the testimony of the infidels is not accepted, whether the testimony is against a Muslim or a non-Muslim, because God Almighty says: {And bring two witnesses from among your men}, and He says: {And bear witness of those of justice among you}, and the unbeliever is not just and is not of us, and because he lies about the immoral God Almighty does not secure him from lying to his creation, and on this basis the doctrine of the Malikis and Shafi'is and the well-known narration on the authority of Ahmed, but they excluded from this principle the testimony of the unbeliever against the Muslim regarding the bequest while traveling, If you travel through the land and the calamity of death befalls you" (30) the Hanafis permitted the testimony of the dhimmis against each other, and if their denominations differed, and the testimony of those like them did not accept the testimony of the warlikes.

Pronunciation: The testimony of al-Akhras is not valid according to the majority of jurists, and Malik went to the validity of his testimony if his sign is known.

Justice: There is no disagreement among the jurists regarding the requirement of the justice of the witnesses for the Almighty's saying: {and bear witness to those of justice among you} and for this reason the testimony of the sinner is not accepted, and justice was defined by the Malikis as religious conservatism to avoid major sins, avoiding minor sins, fulfilling the trust and good treatment, and that his goodness be more than his corruption, and it is a condition that acceptance must be accepted. The Hanbalis defined it as righteousness in religion, which is: performing the obligatory duties with their salaries, avoiding major sins and not insisting on minor sins, and it is also considered in it to use chivalry by doing what beautifies and adorns it, and leaving what deceives and disgraces I, The Shafi'is considered virility as an independent condition. The term (justice) is considered in detail, and justice is a condition of acceptance

It is not permissible for the judge, so if the witness is available, the judge must take his testimony, Al-Shafi'i said: If the majority is for the man and the most

apparent of his command is obedience and chivalry, his testimony is accepted, and if the majority is for the man and the most apparent of his command is disobedience and the disagreement of chivalry, his testimony is rejected.

Vigilance or control: The testimony of a fool who is not caught at all or often is not accepted because his saying is not trusted. Because no one is safe from that, not be limited in slander And that is because the Almighty said: ﴿And those who throw the fortifieds, then they did not come with four martyrs, so they will bring them eighty, and they will not be done, Acceptance of his testimony due to the Almighty's saying immediately after the previous verse: "Except those who repent after that and reform, for God is Forgiving, Merciful" (32) The difference in this verse is that the exception is mentioned after the mentioned ones, does it include all of them, or does it go back to the nearest mentioned? According to the Hanafis, the exception is due to the latter, and it is here Repentance is only from immorality, and according to the majority, it refers to all of what was mentioned, and the majority quoted as evidence the saying of Umar, may God Almighty be pleased with him, who flogged him in his testimony against al-Mughirah bin Shu'bah, when he said: "Repent, I accept your testimony." He did not deny that to him, so it was unanimous, and Saeed bin al-Musayyib said he witnessed Al-Mughirah bin Shu'bah, three men, Abu Bakra, Nafi' bin Al-Harith, and Shibl bin Ma'bad, and we scolded Ziyad, so Umar flogged the three and said to them: Repent and your testimony will be accepted. Two men repented and Umar accepted their testimony.

Masculinity: Masculinity is required in the testimony of hudud and retaliation, as Malik narrated on the authority of al-Zuhri: "The Sunnah has passed that there is no testimony for women regarding hudud and retaliation" (34)

Findings and Recommendations:

- The judiciary tended that witnessing in divorce is not obligatory, in accordance with the saying of the majority of jurists, as divorce takes place without witnessing, because it is one of the rights of the man, and God has made it in his hand and God has not made for others a right in it, as the Almighty said: And Ibn al-Qayyim said: "So divorce was made for the one who got married because he has the right to stop and he has the right to take back." (36)

He divorces his wife without witnessing, and if they approve of his divorce, they violate the noble verse that calls for witnessing the divorce, and if they refuse to approve it, they allow him to continue cohabiting with his wife while she is divorced in the knowledge of God. The honorable prophethood followed this, and that there is nothing in the Book or the Sunnah to prevent it, The woman's purification is to give the husband an opportunity to reconsider, and if he remains determined despite the presence of the two witnesses, And the passage of time, his divorce is based on strong reasons, not accidental, and this is the intended divorce in Islamic law (37).



- Everyone who signed a divorce must bear witness to his divorce so that his divorce is in accordance with the Book and the Sunnah.

Holding awareness lectures in this field in order to correct misconceptions.

- Guiding people, advising them, and explaining to them the danger of not adhering to the Book and the Sunnah, that it results in corruption, and damages that afflict people in their lives.

Search margins:

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- (12) Abu Bakr, Jalal al-Din, al-Suyuti. Al-Durr Al-Manthoor. Beirut: Dar Al-Fikr. Part 8. p. 194
- (13) The Qur'an. Al-Talaq 65: 1 / (14) The Qur'an. Yassin 36:12
- (15) Al-Bukhari, Muhammad bin Ismail, 1422 AH. Sahih Al-Bukhari. Beirut: Dar Touq Al-Najat. C 7 p. 40



- (16) Al-Shawkani, Muhammad bin Ali. The torrent flowing over the flower gardens. Dar Ibn Hazm. Part 1. p. 439
- (17) The Qur'an. Al-Mu'minun 23: 6
- (18) Al-Amir Al-Sana'ani, Muhammad bin Ismail. Dar Al-Hadith. Part 2. p. 267
- (19) Abu al-Abbas, Abd al-Halim, Ibn Taymiyyah. 1416 AH / 1995 CE. Total Fatwas. The Prophet's City: King Fahd Complex for the Printing of the Noble Qur'an. C. 33. Pg. 33/ C. 32. p. 127
- (20) Ahmed Shaker. 1998 AD. Divorce System in Islam. Sunnah Library. p.80
- (21) Muhammad Jamal Al-Din, Al-Qasimi. 1418 AH. The virtues of interpretation. Beirut: Scientific Book House. Part 9. p. 255
- (22) Imam Abu Abdullah, Muhammad Al-Dhahabi said. 1405 A.H. / 1985 A.D. Biographies of the Notables of the Nobles. Beirut: Al-Risala Foundation. Part 4. P. 401 in the translation of Muhammad al-Baqir, may God Almighty have mercy on them: "Abu Jaafar was known as al-Baqir from the cows of knowledge, that is: he split it, so he knew its origin and hidden it, and Abu Jaafar was a diligent imam who followed the Book of God, of great importance, but he does not reach in the Qur'an the degree of Ibn Katheer and the like, nor in Jurisprudence is the degree of Abi Al-Zinad, And Rabia, not in the memorization and knowledge of the Sunnah the degree of Qatada and Ibn Shihab, so we do not favor him, and we do not show him unfairness, and we love him for the sake of God because of the qualities of perfection gathered in him. Ibn Fudayl said, on the authority of Salem bin Abi Hafsa: I asked Abu Jaafar and his son Jaafar on the authority of Abu Bakr and Umar, and they said to me: O Salem, take care of them and renounce their enemy, for they were my Imams of guidance. .. Imam al-Sadiq, Sheikh Bani Hashem Abu Abdullah al-Qurashi al-Hashemi al-Alawi al-Nabawi ... and he used to get angry with the Rafidah and hate them if he knew that they were defaming his grandfather, Abu Bakr Outwardly and inwardly, there is no doubt about it, but the Rejectionists are ignorant people, their desires plunged them into the abyss, so they are far from them / He said: Bin Odeh, Hussein Al-Awaisha. 1423-1429 AH. Encyclopedia of jurisprudence facilitated in jurisprudence The Book and the Purified Sunnah. Beirut: Dar Ibn Hazm, Amman: The Islamic Library, Part 5. P. 302 "With the saying of their Imamate, we do not single them out and specific people with that, as the Shiites do, just as we do not mean by that their meaning in this Imamate, and this is like their saying: "Imam Ali" - may God be pleased with him - so the meaning of the Imamate of Ali - may God be pleased with him - according to the Sunnis is not the meaning of the Shiites. We ask God Almighty to die according to the Book and the Sunnah, according to the methodology of the predecessors of the nation." Amen.



- (23) Muhammad Jamal Al-Din, Al-Qasimi. 1406 AH / 1986 AD. Appeal to Correct People's Marriages. Amman: Dar Ammar. Pg. 51
- (24) Al-Zamakhshari, Abu Al-Qasim, Mahmoud. 1407 AH. Scouting the facts of the mysteries of downloading. Beirut: Dar Al-Kitab Al-Arabi. Part 4. p. 555
- (25) Abu Muhammad, Ibn Hazm, Al-Zahiri. Al-Mahalli Al-Athar. Beirut: Dar Al-Fikr. C 10. P. 17 / Abu Al-Hassan, Muslim, Al-Nisaburi. Sahih Muslim . Divorce book. Beirut: Arab Heritage Revival House. C 3, 1718, p. 1343
- (26) Abu Abdullah, Al-Hakim. 1411 AH / 1990 AD. Al-Mustadrak on the Two Sahihs. Beirut: Dar Al-Kutub Al-Ilmiya. Part 4. P. 110, Al-Dhahabi mentioned it, Ibn Al-Mulqin. 1411 AH. Summary of Al-Hafiz Al-Dhahabi's rectification of Abi Abdullah Al-Hakim's rectification. 1418 AH 1997 AD. Complete in weak men. Beirut: Scientific Books, Part 7. P. 430 / (27) Ministry of Awqaf and Islamic Affairs. Ibid. C 26, pp. 219-220
- (28) The Qur'an. Al-Baqarah 2: 282
- (29) Abu Abdullah, Ibn Majah. Sunan Ibn Majah. Dar Revival of Arabic Books. Part 1. 2041. pg. 658
- (30) The Qur'an. Al-Ma'idah 5: 106
- (31) The Qur'an. An-Nur 24:4
- (32) The Qur'an. An-Nur 24:5
- (33) Ministry of Awqaf and Islamic Affairs. From 1404-1427 AH. The Kuwaiti Encyclopedia of Jurisprudence. Kuwait: Dar Al Salasil. C 14, p. 132
- (34) Malik bin Anas, Al-Asbahi Al-Madani. 1412 AH. Muwatta Imam Malik narrated by Abu Musab al-Zuhri. Beirut: Al-Risala Foundation. Part 2. p. 47

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