



Evaluating the Rules of Illegal Espionage in Imami Jurisprudence

Seyedhadi Salehi; Seyedmehdi Salehi; Reza Nikkhah

Associate Professor, Department of Islamic Jurisprudence, Urmia University, Urmia, Iran

Email: sm.salehi@urmia.ac.ir

<http://dx.doi.org/10.18415/ijmmu.v9i5.3628>

Abstract

According to the evidence of the rules in Imami jurisprudence, spying on the privacy of individuals is forbidden, and exploring and following the nakedness and secrets of the believers is not permissible according to the verses and news. However, espionage, which is obligatory from Imami jurisprudence, is espionage against the Islamic government. Because this investigation is a prelude to disrupting the affairs of individuals and the Islamic society. If the ruling allows it, there will be no peace for the individuals essential to the government and the Islamic society. This permission to spy is a prelude to the destruction of order and disorder in it, so from the point of view of the preamble of haram - the preamble of disorder which is rationally haram - rationally it will be haram and forbidden, and on one basis it is also haram according to sharia. In general, the scope of sanctity can be determined as follows: Spying and vain and unreasonable spying and 2. Spying on the believers. In this research, a descriptive-analytical method will study the rules of illegal espionage in Imami jurisprudence.

Keywords: *Imami Jurisprudence; Illegal; Espionage*

1. Introduction

In the Holy Qur'an and also in the hadiths, God forbids spying and curiosity in the affairs of others, respects the privacy of individuals, and condemns its violation. The scope of this instruction is general, and there is no exception in it so that spying on the affairs of others is permissible for some and not permissible for others. The fundamental question here is that in the light of this moral charter of Islam, if a situation arises and necessity (according to the rule of reason), it secretly examines the characteristics and secret affairs of individuals for certain purposes, such as selecting individuals to be appointed to government positions or to be safe from the kidnapping and anti-security plans of people about whom there is suspicion and who feel threatened by the lives and property of the people or national power and sovereignty. He supervised all his affairs, including correspondence, conversations, travels, etc. What is the duty of Muslims with the moral order of Islam? Can the Islamic regime and system use forces under different headings and coverings inside and outside the borders as spies, informants and intelligence agents to monitor the actions and behavior of internal and external enemies and also, the behavior of the people of the society, especially certain people who feel threatened by them and are likely

to be hired by the enemies of Islam and to spy on them with their special intentions in order to maintain security, independence and territorial integrity? And access things like their private conversations and correspondence and have intangible control over all their movements?

In this regard, it should be said; In Imami jurisprudence, there is not enough discussion about the rules and scope of the sanctity of spying and its license and their arguments, and it demands that the rules and scope of the sanctity of spying and the cases and examples of its license be disciplined for intelligence agencies; because the discipline of this issue and ignorance about them has many consequences, effects, and religious evils. In addition, it is necessary to determine the permissible scope of investigation for the type of obligors. Imami jurists have not discussed in detail the principles of the ruling on spying and the necessity of its evidence and the scope of its sanctity and its legitimate cases in any of the jurisprudential books and only in some jurisprudential books such as *jihad*, *qisas*, *diyāt*, they have raised only some issues related to espionage and improper knowledge of the privacy of others.

Contrary to popular belief, espionage is not an emerging phenomenon, although espionage purposes and types have differed in the past and present. In the distant past, espionage was mostly used for military purposes, especially in wars, as well as for elementary purposes and to detect enemy movements in peacetime. But today, espionage has taken on different dimensions, in addition to military affairs, in scientific, industrial, political, and cultural affairs... It is done in very complex ways. One of the reasons for the development of espionage is considered to be technical knowledge. Due to the rapid development of scientific and military technologies in the present era, espionage has also spread, and the intelligence services are training trained agents to do so.

Maintaining the independence and territorial integrity of the enemies can not be thwarted except with the vigilance and vigilance of those forces that are responsible for maintaining security and one of the most important of them is the intelligence forces in a system of government that monitors the scientific, cultural, economic, military and security fields and monitors the situation and thwarts the enemy's plans and programs.

Therefore, in a system based on the teachings of Islam, its intelligence and intelligence forces, while having special facilities, equipped and ready to update, strengthening another aspect in them is of great importance, and that justifies the belief that knowing what they are doing is based on the teachings that exist in the school of Islam.

Therefore, research on an important subject such as espionage and espionage and the protection of privacy and related provisions is necessary to distinguish between espionage that has a negative moral aspect and espionage that is equivalent to espionage and to enlighten the public opinion of the people and especially those involved in such positions as a clue, evidence, and guide.

In this research, questions can be asked: What is the obligatory ruling of illegal spying in Imami jurisprudence? What are the rules of spying in Imami jurisprudence? What are the rules of espionage against the Islamic government?

Research has been done in this field, including Reza Hosseinzadeh (2015) in a study entitled "Jurisprudential and legal study of the realm of espionage and espionage in privacy" stated: Maintaining the security and stability of society and the privacy of individuals and preventing the disturbance of public order and other interests in privacy Makes spying inevitable and the results that form the basis of the spy debate are meaningful not only in the presence of a sharia government and in the shadow of a just Islamic system. These results should not be transmitted to other illegitimate governments, and spying and espionage in their favor should be considered as part of the provisions that spying is permissible. Of course, if it has halal preconditions, otherwise, it is not permissible to spy by committing haram preconditions. Yes, if the realization of the most important thing depends on the investigation, and this investigation is related to the commission of the forbidden preconditions, here, too, the sanctity of

committing the preconditions is honorable. As a result, it will be permissible to make arrangements to preserve the most important and according to the intellect. Now the question is, what is the basic concept of espionage and espionage in Iranian jurisprudence and law? And what are the conditions and sentences for espionage and espionage? And finally, what is the realm of espionage and espionage in Iranian law and Imami jurisprudence? Understanding the nature of espionage and espionage in terms of Iranian law, recognizing the nature of espionage and espionage in terms of Imami jurisprudence, determining the causes of prohibition and prohibition of espionage and espionage in law and determining the cases of permission and prohibition of espionage and espionage in jurisprudence are the objectives of this research.

Ali Roozgar (2016), in a study entitled "The rule of antagonism from a jurisprudential perspective in security activities," has stated: The law of the necessity of the most important priority, that is, the attainment of the most important interest by abandoning the important interest, is one of the rules of jurisprudential jurisprudence and association. Examples of security activities include espionage, espionage, and eavesdropping. One of the most obvious security activities is espionage and espionage. According to the contents of the verses and hadiths that indicate the sanctity of espionage and espionage, if this action is without purpose and in which there is no divine and rational interest, it is forbidden. Now, according to the matters mentioned above, during security activities, if to defend the life, property, honor, and land, the act of reconnaissance and the like is carried out, according to this law (the need for priority); The implementation of security activities will be a necessity; otherwise, it is condemned.

Hatem Savari (2015) in a study entitled "Espionage from the perspective of the Holy Quran and Hadith" using dictionaries and commentary books, while examining the lexical and idiomatic concepts of espionage and verses related to espionage and has extracted synonymous words with it and has examined the rulings related to this process from the perspective of verses and hadiths. The current research, which is descriptive-analytical research using the library and fish-taking methods, after examining the content of this word and explaining its legislative provisions, it was concluded that the process of espionage, which is strictly forbidden in the Qur'an, is also mentioned in the narrations and ideas of other religions. However, according to the conditions of society and to protect the Islamic government from the enemies, as at the beginning of Islam, cases such as reconnaissance and intelligence were considered permissible. In the current era, it also takes secondary rules.

In this descriptive-analytical method, an attempt will be made to study the rules of illegitimate espionage in Imami jurisprudence and objectives such as; the review of mandatory, status and espionage rulings against the Islamic government will be followed, and for this purpose, in three topics, we will try to review cases such as; the obligatory ruling on illegal espionage in Imami jurisprudence will be situational rulings and rulings against the Islamic government.

- Mandatory ruling on illegal spying in Imami jurisprudence

Verses, narrations, intellect, religious life, the building of reason, and the consensus of jurists are the reasons for the obligatory rulings on the illegitimacy of spying on the privacy of individuals in Imami jurisprudence, which are examined below.

1.1 Intellect

One of the sources of human knowledge is "intellect". Revelation and tradition have been created for the growth of reason and the evolution of human thought. Imam Ali (AS), in the philosophy of the resurrection of the prophets in the first sermon of Nahj al-Balaghah, says: "God sent the prophets to flourish the hidden intellects of mankind." In the principles of beliefs, the most important and perhaps the only reason - at least in the peripatetic school - to prove monotheism, prophecy, resurrection, etc. is a reason. Therefore, there is no doubt that reason has a special place in inferring the religious rules in general; For it is a violation of the purpose that reason be introduced as the criterion of all good and evil

and knowledge and reward, and be the basis of human beliefs, but he fails to recognize the true good and the bad, and is unable to express and prove the sub-religious issues. Most jurists have also considered it in the breadth of the book and the tradition, and some have placed it in the breadth of the book and the tradition and have cited it in every event for which they have not found any evidence of the book and the tradition.

Now the question is whether it is possible to cite rational evidence in inferring the rulings or not? There are three views on this: 1- Rational perceptions can be cited everywhere. 2- Can not be cited anywhere. 3- Certain and definite perceptions are valid in inferring the Shari'a rules, but the indefinite perceptions of reason cannot be invoked in inference. Among the Sunnis, those who believe in the first theory favor. The first person to accept this theory at the end of the first century was Ibrahim ibn Zayd Nakha'i. This theory spread so much in the time of Abu Hanifa that they even preferred reason to text.

The second theory has been accepted by the Imams and the companions of the Sunni hadith. The head of the news is Mirza Mohammad Amin Astarabadi, the author of the great men of the method of the article, after whom this theory was developed by Mullah Mohammad Astarabadi, the author of *Al-Fawid al-Madinah*. Although they have used various expressions in expressing their intentions, in general, three types of interpretations can be given from the sum of their words: 1- Denying the good and ugliness of reason in the real text 2- Accepting the good and ugliness in the real text but denying the connection between reason and Sharia 3 - Accepting the good and the bad and the possibility of perceiving it by the intellect and the existence of a connection between the rule of reason and the Shari'a, but denying the obligation to follow the Shari'a ruling which the rational connection has proved. However, the results of all three interpretations are the same, which is the denial of the authority of the intellect.

The third theory is accepted by most Imami scholars. Of course, any rational ruling that leads to the termination of a rational ruling is acceptable to them. In other words, any proposition that causes the interruption of a rational judgment is called a rational reason. Therefore, if the rational reason causes certainty in the rule of reason, it will be an argument because the authority of any argument is to reason and the proof of Shari'a or reason. As monotheism, prophecy and resurrection are proved by reason, and if the reason is not proof, God, the Prophet, and religion will not be proved. Is it reasonable to consider the foot of reason in the highest knowledge, that is, the knowledge of God Almighty, but to know its deficiency in proving the branch and recognizing its goodness and ugliness? For this reason, some scholars of principles say that doubt in the authority of reason is sophistry.

Imams use reason as a pillar of *ijtihad* in three cases: 1- Criteria of rules 2- Rational relationship or rational requirements 3- Building of reason.

The scholars of principles say: The intellect is throughout the book, tradition, and consensus. For this reason, Ibn Idris says: Whenever there is no reason from the book, tradition, and consensus to deduce religious issues, scholars cite it because of reason. Of course, we point out that two things must be distinguished: 1- The relationship of reason with Sharia 2- The relationship of reason with the sources of knowledge of the rules (book, tradition, and consensus).

Regarding the relationship between the intellect and the Shari'a: The truth is that the Shari'ah, since it is the head of the wise of the world, its ruling is in line with the rules of common sense and the assumption of the separation of the two is not correct. It should be said that the rule of reason is beyond the rule of Sharia. As for the relationship between the intellect and the knowledge of the rules: Undoubtedly, the Qur'an is definite and authentic, meaning that the Qur'an was revealed by God, while what the jurist deduces from the appearance of the Qur'an in the position of *ijtihad* is not definite and may not be intended by the Shari'ah. Just as narrations and consensus have neither inherent authority nor definite implication. At the same time, the rule of reason is clear and definite in the independence of reason, and its authority is also necessary. Naturally, reason has a stronger position in intellectual

independence than other sources. Therefore, the reason is in the same order and has priority across other sources.

1.2 Verses

God Almighty explicitly forbids spying in Surah Al-Hujurat, verse 12, and says:

« يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَجَسَّسُوا وَلَا يَغْتَبَ بَعْضُكُم بَعْضًا أَيُحِبُّ أَحَدُكُمْ أَنْ يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْنَاهُ وَانْقُوا اللَّهَ إِنَّ اللَّهَ تَوَّابٌ رَّحِيمٌ »¹.

O you who believe, avoid many suspicions because some suspicions are sinful and do not spy. Some of you should not be absent from others. Do any of you like to eat the flesh of your brother while he is dead? Of course, he hates and practices piety because God Almighty is really very repentant and merciful.

The context of the above verse is the expression of some moral-social rules and among the rules used in this verse are:

1. Avoid (suspicion) of the right of religious brethren
2. Prohibition of spying on people
3. Prohibition of absenteeism and boycott of absenteeism

The context of the above verse is the expression of some moral-social rules and among the rules used in this verse are:

1. Avoid (suspicion) of the right of religious brethren
2. Prohibition of spying on people
3. Prohibition of absenteeism and boycott of absenteeism

The ruling that is being considered in this regard is espionage and espionage, as it appears from the appearance of the holy verse. As most scholars of the principles believe, it is forbidden to appear in sanctity - the ruling on espionage and espionage is sanctity. According to the evidence in verse, it can be claimed that all the areas in verse are omitted instead of being accompanied by evil intentions. Due to the evidences in the verse of investigation, where there are good intentions, there is a specialized departure from the appearance of the holy verse. Among these evidences, we can mention the analogy of confrontation, cancellation of the appearance of a word, origin, and lexical promise.

For example, in the holy verse, the term "suspicious boycott" is used extensively to express the scope of the sentence. Indeed, not all suspicions are Muharram, and there is a suspicion that is permissible and even commanded in Islamic law, such as good suspicion or even positive suspicion. For example, in one narration, it is stated that "protect yourself from people with suspicion" or in another narration, it is stated that: "Do not trust your brother's all-encompassing and complete religion, because failure can not be compensated by confidence and quick-wittedness." There are many narrations from this example, some given below. If there is a problem that has been omitted from the prohibition in the holy verse and on this basis it implies the public, it can be said that the origin of " لا تجسسوا " is the prohibition of spying with evil intentions, and this practice prevents the public from concluding by removing the property.

Accordingly, the question that should first be taken from the interpretations of commentators and scholars is the meaning of forbidding espionage in the holy verse? The late Allameh Tabatabai considers

¹ Surah Al-Hujurat, verse 21

spying to mean pursuing and investigating matters that people care about, to remain hidden, and the person pursues them to be informed. The late Tabarsi interprets the prohibition of espionage as referring to the faults of the Muslims, and he interprets the verse as follows: Mir Seyyed Ali Haeri says: " لا تجسسوا " means do not follow the slips of the believers and do not discuss the flaws of the Muslims who have covered them. This interpretation is the same as the statement of Ibn Abbas and Qatadah, and Mujahid.

Nasr ibn Muhammad says in the commentary of "La Tajsawa": That is, do not discuss the faults of your religious brothers. Following Ibn Abbas, Ibn Abi Hatim considers that espionage is to follow the faults of religious brothers and believers. After stating the scholars' interpretations from the prohibition mentioned in the holy verse, the purpose of the verse can be summarized as follows: In dealing with Muslims, consider their appearance as a criterion and be content with appearances, and do not seek their hidden faults. That is, do not search for the faults and secrets of your Muslim so that you may not be informed of the bad things and ugly deeds of the people, which are hidden.

1.3 Narrations

The narrations narrated from the Prophet of Islam and the Imams are evidence of the rules in Imami jurisprudence. In the following, we will refer to some of these narrations.

1- In the section of Manahi al-Nabi from the noble book " من لا يحضره الفقيه ", a detailed hadith has been quoted from the Holy Prophet of Islam (PBUH), a part of which helps forbid spying:

" ... نَهَى أَنْ يَطَّلَعَ الرَّجُلُ فِي بَيْتِ جَارِهِ وَقَالَ مَنْ نَظَرَ إِلَى عَوْرَةِ أَخِيهِ الْمُسْلِمِ أَوْ عَوْرَةِ غَيْرِ أَهْلِهِ مُتَعَمِّدًا أَدْخَلَهُ اللَّهُ مَعَ الْمُنَافِقِينَ الَّذِينَ كَانُوا يَبْحَثُونَ عَنْ عَوْرَاتِ النَّاسِ وَلَمْ يَخْرُجْ مِنَ الدُّنْيَا حَتَّى يَفْضَحَهُ اللَّهُ إِلَّا أَنْ يَتُوبَ...² "

The Prophet of Islam forbade anyone to seek information about his neighbor's house, saying that anyone should deliberately look at the ugliness and nakedness of his Muslim or other than his family. God Almighty includes him in the ranks of the hypocrites who are constantly looking for the ugliness of the people. He will not expel him from the world until he is humiliated and disgraced unless he repents and asks them for forgiveness. In this noble hadith, the prohibition article has been used; Thus, the Holy Prophet of Islam (PBUH) has forbidden the usurpation of other people's houses, and according to most fundamentalists, the article forbids appearing in the sanctuary. The fundamentalists believe; Prohibition sometimes happens by its substance and sometimes by its form. Prohibition article itself is the word prohibition and its derivatives. The form of prohibition is poured in the form of " لا تفعل " and the like, and the famous believe on this basis that prohibition appears in sanctity. But in the literature of the Qur'an, prohibition has been expressed in various ways, which are:

- No prohibition:

وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّى يَبْلُغَ أَشُدَّهُ وَأَوْفُوا الْكَيْلَ وَالْمِيزَانَ بِالْقِسْطِ لَا تَكَلِّفُوا نَفْسًا إِلَّا وُسْعَهَا وَإِذَا قُلْتُمْ فَاعْدِلُوا وَلَوْ كَانَ ذَا قُرْبَىٰ وَبِعَهْدِ اللَّهِ أَوْفُوا ذَلِكُمْ وَصَاكُم بِهِ لَعَلَّكُمْ تَذَكَّرُونَ.³

"And never approach the property of an orphan except in a way that is better until he reaches maturity." And in truth and justice, complete the weight. We have not tasked anyone except to the best of his ability. And whenever you say something, turn to justice, even if it is about relatives, and keep your promise. "It's God's command for you to be mindful and intelligent."

- امر دال بر ترک: وَ دَرُوا ظَاهِرَ الْإِثْمِ وَ بَاطِنَهُ إِنَّ الدِّينَ يَحْسِبُونَ الْإِثْمَ سَبْجَرُونَ بِمَا كَانُوا يَفْتَرُونَ.⁴

² Abi Ja'far Muhammad ibn Ali ibn al-Husayn, Ibn Babawiyah, al-Muqna ', vol.

³ Sura An'am, verse 152

⁴ Sura An'am, verse 120

"And forsake the overt and covert sin (bodily and heart sin or public and private sin), surely those who acquire sin will soon be recompensed for what they commit."

- Article of sanctions:

قُلْ إِنَّمَا حَرَّمَ رَبِّيَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ.⁵

Say: "Except that my Lord forbids evil deeds, whether they are manifest or hidden and also to associate every sin and injustice unjustly (with the rights of others) and also to associate with God what on which God has not revealed a proof and to attribute to him what you do not know.

- Denial of solution:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرْهًا.⁶

"O you who believe, it is not lawful for you to inherit women reluctantly (like ignorance)."

- Negation of the verb:

فَإِنْ انْتَهَوْا فَلَا عُدْوَانَ إِلَّا عَلَى الظَّالِمِينَ.⁷

"And if they desist, then aggression is not lawful except for the wrongdoers."

- چیزی را باصفت شر توصیف کردن: وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ هُوَ خَيْرًا لَّهُمْ بَلْ هُوَ شَرٌّ لَّهُمْ.⁸

"Those who are stingy and do not pay the rights of the poor from the money that God has given them by Her grace do not think that this stinginess will be to their advantage but to their detriment".

Something causes sin:

- فَمَنْ بَدَّلَهُ بَعْدَمَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ⁹

So whenever a person changes a will after hearing it, and (acts contrary to the will), it is their fault that they act contrary to the will".

Comparison with sin:

- وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُم بِعَذَابٍ أَلِيمٍ.¹⁰

"And give glad tidings to those who hoard gold and silver and do not spend in the way of God."

From the point of view of the principled world, not all of these cases appear in sanctity, although they indicate the ugliness and condemnation of those actions. Only those items that contain a prohibited substance or form appear in the sanctity.

⁵ Sura Al-A'raf, verse 33

⁶ Sura Nisa, verse 19

⁷ Sura Al-Baqarah, verse 193

⁸ Sura Al-Imran, verse 180

⁹ Sura Al-Baqarah, verse 181

¹⁰ Surah At-Tawbah, verse 34

2- It has been narrated from Imam Sadegh (AS) in sufficient principles that the Holy Prophet (PBUH) said:

يَا مَعْشَرَ مَنْ آمَنَ بِلِسَانِهِ، وَلَمْ يَدْخُلِ الْإِيمَانُ قَلْبَهُ: لَا تَعْتَابُوا الْمُسْلِمِينَ، وَلَا تَتَّبِعُوا عَوْرَاتِهِمْ، فَإِنَّهُ مَنْ اتَّبَعَ عَوْرَاتِهِمْ يَتَّبِعِ اللَّهُ عَوْرَتَهُ، وَمَنْ يَتَّبِعِ اللَّهُ عَوْرَتَهُ يَفْضَحْهُ فِي بَيْتِهِ¹¹.

Do not condemn the Muslims and do not follow their faults (spy); whoever investigates the people's hidden faults, the Almighty God will also pursue his faults. Whoever pursues his faults, God will disgrace him, "Even though he is at home."

In the present narration, spying on and following the nakedness of Muslims is forbidden and the form of prohibition is used, which according to the famous opinion of the Imami fundamentalists, is revered. Therefore, it is absolutely not permissible to spy on the situation of Muslims, whether they are believers or non-believers. In other hadiths, spying on the nakedness of the believers is forbidden, and even the Imam's meaning of the nakedness has been questioned by the narrator, and he has answered, for example: In a narration, Abdullah Ibn Sinan quotes Imam Sadegh (AS) as follows: (AS) I asked: Is the private parts of a believer forbidden for a believer? He said: Yes, I said: Do you mean before and after him? He said: Not as you thought, but it is meant to reveal his secret. Another narration with the same theme has been narrated from Hiziqah N Mansour, quoting Imam Sadegh (AS), in which the meaning of private parts has been clearly processed by the Imam. According to these narrations, exploring the secrets, faults and mistakes of the people is forbidden. "The vulva is a defect on the border of the country, other than a place of fear (From the influence of the enemy and any hidden ambush), and everything a person wears is part of his body to preserve his personality (To be seen is against his character) and is ashamed to open it."

In short, these hadiths forbid the disclosure of people's secrets and the retelling of things that people do not want anyone to know, even if they become aware by investigating the secrets of the people and by searching. Or secrets which he has been informed of without spying, or a believer has entrusted him with his secrets, disclosed and told to others. Finally, spying on the secrets of the people (which is considered as not looking at his private parts) and exposing his insistence is included in this noble hadith and is condemned to sanctity.

1.4 Tradition Sharia

The Shari'ah way of life is the method of the people of Sharia and those dressed in the clothes of Islamic Sharia to perform or leave practice. From the point of view of Imami jurisprudence, the Shari'a tradition is proof when it is revealed by the act or confession of the infallible; In such a way that it is not a document other than the Shari'a practice of verses and hadiths and is the only evidence of the practice and practical event of the Muslims on the same issue, only in this case the Shari'a practice is the authority and document of the rule of the jurists.

On the issue of the sanctity of espionage, there is a practical coincidence between the companions of the Holy Prophet (PBUH) and the pure Imams (AS). The prohibition of espionage was a matter of course in the minds of the companions of the Holy Prophet (PBUH), and there was no doubt about it.

For example: Abdul Rahman bin Awf says:

¹¹ Mohammad Ibn Ya'qub, Klini, Usul Kafi, vol. 2, (Tehran, Dar al-Kitab al-Islami Publications, Ch. 4, 1986), p. 355

One night in Medina, we were walking with Omar ibn al-Khattab to protect the city. Omar said, "This is the house of Rabia ibn Umayyah, and they have drunk wine and are still eating." I said, "We disobeyed.

This is documentary evidence, and evidence is not valid for us. Legitimacy is valid for us when it is not documented in narration or verse; Because despite documenting the verses and narrations, the ruling of the jurists will also be based on that main document. Therefore, the Shari'a tradition is documented in verses and narrations, so this tradition has no originality and reasons.

For example: Abdul Rahman bin Awf says: One night in Medina, we walked with Omar ibn al-Khattab to protect the city. Omar said, "This is the house of Rabia ibn Umayyah, and they have drunk wine and are still eating." I said: We disobeyed, God said, " لا تجسسوا ," Omar returned and left them alone. This is documentary evidence, and the evidence is not valid for us. Legitimacy is valid for us when it is not documented in narration or verse; Because despite documenting the verses and narrations, the ruling of the jurists will also be based on that main document. Therefore, the Shari'a tradition is documented in verses and narrations, so this tradition has no originality and reasons.

1.5 Build the Wise

The public's method of conversation, transactions and social relations in daily life, and the general tendency and common custom, are called the building of the wise. Like referring to an expert, acting on words and ... Martyr Mohammad Taqi Hakim believes in six methods for the certainty of issuing narrations, one of which is the method of building the wise. The late Muzaffar also considers the first reason for the authority of esthesis to be the building of the wise discoverer from the infallible saying, which the famous fundamentalists consider the most important reason for the authority of the single news to be the building of the wise. In many issues, jurists and fundamentalists have relied on it, and wherever there is an issue contrary to the wise principles, they reject it. In the case of the individual's condition, the rationale of the world is to take the appearance and not to interfere in the personal sphere of individuals; what is more, entering the personal sphere and spying on the condition of individuals has harmful effects that carrying it from the point of view of the wise is the ultimate goal and utterly irrational and since not only this tradition has not been rejected by the Shari'a. It has even been signed. Its authority is complete. Apparently, the rationale for not allowing others to enter the privacy of others is not limited to cases where espionage is contrary to malicious intent but considers it absolutely inappropriate.

1.6 Consensus

Imami jurists have a consensus on the sanctity of espionage. Of course, this consensus has no evidence and no authority. Like the owner of the jewel, some have gone even further and believe in the consensus of Muslims on the sanctity of espionage, and this issue, that is, the sanctity of espionage, is known as the axioms of religion. Consensus is a lip-synching argument, and in the case of doubt, it should be relied upon as much as the pious. For example, if we doubt whether the sanctity applies to all human beings in the absolute sense or is forbidden only to the believers, the pious will appreciate its sanctity towards the believers. For example, if the main basis of the sanctity of espionage is consensus and we doubt whether the espionage of the magi is also forbidden for the sake of good or not. Of course, despite the evidence of consensus, it is not the turn of these issues, and it is not fruitful in discussing them.

2. *Situational Rulings*

As mentioned above, based on the evidence of the rules in Imami jurisprudence, spying on the privacy of individuals is forbidden. It is not permissible to explore and follow the nakedness and secrets of the believers according to the verses and news. The jurists have considered it permissible to torment

and repel anyone who seeks to disobey, follow and spy on the private parts and privacy of others; For example, Shahid Thani says in "روضه البهيه":

"... لو اطلع على عورة قوم و لو إلى وجه إمراة ليس بمحرم للمطلع فلهم زجره، فإن امتنع و أصرَّ على النظر جاز لهم رميه بما يندفع به، فإن فعلوا فرموه بحصاة و نحوها فجنى عليه كان هدرا....."¹².

"If a woman who is not forbidden to her looks at the private parts of the people, she is allowed to repel her, and if she continues, they will throw stones at her. "So if a crime is committed against him, it is considered a waste."

The owner of the jewel also says:

"من اطلع على عورات قوم بقصد النظر إلى ما يحرم عليه منهم و لو من ملكه فلهم زجره قطعاً إذ هو من المدافعة عن العرض أيضاً، و حينئذ فلو أصر فرموه بحصاة أو عود أو غيرهما."¹³

"If someone looks at people's private parts in order to see what is forbidden to him, then they can repel him in order to defend their honor, and if he continues, they can repel him by throwing stones."

This matter has been stated in other jurisprudential books such as Masalak al-Afham, Tahrir al-Wasila, the basics of theology, etc., and their basis is narrations.

Since we have seen that from the point of view of Imami jurisprudence, the owner of the sanctuary has the right to repel and even expel the informant from his sanctuary and keep him away from his sanctuary, the question arises that if the owner of the sanctuary harms the informant, in what cases is he the guarantor? In which cases it is not a guarantor.

2.1 Warranty Items

If the privacy owner harms the person who spied on his privacy without harming him from the beginning. The owner of the jewelry says in this regard:

"لو بادره من غير زجر ضمن لكونه عادياً، فيندرج في عمومات الضمان"¹⁴.

"If someone spies without causing harm and rejection, he will be covered by the evidence of the guarantee."

Another thing that the guarantee entails is the place where the owner of the privacy is aware of the privacy of another, the incestuous and the novice, and now, if he comments as much as it is permissible to comment and inform him, the owner of the privacy cannot remove him. And hurt, and if you hurt him, he is the guarantor.

If a person who seeks to know another's privacy overlooks, his house is blind. It is not permissible to harm him here, and it is guaranteed.

2.2 Cases of Non-Guarantee

If the privacy owner suffers and forbids the informant, he continues his work, ignores it, and insists on his action. In this case, throwing objects at him to injure and injure him, and even injuring him to kill him, is not guaranteed, and his blood is wasted.

¹² Zayn al-Din ibn Ali, Shahid Thani, Masalak al-Afham al-Tanqih al-Sharia al-Islam, vol.

¹³ Mohammad Hassan, Najafi (owner of the jewel), the former, p. 660

¹⁴ Mohammad Hassan, Najafi (owner of the jewel), the former, p. 666

If a person uses new tools and equipment such as cameras, mirrors, etc., to spy and know the privacy and private parts, he has the same ruling with the naked eye, and if he insists on harming or even killing him, it is not a guarantee.

If someone is left uncovered in the streets out of reluctance and urgency, and someone looks at him, insists on his action, and does not stop his action with suffering, the crime is not guaranteed for him.

If a person overlooks the privacy and engages in obedience and does not resign from his job with the suffering of the owner of the privacy, and the owner of the privacy harms him. Even if the informant claims that he did not intend to inherit, his claim will not be heard, and the private owner will not appear to be a guarantor.

3. Rulings on Espionage Against the Islamic Government

A type of espionage, which is obligatory from the point of view of Imami jurisprudence, is espionage against the Islamic government. In the present article, we will briefly examine the sanctity principles of spying against the testicles and the Islamic system. Then, we will study some of the rulings on the status of spying against the Islamic system based on the view of Imami jurists.

3.1. Obligation sentence

From the perspective of reason, verses, narrations and consensus, the obligatory ruling of spying against the Islamic government is examined in this discourse.

3.1.1 Wisdom

One of the arguments of the rules in Imami jurisprudence is the rule of reason. In this section, we will examine the appropriateness of the rule of reason in the issue of spying against the Islamic system.

A) The obligation to maintain the system

The human intellect clearly condemns chaos, social corruption, insecurity, chaos, and the spread of prostitution, oppression, and denial. It considers it necessary to fight disorder and create chaos, corruption, and denial. The elimination of these matters depends on the establishment of order and order in society.

One of the things that can be done without observing rational criteria is disrupting the system and creating chaos. Spying against the Islamic government and the testicles of Islam, because spying against the testicles of Islam destroys the system.

However, its preservation is obligatory, so since the sanctity and impermissibility of spying is a prelude to the existence of the system and the continuation of its life, reason dictates the necessity of this preamble. Therefore, the eagle will also rebel and disobey based on this basis. As mentioned, on one basis, there is even a connection between this rational obligation and the ruling of the Holy Shari'a. Although the main supporter of the obligation to maintain the system of the rule of reason, the holy shari'a confirms it and gives guidance to this rule of reason. The jurists have also referred to this rule of reason in various cases in jurisprudence and issued rulings based on it.

Sheikh Ansari, in his book *Makaseb* in the discussion of the neighboring province in the position of expressing the types of the province, states:

و منها: ما يكون واجبة، و هي ما توقف الامر بالمعروف والنهي عن المنكر الواجبان عليه، فإنّ ما لا يتم الواجب الا به واجب مع القدرة¹⁵.

Some types of guardianship are obligatory. It is the guardianship on which the commandment of the good and the prohibition of the bad is suspended; Because the obligatory premise is obligatory in case of power.

Elsewhere they say:

" إنّ وجوب الصناعات ليس مشروطاً ببذل العوض؛ لأنّه لإقامة النظام التي هي من الواجبات المطلقة"¹⁶.

The obligatory nature of industries is not conditional on the payment of compensation in return; Because industries should establish the system, and the establishment of the system is an absolute obligation.

Apparently, the sheikh means the necessity of industries, the necessity of reason; reason, to establish the system, makes industries necessary for people who can learn. The meaning of the system is the establishment of the government and the orderliness of life, and the elimination of disorder and chaos.

The obligatory nature of industries is not conditional on the payment of compensation in return; Because the obligation of industries is to establish the system and the establishment of the system is an absolute obligation. Apparently, the sheikh means the necessity of industries, the necessity of reason; Because reason, in order to establish the system, makes industries necessary for people who can learn. The system is not just about creating a government. It is about orderly living and eliminating disorder and chaos. Some contemporary jurists also consider various fatwas based on this issue, for example, Ayatollah Makarem says about the importance of maintaining order: Maintaining the balance of the system is definitely obligatory, and its necessity can be argued from the four arguments, and above all, many rulings, especially limits and punishments, are the source of this issue, so anything that is a prelude to maintaining the system will be obligatory. This may have been the reason for Mirza Shirazi's ban on tobacco. The use of tobacco at that time was the main reason for buying it, thus increasing the power of the colonial governments, the weakening of the Muslims, and the domination of the enemies over them. Also, in the case of a lie, if it is a prelude to the correction of personal relations, or absenteeism, which is a prelude to counseling, it sometimes becomes obligatory as a secondary - that is, the preamble to being obligatory. Similarly, the rulings that become obligatory due to the obligatory preamble - the prelude to maintaining order - allow people to take property - more than they have to pay according to the text - to buy weapons and equip the Islamic State against the enemy, which is the primary title from the point of view of jurisprudence. It is sacred, but secondarily, it is allowed as a prelude to maintaining order at some point in time.

The purpose of mentioning the words of the great jurists in expressing the certainty of the obligation to maintain the system and the obligation of sufficiency or objectivity is the number of industries and words on which the maintenance of the Islamic system and the regulation of worship affairs depends.

B) The sanctity of disorder in the system

Just as there was a difference in the obligatory preamble and one group believed in its religious obligation and another group believed in its non-religious obligation, there is a difference in the forbidden preamble. Still, all scholars agree on the intellectual sanctity of the forbidden preamble. One of the cases

¹⁵ Morteza Ibn Mohammad Amin, Ansari, Al-Makasib, vol. 2, (Qom: Dar al-Kitab, Ch. 2, 1415), p. 77

¹⁶ ibdi

in which the intellect rules that it is not permissible without understanding the Shari'a is the disorder in the system of society and the regulation of the affairs of individuals. The jurists have also mentioned this matter in various cases, some of which we mention.

Ayatollah Makarem Shirazi, in the discussion of the commandment of the good and the prohibition of the bad, says:

It is not permissible for a well-known and forbidden person to beat, injure, break or kill the other party to perform his duty unless the Imam has permitted him to do so because there is great corruption in the permissibility of these issues for all people, which sometimes leads to disruption of the system and chaos.

In justifying the ruling of impermissibility, he has documented the disruption of the system as his fatwa. Among the other cases in which the majority of Imami fundamentalist jurists have ruled that it is not permissible and forbidden, precaution in many cases, such as precaution in the suspicion of the sanction of "ما لا نص فيه" or caution in various suspicions due to obstruction, etc. Interestingly, the jurists have considered it permissible if, for example, caution in these cases does not cause disorder (or difficulty).

Accordingly, spying against the Islamic system and government is a prelude to disrupting the affairs of individuals and the Islamic community. If the ruling allows it, there will be no peace for the people who are essential to the government and the Islamic society. This permission to spy is a prelude to the destruction of order and disorder in it. Therefore, in terms of the preamble of haram - the preamble of the disorder, which is rationally haram - rationally, it will be haram and forbidden. Based on one principle, it is also haram.

In short, since spying against the Islamic system is a prelude to the titles of Muharram by the rule of reason and Sharia, it is rationally forbidden. In general, spying against the Islamic government will not be permissible because of reason.

C) The cruelty of spying against the system

Oppression is ugly in the eyes of common sense. And the intellect of man condemns the oppressor and considers him worthy of the eagle. This understanding of the intellect without the help of another - the Shari'a - is, in other words, the ugliness of the oppression of a rational independent; That is, the intellect independently oppresses the ugly and the unjust, regardless of the rule of Sharia. The jurists in jurisprudence, based on the cruelty of an issue, sometimes give a fatwa on the existence of an obligatory ruling such as sanctity and sometimes a situational ruling such as guarantee. In Imami jurisprudence, oppression means violating the right to the wrong. And many scholars have interpreted it as the position of an object outside its position. One of the exceptions is absenteeism as oppression and litigation of the oppressed, and some have even considered litigation for oppression as absolutely permissible. Even Sheikh Mohammad Hassan Najafi - the jewel owner - considers ghusl for oppression as one of the recommended ghusls. Spying on the privacy, secrets and private parts of others and against the Islamic system can be considered examples of oppression according to the intellect. Based on this understanding of the intellect, it can be ruled that it is not permissible and sacred. Therefore, a person who learns and investigates against the Islamic system in any way possible is a tyrant because of reason and deserves condemnation and punishment.

3.1.2 Verses

Spying against the Islamic government is considered treason and is forbidden according to the holy verses of the Holy Quran. For example, in accordance with the application of a noble verse:

" يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَجَسَّسُوا وَلَا يَغْتَبَ بَعْضُكُم بَعْضًا."

"O you who believe, avoid many thoughts about one another, that some suspicions and thoughts are sinful, and never (even from the inner state) inquire and allow each other to be absent."

Spying against the Islamic government is not permissible, and the prohibition of spying in the holy verse is sanctified based on most appearances. The removal of the object of the prohibition implies a general prohibition. Therefore, spying against the Islamic system will be subject to the prohibition of the holy verse.

Many verse of Sharifa

« يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا بَطَانَةً مِّن دُونِكُمْ لَا يَأْلُونَكُمْ خَبَالًا وَدُومًا مَا عَنِتُّمْ قَد بَدَتِ الْبُغْضَاءُ مِنْ أَفْوَاهِهِمْ وَمَا تُخْفِي صُدُورُهُمْ أَكْبَرُ قَدْ بَيَّنَّا لَكُمُ الْآيَاتِ إِنْ كُنْتُمْ تَعْقِلُونَ »¹⁷

"O you who believe! Do not choose a secret Muharram other than yourself! They do not shy away from any evil and corruption about you. They want you to be in trouble. (The signs) of enmity are manifested from their mouths (and words); and what is hidden in their hearts is more important than that. If you think, we have revealed to you the verses (and the ways of preventing their evil)!

It is also not permissible to associate with non-believers and spy against the Islamic government. The word "بَطَانَةً" in the verse is derived from "بطن" which means inside and inside everything. What is meant here is that secrecy and alignment have sharia rules and conditions; That is, who can be told the secret and with whom it is not possible. Due to the condition of "مِن دُونِكُمْ" in the verse, the infidels are expelled. According to the prohibition in the verse, it is haram to accompany the infidels, so in the first place, spying is condemned a sanctity for them.

It is also not permissible to associate with non-believers and spy against the Islamic government. The word "بَطَانَةً" in the verse is derived from "بطن" which means inside and inside everything. What is meant here is that secrecy and alignment have sharia rules and conditions; That is, who can be told the secret and with whom it is impossible. Due to the condition of "مِن دُونِكُمْ" in the verse, the infidels are expelled and according to the prohibition in verse, it is haram to accompany the infidels, so in the first place, spying is condemned as a sanctity for them.

Another verse related to the sanctity of spying for infidels against the Islamic system is noble

" يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا أَمَانَاتِكُمْ وَأَنْتُمْ تَعْلَمُونَ "

"O you who believe, do not betray one another (in the work of religion) with God and His Messenger, and in your trusts, if you only knew."

In this noble verse, the believers are forbidden from betraying God and the Holy Prophet (PBUH), and this prohibition appears in sanctity. Spying against the Islamic government is an example of betrayal of the Prophet and God Almighty and will be prohibited inside.

Another verse that can be used as a sanctuary against espionage is a collection of verses in which believers are forbidden to take infidels as their friends and, according to these verses, spying against the Islamic government, which is the end of love and affection for them, will also be condemned. These verses are:

¹⁷ Sura Al-Imran, verse 118

- 1- يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ - "O you who believe, do not take the disbelievers for friends and leave the believers!"
- 2- يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَى أَوْلِيَاءَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ - "O you who believe, do not take Jews and Christians as friends, some of them are lovers of others."
- 3- يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ تُلْقُونَ إِلَيْهِمْ بِالْمَوَدَّةِ - "O you who believe in God, you should never take the disbelievers who are my enemies and your companions and make friends with them."
- 4- يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنْ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ - "O you who believe, do not take your fathers and your brothers as your friends and helpers if they choose disbelief over faith."

3.1.3 Narrations

It has been narrated from the Imams (AS) that " الجاسوس و العين إذا ظفر بهما قتلاً ". At the time of the Holy Prophet (PBUH), a person named Euphrates Ibn Hayyan, a spy for Mu'awiyah, was sentenced to death by him. This ruling of the Holy Prophet of Islam reveals the obligatory sanctity of spying against the Islamic government and in favor of the infidels.

3.1.4 Consensus

Although consensus lacks authority here, reference to it is not without merit. Disclosing the secrets of Muslims to their enemies is forbidden by the Muslim consensus, whether by espionage, mercenaries, or any other means.

3.2 Criminal Sentences of Espionage Against the Islamic Government

In the criminal system of Imami jurisprudence, there are punishments for anyone who spies against the Islamic government and for the benefit of the infidels. In this section, we have divided the spy into three categories: Dhimmi and Harbi, and we will briefly study the views of the Imami jurists about their punishment.

3.2.1 The sentence of a Muslim spy

Allama says in the rules: لو تجسس مسلم لاهل الحرب و اطلعهم على عورات المسلمين، لم يحل قتله بل يعزر ان شاء . . . الامام...". Sheikh Tusi also says in detail: If a Muslim spy for the benefit of foreigners, he will not be killed, but must be punished in another way. The Sheikh's reason for this ruling is the action of the Prophet (PBUH) during Hatib Ibn Abi Balta'a. The Sheikh's explanation should be considered because the Holy Prophet (PBUH) did not kill Hatib Ibn Abi Balta for a specific reason, and that was that he participated in the Battle of Badr, and since the Battle of Badr had a special place in the eyes of God. Therefore, the Holy Prophet (PBUH) did not order him to be killed. On the other hand, Imam Hussein (AS) ordered the execution of two Mu'awiyah spies - who were also Muslims - in Kufa and Basra.

3.2.2 Dhimmi spy sentence

Imami jurists say: If a person from Dhimmi infidels spies against the Islamic system, his covenant will be violated and the Imam has the right to kill, hang or enslave him. The owner of the jewel, in expressing the conditions of violation of the pact of the infidels, says: " ان لا يوذوا المسلمين كالزنا بنسائهم و اللواط بصبيانهم و السرقة لاموالهم و ايواء عين المشركين و التجسس لهم، فان فعلوا شيئا و كان تركه مشترطا فى الهدنه كان نقضا، و ان لم يكن مشترطا كانوا على عهدهم، و فعل بهم ما تقضيه جنائيتهم من حد او تعزير". Not to persecute Muslims, such as not committing adultery with their wives, or sodomy with their children, or stealing their property, or harboring a spy for the pagans and to spy for the polytheists, and if they do what is required in the ceasefire, it will be a violation of the covenant and if there is no condition, it is on their necks (to act in

accordance with Islamic laws and regulations) and according to the crime they commit, a hadd or ta'zir is considered for them.

3.2. 3 Military spy sentence

The punishment for a military spy is murder and execution, and he will not be spared. As it is narrated in a hadith of the Imams (AS), " الْجَاسُوسُ وَالْعَيْنُ إِذَا ظَفِرَ بِهِمَا قَتِيلًا " and this hadith is the exact value of the military infidels. Public jurists also unanimously believe in the same ruling.

According to Imami jurisprudence, spying against the Islamic government is forbidden, and anyone who spies against the testicles of Islam will be punished.

Conclusion

Citing the arguments, he cited for the sanctity of espionage and espionage and in this context, it has been examined that the sanctity of espionage and espionage cannot be considered as general and absolute because the pieces of evidence of sanctity are incapable of absolutely prohibiting espionage and espionage. In a nutshell, the scope of respect can be specified in the following axes concisely and concisely.

1. Spying in vain and vain: As can be seen from the evidence of sanctity, if spying and spying are not without purpose and according to rational and divine expediency or width, and as they have said, such spies are ignorant behavior.
2. Spying on the believers: Another axis that emerges from the reasons for the sanctity of spying is spying on the condition of the believers. In most narrations there are restrictions on the subject of spying, which implies the prohibition of spying on the condition of the believers. Because the forces of the Islamic government and belonging to the testicles of Islam are generally far from a general danger and threat to society and the Islamic system, and their secrets and flaws are purely personal. Espionage does not play a constructive role in their affairs, if a person makes arrangements to help foreigners through espionage, etc., he is not basically a believer. He will not be subject to the ruling of using these evidences. On the other hand, the above evidences indicate sanctity. Sanctity is interference, espionage, and espionage to discover the faults of others. What is more, in the guise of private behavior, Islam considers expediency to hide it and prevents the obligees from pursuing the faults of others. In general, the contents of verses, narrations, and other arguments are used. The ruling on the sanctity of espionage and espionage has a certain limit, and the ruling on the sanctity of all its examples can not be imposed. According to this, from the Islamic point of view, Muslims have dignity, honor, and dignity. No one has the right to insult it. The basic social principle of Islam is respect for others and not to aggressor spy on them. Finally, the sanctity of developing what people, God, and the Prophet (PBUH) are not pleased with its product.

References

The Holy Quran

Abedini Mutlaq, Kazem, Nahj al-Balagha. (Tehran: Afarinesh Publications, vol. 3, 1379)

Ali Akbari Babukani, Ehsan, Spying by private harem members of the Imami Department of Jurisprudence, (Tehran: Imam Sadiq university, Ch.1, 1391)

- Allama Helli, Hassan bin Youssef, Grammar of Rulings, Part 1, (The Teachers Group in Qom Al-Mosharafa, Islamic Publishing Institute, Vol. 1, 1378)
- Al-Qurtubi, Abu Abd Allah Muhammad bin Ahmad Ansari, Al-Qurtubi, Al-Jami` al-Ahkam al-Qur'an (Tafsir al-Qurtubi), vol. 16, (1405).
- Al-Suyuti, Abdul Rahman, Al-Anqan in the Sciences of the Qur'an, Edited by Faraz Ahmed Zumrli, Part 4, (Beirut: Dar Al-Kitab Al-Arabi, Volume 2, 1421).
- Ansari, Mortada bin Muhammad Amin, Ansari, Al-Makasib, Volume 2, (Qom: Dar Al-Kitab, Volume 2, 1415)
- Ashtiani, Muhammad Hassan bin Jaafar, Bahr al-Fawad in Sharh al-Fara'id (old edition), (Qom: library by Hazrat Ayatollah al-Azma Marashi Najafi, 1403)
- Fadel Kazemi, Jawad bin Saeed, Massalak Al-Afham to the Verses of Ahkam, (Tehran: Mortazavi, Bi-ta)
- Fayd Kashani, Muhammad Hassan, Al-Wafi, (Isfahan: Kitabkhaneh of Imam Amiralmunin Ali (peace be upon him), 1406)
- Haeri Tehrani, Mir Seyyed Ali, Mqaniyat al-Durar, (Tehran, Dar al-Kutub al-Islamiyya, Volume 1, 1377)
- Hakim, Muhammad Taqi, The Fruits of Najaf in Jurisprudence, Usul, Literature and History, (Beirut: Beirut, 1427)
- Helli, Al-Allam Al-Hasan bin Youssef bin Al-Mutahhar, "Guiding the minds to the knowledge of the rulings," (Qom: Islamic Publishing Corporation affiliated with the Teachers' Association, vol. 1, 1410)
- Ibn Abi Hatim Razi, Abd al-Rahman bin Muhammad, Kitab al-Jarh wa al-Ta'deel, Volume 10, (Beirut, 1419).
- Ibn Babawayh, Abi Jaafar Muhammad bin Ali bin Al-Hussein, Al-Muqni', Volume 4, (Qom: Publications of his Islamic Library, Volume 2, 1377)
- Kelini, Muhammad ibn Yaqoub, Osoul Kafi, part 2, (Tehran, publications of Dar al-Kutub al-Islami, part 4, 1365)
- Makarim Shirazi, Nasir, Istatata' Jadid, (Qom: Publications of the Imam Ali bin Abi Talib (PBUH) School), Volume 2, 1381)
- Mousavi Khomeini, Seyyed Ruhollah, Tahrir al-Wasilah, Volume 2, (Qom: Nashra-Islami Foundation, Volume 1, 1415)
- Muzaffar, Muhammad Reda, The Fundamentals of Fiqh, (Qom: The Publication Center of the Islamic Media Office, vol. 1, 1419)
- Najafi (owner of jewels), Muhammad Hassan, Jawahir al-Kalam in Explanation of the Laws of Islam, vol. 41, (Beirut: Dar Al-Haya' Arab Heritage, vol. 7, 1404).
- Nuri, Husayn ibn Muhammedqi, Nuri, Mostadrak Al-Wasail and Deducer of Issues, Part 11, (Qom: Musa Al-Ali, Al-Ath) 13
- Sabzwari, Muhammad Baqer, Sabzwari, "Kifayat al-Ahkam", vol. 1, (Qom: The Islamic Publication Institution of Jama`at al-Modareen, vol. 1, 1423)

Samarkandi, Nasr bin Muhammad bin Ahmed, *Bahr Al-Uloom*, part 3, (Beirut, Dar Al-Fikr, Beirut)

Shahid Thani, Zain al-Din Ibn Ali, *Paths of Understanding to Revise the Laws of Islam*, Volume 3, (Qom: Institution of Islamic Knowledge, Volume 1, 1413)

Shakoori, Abolfazl, *Political Jurisprudence of Islam*, (1361)

Tabarsi, Fadl bin Hassan, Tabarsi, *The Mosques of the Mosque*, vol. 9, (Beirut, Dar Al-Dawa, 1405).

Tabatabai Hakim, Mohsen, *Minhaj As-Salihin*, (Beirut: Dar al-Ta'rif, vol. 2, 1400)

Copyrights

Copyright for this article is retained by the author(s), with first publication rights granted to the journal.

This is an open-access article distributed under the terms and conditions of the Creative Commons Attribution license (<http://creativecommons.org/licenses/by/4.0/>).