

The Purpose of Improvement and its Ethical Dimension

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Abstract

This research aims to clarify the theory of objectives in general, as it is the most appropriate framework for jurisprudence. And the statement of the objectives of the improvement and its moral dimension in detail in the book *Fiqh of Ethics* (by Sayyid Mohammad Mohammad Sadeq Al-Sadr), and from here the research seeks to determine the relationship and highlight the intertwining between the issue of ethics on the one hand and jurisprudence and the principles of jurisprudence and the purposes of Sharia on the other hand.

Keywords: ethical dimension, jurisprudence, purposes of Sharia, Sayyid Al-Sadr

1. Introduction

Praise be to God, who commanded justice and benevolence and forbade indecency and wrongdoing and oppression, and may God's prayers and peace be upon his family of the one who was sent as a mercy to the world, Muhammad the Prophet (A), when he praised him, the Mighty and Sublime, by saying: {And indeed, you are of a great character} and upon his family and companions, the Righteous Guides. The scholars of the fundamentals divided the purposes, considering the legitimate interests, into three categories: necessary purposes, needed purposes, for improvement of the interest. Embarrassment from people made it a needy interest, as for the interests that complement the necessary and needed purposes and improve people's lives in their livelihood and dealings, they called them the ameliorative interests.

It is noted in the studies of researchers who are interested in the study of legitimate purposes, that they pay more attention to studying the first two sections of the purposes, and they expand on the explanation of preserving religion, the soul, the offspring, money, or the mind, as well as they expand on the explanation and statement of the study of the necessary purposes under the rule (there is no embarrassment), But the objectives or the ameliorative interests are rank and subjugated in contemporary objective research and did not receive the same attention from the study and neglected their ethical, creative and aesthetic dimensions, although they are objectives that have direct effects on people's religion, their system of life and their livelihood affairs, and perhaps delusional that it is a useless curiosity. This ambiguity bequeathed a crude understanding of its function and asceticism in explaining its dimensions. The purpose of this research is to try to explain the importance of the improvement purposes and their position in the system of reform legislation, with an indication of the moral dimension in the purposes of improvement. Because it is rare that we find books that link ethics and objectives and highlight the close connection and deep interconnection between them, despite the fact that ethics have centrality in Islamic law and its objectives. Most of the jurists and scholars of origins neglected the term ethics, especially when they limited it and put it in the section of improvement.

This suggests that morals are luxuries, not necessities, and this classification contradicts the purpose of the Muhammadan Sunnah, which is the completion of noble morals. This research seeks to highlight the intertwining between the two studies of ethics and the issues of the fundamentalist, jurisprudential and intentional systems. By knowing the moral dimension of the ameliorative purposes, it is possible to establish ethical objectives on their three levels: necessary, needful, and ameliorative.

1.1 The first topic: the concept of ameliorative purposes and related terms

Al-Maqasid Al-Tahsiniyyah is a descriptive compound consisting of two words: (the purposes) and (the improvement).

- ❖ As for the maqasid: linguistically: the plural of intent - by opening the r - if you want the infinitive to indicate the intent, and a maqsid - by breaking the r - if you want the place to denote the direction of the cut. The intent is derived from the verb intend, and the intent is the straightness of path, dependence, justice, orientation, mediation, and doing something..... And what do you like about these expressions mentioned in the language dictionaries [2]. Ibn Jinni said: ((The origin of “q,s,d” and its locations) In the speech of the Arabs, such as determination, orientation, and advancing towards something, whether that is moderation or unfairness.
- ❖ As for the goodness: a word is taken from the verb: good and the infinitive (improving) from good versus ugly, it is said: a good man, and a beautiful woman [3], and Al-Ragheb said: “Al-Hasan is every kind that is desirable, desirable, and that is in three forms: the first: it is recommended by The second: is recommended from the point of view of whim, and the third: is recommended from the point of view of Hassan, and Hassan is used most in the definitions of the common people in that which is approved by the sight, and most of what is used in the language of the Qur’an in that which is favored by insight [4]and it is said: the best in terms of preference[5]. {Those who listen to the word, and follow the best in it}[6]. Maqasid al-Tahsiniyyah idiomatically: It is also a descriptive compound and it is composed of two words: 1 Maqasid: Contemporary scholars, as well as the ancients, have been interested in defining the term (maqasid) so some of them were satisfied with quoting its types and divisions for its clarity, while others were concerned with the definition and its drawing and their expressions differed and the meaning is the same. Ibn Ashour said: ((They are the meanings and rulings observed by the Lawgiver in all or most cases of legislation so that their observation is not restricted to the universe in a special type of legal rulings)) [7]. At each of its rulings” [8]. Al-Raysouni defined them by saying: “The objectives of the Shari’a are the goals that the Shari’a was established in order to achieve them for the benefit of the people [9].” So, the objectives: are the ends and secrets that God Almighty revealed and sought from his legislation of rulings in order to preserve the interests of people in this world and the hereafter.
- ❖ The purposes of Improvement: From an early age, scholars of the principles classified the purposes, considering the strength of the interest, into three levels (necessary purposes, the purposes of needed, and the purposes of improvement). And innovations, whatever they may be, the improvements have settled in the third rank of the intentional classification, and scholars have continued to define them in terms of varying accuracy and precision. Al-Juwayni said when dividing the purposes into five principles: (The third type: is that which is not related to an actual necessity or a general need, but it has a purpose in bringing honor or negating its opposite, and it is permissible to join this type of purification of youth and removal

of impurity) [10]. Al-Ghazali said: (The third level: What is not due to necessity or need, but is located in the position of improvement and embellishment for the merits and ranks, and taking care of the best methods in worship and dealings, and urging people to noble morals and good habits). And the merits of goodness”[11], and as for Al-Shatibi, he said: “Taking what befits the beauties of customs and avoiding the impure conditions that preponderant minds resent, and this section collects noble morals.” It is a list that does not need to be extracted, and it is correct to say: (Introducing the merits of worship, customs, and transactions) and perhaps his intention was to expand the meaning of worship to include all of that [12]. (It was not an encouragement to noble morals, such as the prohibition of eating filth and depriving the eligibility of certificates from slaves, and towards writings, and the expenses of sacrifices...) [13]. What not People are harmed by leaving it and no hardship will befall them by missing it, and their lives are going on in a pattern that demeans the wise and degrades the virtuous [14]. It is clear from Al-Juwayni’s words that the rank of refinements includes morals in its broad sense, which leads to bringing a generous character or negating another bad one of the purposes of refinement, and this meaning was confirmed in the definition of Al-Ghazali, Al-Razi and Al-Shatibi, where they expanded the scope of the purposes of improvement by expanding the scope of morals so that it constitutes everything related to human life In its many aspects, whether related to worship, customs or transactions [15]. And as it is understood from their definitions that the criterion for assessing the moral aspect is not the law alone, but rather it goes to the knowledge of good taste, human instinct, and sound reasoning. Humanity and its rejection of the correct mind is not a noble character, and Sharia urges avoiding it. Sayyid Muhammad al-Sadr says: (The mind passes all the legal rulings until it was said – in conjunction between the rulings of the mind and the rulings of the law – and this and if it is not proven to me in the science of assets, but we are outside: we did not find a rational ruling except and on its application a legal ruling that is obligatory or desirable, as we did not find a legal ruling except on the application of a rational ruling with preponderance and that its application is compatible with justice” [16], while no one accepted the adherence to the rule of the soul and the rule of the law, but rather rationality in the opposite of that, which is fighting the soul and disobeying it, because as stated, the enemy of your enemy is your soul that is between your sides [17], and rationality It necessitates a permanent conflict with the enemies of God wherever they are. As for the definition of Ibn Ashour: He expanded more than his predecessors in the field of purifying purposes and gave them other dimensions, and he singled out a solid officer to know the purposes of purification, where he said: (and to me, it did not have the perfection of the nation in its system so that it lives safe and reassuring and has the joy of seeing society insight. The rest of the nations, so that the Islamic nation would be desirable to integrate with it or to draw close to it...) [18]. Then he said, (It is good to block the pretexts of corruption, for it is better than waiting to get involved in it)) [19]. The law has what it wants and resolves the matter of offending it, so people do not see it except with the sight of perfection, majesty, and beauty.

It can be deduced from these definitions in the following points:

- 1-The purposes of improvement are less in rank than necessary and necessary.
- 2-It is related to the moral aspect, the virtues of deeds, and what happens to it, as well as to individuals and society, in terms of good habits, beautiful behaviors, and straight approaches.

3- The improvements include keeping away from what is contrary to morals and virtues, and aversion to what is reprehensible in Sharia and custom.

4- The intentions of improvement, if they are lost, the order of life is not disturbed, as are the necessities, and people are not affected by narrowness and embarrassment as in the needs, but their lives become despicable, far from good taste, alienated by natures, and the sound mind does not accept them.

1.2 Related Vocabulary:

To complete the conceptual framework of the term "Improvement purposes" and test its degree of maturity, it is necessary to clarify the relevant words that run on the tongues of the fundamentalists, which are:

First: Al-Masalih Al-Hassih: Al-Maslah in the language: in the sense of benefit, and it is intended from the action in which the meaning of benefit is valid as a matter of launching The cause is against the cause, towards seeking knowledge is a benefit, and industry is a benefit, and science and industry is a reason to bring different benefits, and the interest in this sense is against the evil [20]. As for the benefit in terminology: Al-Ghazali said: (The interest: is to preserve the intention of the Lawgiver and the intention of the Lawgiver from creation are five: It is to preserve for them their religion, their soul, their intellect, their offspring, and their money." While Al-Shatibi defined it by saying: "What he understands of his care for the rights of creation is to bring benefits and ward off evils in a way that the mind does not depend on its realization in any case. It was rejected by the agreement of the Muslims" [21] and Ibn Ashour defined it: ((a description of the action by which righteousness is obtained, i.e.: the benefit from it is always or mostly to the public or to individuals)) (((so the intentional purposes or the ameliorative interests) are two identical compounds in terms of Safiyin, and it is complete and undiminished because the interest in the fundamentalist concept involves taking care of the intent of the legislator and preserving the universals. The scholars of the principles did not see anything wrong with calling the interests to the purposes and desires of the Sharia. This term was mentioned by Al-Juwayni when he denounced Malik bin Anas for his excessive reasoning. He said: (It was seen that he proves interests far from the familiar interests and the well-known meanings in the Shari'a...)[22] So he sympathized with the meanings of the interests, and he feels that his words are about the purposes of the Shari'a and their beneficial meanings[23].

Second: The complementary: Al-Shatibi expressed Improvement-Al complementary in one of the rules governing the relationship between the three intentional levels, so he said: ((The necessary is the origin of what is other than Al-Hajji and Al-Tamili)). And their relationship to necessities and needs, the relationship of the complement to the complement. Which was the first to be lost.

Third: Complementary interests: This word was mentioned in Ibn Ashour's words in the areas of government political action, where he said: (As for the second field, it is conducting complementary and ameliorative interests in public interests, such as spreading knowledge, preaching to people, and educating minds with complete education.... ..) [24]. Ibn Ashour followed Sunanal-Shatibi when he crossed al-Improvement with al-complementary, which is the completion of necessary and necessary interests.

Fourth: Completion: This word was mentioned in the words of Al-Qarafi when he wanted to clarify the place of the purposes of perfection, so he said: (What is the place of the completion) [25] and what is meant is that the improvements are like the complement to the needs and the needs are like the complement to the necessities, so the improvements eventually become a branch of the necessary original and its servant by increasing memorization and perfection [26].

Fifthly: Completesneeded, Meaning that he completes al-Hajji, improves his image, and makes him feel amiable, as he considers the competent in marriage. It is a purifying purpose that preserves the ten, perpetuates harmony, and preserves the family's balance, and lack of competence does not prejudice the principle of expansion and mitigation, even if it detracts from the strength of his certainty [27] and this compound is among the people of Osoul, if it is released, does not deviate from its being a meaning of "al-Husseini" because it is related to al-Haji and revolves around his father-in-law, and it protects him from defects.

Sixth: Ornament: It is one of the ranks of interests mentioned by Al-Zarkashi within a five-year classification of purposes, which is (necessity, need, benefit, adornment, and curiosity) [28] and this adornment is due to improving the restaurant and clothing and establishing the pension on a better approach than it and care for the aesthetic taste. And they were likened to this rank by "the sweet desired made of almonds and sugar, and the garment is woven from silk and linen[29-30]." Hence, it seems that the synonymy between "al-Improvement" and "adornment" is so complete that if al-Improvement is known, its definition is hardly devoid of adornment and beautification [31].

2. The second topic

2.1 Ethics in the Islamic Sharia system

First, defining morals, both linguistically and idiomatically

- Ethics in language: the collection of morals, where we find that many linguists have attributed its meaning to nature, temperament, instinct, appreciation, creation, virility, and religion. And character and character: Attitude)) [32], and Ibn Faris said: ((Charact is the best of character because its owner has been predestined for it...)) [33]. Ibn Manzoor said: ((Charact is religion, character, and temperament, and its reality is that the inner form of man - which is himself - and its specific descriptions and meanings[34]. It is in the same position as creation because of its outward form, descriptions, and meanings))[35]. Creation is essentially one, but he singled out creation with shapes, shapes, and images that are perceived by sight, and he singled out creation with powers and traits that are perceived by insight [36]. Ethics in terminology: There are many definitions of morals by scholars, and because we cannot present them all, we chose some definitions from them: Al-Jahiz said: ((Creation is the state of the soul, by which a person does his actions without deliberation or choice. And in some of them, it is only by sport and diligence[37].) A close to this definition was defined by Al-Ghazali: "A creature is a well-established firm in the soul, from which actions are issued easily and smoothly without the need for thought and deliberation. That body is called good character, and if it results from ugly actions, then the body that is the source is called bad character." Ibn Ashour said: "And character is the origin of a psychological property from which actions come easily [38]. Otherwise, it is the opposite." And this definition was clarified in another place, and he said: ((So a person creates a group of instincts combined from an intellectual impression: either he

is mountainous in the origin of his creation, or my gain results from rehearsing the thought and imitating him due to his approval of him. His character is to carry out his actions according to what is dictated to him commanded him by himself so that he could not leave the work according to it, even if he wanted to force himself not to act according to his nature, to belittle himself and his will and despise his opinion)) [39] He linked this clarification between the linguistic meaning and the idiomatic meaning, and Abd al-Rahman al-Madani among the contemporaries tried to summarize and facilitate the expression in defining the phrase Ethics idiomatically, he said: (Creation: a stable quality in the soul, innate or acquired, with good or reprehensible effects on behavior)[40].

2.2 From all of the above definitions, two things emerge:

The first: is that among the morals are the natural attributes of innate human nature.

The second: Attributes that are acquired so that they become an inseparable characteristic of him except in rare cases. They are qualities and behaviors approved by Islam in the way of dealing with God Almighty, the soul, and society. This includes the provisions of the entire religion as belief and Sharia, for morals, have two sides: the inner psychological aspect and the outward behavioral aspect. Al-Ghazali said: (Every characteristic that appears in the heart shows its effect on the limbs so that they do not move except in accordance with it inevitably) [41].

After defining the term objectives and the term ethics, we can derive a definition of moral objectives, so we say: they are the ethical objectives that God Almighty sought from His legislation of rulings and which seek to achieve human perfection for man. The meaning of moral ends is that the legal rulings aim to establish noble morals in the behavior of people, individually and in groups, because religion is a set of teachings that legislate it to become a habit and an attitude of a group of people, in order to instill in their virtues and benevolence to themselves, and the goal of these virtues is to inform the human soul to the highest level for which it was created [42]. Dr. Taha Abd al-Rahman showed how the science of jurisprudence was combined with morals, based on al-Shatibi's divisions of legal purposes, and divided the science of intentions into three distinct fundamental theories:

The first: is the theory of intentions: it examines the semantic contents of the legal discourse.

The second: Theory of intentions: examines the emotional or volitional contents.

The third: The Theory of Intentions: Examines the value contents of the legal discourse)) [41]. Then prove that each intent, the intent, and the intent have moral descriptions. This overlap is jurisprudence. Al-Shatibi proved this relationship and the overlap between the science of Usul al-Fiqh and Ethics, where he said: ((Every issue drawn up in Usul al-Fiqh is not based on any legal branches of legal etiquette or does not help in that, so he placed it in Usul al-Fiqh naked)) [42]. The absence of the moral dimension in the fundamental rules and their failure to achieve the branches of jurisprudence that achieve the legitimate interests and moral ethics by improving behavior and evaluating the educational aspect in the life of the taxpayer renders these issues and rules bare and useless [43]. , not only understanding the text and reaching the correct deduction of the rulings of God Almighty in the actions of the servants from its detailed evidence but also has an ethical and educational function that is the fruit of science and its goal

that should be achieved. It has been achieved by the jurists of man-made law, but it is still a dream from their dreams [44] and the Prophet (peace and blessings of God be upon him and his family) told us in the honorable hadith: "I was sent to perfect good morals" [45], and in the narration "Makarim Al-Ahlaq" and it has been clarified This connection is the master martyr Muhammad MuhammadSadeq al-Sadr (may God sanctify himself), where he defined the science of jurisprudence: it is the science of legislation, whether we mean heavenly or Islamic legislation or what we mean by worldly law. The science of ethics: it is the science of behavior to diagnose the good from the bad. They are two different sciences in theory, but in practice, one is not separated from the other. There is a close and intimate relationship between the sciences of jurisprudence and ethics, to the extent that one of them was almost the same as the other. They have two sides: the theoretical and practical aspects. They are two independent sciences the positive and communication aspect: It is the closest to health and coherence. Jurisprudence represents Sharia and Sharia represents divine justice. So jurisprudence represents divine justice. It can be said that jurisprudence is the general cost of duties and taboos. Morals are the profound costs of desirable and disliked things, and they are the ones that raise the individual to a higher step.

Third: The ethical dimension in the five objectives faculties.

1- The moral dimension in the goal of preserving religion: The goal of preserving religion is considered one of the most important purposes of Sharia, where the fundamentalists considered it among the necessary interests and based on the close interrelationship between religion and morals and the subordination of one to the other, there is no religion without morals and no morals without religion, preserving religion in preserving morals, Islam focused on the ethical dimension in the purpose of preserving the religion through monotheism, which came to fight polytheism in all its forms, as God Almighty described it as a great injustice, as he said:

{Indeed association is a great injustice}[46]." The basis of religion is a positive and necessary moral value. For a closer look at worship, its moral purposes are manifested from the aspect of existence, as it urges noble morals, and from the aspect of nothingness, because it prevents its shortcomings. Therefore, we find among the purposes of legislating prayer that it forbids indecency and wrongdoing, and thus raises the morals of a Muslim. The Almighty said:

{Indeed, prayer prohibits immorality and wrongdoing}[47].

So Islam linked the most important ritual of worship imposed on the Muslim with his morals and made the cultivation of morals a fruit of that worship. And God legislated fasting to be a means of moral education. The Almighty said: {decreed upon you is fasting as it was decreased upon those before you that you may become righteous}[48]. And God legislated zakat to be a purification for the soul of a Muslim before his money. The Highest said: {Take, from their wealth a charity by which you purify them and cause them to increase and invoke upon them. Indeed, your invocations are reassurance for them .and Allah is Hearing and knowing}[49]. Allah Messenger, peace and blessings are upon him, is a means of ascension to man and his family. By saying: The believer realizes, by his good manners, the rank of the fasting person who is standing. And God legalized zakat to be a purity for the same Muslim before his money. His wealth, the Highest, said:{Never will you attain the good until you spend from that which you love}. {O you who have believed, do not nullify your alms with slander and harm} [50]. In

the Hajj, the wise legislator forbade every aspect of bad manners and made it one of the spoilers of this ritual. The Almighty said: and He made one of the conditions for accepting charity to be kind to those who give alms to him in accordance with the Almighty's saying: In the Hajj, the wise legislator forbade every aspect of bad manners and made it one of the spoilers of this ritual. The Almighty said: {Hajj is [during] well-known months, so whoever has made hajj obligatory upon himself therein, there is no sexual relation and disobedience and no disputing during hajj} [51]. It bears fruit in his behavior has lost its value with God, for there may be a fasting person whose fasting is nothing but hunger and thirst, and a standing Lord whose standing is nothing but vigilance.

2: The moral dimension in the goal of self-preservation: Many legal texts came to indicate self-preservation from both sides, existence, and non-existence, which is one of the five necessities, and preserving and protecting the soul from any harm or aggression, an Islamic moral and a legitimate goal that the wise legislator urged to achieve. On the other hand, the street is considered shedding blood and killing oneself, and every activity which it is an attack on the innocent is an act that violates Islamic morals and the established purposes of Sharia. Self-preservation represents the sum total of what the human soul is preserved with, such as preserving its life, safety, bodily inviolability, preserving its livelihood, food, medicine, and preserving its freedom and dignity. {And this limits Allah. And then he has wronged himself} [51]. As for the complements of self-preservation, it is by purifying and purifying it, because of the Almighty's saying: {He has succeeded who purifies it * and he has failed who instills it}[52]. And God's Messenger (peace and blessings of Allah be upon him confirmed that. If it is good, then the whole body is good, and if it is corrupt, then the whole body is corrupt, and that is the heart. The ethical dimension in the purpose of preserving the mind: Allah Almighty distinguished the human race with the mind, which is the highest force of the forces of the soul. Ibn Ashour says (Preserving people's minds from entering the disorder, because the entry of defect on the mind leads to great corruption due to lack of discipline in behavior) [53]. Therefore, it is necessary to prevent drinking alcohol and drunkenness and to prevent the nation and its members from consuming it; because it leads to the spread of moral crimes in society. The moral d bad manners. The Almighty said: {Satan only wants to cause between you, animosity and hatred through intoxicants gambling and to avert you from the remembrance of Allah from prayer. So will you not desist}[54]. And the facilitator, and he will be in the absence of Allah. And his society is good and prosperous, for knowledge is a double-edged sword suitable for demolition and destruction, as well as for construction and reconstruction.

4: The ethical dimension in the goal of offspring preservation: the preservation of offspring is by preserving the human species and its multiplication and the continuation of its renewal by giving birth to a sufficient number of children so that their counting compensates for what perishes individuals or increases () and this only comes with the marriage of a man and a woman through the marriage relationship that is the basis of the formation of offspring Whereas the wise legislator controlled this human instinct and organized the man-woman relationship and surrounded her with the fence of chastity and purity, thus laying moral foundations and legal etiquette to block the pretext for falling into the forbidden, for Abdullah bin Masoud said ((we were with the Prophet (peace and blessings of God be upon him and his family)) we did not find anything and he said to us The Messenger:

O young men, whoever of you is able to marry, let him marry, for it lowers the gaze and protects the private parts, and whoever is not able to do so, he must fast, for fasting is for him and comes.” They are moral values in the first place so that good and righteous individuals may be brought up in their society, and all of this falls under the name of “preserving offspring” from the aspect of existence. As for the aspect of nothingness, Allah Almighty has glorified the crimes of homosexuality such as sodomy and lesbianism, as he forbade adultery. He described it as obscene because it opened the door to the mixing of lineages, so the Almighty said:

{Indeed, it is ever an immorality and is evil as a way} [55]. Rather, he prohibited everything that would be a qualifying cause for it, such as looking and being alone, which contradicts the morals of Islam and leads to the severing of offspring, and all of this is included in it. Preserve the offspring. One of the complements to the preservation of offspring is the preservation of the provisions related to the number of divorced women and widows and the controls related to adoption and the concealment of what is in the womb, which aims to protect society from corruption and achieve good and righteousness in it.

5: The moral dimension in the purpose of saving money: the love of money is an instinct on which human nature has been established in the explicit verse

{And you love wealth with immense love}[56] and the Islamic legislation came to refine this instinct and direct it towards observing the moral aspect of earning and spending on the limit of moderation and it was organized in the five paths of Ibn Aish He said: (No the legitimate purpose of all money is five things: its popularity, clarity, preservation, stability, and justice in it)[57]. Preserving money is by legitimate ways in terms of earning it, owning it, or spending it, and it is controlled by moral controls gathered by the values of justice, fulfillment of the covenant, and moderation from this aspect of existence. As for nothing, the legislator forbade assaulting money, whether by cheating, theft, usury, lying, bribery, gambling, or gambling. Or any type of fraud in order to earn the money.

{And do not consume one another's wealth unjustly or send it to the ruler in order that you wealth consume a portion of the wealth of the people in sin, while you know} [58].

Islam leaves financial transactions between Muslims without controls or details that determine their own morals in dealing with and regulating relationships between individuals and societies.

After this tour of the five legal purposes and their moral impact, we conclude that moral purposes revolve around the five faculties and the needs and improvements related to them. It has become necessary in contemporary amassed studies to add moral intents to the set of objectives and to consider them as a container and reservoir of moral values and a source of educational directives and benefit from objectives in order to influence and direct the lives of individuals, institutions, and society as a whole [57].

Fourth: The claims of limiting morals to ameliorative purposes.

No one denies that Islamic Sharia aims to reform the human condition in this world and the hereafter, so its teachings are imbued with moral human purposes, which aim to elevate man to the levels of human perfection and elevate him morally. Islam as revealed by the Creator, Glorified and Exalted be He. Al-Juwayni highlighted the relationship of purposes with morals in his saying: ((Among the clear, super-satisfactory expressions in expressing the universal intentions in legal issues is that its content is a call to noble morals. Prohibition and

prohibition, and hatred that demonstrates shame and stone, and its permissibility that dispenses with immorality, such as the permissibility of a singer's marriage to incest, or aid in obedience, and reinforce the means of strength and ability) [58] The scholars of origins also expressed the close connection between morals and purposes when they classified it in the chapter of al-Tahini, which is headed by The title of good morals, and as we said earlier that morals are interests: that is, displaying good morals leads to the realization of the interests of creation in this world and the hereafter, as well as The interests are morals: that is, these interests in and of themselves are morals, rather their criterion and measure is morality. Every human action must be imbued with a moral character, either beginning or through, for the action is based on the pillar of interest, and the interest is either beneficial and must be brought in, or harmful, so it must be repelled. Interest is a moral value that deals with the goodness of the human being [59]. so the conclusion is that the moral and behavioral goal is the desire behind the assignment to worship in its entirety and in its detail, rather the matter is more general than that, so the purification of the soul is done by religion and the establishment of religion is by purifying the soul, and religion is good manners, Al-Shatibi says (All of the Shari'a is created with noble morals)[60]. Ethics are not separate virtues, but rather they are connected links in one chain which is the religion of Islam. Ethical values, just as morals have never separated from a legal ruling, and the efforts of jurists and fundamentalists in ijtiḥad have always been focused on establishing jurisprudence over morals and directing morals with jurisprudence, and they are relegated to a single rank. If there is understanding, there will be morality. Religion is the basis for noble morals. It is the basis for the moral evaluation of actions, and the moral rules are linked to the religious rules in an indissoluble link, for the whole religion is morals, rulings, and purposes.

3. Levels of moral intentions.

Ethics are many types that are too numerous to be enumerated as they relate to all human actions and words, and specialized scholars have tried to count them and categorize them into fundamentals and faculties, and we cannot here the space to mention these classifications and their owners. But what concerns us is to know if morals are one rank or are they varying ranks? Al-Shatibi spoke about the commands and prohibitions of noble morals and made them absolute without restriction and considered them to be of varying degrees. And the officer in determining the levels of moral intentions is the same as the officer in determining the intentions, which is to look at the degree of interest or corruption that is related to every command and every prohibition. And if it is of little importance, it is among the improvements, and what is mediocre, it is among the needs, so the necessary is attached to the necessary, the Hajji to the Hajji, and the Al-Hassani to the Hassani.

First: Necessary moral objectives: If the necessary objectives are the ones that are indispensable for the establishment of religious and worldly interests so that if they are lost, the interests of this world do not lead to righteousness, but rather to corruption, frivolity, and loss of life, then there are also morals that fall under the section of necessity and are considered the foundational building block in Building nations and societies, and these morals are necessary. If a person goes against it, his morals will be bad, and he will no longer be one of the creatures but of the cattle, as evidenced by the Almighty's saying: {They have hearts with

which they do not understand, they have eyes, with which they do not see, and they have ears with which they do not hear. Those are like livestock; rather, they are more astray. It is they who are the heedless} [61]. The humanity of a person can only be achieved by adorning him with noble morals, so note here how noble morals are not perfections or additions that do not harm the human being, but rather it is the specific criterion by which we judge the extent of human humanity so that if these necessities are lost, the human identity is lost. Among the morals that fall under the category of necessity, we mention, by way of example, but not limited to (justice, honesty, honesty, charity, chastity, and fulfilling covenants...) For example, justice from the aspect of existence is a moral value and a necessary, original, and universal purpose with which all rulings are linked. The total and partial legislative

{Indeed, Allah orders justice and good conduct} [62]. On the side of nothingness, its absence leads to the demise of nations and their destruction, as it was mentioned in the Almighty's saying: {And how many a city which was unjust have We shattered and produced after it another people} [63]. **Second:** Needed moral purposes. Needed goals are those that are lacking in terms of expansion and the lifting of narrowness that leads to embarrassment and hardship subsequent to the loss of the required. Their embarrassment and distress about the lives of the taxpayers. Among those morals needed are, for example, but not limited to (mercy, moderation in spending, good faith, and reconciliation of relations...). Nur al-Din al-Khadimi says: ((The consolidation of benevolence over justice, and the consolidation of forgiveness that leads to a revision of the human climate from intrusions. Heart and psychological diseases whose accumulation and frequency lead to a disruption of the human order in large parts and aspects, and may make life in it great hardship and severe embarrassment[64].

Third: The ethical purposes of Al-Tahsiniyyah: Al-Shatibi defined Al-Tahsiniyat by saying: ((It means taking what befits the beauties of customs and avoiding the impure conditions that preponderant minds resent, and this unites the section of noble morals)). So that she may live safe and secure and have the joy of seeing society in the eyes of the values of nations, so the Islamic nation would be desirable to integrate into it or to draw close to it.) Virtue is what exceeds a need or what remains of a thing after fulfilling a need and the limit of necessity, and this is man's adornment and ornament in all aspects of his life in his worship, his dealings, and his relationships. Salutations and the etiquette of asking permission.....etc.). So adopting these morals is possible so that it does not fall into the status of the necessary to the pilgrim, but it has an effect on conveying Islamic Sharia and calling for them [65]. For this reason, Sayyid Muhammad Muhammad Sadeq al-Sadr believes: The search for duties and prohibitions in Sharia is jurisprudence, and this is the mandatory level in Sharia, and the search for desirable and disliked ones is morality, and this is the non-compulsory level or higher. And (may Allah sanctify himself) represented this interdependence on several levels of understanding, such as supplication when sighting the crescent, or presenting the right leg when entering mosques, the desirability of voluntary prayers and supplications, striving to reconcile the quarrelsome, fulfilling the needs of others, decreasing the love of the world and the desire for the hereafter, choosing the good from the facts, and casting false and bad matters and patience. On adversity and submission to the command of Allah Almighty and reverence in worship and sincerity in them. These matters are sometimes obligatory and sometimes desirable, according to the differences in the individuals addressed or commanded. Sincerity, for example, from the aspect of existence is sometimes an obligation, and it is not originally included in the duties, so it is a

tnemilpmoc, tnemilpmoc, or a purpose of improvement for prayer, fasting, Hajj, and other acts of worship. Duties or desirables, or whether it is among the necessities or needs [66].

4. Conclusions

- 1- Fundamentalists have combined efforts to solidify the definition of an officer who blocks improvements, for it is what people are not harmed by leaving it, and they are not incurred by the sin of missing it. If he does not bring Al-Husseini and his moral complement, their lives will be in a pattern that demeans the wise and despises the virtuous, and raises the civilized and aesthetic sense of it.
- 2- Some fundamentalists are alone in setting a solid rule to know the improvements, and the researcher believes that it is the most important of the controls, which is the course of blocking the pretexts of corruption and opening the pretexts of interest, which preserves the Sharia what it wants, and resolves the matter of offending it, so it is not seen in people except in the sight of perfection and beauty.
- 3- The fundamentalists used to use various synonyms in expressing the term, such as (al-teammate, complementary, or adornment...) and this sophistication indicates that the great meanings and the rich concepts cannot be accommodated by a single verbal container, and in this sense, the Arabs said: The plurality of nouns Indicative in honor of the name.
- 4- Purification purposes are a crucible in which the legal rulings melt, and not, as some people say, that they are merely recommended, recommended, and supererogatory acts that bring the perfection of things and the adornment of things only. On this basis, the book "Fiqh al-Akhal" by its author, the martyr al-Sadr, came to clarify this meaning and to show that many of the recommended, recommended and disliked ones are in the manner of duties and obligations, and (may Allah sanctify himself) explained this in six levels in the introduction to his book.
- 5- The relationship between the science of jurisprudence and ethics is an overlapping relationship, where the purposes represent the ethical side of the science of jurisprudence and ethics represent the frame of reference for it. The moral system is the main determinant of jurisprudence. Then comes the role of moral purposes that Allah Almighty desired from His legislation of provisions and which seek to achieve human perfection for man.
- 6- That the overall purposes of its content are a call to noble morals, obligatory, inevitably, recommended, and recommended. The connection is close between purposes and morals, or in other words, between interests and morals, and showing good morals leads to the realization of the interests of creation in this world and the hereafter, and these interests are measured by morals.
- 7- The researcher believes that the ethical dimension is one of the most important functional dimensions of improvements, as it aims to complete descriptions that exceed what is necessary and necessary, so it permeates the five faculties and their complements of needs and improvements. Spiritual and psychological. So high morals become the adornment of man in his dealings, and his way to the utmost adoration and purification.
- 8- Mr. Al-Sadr believes that the closest aspect of Sharia is the cross-fertilization and interrelationship between jurisprudence and morals so that jurisprudence represents Sharia, and Sharia represents divine justice, and divine justice is part of morals and its main and major issue is the realization of good justice and the ugliness of injustice. The entire jurisprudence

will arise from a moral source, which is justice, for ethics includes all issues of Sharia and jurisprudence, not some of them.

- 9- We understand from the above that the general costs of jurisprudence are the duties and taboos, offset by the deep costs of higher education and the optimal behavior of the individual in a higher and purer step, which are desirable and disliked.
- 10- Al-Sadr believes that the second aspect is the one that absorbs most of the jurisprudence from a practical point of view, whether at the level of news contained therein, written books, or the behavior it requires, and this level proves that most of the rulings of jurisprudence are moral rulings. The completion of noble morals means the completion of the entire religion, in preference and distinction to Islam from all the laws that were before it in that it collected and understood all that those laws brought from among the fundamental principles and universal rules with the addition to them after abrogating and changing what is no longer valid, so the Islamic religion came completely in its entirety. Noble morals and good judgments so would appear in all religions, abrogating them and dominating them. The Almighty said: {It is He who sent His Messenger with guidance and the religion of truth, to manifest it over all religion. And sufficient is Allah as witness} [67]. To sum up: the noble morals are the entire religion, which is one of the five necessary faculties, and what Al-Shatibi and others considered to be in the rank of refinements are the virtues of noble morals, and by virtue I mean the meaning derived from virtue; That is, what is more than the need, or what remains of the thing after fulfilling the need and the limit of necessity, which is the general legal morals and what improves in the course of customs and others, and this is the adornment of man and his adornment in all aspects of his life in his worship, dealings and relationships and even in fulfilling his natural need, it is a distinctive character On the authority of the animal, rather it is honored by Allah, the Exalted, the Majestic, in accordance with the Almighty's saying: {And we have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over} [68].

Recommendations

One of the recommendations that we hope will have a positive impact on enriching the topic of improvement and its ethical scope.

- 1 Concerted effort of contemporary researchers to correct the fundamentalist concept of improvements and exploding its functional dimensions and the most important ethical dimension.
- 2- Deepening the fundamental and intentional research on the controls of knowledge of improvements, and expanding the circle of graduation on them in contemporary jurisprudence issues.
- 3- Continuing research in the field of ethical purposes, by defining the general ethics around which the rest of ethics revolve, and then defining the original and subordination ethical objectives.
- 4- Directing researchers to highlight the intentional thought in general and the moral thought in particular in the books of jurists and fundamentalists, and to extract jurisprudence, jurisprudential opinions, and fatwas in which they observed the noblest morals and worked for this purpose.

5- Ethical purposes, with their three levels of necessity, necessity, and improvement, still need analysis and representation due to their overlapping and inclusion of many aspects. The field is open for researchers to add, research and study.

6- The researcher who is interested in the heritage of the martyr al-Sadr calls that the theory of intentions, wisdom, ills, and interests has been used by the author in most of his books and research in the field of jurisprudence, principles, history, and ethics. (The Jurisprudence of Ethics and its Relationship to the Purposes of the Improvement) and entrusted (Beyond Jurisprudence) to be of interest to scholars and researchers.

Reference

- [1] Surat Al-Qalam, Verse 4.
- [2] See: Lisan al-Arab, by Ibn Manzur, vol. 3/353, al-Misbah al-muneer, by al-Fayumi, vol. 2/192.
- [3] Lisan Al Arab, 3 / 355.
- [4] A Dictionary of Language Measures, by Ibn Faris, Volume 57/2.
- [5] Vocabulary in the stranger of the Qur'an, by Ragheb Al-Isfahani, p. 125-126.
- [6] Surat Az-Zumar, verse 18.
- [7] Maqasid al-Shari'ah, Muhammad al-Tahir bin Ashour, Volume 2, p. 121.
- [8] Maqasid al-Shari'ah and its karma, Allal al-Fassi, p. 13. (
- [9] The Theory of Intentions according to Al-Shatby, Ahmed Al-Raissouni, p. 7.
- [10] Al-Burhan fi Usul Al-Fiqh, Al-Juwayni, Volume 2, pg. 602. (
- [11] Al-Mustafa min Ilm al-Usul: Abu Hamid al-Ghazali, vol. 1, p. 290.
- [12] Al-Majsul, by Al-Razi, Volume 2, p. 222.
- [13] Consents in the Fundamentals of Sharia, Al Shatby, Part 2, p. 11.
- [14] See: Maqasid al-Shariah, authenticating and activating it, Muhammad Bakr Ismail Habib, p. 272.
- [15] Explanation of the revision of the chapters, by Al-Qarafi, p. 392.
- [16] Menna Al-Mannan in Defense of the Qur'an, Sayyid Muhammad Al-Sadr, Part 1, p. 113.
- [17] On the authority of Imam al-Sadiq (peace be upon him): The Messenger of Allah (peace and
- [18] blessings of God be upon him and his family) said: The enemy of your enemy is your soul that is between your two sides.
- [19] See: Balance of Wisdom, Muhammad Al-Rishhari - Part 3 - Page 1848
- [20] The purposes of Islamic legitimacy, Ibn Ashour, pp. 82-83.
- [21] The same source, p. 83.
- [22] See: Lisan Al Arab, by Ibn Manzur, Vol. 4/ 2497.
- [23] Al Mohit Dictionary, Al-Fayrouzabadi, Volume 1/235. Mokhtar Al-Sahah, by Al-Razi, pg. 397.
- [24] Al-Mustafa, by Al-Ghazali, vol.1/417.
- [25] Al-I'tisam, by Al-Shatby, Volume 2, p. 113.
- [26] The purposes of Sharia, Ibn Ashour, p. 65.
- [27] Al-Burhan, by Al-Juwayni, vol. 2, p. 721.
- [28] Approvals, by Shatby, vol. 2, p. 17.
- [29] The Origins of the Social System, Ibn Ashour, p. 223.
- [30] Explanation of the revision of the chapters, by Al-Qarafi, p. 391.
- [31] See: Al-Muwafaqat, by Al-Shatby, vol. 2, p. 13.
- [32] See: Bases of Purposes according to Imam Al-Shatibi, by Al-Kilani, p. 189.

- [33] See: *Al-Manthur fi Al-Qaida*, by Al-Zarkashi, Volume 2, pg. 320.
- [34] *Al-Sahihthe Crown of the Language and the Arabic Sahih*, by Al-Jawahiri, vol. 4, pp. 1470-1471.
- [35] *A Dictionary of Language Measures*, by Ibn Faris, Volume 2, p. 214.
- [36] *Lisan Al Arab*, Ibn Manzur, vol. 10, p. 86.
- [37] *Vocabulary in the stranger of the Qur'an*, Al-Ragheb Al-Isfahani, p. 164.
- [38] *Refinement of Ethics*, by Al-Jahiz, p. 12.
- [39] *Revival of the Religious Sciences*, by Al-Ghazali, vol.3, pg. 79. And he said in another place: "Creation and character" are two terms that are used together. That is, the inner and outer goodness, so what is meant by creation is the outward form, and what is meant by creation is the inner form, because the human being is composed of a body perceived by sight and a soul and soul perceived by insight, and each of them has a form and an image, either ugly or beautiful.
- [40] See, the same source: Part 4, pg. 53.
- [41] *A Crowd of Articles and Letters*, Muhammad Al-Taher Bin Ashour, Volume 1, p. 216.
- [42] *Liberation and Enlightenment*, Muhammad Al-Taher Bin Ashour, vol. 19, p. 172.
- [43] *Islamic Ethics and Its Foundations*, Abd al-Rahman al-Maidani, vol. 1, p. 10.
- [44] *Revival of Religious Sciences*, Volume 3, pg. 57.
- [45] See: *The Origins of the Social System*: Muhammad Al-Taher Bin Ashour, p. 6 and p. 116.
- [46] *Renewal of the curriculum in the assessment of heritage*, Taha Abdel Rahman, pp. 97-98.
- [47] *Approvals*: Part 1, p. 37.
- [48] See: *Fiqh al-Maqside* according to Imam al-Shatibi, Ahsan al-Hasasana, p. 21.
- [49] *The Truth and the Extent of the State's Power in Restricting It*, Fathi Al-Darini, p. 17.
- [50] It was included by: Ahmad bin Hanbal, in his *Musnad Al-Imam* hadith number: 8952, and it was included by: Al-Bukhari, hadith number: 273, and Al-Bayhaqi included it in *Al-Sunan Al-Kubra*, hadith number 20782.
- [51] Narrated by: Abu Bakr Ahmed bin Amr Al-Bazzaz, *Musnad Al-Bazzaz*, Hadith No.: 8949. And Sheikh al-Tabarsi brought it out on his way in *Majma' al-Bayan*, vol. 5, p. 333, and al-Majlisi transmitted it from him in *Bihar al-Anwar*, vol. 16, p. 210, and also brought it out by al-Majlisi, in the book *Mirat al-Aqoul in Explanation of the News of the Messenger's family*, vol. 8, p. 166, the chapter on good manners, hadith 1. It was included by Al-Muhaddith Al-Nouri, in *Mustadrak Al-Wasail*, part 11, p. It was included by Sayyid Hussain Al-Boroujerdi in the *Shiite Hadith Compound*, vol. 14, p. 214, hadith 2309-2310.
- [52] See: *Jurisprudence of Ethics*, Sayyid Muhammad Al-Sadr, Part 1, pp. 7-8.
- [53] *Surah Luqman*, verse 13.
- [54] *Surat Al-Ankabut*, Verse 45.
- [55] *Surat Al-Baqarah*, verse 183.
- [56] *Sahih Abi Dawood*, Hadith No. 4798.
- [57] *Surat At-Tawbah*, Verse 103.
- [58] *Surat Al Imran*, 92.
- [59] *Surat Al-Baqarah*, verse 264.
- [60] *Surat Al-Baqarah*, verse 197.
- [61] Narrated by Ibn Majah in his *Sunan*, Hadith No. 1690.

- [62] See: Human Values and Objectives of Sharia in the Age of the Arab and Islamic Renaissance, Nour Al-Din Al-Khadmi, pp. 20-21.
- [63] Surat Al-Ara M. Humanism and the purposes of Sharia in the era of the Arab and human renaissance, p. 19.
- [64] Approvals, part 2, p. 22.
- [65] Maqasid al-Shari'ah, vol. 3, p. 243.
- [66] See: Jurisprudence of Ethics, Sayyid Muhammad Al-Sadr, Part 1, pg. 16-17. The book itself can be reviewed for the presence in it of many pieces of evidence of moral purposes, where the author classified the book in the manner of books of jurisprudence, starting with the introduction to acts of worship, then the book of purity, the book of prayer, the book of fasting, the book of Hajj, the book of zakat, the book of the five, the book of enjoining good and forbidding evil, and sealing Jihad book. The researcher touched in his letter tagged (with the objectives of improvement in the book "The Jurisprudence of Ethics" by Sayyid Muhammad MuhammadSadeq al-Sadr) those objectives and their connection to psychological, social and economic fields, as well as their relationship to purity, customs, worship, jihad and noble morals.
- [67] Surat Al-Fath, Verse 28.
- [68] Surat Al-Isra, verse 70.