

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to Scholar Sheikh Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir on his “Fiqhi” Facebook Page

Answer to Question

The Meaning of Al-Matloob Al-Khabari in Defining the Daleel

To: Abu Hanifah

(Translated)

Question:

As-Salaamu Alaikum Wa Rahmatullahi Wa Barakaatuhu, to the eminent Ameer, May Allah preserve you and keep you well,

It was mentioned in respect to the definition of the Adillah (evidences) of Usool: They are that which through which ‘Ilm (knowledge) is reached of a Matloob Al-Khabari... And in was mentioned in respect to the definition of the Adillah Al-Furoo’ (branch evidences): That which is reached by a correct view/examination of them to a Matloob Khabari... End. What is meant by “Al-Matloob Al-Khabari”?

Does the ‘Amaarah’ (sign/indicator) include the Mas’alah (issue) which the Daleel has indicated to with a Qatiy Dalaalah (definite meaning) and upon a Mas’alah that has been indicated by a Daleel that is Dhanni (indefinite) in its meaning (Dalaalah) after the exertion of the effort to understand the Daleel and deduce its Dalaalah (meaning) for that issue? Jazak Allahu Khair.

Answer:

Wa Alaikum us Salaam Wa Rahmatullahi Wa Barakaatuhu,

The Daleel in accordance to the definition of the scholars of Usool is: **“That by which it is possible to arrive by it to Al-‘Ilm (certain knowledge) of a Matloob Khabari”** and according to the Fuqahaa it is: **“That which it is possible to arrive through a correct (Saheeh) view or examination to a Matloob Khabariy”**.

The terminological convention (Istilaah) of “Matloob Khabari” in each of the two definitions has been mentioned out of caution from the Matloob At-Tasawwuri... and to understand the meaning of “Matloob Khabariy” the matter is referred back to the people who have set the terminological conventions in the case where they are differentiating between the two types of the ‘Matloob’: Al-Matloob At-Tasawwuri and Al-Matloob Al-Khabari... As for the Matloob At-Tasawwuri then it is the envisaging of the true reality (Haqeeqah) of a matter of thing within the mind with its definition...

For example: When you say “Al-Kawn” (the universe) as a singular word and you say “Makhlooq” (created) as a singular word, then your envisaging of the meaning of the universe and its essence or true intrinsic reality and your envisaging of the meaning of ‘created’ and its essence, falls under the Matloob At-Tasawwuri... Consequently, the Matloob At-Tasawwuri is by way of the Mufrad (singular word) ... However, after you have envisaged the meanings of these singular worded expressions and you were to have attributed one of them to the other in an attribution that includes belief (At-Tasdeeq) and denial (At-Takdheeb) like if you were to say for instance: “Al-Kawnu Makhlooq” (the universe is created) then in this case you would have attributed the Khabar (news) of “Al-Makhlooq” (created) to “Al-Kawn” (the

universe) i.e. you have informed about the universe that it is created. Said differently, you have affirmed the issue and believed in it, meaning that you have passed judgment upon it in respect to its truthfulness (Sidq). This then is the Matloob Al-Khabariy and it is called Matloob Khabariy because it comes by way of attributing the Khabariy in a Jumal Ismiyah or Jumlah Fi'liyah (Noun sentence or verb sentence). It is by way of the Murakkab (construct/composition i.e. of words put together in sentences) and not by way of the Mufrad (a singular word).

So for example, in respect to the statement 'Al-Khamr (alcohol/intoxicants) is Haraam' your knowledge of the individual words, each one by itself, would be a Tasawwur (envisagement). This means that you would know the meaning of 'Al-Khamr' in that it is an intoxicating drink. That definition does not mean that it is Halaal or Haraam i.e. it does not establish a ruling. Rather It only represents and envisagement within the mind... Similarly, to know the meaning of Haraam in that it means it is forbidden, by itself, this singular word does not mean a Hukm (legal ruling) but rather it is a definition and an envisagement within the mind... The same applies to every individual word and so its definition by itself without connecting it to other than it represents a Matloob Tasawwuri.

If, however, one was attributed to another so you said 'Al-Khamr Haraam'... Then if you have believed in this issue "Al-Murakkab" (that which is constructed or composed of more than one word) and then passed the judgment that the Khamr is really and actually Haraam, or if you have denied this issue in that the Khamr is not Haraam, then in both circumstances this is called Matloob Khabari.

For example: 'Zaid Qaa'im' (Zaid is standing). If you knew the meaning of 'Zaid' and that it referred to a particular person and that 'Qaa'im' meant standing upon the two feet, then this is called Tasawwur (envisaging). If you then judged that Zaid is standing i.e. you had affirmed and believed the contents of this issue, or that you judged that Zaid was not standing i.e. where you had denied the contents of this issue, then this would likewise represent a Matloob Khabari.

The Matloob Al-Khabari is therefore built upon two Tasawwur (envisaged) Matloobs. So first you envisage the true reality (Haqeeqah) of a matter in the mind i.e. you understand its reality. Then, you envisage the true reality (Haqeeqah) of another matter in the mind i.e. you understand its reality. Then you attribute one of the matters to the other in a Khabariy (informing) attribution i.e. in a nounal or verbal sentence, and as such pass a judgment upon it in terms of affirmation or negation by Tasdeeq (affirmation/belief) or Takdheeb (denial/disbelief), in terms of it being correct or incorrect, in terms of implementation or non-implementation, this attribution is what is the Matloob Al-Khabari...

The Matloob Al-Khabari is by way of the Murakkab (composition i.e. of words put together in a sentence) and it is arrived to or reached by the Daleel (evidence), whether the Daleel was Qat'i (definite) or Dhanni (indefinite), 'Aqli (rational) or Naqli (transmitted by text). So your statement: "Al-Kawn Makhloq" (the universe is created) is a Matloob Khabari that has been arrived at by way of the Daleel... And your statement: "Al-Khamr Haraam" (the intoxicating drink is Haraam) is a Matloob Khabari that has been reached and arrived at by way of the Daleel (evidence)... And your statement: "Zaid is standing" is a Matloob Khabari that has been arrived at by way of the Daleel (evidence).

As for the Matloob At-Tasawwuri, then this is by the Mufrad (singular word) and it is not arrived at by the Daleel but rather it represents the understanding of the reality of the singular word and its meaning. For example:

'Al-Kawn Makhloq' (the universe is created) requires a Daleel to prove that because you will be asked: What is your evidence that the universe is created?... However, you will

not be asked: What is the Daleel for the 'Kawn' (Universe)?... Because that doesn't stand up... However, it is possible that you are asked: What is the meaning of 'Al-Kawn' (the universe) or what is the definition of the universe?

Based upon this it is said by the scholars of Usool within the definition of the Daleel (evidence): That which by it Al-'Ilm (knowledge) is arrived of a Matloob Khabari... and according to the Fuqahaa: That which through a correct (Saheeh) view or examination in it leads to a Matloob Khabari... That is stated as a caution from the Matloob At-Tasawwuri because it does not require a Daleel but rather it just requires knowledge of the meaning or knowledge of its reality.

As for your question about the 'Amaarah' (sign/indicator) ... Then, the Fuqahaa do not differentiate between the Daleel and the Amaarah. That is because the Daleel in their view includes the Qat'i (definite) and the Dhanni (indefinite) i.e. it applies upon the Qai'i issues (Masaa'il) and the Dhanni Masaa'il... As for the scholars of Usool, then there are from amongst them those who differentiate between the Daleel and the Amaarah. The Daleel in their view is that which alone can be Qat'iy. As for that which is Zhanniy (indefinite) then it is not called a Daleel but rather an Amaarah (sign/indicator) ... Consequently, the Amaarah in accordance to the custom of the Usooliyeen (scholars of Usool) does not apply to other than the Zhanni (indefinite) issues and does not cover the Qat'iy (definite) Masaa'il...

As a point of knowledge, the Amaarah in accordance to the Arabic language the 'Amaarah' is sometimes called 'Alaamah' if it was not separable from the matter that it was indicating to like the Dalaalah (indication/meaning) of the 'Alif' and 'Laam' to indicate the 'Ism' (noun) as it does not separate from it and as such is an 'Alaamah' (sign) for or over it. If it is however separable from the matter that it has indicated to like the clouds in respect to the rain, then it is called 'Amaarah', whilst the Daleel is contrary to both the Amaarah and the 'Alaamah.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

26th Sha'ban 1437 AH

Corresponding to 02/06/2016 CE

The link to the answer from the Ameer's Facebook page:

<https://www.facebook.com/AmeerhtAtabinKhalil/photos/a.122855544578192.1073741828.122848424578904/484066118457131/?type=3&theater>

The link to the answer from the Ameer's Google Plus page:

<https://plus.google.com/u/0/b/100431756357007517653/100431756357007517653/posts/LCK43V8aqiU>

The link to the answer from the Ameer's Twitter page:

<https://twitter.com/ataabualrashtah/status/739896108663644170>