



وزارة التعليم العالي والبحث العلمي  
جامعة الموصل - كلية العلوم الإسلامية  
قسم الشريعة

مفهوم القياس عند الحطّاب الرعيني المالكي (ت: ٩٥٤هـ)  
في كتابه مَوَاهِبُ الْجَلِيلِ لِشَرْحِ مُخْتَصَرِ خَلِيلِ  
-من باب الأحوال الشخصية إلى نهاية الكتاب-

رسالة مقدمة الى

مجلس كلية العلوم الإسلامية - جامعة الموصل وهي جزء من متطلبات  
نيل شهادة الماجستير في الفقه واصوله  
للطالبة

كرم محمود فتحي الزبيد

بإشراف

الأستاذ الدكتور

طه حماد مخلف الجنابي

## المستخلص بلغة الرسالة

تكونت الرسالة من أربعة فصول، حيث احتوى الفصل الأول على تأريخ المذهب المالكي وسيرة الإمام الحطاب وأهمية كتاب مواهب الجليل، والفصل الثاني احتوى على مفهوم القياس في الأحوال الشخصية والمعاملات والحدود حقيقته وحكمه، والتعريف بالقياس وأركانه وجيبته وأقسامه وأقوال العلماء في تعطيل الأحوال الشرعية، وفي الفصل الثالث احتوى على تطبيقات القياس في باب الأحوال الشخصية حيث احتوى الفصل الثالث على مسائل في النكاح والطلاق والرضاع والهبة، وفي الفصل الرابع احتوى على تطبيقات القياس في المعاملات والحدود، حيث احتوى الفصل على تطبيقات القياس في كتاب البيوع وتطبيقات القياس في كتاب الحجر وتطبيقات القياس في كتاب الشركة وتطبيقات القياس في كتاب الأفضية وتطبيقات القياس في كتاب الشهادات وتطبيقات القياس في كتاب الوصايا، وأخيرا تطبيقات القياس في كتاب الحدود.

توقيع مسؤول الدراسات العليا  
أ.م.د. إبراهيم محمود إبراهيم

تأييد المشرف  
أويد بأن المستخلص الاستمارة مطابق للمستخلص

## **Abstract**

Praise be to God, Lord of the worlds, and prayers and peace be upon the most honorable of the prophets and messengers, and his family and companions.

And after:

This is a summary of the research submitted to obtain a master's degree entitled: "The concept of measurement by Al-Hattab Al-Raani Al-Maliki (Tel: 954 AH) and its applications in the Book of Talents of Galilee to explain brief Khalil from the section of personal status to the end of the book".

It included an introduction, four chapters, a conclusion, and indexes.

- Introduction: It includes the importance of the topic, the objectives of the topic, the reasons for my choice of it, previous efforts in it, the difficulties that confronted me in the research, my approach that I committed during the research, and the detailed plan for the message.
- Chapter One: The concept of analogy in personal status, transactions, borders, its truth and judgment, and it includes the definition of measurement, its elements, its authority, and its divisions, the sayings of scholars in explaining the legal rulings, the definition of personal status, its divisions, the measurement thereof, the definition of transactions, their divisions, the measurement thereof, the definition of the boundaries, its divisions, and the measurement thereof.
- Chapter Two: A study on the author, his sect, and his book, and it includes the history of the Maliki school, the translation of Imam Al-Hattab and the importance of the Book of Talents of Galilee.
- Chapter Three: Measurement Applications in the Book of Talent of Galilee in the Personal Status Chapter and includes measurement applications in the Book of Marriage / Marriage Chapter, measurement applications in the book of divorce / chapter in the year divorce, measurement applications in the Book of Breastfeeding, and measurement applications in the Book of Gift.

- Chapter Four: Measurement Applications in the Book of Talents for Galilee in Transactions and Boundaries and it includes applications of measurement in the book of sales, measurement applications in the book of stone, measurement applications in the company book, measurement applications in the book of districts, measurement applications in the book of testimony, and applications of measurement in the book of wills , And measurement applications in the boundaries book.
- Conclusion: It includes the most important benefits derived from research and recommendations.
- Indexes: It includes the index of Quranic verses, the index of hadiths and monuments, an index of flags, an index of sources and references, and a fixed content.

**And Praise be to Allah, the Lord of the Worlds**

**Ministry of Higher Education &  
Scientific Research  
Mosul University  
College of Islamic Sciences**



**The concept of measurement for Al-Hattab Al-Roa'yni Al-Maliki (D.: 954 AH) in his book The Talents of Al- Jalil for a brief explanation of Khalil from the chapter of personal status to the end of the book**

**Master Thesis Submitted  
To**

**The council of College of Islamic Sciences -  
University of Mosul in partial Fulfillment of the  
requirement For M.A Degree in Jurisprudence  
and its origins**

**Karam Mahmoud Fathi Al-zubaidi**

**Supervised by**

**Professor Dr.**

**Taha Hammad Mukhlaf al-Janabi**

**1442 A.H.**

**2020 A.D.**