



Analysis and Review of I'TIBĀRĪYĀT from the Point of View of Jurists and Uṣūlīs

Ali Akbar Niroumand¹; Abolfazl Adelinia²; Seyed Muhammad Musawi³

¹ Fourth level student of Mashhad Seminary, Iran

² Professor of Mashhad Seminary, Iran

³ Associate Professor of Razavi University of Islamic Sciences, Iran

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Abstract

The different understanding of the jurists and Uṣūlīs about the existence of the credit and real concepts has caused them to confuse the two in many cases and extend the works and rulings of facts to I'TIBĀRĪYĀT. In this article, in order to solve this problem, which is caused by the differences in the views of jurists and Uṣūlīs, we will first get to know their views and their reasons, and then choose the correct basis. By examining the viewpoints of jurists and Uṣūlīs regarding I'TIBĀRĪYĀT and its rulings, we concluded that in this area there are two basic bases between jurists and Uṣūlīs. Some believe that the extension of the rulings of facts to validity is correct and some other believes in separating the rulings of facts from those of credibility, and each of them cites his own reasons for this. Finally, we concluded that the basis of those who believe in the separation of rulings of facts from those of credibility is correct, so we choose this theory by mentioning some reasons.

Keywords: *Credit; Jurists; Uṣūlīs; Separation of Rulings; Extension of Rulings*

Introduction

The theory of I'TIBĀRĪYĀT is an interdisciplinary theory that is used both in philosophy and in the principles of jurisprudence, in linguistics and literary sciences, as well as in psychology and other sciences.

Its philosophy is more related to epistemology, and its principle is related to many issues of the science of principles, the most important of which are issues related to the wise. Highlighting the discussion of I'TIBĀRĪYĀT and collecting its issues and making it as a coherent theory, is undoubtedly one of the innovations of Allameh Seyed Mohammad Hossein Tabataba'i. Although the principles of I'TIBĀR (credibility), from long ago, were discussed in the topic of metonymy and metaphor from the sciences of rhetoric, and later in the science of principles, this hypothesis has gained special prominence. There is no doubt that the theory of I'TIBĀRĪYĀT of Allameh Tabataba'i, has been highly affected by the writings of his great professor, Sheikh Mohammad Hossein Isfahani, a famous Uṣūlī in the last century.

The deep researches of this great researcher are scattered in his legal and jurisprudential writings.

The thought of I'TIBĀRĪYĀT in the exact sense used by Allameh Tabataba'i is derived from the views of Muḥaqqiq Isfahani. However, Allameh Tabataba'i has at least two important innovations in this regard, in addition to highlighting this situation and organizing and coordinating its scattered discussions:

First: Entering this discussion in philosophy and completing the epistemology discussion. Second: Applying the theory of credits in some matters such as the obligation, the authority of punishment and reward, which is not mentioned in the words of Muḥaqqiq Isfahani.

The science of principles is one of the sciences that deals with credit concepts and propositions and aims to establish rules and regulations that will lead to social interests and the order of relationships according to the needs of man and society.

The word I'TIBĀR I has several meanings, including credit in the imaginary sense or credit in the abstract sense or credit in the conditional and contractual sense and the discussed credit in this research is the conditional and contractual meaning.

I'TIBĀR I in this sense refers to concepts that are imagined or confirmed and are valid in the context of actions and deeds, and do not have any truth beyond validity. These perceptions are assumptions that the mind made and elaborated in order to meet vital needs, and because they are subject to needs, they differ from time to time and from place to place, and they are changed with the change of needs. (Tabataba'i, Principles of Philosophy and Realism Method, 1953)

There are real perceptions against these credit concepts, which are mental developments and reflections of the real mind, and they show the existing relationships in the external world, such as (primary and secondary concepts) and the main feature of these concepts is their stability and immutability. They do not change with the change of time and place

Confusion of credit with truth and different understanding of credit concepts, especially in the field of principles of jurisprudence as the main tool for deriving rulings, leads to many results.

On the one hand, this confusion of credibility with truth causes a jurist to walk the wrong way to reach the true rulings of Islam, even though he reaches the right and desired result, but he has reached the wrong way and has caused excessive fatness of some topics to the extent that the main discussion of teaching and learning has been left out.

Such flaws make many writers and so-called intellectuals today, using a series of vague and baseless concepts, try to attack the Muhammadi Shari'a every day and say that Islam and its rulings have no place in the new age. (Abadi, Mazaher, 2019)

Unfortunately, as it should be, the fundamentalists did not pay attention to the basics of the debate and did not mention it, and they only limited themselves to some discussions of I'TIBĀRĪYĀT that are useful to them. Such as: What are the special rules of I'TIBĀRĪYĀT? Are the rules of I'TIBĀRĪYĀT also valid in facts? What are the specific rulings of real affairs? Their discussions are all about denying and proving this issue and issues related to it.

Currently, only the field of jurisprudence and principles is considered which deals with I'TIBĀRĪYĀT everywhere. To solve this problem, which is caused by the differences in the views of jurists and fundamentalists, we are going to examine the views of jurists and fundamentalists in order to get a better understanding toward their viewpoints and examine their reasons and choose the correct basis.

The relationship between Fiqh and Uṣūl with I'TIBĀRĪYĀT

The science of jurisprudence and the principles of jurisprudence are closely related to the issue of I'TIBĀRĪYĀT, so the thinkers in these two sciences have paid special attention to the issue of I'TIBĀRĪYĀT. The connection of jurisprudence and principles with the issue of I'TIBĀRĪYĀT comes from the fact that these two sciences are basically made of credit issues and their foundation is laid on credits. For this reason, Uṣūlī and Faqīh are forced to talk about I'TIBĀRĪYĀT and clarify their position on it. This has made the issue of I'TIBĀRĪYĀT to be discussed and investigated in all Uṣūlī books.

The different perception of jurists and fundamentalists about the existence of real and valid concepts has caused them to confuse the two in many cases and to extend the works and rulings of facts to validity and to cite in positions not related to rational and evolutionary principles in their arguments. As in discussions such as condition and conditionality, cause and effect, contradiction and similarity, etc., they adhered to rational principles and assumed credit conditionality as real conditionality. Therefore, in many cases, they did not consider it permissible to delay the conditionality and in order to get rid of this intellectual limitation, they tried various justifications. There are many cases of confusion between credit concepts in jurisprudence, especially in principled arguments, as Shahid Motahari claims in the footnote of the principles of philosophy and the method of realism that in most of the arguments in the field of principles, credibility has been confused with truth. (Tabataba'i, Principles of Philosophy and the Method of Realism, 1953)

Definition of I'TIBĀRĪYĀT

The literal meaning of credit in the word "I'TIBĀR " is taken from ABR meaning assigning and passing. (Ibn Manzūr, 1414)

Perhaps the idiomatic meaning of I'TIBĀR can be seen as appropriate to this meaning because the creditor chooses credit as a means and a way to pass from one stage to another stage he aims.

Validity is giving a limit to something else, in the container of action, that is, to make an example of an object that is not really an example of a concept, and to arrange works on it in the audience.

Applying a lion to a brave person is a credit; a brave man is not actually an example of the concept of a lion.

In the mental act, we use the concept of a lion as an example of a brave person in order to bind him and leave a special impression on the audience.

This mental act, which is called credit, is related to the container of action, because being a lion for a brave person is meaningless and does not have any validity at all outside the container of action and external influence and impression. Validity is an action; an action that is based on validity and needs a goal and an end, this end cannot be a story of reality, so the purpose of validity is other practical goals.

Allameh Tabataba'i, in defining I'TIBĀRĪYĀT in Nihāyah al-Hikmah, says: The meaning is the perception or belief that cannot be achieved beyond the circumstance of the work. (Tabataba'i, Nihāyah al-Hikmah, 2015) The meaning of imagination or confirmation that has no truth and is only credited in the context of action and behavior, and the purpose of such credits is to achieve the goals of life and systematize life, so validity means giving a limit of something to another thing in the container of action in order to arrange works on it in practice. Let's put works on it in practice. For example, in one place we refer to man ((the moon)) in order to imagine that he is beautiful, while man is not an example of the moon, but it is a credit to say that a beautiful man is like the moon because we praise him and make a special impression on the audience.

Simile-metaphor and allegory are such attributes that human beings use to convey their purpose and stimulate inner feelings. It is true that, for example, the moon does not have a better example, and its transmission to a beautiful person is a lie and a lie, but scientists recognize this lie from other lies and say that despite the interest and metaphors, this metonymy is distinguished from other wrongdoings, and such mistakes and lies have real effects.

Allameh Tabataba'i says in the principles of philosophy that each of these imaginary meanings is based on a truth, that is, every imaginary limit that we give to an example has another real example other than the one we claim, for example, if we compare a human being to a lion, there is a real lion that the meaning is taken from it.

The origin of the difference of opinion between the jurists and Uşūlīs

From the arguments that some scholars give in justifying their opinions, it can be concluded that the extension of the rulings of truths to validity is a result of a fundamental difference of opinion. And this is because of the difference in the basis of correct recognition of true concepts from credit concepts. This doubles the necessity of discussion and examination of rational and philosophical concepts and choosing the right basis. As it was clear, jurisprudential and principled concepts are valid concepts and they are concepts that humans use to meet needs and improve affairs and regularity of relationships between people. Therefore, they are relative concepts that are appropriate to time, place, and requirements and they change with changing needs, and Islamic jurisprudence is no exception to this rule. So it is necessary to recognize these concepts as basic principles and to have a complete understanding of the rulings and effects that are imposed on them.

Opinions and viewpoints of the jurists and Uşūlīs about I'TIBĀRĪYĀT

By examining the views of the jurists and Uşūlīs regarding I'TIBĀRĪYĀT and their rulings, it became clear that there are two basic bases between the jurists and the Uşūlīs.

There are some people who consider the extension of the rulings of truths to the credits as a mistake and believe that since the science of jurisprudence and principles are credit, the quality of its falsification is in the hand of the expert. For example, delaying a condition from a conditional or a cause from an effect is unimpeded in I'TIBĀRĪYĀT, and among these jurists such as Sahib al-Jawāhir, Ayatollah Khoei, Ayatollah Muhammad Hossein Isfahani, and Imam Khomeini (RA) are from this category. In contrast, there were jurists and Uşūlīs who did not make any difference between Takwīn and Tashrī' and their rulings, and in many of their arguments, they referred to rational and evolutionary principles, from which we can refer to jurists such as Ayatollah Akhund Khorasani, Sheikh Ansari, Muḥaqqiq Na'ini, and Muḥaqqiq Iraqi.

But according to the explanations that was presented in the first part about I'TIBĀRĪYĀT and rulings, it was clarified that the first basis is correct, that is, the facts and the credits each have their own territory. And even the holy legislator cannot validate that I'TIBĀRĪYĀT has the rulings of the truths because the cause and effect is coercive in the world of Takwīn (development) and there is no way to violate it, but the cause and effect are at the hand of expert in the world of credibility and no fake cause and effect can be made for it. (Abadi, Mazaher, 2017)

Reasons for the separation thesis

Non-enforcement of existing orders in I'TIBĀRĪYĀT

Believers in the separation of rulings say that I'TIBĀRĪYĀT do not exist except in the context of credit, therefore, the verdict of real affairs does not apply to them.

There is a flaw in the words of those who believe in separation, that if they believe in I'TIBĀRĪYĀT in any context and degree, then they must logically accept the rules of existence. They accept the existence in the container of credit, but they do not accept the flow of the rules of existence. Externally, all credit affairs exist in its absolute sense. The credit thing has an objective realization, even in the sense of being creditable, is it after credit the same as before credit? There is no doubt that these two states are distinct and different from each other. A conscientious person understands this. If credit does not have an objective existence, how does it differ before credit from after it? Does its absence cause distinction and difference? In addition, I'TIBĀRĪYĀT, their effect is existential, so the credit itself must also be existential, because the immediate effect of existence is born from only one existence, and credit is a being that is created by man in his own container. It is very clear that proving the principle of existence for I'TIBĀRĪYĀT does not prove the amount of their benefit from existence. I'TIBĀRĪYĀT exist, although their existence is extremely weak. Credit existence is existence.

The believers in the separation of rulings accepted that I'TIBĀRĪYĀT exist in the container of credit, but they believe that their benefit from existence is so low that it causes them to be out of the circle of existence in terms of rulings. The impossibility of preference, sequence, distance, contradiction, cause, effect, etc. are among the rules of some degrees of existence, not all of its degrees, so it flows only in certain degrees of existence (true existence) and the credit existence doesn't apply in other degrees.

They consider the difference in degrees of existence to be sufficient in the difference and separation of rulings and they believe that by accepting that I'TIBĀRĪYĀT exist only in the container of credit, it should be accepted immediately that the rulings under discussion are specific to real entities and do not apply to the circle of credit entities in any way. (Islami, 2005)

The comparison of legislative and developmental causes is different

Identifying the effect in the developmental causes is based on identifying its cause, but in the legislative causes, it refers to the causes that have been forged by the holy legislator, such as Jinābat and those responsible for the dead, for special reasons such as Ghusl, in fact, they are either the cause of the obligation of Ghusl, or they are commands and prohibitions that are the cause of existence and sanctity. In any case, any one of them is realized by the realization of will and aversion, which is the same as the self of commanding and forbidding. So in fact commands and prohibitions are the effects of will and aversion, and the Shar'i causes are actually the means for these commands and prohibitions, and the will and the aversion are additional essence that is not recognized by the essence, but their recognition belongs to them. Therefore it is not possible for the will and aversion to belong to a single object twice, so if it is said, "If one urinates, perform ablution" and "If one sleeps, perform ablution", it is not possible that the truth of ablution is an effect of these two wills and two ablutions become obligatory.

Also, Imam in the book "Types of guidance" in the topic "Disconnection", quotes Allameh Ha'eri's statement in such a way that Allameh believes that legislative causes, including Shar'i commands, are the same as developmental causes. As the unity of the cause in formations requires the unity of the effect and its plurality requires the plurality of the effect. This statement explains why the matter does not imply repetition, because the single affair becomes a single effect. Not in the sense that nature does not multiply, but in the sense that lack of necessity is plurality, and based on this, many branches such as non-interference of causes and the necessity of urgency are also established.

Imam replied, "... that if the one belongs to a single nature, it wants a single effect, and many orders want many effects, this is against the truth just like the developmental causes. Because commands do not belong to nature and do not cause it until after the master imagines it and finds passion and emanation towards it, then he commands to create and stimulate the servant towards it. The mental personality of the agents is ahead of the belonging of the order and the will to it, and it is not possible that a single order belongs to two wills, and if a thousand orders are entered into it, only the effect emphasizes it, (not creating a new effect). So with this explanation of Imam, we realize that what is falsified in the

legislations is causation, not a cause like (world of evolution). Therefore, with these characteristics, changing the cause from the reason is also unimpeded in the legislations, and also other rulings that have a cause and an evolutionary reason cannot flow in the cause and the legislative reason. (M. Larijani, 2005)

The possibility of combining command and prohibition in I'TIBĀRĪYĀT

The combination of command and prohibition in I'TIBĀRĪYĀT is possible and there is no objection.

Basically, the issue of conflict is related to realities and facts, and there is no room for conflict in credit matters such as rulings because in the definition given by reasonable people for conflict, the phrase "Two qualitative essences" is mentioned.

While there is no real and true nature for credit affairs because it has no gender or season to have a unique nature. Nature is for those things that wear the clothes of existence and have an objective and external reality, but in credit matters such as marriage or property, the discussion of nature is not discussed, so that the conflict between natures can be discussed. If we use the word nature in credit matters, it is a kind of permissible thing regarding metonymy. On the other hand, according to the definition we have given, we considered the ruling to be a creditable punishment or, that is, when the master tells his servant to go and fetch water, he is trying to turn him towards the agent and arouse him.

Now, according to the definition of the ruling and the explanation that we stated about the contradiction and said that opposites must be of two kinds of nature, and if two classes are of the same nature, they are out of the circle of contradiction, and they must be common in the closest pun, and at the same time they share differences. So that even if one of them exists, the other cannot be realized there, we can say that resurrection and suffering are not of the same nature so there is no contradiction between them. Rather, both of them are credit matters, not existential matters, until they are resolved in an external matter and become contradictory to it, and the problem of the contradiction and the combination of the two arise in one external issue, the contradiction between two rulings has no logical and rational basis. (M. Larijani, 2005)

Non-spreading of the rulings of facts to I'TIBĀRĪYĀT

To what extent I'TIBĀRĪYĀT (i.e. credits) are related to the facts, can anything be credited to achieve any purpose, there is no doubt that there is a close relationship between credits and the purposes for which I'TIBĀRĪYĀT were credited.

It is not possible to achieve any purpose with any credit, what causes this true and inviolable relationship to emerge between I'TIBĀRĪYĀT and real intentions.

As it was mentioned in the previous chapters, this relationship is not valid because I'TIBĀRĪYĀT are made based on the facts and real relationships of things, unless the mental equation is an external and objective thing, every credit is derived from the truth and the means to reach the other truth in such a way that it has full dependence on the facts from both sides.

According to the above point, it can be said that existence of existential credits is a relative existence and in other. Credit is not based on itself and not for itself, but it is based on the truth and to reach the truth.

Previously, we said that before credit is different from after credit, if there is no difference between them, impromptu is invalid because it causes the negation of credit. But what kind of difference is involved is a bit vague, the difference cannot be external, credit is a subjective matter, so before credit and after credit only has a mental difference. There is a questionable point about this, because there is a mental difference in illusions and pure imaginations, before illusion and after illusion have a mental difference. If this is the case, what is the difference between credits and illusions?

In response, we may say that beliefs have an external effect, but illusions do not have an external effect, but this answer cannot express the difference between beliefs and illusions. Because again one can ask, if beliefs and illusions are only mentally different, what is the difference between them that causes one to have an external effect and the other lacks it? In other words, if illusions and credits share a common mental difference, what is the origin of its credit effectiveness? If there is no existential distinction in addition to the mental difference, how can the effect of having credibility be justified and the issue of distinguishing between credibility and illusions is raised again? (Islami, 2004)

In order to find the characteristics of credit matters that distinguish it from illusory matters, the following example is useful: Let's consider a traffic light; the red color at the intersection of vehicles indicates the need to stop for drivers.

Let's assume that humans do not have the ability to create credit to achieve their purpose, that is, what does stopping vehicles on one side of the intersection do? It is clear that the only way to achieve the above purpose is to create a physical barrier such as a wall etc. in front of the vehicles and it forces the drivers to stop. Despite the definite result, the mentioned way is accompanied by many difficulties that make it impossible to do in practice.

Humans have the power of credit and to achieve their goals, they create credit, and what do they do in the process of creating a credit? Can they credit something that is like an external and physical wall to forcibly stop vehicles? No, because credibility is a product of the mind's factory, and the mind is not strong enough to create and validate external things, to subjugate the will of man and to forcefully realize the goal. In credibility, instead of a physical obstacle, a thing (red light) is placed and instead of stopping, which is an objective matter and is realized with a physical barrier, the need to stop is imposed. In fact a mental relationship is created between the two, so that the red light does the work of the physical barrier as much as possible, the credit relationship above is equivalent to the is the external mental relationship between (the wall and the stop itself). The external relationship between the physical barrier and the stop is established, and the subjective credit relationship exists between the red light and the need to stop, but this credit relationship is directly derived from the external relationship and is basically based on it.

The above point is the secret of the effectiveness of I'TIBĀRĪYĀT. If credit weakens its connection with the facts, its effectiveness will disappear and it will step out of the field of credits into the land of illusions.

Also, it can be said that the level of effectiveness depends on the type and size of the relationship of credits and illusions with the outside world. Meanwhile, the third point, in addition to mentioning the reason for the effectiveness of credits, the close connection of credits with the facts was also clarified.

Validity exists in other and basically, its existence "In itself" is also "In other", so judging in validity as an existing existence in itself is incorrect.

Credibility has an inseparable relationship with facts, so it follows all the rules of facts because it is completely similar to real existence in every respect. The only difference is that facts exist in themselves and the validity of their existence is in the facts. There is criticism on this theory and it is in such a way that problems are raised if there is an unbreakable and inviolable relationship between credibility and facts. Why for reaching a goal, sometimes several things can be credited alternately in order to reach a goal. If the above claim is true, there should not be any change in credits, while many credit issues are constantly changing. We conclude that it is not correct to extend the rulings of facts to I'TIBĀRĪYĀT (credits).

Reasons for unity of judgment

Obligation and honor are not creditable

All Uṣūlīs have not accepted the validity of obligation and respect and other mandatory rulings. Those who believe that truth and credibility are confused in fundamental debates, should have been removed from this debate in the previous stage, that obligation and honor are matters of credibility. In fact, "Obligation and honor" are not the same as "Property and marriage" which most Uṣūlīs believe to be valid, but the issue is different in obligatory rulings. The basis of some strict Uṣūlīs is that mandatory rulings have some kind of reality, and we have accepted the same basis in our place. In our opinion, truth is the rule of legislative will and disgust, and legislative will and disgust is itself a kind of reality.

Even based on other bases in the truth of the ruling, we should consider the ruling as a kind of reality. If the ruling is "Inventive, falsified claim" or even "Credibility of evidence", it must have some kind of reality, because based on these bases, the truth of the ruling becomes an abstract matter, not a purely valid one. (M. Larijani, 2005)

The translatability of confusions to principles and purposes

In the science of principles, we come across cases in which the aforementioned confusion has apparently occurred. For example, in the topic of the late condition, it is not possible for the correctness of an act of worship - such as fasting - to depend on a condition - such as Ghusl - that occurs at a later time. Or, for example, it has been said that it is not possible for the validity of the contract to be based on a permission that is issued at a later time than the contract. Also, in the topic of the sum between the real and the apparent ruling, to prove its immutability, it has relied on the corrupt of the anti-society of the opposite or similar. For example, some Uṣūlīs have said that if Friday prayer is obligatory in the real world and the holy jurists falsify the apparent ruling of its non-obligation in the right of the obligee, an opposing congregation will arise. Also, if the apparent ruling is falsified in agreement with the real ruling, the community of similarities will arise. Although such cases, in terms of the form of argument, are cases of confusion between truth and validity (according to the validity of obligation and sanctity, etc.), but all these arguments can be translated into principles and purposes. And the principles (expedients and corruptions) and purposes of rulings are not credit matters. The meeting of opposites in rulings can be translated as the meeting of expediency and corruption, and the meeting of two opposing purposes can be translated in one ruling. That is, it is not possible for an action to be both completely expedient and completely corrupt, and on the other hand, the intention of the holy legislator is both necessarily to perform the action and necessarily to refrain from the action. And therefore, for that act (subject), he should forge both an obligation and a sanctity rule.

For example, in the discussion of the command and prohibition community, with all the conditions that are taken in the subject of the discussion, the main question is whether the governor can falsify two rulings of obligation and sanctity in relation to one actions - even if it has two titles?

In order to prove the refusal of the command and prohibition community, some Uṣūlīs have insisted on the corrupt result of the anti-community, and some others have argued against this view that the issue of the anti-community should not be raised in credit matters such as obligation and sanctity. In response to this objection, it should be said that it is not possible to say with a completely general translation and not a specific one that this obligation and honor ultimately rely on interests and corruptions, and it is not possible for an action to have both benefit and lack of benefit? There is no doubt that any common sense will rule on Istiḥāla in this case (M. Larijani, 2005).

The validity of rulings is not true in its absolute sense

That is, it is not correct without special motivation, because credits are always created with special motivations; for example, obligation and honor cannot be the absolute validity of proof or

prohibition, because the validity, like essays, is different and distinct from each other due to differences in motivations. "Proof" can be credited to Hazel's motivation, just as it can be credited to the exam's motivation, in which case, the second credit will be the example of the exam and the first credit will be the example of Hazel. "Credibility of proof" will be an example of obligation only when it is motivated to send and arouse credibility.

According to the definition of credit that was mentioned in the previous discussions, although the motive of credit is not its essence, and it is something outside credit itself, but this motive cannot be outside of the order of obligation and honor... In fact, the one who knows obligation and honor being credit, he must consider that "Obligation is the proof credit with the motive of sending and arousing" and "Honor is the prohibition credit with the motive of forbidding the action".

And these two credits cannot be combined with each other, because these two motives cannot be gathered with each other.

One should not be unaware of this fact that the motivation for the validity of the ruling is the essence of the ruling and not something outside of it, therefore, the ruling is equal to the validity plus the motive, and without this motive, basically, and there will be no mandatory ruling. "Proof validity" may be an example of a test. The "Proof validity" can be a mandatory ruling only when it is compatible with the motivation of sedition and incitement. So, if we consider the obligation as a special credit - or even abstracted from the special credit - this special credit cannot be combined with another special credit that has a different motivation than it, because the motivations are contradictory. Developmentally, a free agent cannot have the motivation to drink water and the motivation not to drink water at the same time. Such a thing is definitely impossible.

The correct basis and its reasons

Although the action of some Uṣūlīs in the direction of applying developmental rules was useful and effective for the progress and evolution of the science of principles, but using these rules in most of the problems of the science of principles has been associated with confusion between the problems of real concepts and the problems of credit concepts. The result of such fundamental arguments in jurisprudence manifests itself in many cases. It is true that the domain of credit concepts is completely different from real concepts and each has its own characteristics and rulings and it is wrong to relate the rulings of facts to credit. We state the following for our claim.

1-The world of creation and legislation are fundamentally different from each other, the world of creation is the world of facts and the world of legislation is the world of alleged facts stated in the definition of validity: "An object that is not a true example of a concept can be claimed to be an example of that concept".

In other words, the existence of one is the real existence and related to the outside of the mind and the other existence is a credit and fake existence.

The essential difference of this world in terms of existence causes differences in formations and legislations, among which is the difference between the developmental causes and the legislative causes. The developmental cause is effective in the existence of its effect, while the legislative cause is not effective in existence. Rather, it is only necessary for the existence of the effect. For example, fire is effective in burning the object adjacent to the fire, while the Shar'i cause of option, which is the reason for the legal termination of the intellect, is not itself the reason for the termination of the contract but for the termination, it requires another will and credit from the parties, in other words, the cause is effective in the facts. That is, the effect is inviolable, but the cause in Shar'i matters is subject to the motives and interests of the creditor. This difference causes the flow of some rational rules in creations and their non-flow in credits.

2- The aforementioned difference is due to the absence of precise legal terms in the Arabic language and using words imported from philosophy, which occurs when the science of philosophy enters the Islamic society. For example, the relationship between the obligatory verdict and the subject of the interpretation has become a condition, and the relationship between the conditional verdict and the subject of the interpretation has become a cause, while condition and cause do not have the same meaning in creations as the meaning in credits.

3- One of the issues raised in human epistemology is the intellectual knowledge of man and how they are formed. The act of intellect is understanding, whether it is theory or practice. Intellect understanding from the relationships between credit propositions and real propositions leads to the production of rational propositions in each of the two areas. On this basis, the difference in the relationship between credit propositions and real propositions leads to different understandings and different rational propositions.

Accordingly, the difference in the relationship between credit propositions and real propositions leads to different understandings and different rational statements.

In other words, a group of rational propositions are the result of the intellect's perception of the existing relationships between real issues. And the other category is the result of the perception of the existing relationships between the issues and Shar'i credit rulings. So it is obvious that the propositions based on the facts and the existing relationships between them cannot be used about the Shar'i issues and their relationships.

4- The substantial difference of developmental and legislative cases on the one hand, as well as the multiplicity of types of rational rules, on the other hand, is indicative of the fact that it is necessary to know the characteristics and issues governing Shar'i credits for the correct understanding of the intellect of the relationships governing Shar'i cases. For example, one of the characteristics of credits is that refusal and non-refusal have no way in them except in one direction, and that is cancellation and non-cancellation. In other words, nothing is prohibited in the credit, except that the credit is canceled. In this way, as soon as there is an expedient for a credit, that credit is created by a valid will and there is no need for other causes and reasons to create it. While there are some laws in the case of the creations such as "Transformation of the similar combined things" and "Transformation of several causes" and "Transformation of the revolution of the thing about the effect against it", each of which alone can hinder the development.

5- One of the other characteristics of Shar'i credits is that the circuit in them is common names. Or that the multiplicity of credit is correct as the number of works that make it correct. Another feature of credit is that there are no contradictions between credit issues. Allameh did not consider the discussion of negation and reconciliation to these credit matters to be correct in terms of essence.

His reason is that these matters do not have self-determination. He considers negation and reconciliation in these matters in terms of the effects that are caused by them. Such as: negation or contradictions that are established between their belongings.

6- One of the other characteristics of credit is that proof does not flow in it.

Conclusion

1- By examining the viewpoints of jurists and Uṣūlīs regarding credits and their rulings, it became clear that there are two basic bases between jurists and Uṣūlīs. Some of them consider the extension of the rulings of truths to validity as untrue and believe that since the science of jurisprudence and principles is credit, the quality of its forgery is not valid. For example, delaying the condition from the conditional or the cause from the causal is unimpeded in the credits, and among them, jurists such as Sahib al-Jawāhir, Ayatollah Khomeini, Ayatollah Muhammad Hossein Isfahani, and Imam Khomeini (RA) are from this

category. In contrast, there were jurists and Uṣūlīs who did not make any difference between Takwīn and Tashrīḥ and their rulings, and in many of their arguments, they referred to rational and evolutionary principles, from which we can refer to jurists such as Ayatollah Akhund Khorasani, Sheikh Ansari, Muḥaqqiq Na'ini, and Muḥaqqiq Iraqi.

2- Confusion of credit with truth and different understanding of credit concepts, especially in the field of principles of jurisprudence as the main tool for deriving rulings, leads to many results.

On the one hand, this confusion of credibility with truth causes a jurist to walk the wrong way to reach the true rulings of Islam, even though he reaches the right and desired result, but he has reached the wrong way and has caused excessive fatness of some topics to the extent that the main discussion of teaching and learning has been left out and it has caused excessive fatness of science that sometimes it makes the matter of teaching and learning difficult.

3- Although the action of some Uṣūlīs in the direction of applying developmental rules was useful and effective for the progress and evolution of the science of principles, but using these rules in most of the problems of the science of principles has been associated with confusion between the problems of real concepts and the problems of credit concepts. The result of such fundamental arguments in jurisprudence manifests itself in many cases. It is true that the domain of credit concepts is completely different from real concepts and each has its own characteristics and rulings and it is wrong to relate the rulings of facts to credit.

4- If in the rulings deduction process, matters such as the need to worship expediency and other principles governing the world of Shar'ī credits are taken into account, the basic difference in diffusion and non-diffusion of the rulings of truths will not be realized. In this way, it seems that dominance of Jurisprudence on the fundamentals and principles governing the world of Shar'ī credits is the main condition for correct inference and getting rid of the confusion of the rules of development and legislation as well as lack of indiscriminate application of rational rules in jurisprudence or the general negation of their application, considering the above-mentioned principles leads to the correct diagnosis of the issue on the part of the jurists and Uṣūlīs.

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