

Al - Azimit and Rukhsat in Islamic law

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Abstract

Al-azimat and rukhsat is one of the most important topics nowadays and should be written on a scientific level, because in recent time objections to the religion of Islam have become commonplace. Moreover, there numerous non-Muslims have been converted to Islam in non-Muslim countries. The purpose of this research paper is to compassion and facilitation under Islamic law, and to describe the rules and regulations dealing with Azam and Holidays. This research paper is based on librarian methodology, and for collecting the data we have used various books and libraries. At the end as result we can say that Islam allowed Muslims to use Azam and Rukhsat when they face hardship.

Introduction to Azimit

It gives the following meanings, by fundamental and scholars:

- 1- According to Imam al-Bazdawwy, Al-Rahimullah, In Azimit, what is the name of the rule which is based on the provisions of rulings witch is not related to the disorders (9: 135).
- 2- According to Georgian Rehmatullah, Azimit is the legitimate name of the rule which does not relate to the disorders. (10: 150).
- 3- . According to Mohammed Ravas Kulji (RA), Azimit is a decree which is proven by proof the cause and does not have the best opposition. (20: 311).

The above words are different, but they have one meaning, so to say: In ordinary circumstances, the Shariha makers say that they are free to act on the commandments.

Kinds of Azimit

As Azimit is the name of commandments by creator of Shariah, and the commandments have different forms, so Azimit is divided into four types:

- 1 - The provisions that have been set out from the beginning for the general benefits of people: such as worship, affairs, crimes and all the decrees that Allah has set for His mankind's to get the benefits of this world and the Hereafter, and they are the popular decrees than the others.
- 2 - The provisions which are prescribed for a temporary reason, such as abusing to idols which are worshiped without Allah, because of this action the polytheists will abuse to Allah, therefore

Allah says, do not abuse to the deities that are worshiped without Allah, if you do they will abuse to your creator due to their jealous.. [: 1 Al-An'am 108].

3 - Rules which are permissible for the cancellation of the preceding orders, and the cancellation order as if it were not so, then this invalid order is the original order which has been valid for all mankind from the beginning, such as Allah. Concerning the Ka'bah for the as QIBLA from Al-Bayt al-Maqdis, Allah says (interpretation of the meaning): "We take you to the Ka'bah that you wish, then turn to the Masjid al-Haram."(1: Al-Baqarah 144)And the Prophet (peace and blessings of Allah be upon him) said: I forbade you to visit the tombs ;(672 :22).

4 - Things that are exempt from the general order, such as in the Qur'anic saying: {And it is forbidden for you to marry a woman who has a husband, but those women, whose right hands are their owners, are not forbidden to you.}[1: Women 24],

So this blessed verse forbids women who have husbands and allowed you women whose right hands are their owners, and makes them exempt from drinking.

Therefore, Azimat includes to all five tough decrees and orders. is because it is one of the commandments that have been validated from the beginning of Islamic Shariah without regard to excuses.

Some scholars say that Azimat is restricted to obligatory, obligatory and arbitrary, while others say that Azimat is specific to obligatory and obligatory, and some even attribute it to the obligatory and haraam. (19: 432)

The deference between the scholars indicates that there is complete freedom of expression in Islam, which is not found in any religion other than Islam, because the Islamic scholars have an obligation to provide mercy and ease with the people on controversial issues. Leaving open field, even the student may have a view that contradicts his teacher's opinion, even though the teacher is in the highest position, but when there are controversial issues, any scholar is allowed to give his opinion.

Identifying Concession

Concession is anti-Semitism in Arabic meaning convenience and facility, as it is said that take care of human beings convince and facility. (17: 40)

Introduction to concession in the Term of Principles of scholars:

The scholars define the concession in different definitions and I have selected a few of them:

Imam al-Bazdawiy (Rahmahullah) said:) concession is justified on the basis of the excuse of human beings, who have been allowed for the purpose of forbidden reasons. (9: 136).

Imam al-Hammadi (Rahmahullah) said: A holiday is something which is allowed on the basis of excuse even though there is a prohibited reason. (24: 177).

Imam al-Bezawi (Rahmahullah) said: A leave is an order that has been proved because of an excuse against the ruling. (2:33).

Georgian (Rahmahullah) contends that the name of the concession is something which is permissible because of the excuse, that is, what is lawful even though there is forbidden reason. (10: 110).

In my opinion the best definition is the third definition (Al-Bezawi).

So, it can be said that the concession is one of the most important things in which ease and facilities appeared with people in Islam and has lots of proofs.. As noted, we will only rely on two traditions in which the word actually comes. 1- It is narrated from Yale ibn 'Umayyah that the Prophet (peace and blessings of Allah be upon him) said: "The leave of Allah is the charity which afflicts you, so accept it." (21:478).

2- It is narrated from Ibn 'Umar (RA) that the Prophet (peace and blessings of Allah be upon him) said: Allah's pleasure is to act on leave as if it were evil. (10: 107).

Type's concession:

Leaving is based on hardship and excuses, and because the excuses are different, the leave is divided into two parts:

- 1) According to Shariah order, based on worship.
- 2) Types of leave in terms of convenience.

And both parts are divided into different sections.

The first section covers the types of leave or concession depending on the Shariah order, and this section is divided into four types:

1. Doing what is forbidden when you need it: such as giving the word of unbelief on the basis of prejudice to a member or to save yourself from being killed; Allah will be rewarded, and if he utters the word disbelief, there is no sin on him in the presence of oppression while he has faith in his heart and belief, but there is no sin on him. It is better to say no, because the word unbelief is to show pride in your blessed religion, Islam, and to stand firm on the truth, and to show that persecution of unbelievers does not diminish the spirit of Muslims. Strengthen, and strengthen the morale of believers. It is the case of two men from the Companions who, when the Muslim was arrested, said to one of the companions: What did Muhammad say? The Companion said: "The Messenger of Allah is the Messenger of Allah." What did you say about me? He said: You, too, have left the same companion, and he said to the companion: What do you say about Muhammad (pbuh)? His Companion replied: Allah's Messenger is, "What do you say about me?" He said: "I do not hear," then Muslim repeated his question to his companion three times, and then he answered it as well and he killed him. The Prophet

(peace and blessings of Allah be upon him) said: "The Almighty acted on leave, and secondly: If he remains strong in the truth, he is blessed.(16:420)

Like him, Ammar bin Yasir took the polytheists and told them not to try to insult the Prophet (peace be upon him) and to insult him. Ibn Yasser (may Allah be pleased with him) said something like that. And the gods of the polytheists did something special, so they left the polytheists when he came to the Messenger of Allah (peace and blessings of Allah be upon him). The Prophet (peace and blessings of Allah be upon him) said to him, "How do you find your heart?" Ammar ibn Yasser assured him of his faith, the Prophet (peace and blessings of Allah be upon him) said (15:374) if the arrested you again do the same.

It is also allowed to fast during the holy month of Ramadan because of the compulsion and the loss of other Muslim money during the fasting hunger and severe thirst. (19: 439).

In this regard, Allah says (interpretation of the meaning): "Whoever submits to oppression by force and does not prevent it, there is no sin on him."(1:albara173).

Just as admonition on leave is for self-preservation and the fulfillment of Allah's truth, so in this case, if someone insists on ambition and refuses to drink alcohol and dies because of them, then he will be himself. Have committed sins that have devastated themselves (11: 232).

2. Vacation in waiving of obligation: This is a holiday which makes it permissible to waive the duty even though there is a reason for it, so here is an excuse for the obligation. You are barred and prevented from doing so, such as if the traveler and the patient are in fact discharged because of breaking the fast. Preventing the cause and preventing them from doing the present, of course, will bring about a fast.(3:318).

Because Allah says (interpretation of the meaning): "If you are ill or on a journey (fasting is permitted), then these days it will be customary to judge. [1: Al-Baqarah 184],

But it is also better to practice ambition if the fast is not due to the traveler and the patient, because the blessings that are available in the month of Ramadan are not available at any other time, but if the fast does harm and weaken the fast. It prevents them from doing something important like jihad, so it is better to break the fast, (3: 320).

3. Revision of the rules in the previous Shariah: These are the rules which do not compel us to act, and we do not have the law, such as repenting ourselves or cutting off organs. Eliminating unclean space, and paying a quarter of the money in Zakat, and other things that Allah has given us comfort and ease, and this is such a virtual holiday, as not mentioned in our Shariah. If so, the action will not be taken (3: 320).
4. What happens to slaves because there is no reason for them to stop acting, such as during a short visit to Salaam, as well as the legitimacy of Muslim and exploitative treaties. (3: 321).

Types of concession based on facilities

This section is divided into eight types.

- 1) Reducing the number of rak'ahs for the traveler.

2) Changing Facilities, for example: If one is unable to wash or recharge, then performing tayammum is obligatory.

3) Facilitating Change: Depending on the situation, such as praying in a state of fear, the Mujahideen can perform their prayers safely during the Jihad.

Removal of convenience: As the pilgrimage is abstracted from anyone who is unable to, as well as Friday prayers from patients, women and travelers.

5) Convenience: If someone dies and has no water, and is afraid of dying, it is permissible to drink alcohol.

6) Facilitating gathering: Combine two prayers together because of rain and other excuses.

7) Ease of foregoing: such as praying during the afternoon prayer or the evening prayer, "depending on the difficulty that people face, such as illness, or traveling and so on. Be in.

8) Easy to postpone: such as postponement of the afternoon prayer for the traveler to the adjournment time and afternoon prayer to the postponement time. (4:48).

Reasons of concession

When the cause of the discharge is optional, such as travel, when there is an emergency such as drinking alcohol when there is a slight concussion in alcohol and no other than alcohol, the cause of the illness is from Allah, such as when the disease is exceptional and special. Reasons such as hardship and need and when the cause of the illness is related to another such as agraah(5:169)

Order to act on leave

Acting on leave is proved against the common cause of excuse, so there are four types of duty to act on leave: paraz, Mustahab, Makrooh, Mubah Halal, which exemplify each one:

1. Obligation [paraz]: Like eating dead food in the case of severe hunger, because scholars think that eating dead is obligatory in this case. (8: 1119).

2- . Mustahab: Shortening the prayer is obligatory for the traveler in the sight of the Ummah. (25: 480) Friday is internationalization without a prerequisite (5: 167).according to Ahnaf shortening of prayer is better or Azimat it is not a leaving.praying the pryer together without Arafah and mazdalifa.

3 - Excerpts: Visiting a man or woman as a doctor is actually haraam, but it is permissible on the part of the people to be able to do so, as well as to lease the land, to pay the price, to dispose. Creation (licensing), which is much needed, as well as interfaith gathering without a formal accreditation. (25: 480).

4 Spreading the word of disbelief, such as refusing to deceive a member or to save him from killing, so if a person is patient until he or she is killed, then he will be rewarded by Allah, and if he disbelieves. Speak the word in the presence of oppression, while there is faith in the heart then there is no sin on him, but it is better to act on ambition, because the word unbelief does not say goodbye. Religion is about showing pride in Islam, staying firm on the truth, and showing that persecuting unbelievers cannot weaken the spirit of Muslims, and strengthen the morale of believers. Is.

It should not be kept in mind that it may be haraam to act on the leave because Allah has made the concession legal and it is not lawful forbidden, as is the tradition from Ibn 'Umar (ra) that the Prophet (peace and blessings of Allah be upon him) said: Allah wills to act on leave as if it were evil.(6:107).

Like him, Ammar bin Yasir took the polytheists and told them not to try to insult the Prophet (peace be upon him) and to insult him. Ibn Yasser (may Allah be pleased with him) said something like that. And the gods of the polytheists did something special, so they left the polytheists when he came to the Messenger of Allah (peace and blessings of Allah be upon him). The Prophet (peace and blessings of Allah be upon him) said to him, "How do you find your heart?" Ammar ibn Yasir assured him of his faith, the Prophet (peace and blessings of Allah be upon him) told him, "If they were to be recaptured, they would have done so."15: 374).

Discussion

The scholars have argued whether it is better to act on Azimat, and if on leave, then Imam al-Shatbaabi (Rahmahullah) has explained this issue well, and he has made a balance between azimat and leave, mentioning the reasons. Who preferred to rule on leave, then mentioned the reasons why he preferred to act on azimat, the following are the main reasons:

First: proofs for acting on azimat

1. Acting on azimat is in agreement with the principle of coincidence, and on the other hand, the cause (difficulty) is trivial, because hardship varies according to individuals and conditions. (5: 168).
2. Azimit is one of the rules of these overall rules that is absolutely mandatory on all persons, and the leave is a state of affairs on the basis of individual excuse, so the rule is that if a partial rule comes into conflict with overall rules so the overall rules will be given priority. Be the common denominator.
3. Acting on the Rulings with the utmost diligence, the action which Allah loves because it involves patience while Allah says of patience: Surely, full and reckless will be given to the patient. Rewards [1: Azomar 10].
4. Whenever there is an act of leave which causes a dullness in the worship, but acting on the ablution causes the worship to be strengthened, even if one is acquainted with the leave or concession. Acting on Azimit will seem like a hard thing, sometimes it causes him to escape from Azimit at some point.

- 5) . The law and rule in Shariha is that there will be some difficulty to act on. Shariah according to the energy and ability of the person and according to habits, if hardship and hardship are manifest to some individuals or In some cases, this would mean that this is just a normal condition and not a common one.

Second: preference of proofs versus to act on leave

1) In the Shariha, as it is permissible to act on Azimit, it is also justified to act on the holiday, so if there is pain and difficulty in acting on the Azimit, then the leave is performed such as: If fasting is difficult, he should fast.

2) The legitimacy of the leave, even if it is partial, does not affect Azimit, as it is regarded as a (exempt) exemption from the general order, or it is a matter of limiting the allocation of the common or of the absolute. It is, and precedes, in particular, the common and the absolute.

3)The reasons that remove the hardship and distress from the nation have reached a certain level of certainty, and the purpose of the Shariah (Shariah-e-Shariah) is to distribute convenience and ease to the people. Not traditional} [1: Hajj 78] And Allah says (interpretation of the meaning): "Allah does not intend anything to befall you. [1: Al-Ma'idah 6], it is also narrated from Ibn 'Umar that the Prophet (peace and blessings of Allah be upon him) said: "Allah is pleased to act on as you don't like to do the sin." (6: 107).

4) The purpose of the Shariha (Shariah) is to give legitimacy to the benefit and convenience of individuals. This meaning is contained in many verses such as Allah says: {Say: "I ask of you a reward." No, I do not demand of a reward, my reward and reward is only on Allah (1:swad88)

Allah says (interpretation of the meaning): "Allah (the Almighty) intends to ease you, not to trouble you, [1: Al-Baqarah 185],

Also, there is a narration from 'Ali ibn' Umayyah that the Prophet (peace and blessings of Allah be upon him) said: "The leave of Allah is the charity which afflicts you, so accept it." (21: 478).

5) Whenever there is a valid reason and still it is not done, then it is due to non-compliance with the Shariah, as the Prophet (peace and blessings of Allah be upon him) said: It is not good to fast on the journey. (21: 478) And there are many other proofs..

Conclusion

The proofs for acting on leave are more and more consistent with the spirit of the Sharia whenever there are (hardship) difficulties, the amount of hardship differs from one another to personal status and power and piety.

But acting on concession or leave on the basis of desire that it is not permissible for according to the view of scholars that you intends to escape the obligation.

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