

parts of the problem in this respect, such as the depreciation rule. Depreciation means customary extinction of an additive in the mixed object so as to the name of the additive is not used for the product. Showing different cases of using the depreciation proposition in jurisprudence, this paper is to prove that this rule is among newly developed jurisprudential rules and to enrich it based on different traditions with respect to jurisprudence.

Key words: Jurisprudential rule, depreciation, unlawful food, lawful food, unlawful additives.

The Feasibility of the Adjusting the Traditions regarding Depreciation ¹

Sayid Mahmud Tabātabāyee ²

Ayoub Karami ³

Muhammad Javād Enāyati Rād ⁴

Abstract

Abstract

XII

Nowadays, due to the overpopulation and technology development, producing the edibles is carried out in a large scale and is industrialized. However, food is no longer in production using traditional methods. In addition of producing the edibles, huge food companies produce edible additives as colors, fats, preservatives, and so on and so forth under the name of e-number. Some of such additives are taken from unlawful animals like pig or the limbs of a non-slaughtered animal according to shariah laws which are considered unlawful according to Islamic jurisprudence. There are some propositions in jurisprudence which could act as a rule in solving

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Investigating a New Opinion by *Ayatollah Khouei* in *Khums* Relative Security¹

Mohammad Reza Kāzemi Gelvardi ²

Sayid Muhammad Vahid Tabasi Hāeri ³

Abstract

As a financial obligatory in Islam which is considered as a servitude act, *khums* (the one fifth of each Muslim's income per year) improves a society's economic development and influences on poverty eradication. There are many issues regarding *khums* one of which is its decrease after the initial increase. There are two basic opinions in this respect: the majority of jurists' opinion, and Ayatollah *Khoei's* viewpoint who believes in relative security of *khums*. Ayatollah *Khoei's* novelty in this respect has noticeable effects. Investigating these two viewpoints analytically and descriptively based on common jurisprudential methods and analyzing their proofs, this paper maintains that Ayatollah *Khoei's* opinion is stronger. While investigating these opinions, the researchers came to this conclusion that relative security of *khums* is achievable.

Key words: Khums, relative security, business profits, price difference, Ayatollah *Khoei*.

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sums and establishing accordance with not only men's looking at women but also the reverse is true, as well as the proofs which impose the similar rights and duties to both men and women, such as the verse 228 of the Bqareh Chapter which could be applied in the issue of women's looking at men in the marriage proposal ceremony. Likewise, the rule of harm negation could be applied in this issue, but in the case of necessity reason, the unlawfulness rule is violated where it is proved to be a minor one by the custom. However, it is clear that in this reason, no one can believe in permissibility more than necessity.

Key words: Woman's looking, man's looking, marriage proposal ceremony, the highest sum, proofs of looking unlawfulness, proofs of looking permissibility.

Abstract

X

Investigating the Rule of a Woman's Looking at the Suitor in the Proposal Marriage Ceremony ¹

Sayid Abolfazl Mousaviān ²

Ali Asghar Hadidi ³

Abstract

One of the rules related to Muslims is the unlawful looking at nā mahram which is determined by jurists. This rule has an exception which is the man's looking to the woman in proposal marriage ceremony. Imamiyah jurists typically do not apply this rule in women and believe that due to unspecified reasons, one should resort to the proofs of unlawfulness and believe that the woman's looking at the man in proposal marriage ceremony is unlawful. Using a descriptive-analytical method, the researchers proved that there are sufficient proofs on the permissibility of woman's looking at the man. The scholars' criticisms leveled against the negation of the woman's looking are open to criticism which seemingly could be applied in the case of permissibility proofs for women. Such proofs include the traditions indicating the price's high

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ditional type such as writing paper letters or in its modern type such as sending short messages (SMS) or sending e-mails. This rule is not applicable to mass communications such as radio or TV be it live or not, while regarding group communications, the rule depends on the type of communication and its grounds.

Key words: Communication, verbal communication, non-verbal communication, communications jurisprudence, verbal communications jurisprudence, salutation jurisprudence.

Abstract

VIII

The Jurisprudential Rule for Replying to One's Salutation in Non-oral Verbal Modern and Traditional Communications ¹

Mustafa Hamedāni ²

Abstract

Replying one's salutation (saying salām) is obligatory in verbal communications while it has a special rule in non-verbal ones. The present research has investigated this issue in different kinds of non-verbal traditional and modern and communications and has attempted to get use of the scientific analysis of these communications and analyzing their structures with respect to the categorizations of kinds of communication using a jurisprudential point of view. Such kind of analysis is performed so that the researcher could compare the salutation rules to its related verse in the Qur'an, hadith, and the earlier scholars' jurisprudential opinions. Furthermore, the researcher could extract the related rules of different types non-verbal communications using these sources and opinions. The results of the study show that replying one's salutation is obligatory in types non-verbal interpersonal communications either in its tra-

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needs, the right in the criteria for jurisprudential philosophy and the criteria for the assigned deeds type, subject type, rule type, the assigned guilds, the assigned person's status, the effects and requirements of the assigned person's deeds. Jurisprudential structures could be evaluated based on different criteria which are categorized under standards. Investigating the (non-)jurisprudential sources, the structuring criteria are extracted.

Key words: The standards for structuring, the standards for jurisprudence structure, the criteria for structures, the philosophy of jurisprudence.

Abstract

VI

The Standards of Structuring Jurisprudence and Its Assessment Indices ¹

Sayid Muhammad Razi Asef Agāh (Ashkevari) ²

Abstract

Structuring the science of jurisprudence is developed based on logical necessary criteria. There are three criteria in this regards as the intellectual criteria, philosophy of jurisprudence and internal jurisprudence criteria for structuring jurisprudence. Logical criteria are the common and necessary ones for developing a structure. The criteria pertaining to the philosophy of jurisprudence are preferential ones, the jurisprudents have clarified using them. However, the internal jurisprudence criteria are preferential ones which are derived from jurisprudence. Having defined different criteria for structuring, the author has evaluated and investigated the internal jurisprudence criteria such as: comprehensiveness, inclusiveness, united basis, distinction of categorizations, coherence, objectivity, responsiveness in the area of logical criteria, criteria for the intention proximity, being mundane or pertaining to the hereafter, natural desirability, the goal of shariah legislation, corruption disposal and gaining benefit, preserving the shariah goals, humanistic communications, the life's natural stages, carnal forces perfectionism, human's

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V

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Do scholars accept the separation and sectioning in the authority of the signified related to a tradition?

To answer these questions, the researchers have investigated Osuli and jurisprudential sources using a library research method and concluded that in jurisprudent's opinions, the supporters of sectioning are stronger and more frequent than the others, while Osuli scholars' opinions depict that they have confirmed sectioning indirectly.

Key words: Sectioning, separation, tradition, authority, content, invalidity, contradiction.

Abstract

IV

The Osuli-Jurisprudential Feasibility of Hadith Authenticity Sectioning ¹

Mustafa Far' Shirazi ²

Muhammad Taqi Fakhlaee ³

Mansooreh Bokayee ⁴

Abstract

Sectioning the instances of a tradition regarding its authority is one of the issues which has not been focused on in the subject of solitary hadith in Osuli books. Moreover, this issue has not devoted any discussion to itself in these books explicitly or implicitly. In another sense, there are traditions whose some parts are not authorized due to different reasons while their other parts are trustworthy and valid. Remarkably, this paper is to answer the two questions as follows:

How are differences between the parts of a tradition in bearing authority or lacking authority reflected in Osuli and jurisprudential issues?

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The Primary Rule of the Novel Intellectual Conducts Authority in Non-servitude Issues¹

Saeid Ziyae Far²

Abstract

Abstract

II

There is no controversy in the authority of intellectual conduct in the periods of the infallible imams as confirmed by them. However, there is no doubt in authority of intellectual conduct in the periods of the infallible imams as not rejected by them as well. Although, there are a number of scholars who believe that non-rejection does not suffice and the necessity of confirmation by the imams is the condition of authority, there is a question on the authority and the reason behind it regarding the intellectual conduct unavailable in the period of the imams which has been formed after them. This paper is to discuss the proposed latter issue. According to the author, the former rule is an authority in general intellectual conducts in the area of non-servitude (signatory) rules, while non-authority entails a valid reason. Various reasons have been proposed in this paper in favor of this viewpoint which are valid and trustworthy according to the author. Thus, the problems raised about them are resolved scientifically. However, there are some criticisms leveled against some proposed indications that the author has sated them and believes them to be invalid and inauthentic.

Key words: The intellectuals' conduct, reason, authority, rule maker's rejection, the primary rule, non-servitude.

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