



وزارة التعليم العالي والبحث العلمي

جامعة الموصل

كلية التربية الأساسية

قسم التربية الإسلامية

(التوجيه المقاصدي للأحاديث النبوية الواردة في كتاب:
المنزَع النبيل (من أحكام المسح على الخُفين إلى
أحكام الحيض والنفاس والإستحاضة))

رسالة تقدم بها الطالب

علي حامد حسين جاسم

إلى مجلس كلية التربية الأساسية/ جامعة الموصل

وهي جزء من متطلبات نيل شهادة الماجستير في التربية الإسلامية

بإشراف

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المُستخلص بلغة الرّسالة

(التوجيه المقاصدي للأحاديث النبوية الواردة في كتاب: المنزَع النبيل (من احكام المسح على الخفين إلى أحكام الحيض والنفاس والاستحاضة))

طالب الماجستير

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ياشرف

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تقوم هذه الرسالة التي تحت عنوان : (التوجيه المقاصدي للأحاديث النبوية الواردة في كتاب: المنزَع النبيل (من احكام المسح على الخفين إلى أحكام الحيض والنفاس والاستحاضة)) بالتوجيه المقاصدي للأحاديث النبوية الواردة في كتاب المنزَع النبيل في شرح مختصر خليل للإمام ابن مرزوق الحفيد : المتوفى سنة ٨٤٢هـ من أحكام المسح على الخفين إلى الأحكام المتعلقة بالنساء فتناول الباحث منها ثلاثاً وثلاثين حديثاً من غير المكرر منها بلفظه أو بمعناه المطابق مقاصدياً، ودرستها دراسة تحليلية، واستقرأ ما تحمله من إشاراتٍ مقاصدية، مستعيناً بعد الله تعالى على المآثور من كتب المتقدمين من أصوليين وفقهاء وشرّاح الحديث، والمتأخرين ممن لهم اليد الطولى في هذا العلم، مستدرّكاً فيض ما أولوه من توجيهات وإشارات مقاصدية. ثم بعد ذلك يأتي دور المنهج الاستنتاجي من خلال بيان ما للحديث النبوي من أثرٍ مقاصدي، وما يتناسب منها مع واقعنا المعاصر؛ للوصول إلى مقاصد الشريعة المتعلقة بذلك الأثر سواء بإظهار المعنى القريب أو البعيد، وإبراز تلك المقاصد بلغة تظهر من خلالها شخصية الباحث، بغض النظر عن الدلالة الفقهيّة للحديث.

Research Summary

Praise be to Allah, the Lord of all worlds, and the best of prayers and complete blessings be upon our Prophet Muhammad, his family, and all his companions.

As events have evolved and the conditions of the times have changed, and as new incidents and issues have emerged that were not known to our predecessors, people began searching for the wisdom behind actions and their purposes. It has thus become essential to study and activate the science of Maqasid al-Shariah (Objectives of Islamic Law) to demonstrate the suitability and validity of Shariah for all times and places, as it keeps pace with developments in all aspects. It is the eternal Shariah until the Day of Judgment, and Allah knows best what His creation needs.

After research and investigation, I chose to focus my study on the "Maqasid-based guidance of the Prophetic Sunnah" and to highlight those Maqasid indications referenced in the pure Sunnah. Since the scholars of the Maliki school have predominantly engaged with the science of Maqasid, I chose one of the foundational books of Maliki jurisprudence, which is *Al-Manza' al-Nabeel fi Sharh Mukhtasar Khalil wa Tasheeh Masaa'ilihi bin Naql wal Daleel* by Imam Ibn Marzouq Al-Hafid (may Allah have mercy on him).

I found it to be a comprehensive explanation, full of benefits, annotations, and Maqasid-related indications. I aimed to extract some of these elements and adorn my thesis with them. I focused on the Prophetic Hadiths, avoiding repetition in wording or meaning, from the chapter of Wiping over the Khuff (leather socks) to the rulings on Menstruation, Postnatal Bleeding, and Istihada

(irregular bleeding). I guided these hadiths with a Maqasid-oriented approach and extracted some indications and insights, relying on the statements of scholars, hadith commentators, and jurists from both the early and later generations, in addition to analysis and investigation of the meanings, objectives, and wisdoms intended by the Lawgiver (Allah) to achieve a certain benefit, prevent a harm, or both, in a manner that aligns with modernity.

The study aims to clarify the legislative wisdom behind these rulings and their connection to the jurisprudence of reality, the objective of facilitation, and the removal of hardship, such as in the rulings on Wiping over the Khuff and Tayammum (dry ablution), especially in situations where using water is difficult or impractical.

The study also reviewed the opinions of the four major jurists and scholars of their schools in understanding these Hadiths, highlighting how Maqasid al-Shariah was employed in interpreting legal texts. This contributes to a proper understanding of Shariah rulings and their application according to modern requirements without compromising the essence of Islamic Shariah. It also demonstrates the flexibility of Islamic legislation and its keenness to prevent harms and achieve benefits for the obligated individuals. This is evident in the Five Major Objectives (Preservation of Religion, Life, Intellect, Lineage, and Wealth) in general, and the ease and facilitation reflected in these texts in particular, aligning with the principle of lifting hardship and providing lawful alternatives.

The title of my thesis is: **(The Maqasid-based Interpretation of the Prophetic Hadiths Found in the Book: Al-Manza' Al-Nabeel (from the**

Rulings on Wiping over the Socks to the Rulings on Menstruation, Postnatal Bleeding, and Abnormal Bleeding)).

The purpose of the thesis was not merely to highlight the Maqasid-oriented approach of Imam Al-Hafid, as his method was predominantly jurisprudential. However, I emphasized the objectives and wisdoms he mentioned. Allah is the ultimate guide and He is the One who directs to the right path.



**Ministry of Higher Education and Scientific
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Socks to the Rulings on Menstruation, Postnatal Bleeding, and Abnormal
Bleeding))**

A thesis submitted by the student:

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