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Research Article

Jurisprudence rulings extracted on the letters of meanings (Jurisprudence extracted As it was on one letter)

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Introduction

We praise God Almighty, and we pray to His Messenger Muhammad "Peace be upon him ", and the family and companions, and those who followed them in goodness until the Day of Judgment.

And after: The fundamentalists realized the importance of (Letters of meanings) and their strong connection to understanding meanings, and deriving rulings from their legal precepts, so they paid special attention to the jurist's need for them. Most of the books on the foundations of jurisprudence are not devoid of talking about the letters of meanings. Imam Al-Razi, may God have mercy on him, said at (Chapter Eight: In the interpretation of letters, the need in jurisprudence to know their meanings is great): «The second issue is "fa" to comment according to what is correct. If he said, "I entered Baghdad, then Basra would benefit from commenting on what is possible, not on what is not, Rather, we said that it is to comment on the consensus of the people of the language on it»ⁱⁱ.

Imam Al-Sarakhsi, may God have mercy on him, mentioned that, and that each letter is fabricated for a special meaning, so he said: «The letter "fa" is to follow in the origin of the situation, not an absolute kindness, because each letter is placed with a special meaningⁱⁱⁱ».

This is one of the strong evidence of the value of these letters and their relationship to the science of Al-Usul. Because of this importance, (the letters of meanings) are among the tools that help the fundamentalist to clarify what is meant by the legal text, and use it to extract jurisprudential rulings from it. We decided to go out with this research to show the effect of (the letters of meanings) in Al-fiqh graduation, and since the letters of meanings have multiple types, some of them were on one letter, some of them were on two letters, some of them were on three letters, and some of them were on more, So we chose in this research to study the jurisprudential rulings extracted on the letters of meanings and we chose what is on one letter, and we chose

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ii Al-Mahsuli: 1/373. iii Al-Mahsout: 6/129.

from them four letters, namely: (Ba, Fa, Lam, Waw)ⁱ. After this brief introduction, we proceeded in our research with an introduction that shows the importance of letters of meanings in the extraction of jurisprudence. Then we detailed the saying in each letter separately and made it into a separate request. Showing in each requirement the opinions of grammarians and fundamentalists in it, corroborating this with practical examples, then we concluded the research with a conclusion in which we showed the most important results that we reached.

We ask God to make this work of ours purely for God Almighty.

Preamble

The scholars of Arabic went at length in explaining the letter and its properties. Ibn Yaishⁱⁱ says, indicating the limit of the letter: «A letter is a word that denotes a meaning in others. We say: "The word" is a general genus that includes the noun, the verb, and the letter, and our saying: "indicated a meaning in others" is a chapter that distinguished it from the noun and the verb, since the meaning of the noun and the verb are in themselves, and the meaning of the letter in others. Would you not see if you said: The "boy" was understood from him as knowledge, and if I said "/Al/ the" singular, would the meaning of it not be understood? If it is combined with the name after it, then the definition is useful in the name, so this is the meaning of its significance in others». iii

So, the letter: what indicates a meaning in others, and many have preferred this definition, Al-Akbari^{iv} says: « The unit of the letter is that which indicates a meaning in others only, and the word "Indicate" takes precedence over your saying "came"; Because the true limits are indicative of the same thing that is limited by them, and our saying (what came to the meaning) is a statement of the reason for which it came and the cause of the thing is other than it^v». What we want to state here is what pertains to the letters of meanings, which are the denominators of nouns and verbs, and we do not want what pertains to the letters of the compound, which when combined, compose the Arabic word.

And the importance of these letters was a call to the fundamentalist Sharia scholars and jurists to take care of them in their books, based on rooting and deduction, they was saying: It is necessary to refer to an origin, and a base upon which the conversation should be conducted. Therefore, the advanced scholars realized this action. This Ibn Faris says as a determinant, not an objection, when he deposited something nice regarding these letters in his book (Al-Sahbi), as he

ⁱ They are letters of the Arabic language.

ii Ibn Yaish: Yaish bin Ali bin Yaish Al-Asadi, Abu Al-Baqa, Muwaffaq Al-Din, known as Ibn Yaish: one of the great scholars of Arabic. He has several books, the most famous of which is: Explanation on Al-Mufassal (died: 643 AH). Seen: Wafayat Al'aeyani: 7/ 46- 47: and Al'aelami: 8/ 206.

iii Explanation of Al-Mufassal: 4/447.

^{IV} Al-Akbari: He is Abdullah bin Al-Hussein bin Abdullah, the father of Al-Baqaa Al-Akbari Al-Baghdadi. He is an Arabic scholar and has participated in various sciences, and has several books, including: Al-Tibyan fi 'lierab Al-Qur'an and the parsing of hadith (died: 616 AH). Seen: Nakat Al-Himyani: 159; And Al'aelami: 4/80.

^v Al-libab fi Eilal Al-Bina' wa Al'iierabi: 1/50.

said:« This is a chapter that is valid in the chapters of Arabic, but I saw our jurists mention some letters in the books of Al-Usul, so we mentioned from them what we mentioned briefly»ⁱ.

It is obvious that one of the derivations of the science of Usul Al-Fiqh is the knowledge of Arabic, and there is no objection to quoting here the saying of Al-Mardawi:« Three things are derived from the origins of jurisprudence: ... The second: Derived from Arabic; And this is to stop understanding what is related to it from the Qur'an and the Prophet's Sunnah and others on it. Or from the provisions of its composition: the grammar, or from the provisions of its members: So the science of drainage. Or from the point of view of (conforming) to the requirements of the situation and its safety from complexity and aspects of goodness: the science of the statement is of its three types»ⁱⁱ.

What interests us here is to know that the scholars of origins linked (the letters of meanings) to the fundamental studies, and added to them the richness of their care. Alaa Al-Din Al-Bukhari says:« This is a chapter that is precise with a gentle inlet, many benefits, many advantages, The Sheikh - may God have mercy on him - combined in it between the finest grammar and the minutes of jurisprudence, and he wrote in it strange things. and the initiations of structural construction, so listen to what is recited to you of the clarification of a group of facts about it, and listen to what is thrown at you in the dark»ⁱⁱⁱ.

And our methods of knowledge in research extended from the people of knowledge in the method of entering these letters. Al-Zarkashi says:« The letters of meanings are divided into one letter, two letters and whatever is more» Therefore, we will make our talk in this research on the jurisprudential extraction according to what was on one letter.

Jurisprudence extracted As it was on one letter

(Ba, Fa, Lam, Waw)

The first requirement

The meaning of the letter "Ba" (The letter "ba" is for affixing or fragmentation?)

The grammarians mentioned that the letter "ba" is a preposition, and it is specific to nouns, and it comes in two parts: extra and non-extra; As for the extra, it has thirteen meanings, which are: Adhesion, transgression, seeking assistance, reasoning, accompanying, circumstantial, alternative, interview, transgression, superiority, and fragmentation. And not in excess, so it comes in six places, namely, in the subject, and in the object, the Subject Phrase, the Predicates, Emphasis on the soul, the eye, and negative state^v.

i Al-Sahbi: 63.

[&]quot; Al-Tahbir Sharh Al-Tahriri: 1/192.

iii Kashf Al'asrar: 2/108.

iv Al-Bahr Al-Muhit: 2/253.

^v On the meanings and uses of the letter "ba", seen: Al-Jinaa Al-Daaniu fi Huruf Al-Maeani: 36- 56; And Mughni al-Labib: 2/117-181.

As for the scholars of Al-Usul, the letter ba has meanings mentioned by Imam Al-Qarafi, who said: "(Ba') has seven meanings: Affix Towards: I passed by Zaid, And the use of: I wrote with a pen, And I was excited to come, And the causation is towards: I was pleased with the obedience of God, And accompanying towards: Zaid went out in his clothes, meaning: accompanying her. fragmentation of each other. In the sense of (in) circumstantial towards: Zaid in Egypt, i.e. in it, And superfluous towards: the Almighty's saying:{and sufficient is Allah as Witness.} [Surat An-Nisa: 79] i.

If we know this, then the scholars and jurists, may God have mercy on them, have no disagreement among them regarding the obligation of wiping the head, because of the Almighty's saying: { O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads} [Al-Ma'idah, from verse: 6].

However, they differed in the amount that should be wiped from the head, according to their difference in this "ba" mentioned in the Almighty's saying: {your heads} Adhesion, augmentation for emphasis, fragmentation, use, and transgression. And based on the participation in the meaning of (ba), Is it necessary to wipe the whole head, or is it sufficient to wipe part of it and is it not necessary to absorb it? The jurists differed in this regard:

The first view: It is obligatory to cover the entire head by wiping, and not wiping part of it is sufficient. And to this opinion, Imam Malik and Imam Ahmad went in the well-known of them, which is the school of thought according to the Hanbalis, and most of the Malikis, and Muzni of the Shafi'is, and most of the Zaydisⁱⁱ.

The second view: It is the opinion of the majority of the Hanafis, Shafi'is, Malik, and Ahmad in a narration on their authority, and some of the Malikis, Al-Thawri and Al-Awza'i: that wiping part of the head is sufficientⁱⁱⁱ. However, the owners of this opinion differed in the amount that is equal to wiping part of the head, and its beginning: Al-Hanafis, in their Sahih, and Al-Baghawi from the Shafi'is held that it is obligatory to wipe a quarter of the head, and no less than that^{iv}. And the Malikis went to the fact that the amount of one third, and some of them went to the fact that it is two thirds^v. Some scholars went to the fact that wiping part of the head is sufficient, and they did not specify, except that they said that wiping from the front of the head. And the Shaafa'is, according to what is well known to them, are of the view that wiping cannot be measured by anything, but rather what the name falls upon is sufficient.

Each group had evidence that supported its opinion from the Qur'an, Sunnah and language, but what concerns us is their inference in language. Those who say that it is obligatory to wipe the entire head differed in the meaning of (ba) here, between it being an excess, the meaning: and wiping your heads, and the apparent of it is all. So wiping the entire head is obligatory. Or that it should be adhesive, and the head is a real name for all, and some of the

ⁱ Nafavis Al-Usul: 3/1026.

ⁱⁱ Seen: Al-Tamhidi: 20/ 136; Bidayat Al-Mujtahidi: 15; Al-Majmuei: 1/431-433; Al-Mughni: 1/175; Al-Sayl Al-Jarar: 1/54.

iii Seen: Al-Hidaya: 1/15; Al-Majmuei: 1/431-433; Al-Mughni: 1/175; Bidayat Al-Mujtahidi: 15.

iv Seen: Al-Hidaya: 1/15; Al-Majmuei: 1/431.

^v Seen: Bidayat Al-Mujtahidi: 15.

head is a metaphor, and it does not become from truth to metaphor except with evidence, with the absence of the fact that "ba" is divided by the testimony of the people of the language. Those who say that some of the head is obligatory said that the (ba) is for division, and some of them went to the fact that it is for affixing, but they differed in its significance to the partial. Al-Hanafi school considers that the entry of the letter "ba" on the head made it general, so it is possible to wipe all or part of it. And they came with narrations from the pure Sunnah that support their opinion and clarify the generality.

Imam Al-Amidi, may God have mercy on him, mentioned the controversy over this issue, citing the linguistic evidence. He said: « Some of them said that by virtue of the situation of language it appears in the survey of all the head. It is the view of Malik, Al-Qadi Abd Al-Jabbar and Ibn Jinni. Determined by them that (al-baa) in the language is rooted in affixing,... And it went into sackcloth and coupled it to the head, and the name of the head is true in all of it, not part of it. This was necessary in order to anoint all of them by language. This is true even if we look at the origin of the language. However, it is customary for the language's people to use the emergency on the original situation. And the custom among the people of the language in the frequent habituation is obligatory by the necessity of attaching the anointing to the touch only the adverbs of adverb; Therefore, if he said the view of others wipe your hand handkerchief from one does not understand the language of the people he enjoined him to stick his hand in all handkerchief but willing all. And if he wants some of it. That is why he departs from the covenant with each one of them. And so he said: "I wiped my hand with a tissue" A It is an absolute slander, and it must also be a negation of permissiveness and participation in the custom. This is Al-Shafi'i school of thought - may God be pleased with him - and the choice of the judge Abd Al-Jabbar and Abu Al-Husayn. that survey with all interconnected, without understanding unnecessary occurrence or some survey the whole, but equally common "among all others. It is an absolute slander, and it must also be a negation of permissiveness and participation in the custom. This is Al-Shafi'i school of thought - may God be pleased with him and the choice of the judge Abd Al-Jabbar and Abu Al-Husayn. In any case, there is no point in saying in general. Not in view of the original linguistic situation, nor with regard to the usage custom»ⁱ.Ibn Jini, may God have mercy on him, replied that this is for Imam Al-Shafi'i, so he said: « As for what the companions of al-Shafi'i, may God have mercy on him, say about him that "ba" is for exchange, it is something that our companions do not know, and it is not proven that»ii. From all of this, it becomes clear that the attribution of the statement that the letter (Ba) for division here is for Imam Al-Shafi'i, may God have mercy on him, is incorrect, and that what some scholars have said who say by wiping part of the head is taken from other evidence.

The second requirement

The meaning of the letter "fa": (Fa: is it to comment or to link?)

ⁱ Ruling in Usul Al-Ahkam by Al-Amidi: 2/14.

[&]quot; siru sinaeat Al'ierabi: 1/123.

The grammarians mentioned that fa has three meanings, which are: an emotion, an answer, and an extraⁱ. What concerns us here is (fa' is an emotion), and an emotion benefits three things: arrangement, comment, and causationⁱⁱ.

Imam Al-Razi, may God have mercy on him, said at (Chapter Eight: In the interpretation of letters that the need in jurisprudence is urgent to know their meaning): « The second issue is the letter "faa" to comment according to what is correct. If he said, "I entered Baghdad, then Basra" would be useful to comment on what is possible, not on what is not. But we said that it is to comment on the consensus of the people of the language on it» iii.

Imam Al-Sarakhsi, may God have mercy on him, mentioned that, and that each letter is fabricated for a special meaning. « Al-fa' is an accusative at the origin of the situation, not an absolute sympathy, for each letter is placed with a special meaning»^{iv}.

Imam Al-Asnawi, may God have mercy on him, explained the comment, saying: « Arranging without a deadline ... as if the second took the butt of the first» v.

Among the practical examples of (fa') is the saying of the Prophet, peace and blessings be upon him: « The Imam is appointed so that he should be followed, so bow down when he bows down, and rise up when he rises up and say (prayer) sitting when he (the Imam) says (it) sitting»^{vi}. Imam Ibn Hajar said in his explanation: The hadith indicates the obligation to follow the imam in the actions of prayer, but the scholars differed regarding the meaning of this (following up) on two sayings:

The first saying: Follow-up is by commenting, so you hate comparison. Imam Ibn Hajar, may God have mercy on him, said in his explanation of the hadith: «What is meant is that orphan hood requires the follower to follow up with his imam in the conditions of prayer. Comparing, competing, and dissenting are negated, except as indicated by the Shari'a evidence» This is the opinion of the majority of scholars in the opinion of the majority of scholars.

The second saying: Follow-up is by comparison: It is Al-Hanafi school of thought^{ix}.

The reason for their disagreement in this matter is in the significance of (fa') here: whoever goes to the first opinion that says commenting and is disliked by comparison, sees that the meaning of "fa" here is to comment^x.

iseen: Al-Jinaa Al-Daaniu fi Huruf Al-Maeani: 61 - 78; And Mughni al-Labib: 2/475-512.

[&]quot; Seen: Mughni Al-Labib: 2/476-485.

iii Al-Mahsuli: 1/373.

iv Al-Mabsout: 6/ 129.

^v Al-kawkab Al-Duiri: 434.

vi Sahih Al-Bukhari: 1/85 No. (378).

vii Fath Al-Bari: 2/174.

viii Seen: Al-Mughni: 2/208-209; Al-Majmuei: 4/243; Bidayat Al-Mujtahidi: 130-131.

ix Seen: Badaa' Al-Sana'i: 1/218; Haashiyat Ibn Abidin: 1/470-471.

^x Seen: Al-Mughni: 2/209; Al-Majmoo' sharh Al-muhadhaba: 4/206: 4/206

As for the second opinion, it is argued to them that the (fa) here is an answer that indicates the connection; Because it took place in response to the condition, Ibn Hisham, may God have mercy on him, said: « The second aspect of the fa' is that it is related to the answer, and that is where it is not fit to be a condition and it is limited to six issues... That its action is structural: towards God's saying { Say: "If ye do love Allah, Follow me: Allah will love you}».

Therefore, it does not require delaying actions the congregation on the authority of the imamⁱⁱ.

The third requirement

Denotation of Al-Lam: (Calculating the waiting period and its start time)

Grammarians have divided the lam into two parts: working and non-working. The worker is either a maid, or assertive, and non-working. It is divided into seven sections: initiation, redundant, answer, permission (or position), Lam (al), suffix for denoting nouns, exclamationⁱⁱⁱ. This is in terms of action and lack thereof, but in terms of meaning, each of them has one meaning or several meanings. What concerns us is "Lam" is a preposition that some of them have brought their meanings to more than thirty meanings^{iv}, and among its meanings is to be in the meaning of (at), and to be in the meaning of (in).

Among the practical examples of it are what the Almighty says: { O Prophet, when you [Muslims] divorce women, divorce them for [the commencement of] their waiting period} [Surat Al-Talaq: 1], Divorce is divided according to the consideration of it (in terms of its form, the effect resulting from it, its description, and the time of its occurrence), What concerns us here is to look at it in terms of its description, so it is divided into "Sunni" and "Bed'i"., and Sunni divorce: The divorce that agreed with the order of God Almighty and the command of His Messenger "Peace be upon him", Bid'ah divorce: It is a divorce during menstruation, or in the purification of having intercourse with it, and it is called a divorce. Because the divorced woman broke the Sunnah, and abandoned the command of God Almighty and His Messenger, and the scholars are unanimously agreed that a divorce that does not involve sin is a Sunnah divorce, and they are unanimously agreed that the innovated divorce is forbidden.

Despite their unanimity on that, they differed in the calculation of the waiting period and the time of its beginning. Imam Al-Juwayni, may God have mercy on him, said: «The sayings of the scholars were confused about the meaning of recitation in the language: the companions of Abu Hanifa said that it is (menstruation), and the companions of Al-Shafi'i said that it is (purity)»^{vi}.

ⁱ Mughni Al-Labib: 2/480.

[&]quot;Seen: Fayd Al-Bari: 2/30.

iii In the letter (Lam) and its meanings seen: Al-Jinaa Al-Daaniu: 135-138; Mughni Al-Labib: 3/149-283; Raasf Al-mabani: 293-329.

^{iv} In the meanings of this (Lam) seen: Al-Jinaa Al-Daaniu: 96-106; And Mughni Al-Labib: 3/149-239. Abu al-Qasim Al-Zajji, may God have mercy on him (died: 337 AH), singled out a book in which he spoke about (Lam) in Arabic, its positions in the Book of God Almighty, the words of the Arabs, its grammatical rulings and the contention therein. Al-Mubarak, and printed more than one edition, including (Dar Al-Fikr - Damascus, I/2, 1405 AH 1985 AD) on (232) pages.

^v Seen: Al-Mughni: 10/324-325.

vi Nihayat Al-Matlab: 15/144; Seen: Tafsir Ibn Kathir: 1/605-607.

The reason for their difference in the meaning of (Lam) in this verse:

- 1- In the meaning of (at), Ibn Hisham said while enumerating the meanings of "Lam" as a preposition: «And the eleventh: To be in the sense of what they say, I wrote it for five peopleⁱ». Imam Al-Jassas, may God have mercy on him, said: «If the word potential of the past and the future, and when addressing the future is not to go with his presence should follow the mentioned without separation, and if so, and we found saying "peace be upon him" Ibn Umar in which he stated menstrual cycle past and Menstruation receiving information but were not mentioned, in saying. Once then let her until she becomes pure and then menstruate and then purified and then to divorce her That kit which God ordered to release them women to be a reference to the last Menstruation Fidel so that the kit but is menstruation and permissible to want menstrual cycle receptor as it is known as the course Usually, purity at that time is not more important than menstruation»ⁱⁱ.
- 2- Meaning (in), Imam Al-Razi, may God have mercy on him, said: "The Almighty's saying: { divorce them for [the commencement of] their waiting period } What it means: At the time of their waiting period, but divorce during menstruation is forbidden, so it must be a period of timeⁱⁱⁱ.
- 3- Among the rulings that follow from this disagreement with regard to women: that the waiting period for those who think that it is (purity) is shorter, and for those who think that it (menstruation) is longer, If a man divorces his wife in the state of purity, the remainder of her purity is counted as reading, and if she menstruates immediately after her purification, and if her third menstruation begins, the waiting period is over. While on the doctrine of Imam Abu Hanifa, may God have mercy on him: Her waiting period does not expire as long as she is not purified from the third menstruation if the divorce is in a state of purity And from the fourth menstruation if he was in one period it is not judged that the waiting period has expired. If she is purified for most menstruation, the waiting period before she is washed expires. And if she becomes pure for less menstruation, the waiting period is not over until she does ghusl. If you do not find water, do tayammum. or spend the time of prayer on itiv.

Fourth requirement

The denotation of (waw): (the order between the acts of ablution):

Arrangement: To perform the obligatory ablutions arranged according to what was mentioned in the Noble Qur'an^v in the Almighty's verse: {O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles.} [Surat Al-Ma'idah: 6].

i Mughni Al-Labib

[&]quot;Ahkam of the Qur'an: 2/62.

iii Mafatih Al-Ghib: 6/436. Seen: Al-jamie li' Ahkam of the Qur'an: 18/153-154.

iv Seen: Mafatih Al-Ghib: 6/435-436.

^v Seen: masayil min al-figh al-mugarani:: 1/203.

The scholars differed regarding the arrangement of the acts of ablution according to the verse on two schools of thoughtⁱ:

The first: The arrangement is a Sunnah, and according to it Imam Abu Hanifa, Malik in the most famous narrations, Ahmad in a narration, and some Shafi`is.

The second: The arrangement is an obligation, and ablution is not valid without it, and according to it Imam Al-Shafi'i, Ibn Hazm, Al-Zaydiyah, Al-Imamiyyah, Ahmad in the most famous narrations from him, and Malik in a narration.

The linguistic origin of their differences is the letter Waw: does the arrangement benefit? Or is it an absolute plural?

Whoever is of the opinion that it is for the arrangement requires the arrangement in ablution, and whoever goes that it is not for the arrangement does not necessitate thatⁱⁱ. Al-Shawkani, may God have mercy on him, mentioned this issue, clarifying the opinions of the grammarians on it. He said: There is a difference in the letter waw, is it for the absolute plural, or for arrangement? So he went to the first: the majority of grammarians, fundamentalists, and jurists. Al-Farisi said: Basra collection dropped by, and Kufa, on it's (absolute plural), ... "It is right," said Al-fura ...: It is the order, and this for Roy Shafei and pro-God, and Abu Talib »ⁱⁱⁱ. After reviewing the evidence of each team, he said: «To sum up: those who say that the word "al-waw" means "arrangement" did not come up with anything suitable for "refutation". And invokes the answer about him"^{iv}.

Conclusion

After the end of this research specialized in the letters of meanings, it is necessary for us, when we reached here, to write a conclusion showing the most important findings:

- 1- The letters of meanings are of great importance for the fundamentalist and the jurist alike.
- 2- The scholars of origins searched in the topics of "The Letters of Meanings" deeper than the research of grammarians in these topics.
- 3- Through research, it became clear to us that there is no connection between the sciences of origins, language and jurisprudence, and there is no separation between these sciences. Most of the fundamental rules refer to issues of language, and the rules of origins were laid as a basis to protect the researcher in the branches of jurisprudence from falling into error and avoiding correctness.
- 4- Through the approach of combining the theoretical sides of the principles of jurisprudence and the application in matters of jurisprudence, it was found that there is help in understanding the rules of the principles of jurisprudence. And fixing it in the minds of the students of this science and training the student to graduate issues of jurisprudence on its origin and evidence.

¹ Seen: Bidayat al-Mujtahid: 19; Al-Majmuei: 1/470; Al-Hidaya: 1/32; Al-Qawanin Al-fiqhiatu: Al-Mihalaa: 1/169, Al-Mughni: 1/190; Haashiyat Ibn Abidin: 1/122; And Sharayie Al-Islam: 1/18.

[&]quot;Seen: Al-Bahr Al-Moheet: 3/141-143.

iii Iirshad alfuhul: 129.

iv Iirshad alfuhul: 130.

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