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**The method of Shari'a reasoning based on fiqh and fundamentalist rules,
charitable and voluntary work, as a model**

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Abstract :

Charitable and volunteer work are important pillars of social reform. They provide a great opportunity to combine efforts, raise funds, and exchange ideas for the benefit of humanity. The importance of this topic lies in its ability to bring benefits and ward off harm in people's lives. Charitable work achieves numerous goals that benefit individuals and society, Muslims in this world and the hereafter, volunteers and those in need, as well as animals. It achieves social solidarity, both locally and globally, cultivates harmony and love, spreads mercy, extinguishes the fire of hatred and resentment, and elevates its practitioners above others. For charitable work to have a positive impact and a secure outcome, it must be regulated and guided by strict laws and legal controls, both for the giver and the recipient, with conditions that must be met by both parties and the work itself. This is guaranteed by Islamic law with its principles and texts, the most important of which are the jurisprudential and fundamental rules. Therefore, the issue addressed in this article is the methodology of reasoning based on fundamental and jurisprudential rules and how to benefit from them in activating, organizing, and institutionalizing volunteer and charitable work so that it yields more benefits and better results. This article contained three basic demands.

First requirement: Definitions: Definition of the method of reasoning and of legal rooting. And Definition of fundamental principles and jurisprudential rules.

Second requirement: Legal reasoning on voluntary and charitable workm: The ruling on volunteer work in light of fundamental and jurisprudential rules and The rules and their impact on charitable and voluntary work

Third requirement: Sharia-based interpretation of the fruits and effects of volunteer work in light of jurisprudential and fundamental rules: Benefits and effects on the individual; on the Islamic community, on the Islamic community; on human society; and on the animal community

Keywords: charitable work, jurisprudential rules, fundamental rules, impact.

Introduction

Praise be to God, and peace and blessings be upon His chosen Prophet and those who followed in his footsteps. This article concerns the method of jurisprudential and fundamentalist reasoning, represented exclusively by jurisprudential and fundamentalist rules, and how they can be applied to voluntary and charitable work, from legitimacy to control and organisation.

1.The importance of research on this topic:

The importance of any topic lies in its potential to benefit the public or private sphere, or to ward off harm to individuals and society, and in the soundness of the approach to legislation and implementation. It suffices to say that it is most beloved to Allah, as stated in the hadith when the Messenger of Allah was asked, "Which people are most beloved to Allah? And which deeds are most beloved to Allah?" He replied: "The people most beloved to Allah are those who are most beneficial to people, who relieve them of distress, pay off their debts, or feed them when they are hungry. Walking with my brother, who is in need, is more beloved to me than secluding myself in this mosque [the Mosque of Madinah] for a month⁽¹⁾.

1. Volunteer work itself is of great importance in fulfilling the words of Allah:⁽²⁾and the words of the Prophet (peace be upon him): "The best of people are those who are most beneficial to others."
2. As humans are "ploughers and labourers," as mentioned in the hadith, it is only fitting that their ploughing and labouring should be beneficial to themselves and others, bringing them benefit and blessings. For this to be the case, two conditions must be met: sincerity to Allah and purity of intention, and seriousness of purpose, which is guaranteed by the principles of Sharia, the most important of which are the rules of jurisprudence and the principles of Sharia.
3. Jurisprudential rules are more flexible in their reasoning, broader in scope, and more adaptable in their application, and they can regulate and organise charitable and voluntary work so that it yields good results and benefits its doer in both this world and the hereafter. This is because they are easier to derive from, due to their nature of being based on numerous texts and covering many branches, so that they have become a guide with every guide in its place. The cause has been derived from its branches, and the purpose has been derived from its rulings.

2. Objectives of the study

- 1- The study aims to identify the methodology of reasoning based on jurisprudential and fundamental principles, and their role in expanding and encompassing Islamic law.
- 2- It also aims to explain how to invest in these legal principles in order to regulate and rationalize charitable and voluntary work.

3- It also aims to highlight Islam's interest in charitable work and its impact on the reform of the individual and human society as a whole, and to spread a spirit of harmony, brotherhood, and solidarity.

4- It aims to show that the legislation on animal welfare also has a share in this jurisprudence, and that Islam was ahead of the West in recognizing animal rights before the West recognized human rights, which it claims to respect but does not truly uphold.

3.The problem of the study

The problem of this study is: What is the reality of the approach of reasoning based on jurisprudential and fundamental rules on charitable and voluntary work, and how can it be controlled and rationalized in light of these legal rules?

With Allah's help, To answer this question, this article will follow the following plan after the introduction :

First equirement: Definitions

1. Definition of the method of reasoning
2. Definition of legal rooting.
3. Definition of fundamental principles and jurisprudential rules.
4. Definition of charitable work and volunteer work, and the relationship between them.
1. The pillars of charitable and voluntary work.

Second requirement: Legal reasoning on voluntary and charitable work

1. The ruling on volunteer work in light of fundamental and jurisprudential rules
2. The rules and their impact on charitable and voluntary work

Third requirement: Sharia-based interpretation of the fruits and effects of volunteer work in light of jurisprudential and fundamental rules:

1. Benefits and effects on the individual.
2. Benefits and effects on the Islamic community.
3. Benefits and effects on human society.
4. The fruits and effects on the animal communit

Finally, the article concludes with the findings of the research and the most important recommendations.

First topic: Definitions and concepts

We begin this article with this section, in which we address a set of terms contained therein, which are best explained through their linguistic and technical definitions.

First requirement: Definition of the method of legal reasoning

1. **First Section Definition of methodology in language and terminology:**

1- Methodology in language: Its origin has several meanings, the most prominent of which are:

First: approach, method, and plural methods, which is the path.

The second: the succession and eruption of breath in the chest, the man or horse came running: if his breath came in a succession of eruptions⁽³⁾.

What concerns us in this article is the first meaning of the word "method," which is: the clear path and the broad, continuous road. Allah, the Exalted, said: ﴿For each of you, we have made a law and a path.﴾⁽⁴⁾

meaning a lawful, easy, clear, and obvious path. The noble Prophet (peace be upon him) said: "Then there will be a caliphate based on the methodology of the Prophethood" ⁽⁵⁾, Following the way of the Prophet (peace be upon him) in guidance, ruling by Shariah, and establishing justice.

The Intermediate Dictionary defines methodology as: a planned course of action, which is similar to the technical definition.

2-Methodology as a term: The term methodology was not known to Sharia scholars as it is today, nor was it known to logicians and philosophers, but the development of science and its research methods made the study and definition of methodologies an important issue. It has been defined in many ways:

Among them is that methodology is a specific means of achieving a specific goal⁽⁶⁾, and it is also defined as: the path leading to the discovery of truth in science by means of a set of rules that govern the workings of the mind and determine its operations until it reaches a known result⁽⁷⁾.

There are many definitions in this field, and since the area of research here is related to Islamic jurisprudence, it is necessary to take into account its specificity and include it in the definition, as well as to take into account the sanctity of the Islamic text along with the validity and limitations of the mind. Accordingly, we can propose the following definition of methodology: the path taken by the mujtahid to arrive at a legal ruling using a set of rational and legal rules according to a predetermined plan.

The second Section : Inference in language and terminology:

1. **In linguistic terms:** istidlal (singular): the source of istidlal something or istidlal on something⁽⁸⁾, where (a s t) is for request, which they defined as: istidlal: requesting evidence or establishing evidence⁽⁹⁾.
2. **Inference as a term:** There are many definitions, some of which we have selected: Al-Jurjani defined it as: "Establishing evidence to prove the meaning"⁽¹⁰⁾.
3. **A composite definition of the method of inference**

Through the individual definitions of these two terms, the additional structure of the method of inference can be defined as:

The path and steps taken by jurists to arrive at rational or transmitted legal rulings⁽¹¹⁾.

Third Section: Definition of Sharia Authentication

1. The definition of rooting in language

is derived from the verb "to root" (as-sal), and has several meanings⁽¹²⁾.

The closest to our topic:

1. I established the thing, I made it a basis on which to build.
2. To establish something is to give it a basis to which it can be referred.
3. To arrive at the origin and reality of something.

Through these meanings, it can be said that: "The rules on which any science is built by referring it back to its origin."

Or we say: "Referring any knowledge or action back to the rules upon which it is built and graduating according to them."

Forth Section: The legal root in terminology

Its definition in terminology is similar to its definition in language, except that the origin referred to is limited to the legal origin and is restricted to the evidence of the two revelations, the Qur'an and the Sunnah, and what branches from them. Therefore, researchers have defined it with several similar expressions, including:

Definition of the Islamic Fiqh Council: "The rooting of opinions and research in valid evidence from the sources of Islam and the heritage sites"⁽¹³⁾.

It has been defined as: "Referring sciences back to their fundamental sources of legitimacy, represented by the Qur'an and Sunnah, and making their objectives and goals applicable to the texts of Islamic law and in line with scientific facts and cultural developments"⁽¹⁴⁾.

I propose defining it succinctly as: "Returning any science or work to its legitimate sources or jurisprudential rules upon which it is based and from which it is derived."

He therefore made people's perceptions, behaviours, life developments, and transactions in this era refer back to the principles of Islamic law, emanating from its rulings, governed by them, and fulfilling their objectives. This includes new forms and types of voluntary charitable work in modern societies, and how they fit in with the principles of the Islamic nation in light of the convergence of countries, the mixing of peoples, the intertwining of relationships, and the convergence of time and place.

This is what we will address in this article in light of the approach of reasoning based on fundamental and jurisprudential rules, and their role in establishing, regulating, and rationalising charitable and voluntary work, so that it is in accordance with the Sharia and achieves its objectives.

Second requirement: The Reality of Fundamental Rules and Jurisprudential Rules

First Section:: Definition of fundamental principles

1. Linguistic definition of the term

The root of the word "rule" is ر ع ق, which means the bottom of something, its foundation, its basis, or its origin. Rules are the foundations of a house, as Allah says: ﴿So God brought down their structure from its foundations.﴾⁽¹⁵⁾

(So Allah brought their building down from its foundations) and in the Qur'an: "And the women shall sit in their places"⁽¹⁶⁾, the plural of qa'id, meaning they sat down from marriage and from looking at men, so they settled and remained steadfast, and the appropriateness of this is that sitting down is a manifestation of empowerment.

2. Definition of the rule in terminology

There are several definitions of it, but we choose the following: "A general principle that applies to all its parts"⁽¹⁷⁾. Or most of its parts. In this sense, the rule is not limited to one art or science, and in our research, it relates to fundamental rules and jurisprudential rules, which is descriptive, or it can be said: the rules of fundamentals and the rules of jurisprudence; thus, it is additive.

a. Definition of Usul linguistically

Fundamentalism: related to fundamentals, plural of fundamental, which linguistically means that which others build upon, whether physically or figuratively⁽¹⁸⁾, and refers to the meaning of the rule, so we will suffice with the above for the sake of brevity.

In this construction, it is a descriptive compound, meaning that the rules have been described as fundamental. If we say "fundamental rules," it is an additional compound, where the rules have been added to the fundamentals to define them, which is one of the two types of definition of a noun: with the definite article or with an addition.

b. The definition of the fundamental rule by convention

One of its definitions is: "Fundamental general rulings that apply to all their parts from the general evidence and general guidelines in regulating fundamental and jurisprudential ijtiḥād and the situation of the beneficiary"⁽¹⁹⁾.

] To clarify, we can say that it is the general fundamental rulings or general evidence by which rulings can be derived, and what is lawful and unlawful can be known, taking into account the partial evidence.

Second Section: Definition of jurisprudential rules

The definition of the rule, both linguistically and terminologically, has already been given, so that suffices, and we are left with the definition of jurisprudence.

1. Fiqh linguistically means

Fiqh is derived from fiqh, which is a descriptive composition of these rules as fiqh. Fiqh linguistically means understanding: ﴿They have hearts with which they do not understand﴾⁽²⁰⁾ And ﴿They said, "O Shu'ayb, we do not understand much of what you say."﴾⁽²¹⁾; Meaning, we do not understand.

2. Fiqh, in technical terms:

The origin of fiqh is from fiqh, which is "the knowledge of practical legal rulings from their detailed evidence"⁽²²⁾. Specialists have defined fiqh rules in many ways, from which we choose: "General principles of fiqh in concise constitutional texts, containing general legislative rulings on incidents that fall under their subject matter"⁽²³⁾. They have also been defined as: "A majority ruling that applies to most of its parts, from which we can derive its provisions"⁽²⁴⁾.

It is a collection of jurisprudential rulings formulated in the form of law or theory, to be accessible to jurists and those responsible for implementing it, as Imam al-Qarafi says: "Every rule of the branches of Sharia has countless applications... Those who master jurisprudence through rules do not need to memorise most of the details, as they are included in the general principles"⁽²⁵⁾.

Third Section: The difference between the fundamental rule and the jurisprudential rule

There are many differences between fundamental principles and jurisprudential principles, as mentioned by scholars⁽²⁶⁾, the most important of which are:

1. In terms of subject matter, the subject matter of jurisprudential rules is the actions of those who are accountable, while the subject matter of fundamental rules is the legal evidence.
2. In terms of reality, fundamental rules are evidence for legal rulings, while jurisprudential rules are a set of similar rulings that can be traced back to a single cause that unites them and a single purpose, the aim of which is to facilitate jurisprudential issues.
3. In terms of comprehensiveness, the principles of *usul* are comprehensive and consistent, encompassing all their details, whereas the rules of *fiqh* are not comprehensive, but rather represent the majority, because there are exceptions to them.
4. In terms of temporal existence, fundamental rules existed before the branches, and the branches were built upon them. and working with them is a matter of deriving the branches from the fundamentals; as for jurisprudential rules, they existed after the branches, and they are more like deriving the fundamentals from the branches, but they are jurisprudential fundamentals and prescriptive rulings.
5. In terms of derivation: Fundamental rules originate mostly from Arabic words and rules, while jurisprudential rules originate only from legal rulings and jurisprudential issues.
6. In terms of beneficiaries: Fundamental rules are specific to the *mujtahid*, who benefits from them in deducing subsidiary jurisprudential rulings from their detailed evidence. As for jurisprudential rules, the beneficiaries are the *faqih*, the *mufti*, or the scholar who refers to them to know the ruling on the branches and relies on them instead of referring to the scattered jurisprudential chapters.
7. In terms of permanence and change: fundamental rules are permanent, they do not change or alter, whereas jurisprudential rules are not always

permanent, but may change with changes in rulings based on custom, the blocking of means, public interest or the disappearance of causes, etc., and are governed by the rules and conditions of changing fatwas.

8. In terms of how they are used: fiqh rules are used to derive specific fiqh rulings directly, without the need for evidence, unlike usul rules, which can only be used to derive specific fiqh rulings with the help of evidence.
9. Jurisprudential rules are Sharia-compliant and derived from Sharia, whether from the wording of its texts or from its reasons, rulings, and objectives. As for fundamental rules, they are not Sharia-compliant in themselves; rather, they are linguistic expressions and constructions through which the intentions of Sharia are understood and jurisprudence in religion is regulated.

Third requirement: The relationship between Sharia rules and charitable and volunteer work, and how we can benefit from them

First Section: The relationship between volunteer work and charity work

1. The linguistic definition of work:

Work: profession and action, plural: works, to work, to do work, to employ someone to do work, and the man worked: he worked with his own hands⁽²⁷⁾. So-and-so worked on a charity: he sought to collect it. And in the Holy Qur'an: ﴿Indeed, charity is for the poor, the needy, and those who work on it﴾⁽²⁸⁾ And he worked for the ruler of a country: he was its governor. So he is a worker([See the meaning of the word "work"⁽²⁹⁾).

Work includes words and deeds, and includes good deeds and evil deeds; it is more general, and all of this is described in the Qur'an and Sunnah, including the words of Allah: ⁽³⁰⁾

Definition of work in terms of terminology

In terms of meaning, the conventional definition of work revolves around its linguistic meaning, but the fields of work or the entities employing workers are what make the definition differ from one type to another, depending on the specificity of the field in which the work is done, the entity that performs it, or the direction in which the work is directed and its target.

It has been defined by social scientists, employees, religious scholars, and psychologists, but we will focus on work related to volunteering and doing good, which does not require material gain from the doer, and which we will attempt to define using the following terms.

2. Definition of charitable work

Charitable work is any good deed performed by a person, whether it be worship of God Almighty, bringing benefit to oneself, one's family, or others, or even kindness to animals or preventing harm. It is primarily an act of the tongue in speech and of the limbs in action, but in general it also includes good deeds of the

heart, such as correct belief, good intentions, hope and love for God, His Messenger, and believers, and mercy towards all creatures.

It is obligatory and desirable according to Islamic law, as Allah, the Exalted, said: ﴿And We revealed to them the doing of good deeds, the establishment of prayer, and the giving of alms.》⁽³¹⁾ And Allah, the Almighty, says: ﴿And do good, that you may prosper》⁽³²⁾, and His saying: ﴿So race to [all that is] good.﴾ [Surah Al-Baqarah: 148] His saying: "Those are the ones who race towards good deeds, and they are the ones who are foremost in them."⁽³³⁾ Goodness and good deeds are understood in an inclusive sense; they encompass all good, in any field, and from anyone. This also includes volunteering in education, spreading knowledge, and awareness campaigns, all of which are included in the call to goodness in His saying: ﴿And let there be among you a community who call to good, and enjoin what is right, and forbid what is wrong.﴾ (And those those are the successful ones).⁽³⁴⁾ (which is one of the reasons for the success of the individual and society, in this world and the hereafter.

Charitable work means providing a service to individuals or groups in need, whether verbal or physical, material or non-material, without asking for anything in return and without violating Sharia law⁽³⁵⁾

3. Definition of volunteer work

a. Definition of volunteering in language

has several meanings depending on its origin, from which we choose those relevant to our topic, including:

- a. The Arabs say, "Take on this task so that you can accomplish it," and then they say, "He volunteered," meaning he took on what he was capable of ⁽³⁶⁾
- b. Volunteering to spend money on good causes, such as jihad in the way of Allah, as Allah says: ﴿Those who criticise the believers who spend their wealth in charity, and those who find nothing to spend except their labour, and so mock them, Allah mocks them, and they will have a painful punishment﴾ ⁽³⁷⁾ And He says: ﴿So whoever volunteers good, it is good for him. And to fast is good for you, if you only knew﴾. ⁽³⁸⁾

Donating what is not required; it is what a person donates from himself that is not required of him in the first place, and it is said that donation is voluntary except in the case of good and righteousness." ⁽³⁹⁾

b. Definition of volunteering in terminology

Islamic jurists have generally used the term "volunteering" to refer to anything that exceeds the obligatory requirements, such as supererogatory prayers in addition to the obligatory ones, spending money in addition to the obligatory expenditure such as zakat and other obligatory expenses, as well as supererogatory fasting, supererogatory Hajj and Umrah.

However, what is meant here is volunteering that reaches the needy segments of society, in the form of actions that have a positive impact and are of a social nature. On this basis, we choose the definition that states: "A term describing the systematic methods used to provide aid and assistance to those in need who are unable to overcome the problems and crises they face in life on their own"⁽⁴⁰⁾. It is defined as any material or moral benefit, whether verbal, practical or intellectual, provided by an individual or institution to an individual or community in immediate or future need, without the intention of profit, in accordance with Sharia law"⁽⁴¹⁾; that is, any work performed by a person or an organised institution without receiving any remuneration in return, regardless of the size, degree or type of work.

Second Section: The difference between charitable work and voluntary work.

There is a general and specific difference between charitable work and voluntary work. On the one hand, voluntary work is more general, whereas charitable work, as its name suggests, is essentially only good. If it is devoid of good or if evil prevails over it, it loses its name and its association with good. Voluntary work, on the other hand, may include both good and evil ⁽⁴²⁾. A person or group may exert effort without compensation to aid in evil, which would constitute cooperation in sin and aggression.

On the other hand, good deeds are more general in nature and may be done with or without compensation, and they are still considered good deeds. Voluntary work, however, does not involve remuneration equivalent to work, such as a salary, and what is given to participants in this field is a stipend for their time, not a salary.

Charitable work includes both obligatory and non-obligatory acts, whereas voluntary work only includes acts that go beyond the obligatory and non-obligatory.

However, in all cases, what is meant here is that which is not originally obligatory, that which is not sinful or harmful, and that which is not compensated by a wage or salary.

Third Section: The pillars of successful charitable and voluntary work.

Everything has pillars that constitute its essence and establish its reality, as well as principles that organise and elevate it, qualifying it for success and validity. Among the pillars of charitable and voluntary work are:

1. The existence of the person or institution carrying out this work.
2. The existence of a cause for volunteering and charity that fills a gap and meets a need, whether material or moral.
3. The existence of those in need of this help, whether individuals, groups, or even animals, who need care, as the Prophet (peace be upon him) said, "In

every wet liver there is a reward"⁽⁴³⁾ And he said: "A woman entered Hell because of a cat she had tied up and did not feed, nor did she let it eat from the vermin of the earth."⁽⁴⁴⁾ .

4. The existence of a system to regulate this work so that it is fruitful and beneficial, and conserves effort and money, and the latter may be considered a condition rather than a pillar.

The second Topic: the ruling on voluntary work in light of the fundamental principles and jurisprudence

First requirement: The ruling on charitable and voluntary work

First Section: Charity and volunteer work are desirable.

The basis of charitable and voluntary work in this sense is that it is a virtuous and recommended act, due to its beneficial effects on the volunteer, the needy, humanity as a whole, and the welfare of the entire earth. This is indicated by the following:

1. Allah says ﴿And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear Allah; indeed, Allah is severe in punishment.﴾⁽⁴⁵⁾ The verse itself constitutes a jurisprudential rule that includes the encouragement to cooperate in all that is righteous and good, to help people, to fill their needs, and to fulfil their requirements. No individual who is righteous should refrain from bringing benefit or warding off harm, whether to an individual or a group, whether this good is material, such as food, clothing, and medicine, or moral, such as guidance, direction, education, and awareness.
2. Allah says: ﴿So whoever does good, it is better for him.﴾⁽⁴⁶⁾ , and Allah says: ﴿And whoever volunteers good, then indeed, Allah is Appreciative and Knowing﴾⁽⁴⁷⁾ The meaning of these two verses and their implications is that volunteering is absolutely recommended, as the lesson is in the generality of the wording and not in the specific reason. The purpose of doing good is obedience, as the Muslim servant wants to please the Creator by doing good to His creation and hopes for reward by benefiting His creation, and Allah, the Almighty, has promised him a great reward: ﴿And establish prayer and give zakat. And whatever good you put forward for yourselves, you will find it with Allah. Indeed, Allah is All-Seeing of what you do﴾⁽⁴⁸⁾
3. Abu Huraira (may Allah be pleased with him) reported that the Prophet (peace and blessings of Allah be upon him) said: Every joint of a person is subject to charity every day the sun rises. Charity is to treat two people equally, to help a man with his mount so that he can ride it, or helps him lift his luggage onto it is charity. A kind word is charity. Every step taken towards prayer is charity. Removing harm from the road is charity."⁽⁴⁹⁾ . The point of this hadith is that all these actions are good deeds, most of which are beneficial to others, and are encouraged by Islamic law. If removing a thorn or a stone from the path of passers-by is charity and a good deed, then what about removing rubble from those buried in a collapse or earthquake, or removing ignorance from people's minds?

4. Jabir ibn Abdullah (may Allah be pleased with him) said: "I had an uncle who used to perform ruqyah (incantations) for scorpion stings, but the Messenger of Allah (peace and blessings of Allah be upon him) forbade ruqyah. So he came to him and said: 'O Messenger of Allah, you have forbidden ruqyah, and I perform ruqyah for scorpion stings.' He said: 'Whoever among you is able to benefit his brother, let him do so.'"⁽⁵⁰⁾ The point of the hadith is that whoever is able to benefit his brother should do so, encouraging him to do good without specifying the field in which he should do so, thus covering everything that people need, whether it be bringing benefit or warding off harm.
5. In the hadith: "A man was walking along a road when he became very thirsty. He found a well, went down into it, drank, and then came out. He saw a dog panting and eating dirt because of thirst. The man said, 'This dog is as thirsty as I was.' So he went down into the well, filled his shoe with water, held it in his mouth, and gave the dog a drink. Allah thanked him and forgave him. They said: 'O Messenger of Allah, do we have a reward for animals? He said: 'There is a reward for every moist liver.'"⁽⁵¹⁾ This hadith and others encourage doing good to animals, being kind to them, and respecting their rights and mercy. If giving water to dogs is a good deed, then what about giving water to humans? All of this falls under this category with its rules and conditions.

second Section: Charitable work goes beyond what is recommended.

Charitable work, which was originally voluntary, may become obligatory or sufficient, depending on the situation of the person in need of help and the ability of the volunteer⁽⁵²⁾, according to the jurisprudence of obligations in Islamic jurisprudence. It may also become prohibited by Sharia law due to the harm it causes or the loss of greater benefits.

Second requirement: Rules and their impact on charitable and voluntary work

There are effects of jurisprudential and fundamental rules on charitable and voluntary work, in terms of the jurisprudential rulings that may apply to it, or in terms of its controls, etiquette, and conditions, or in terms of clarifying the directions of the benefits and effects of charitable and voluntary work on individuals and societies. Achieving the intended purpose of the work is also an important and necessary factor. Among these basic rules, we mention, by way of example and without limitation:

First Section:Rule: Matters are judged by their intentions

Matters are a collection of commands, which is a general term for all actions and words⁽⁵³⁾, and the origin of this rule⁽⁵⁴⁾. The Prophet (peace be upon him) said, "Actions are but by intentions, and every person will have but that which he intended."⁽⁵⁵⁾ From this original rule, many subsidiary rules have branched out, each serving a specific area. Here, we take it to mean "things are judged by their

intentions," which affects two directions: the intention of the servant and the intention of the Shariah.

The first direction relates to the individual worker, whose work is according to his intention and purpose, and he is rewarded for it according to his sincerity in it. The ruling on it is also based on his intention behind the work. If he spends money or provides a benefit to someone in need, and his intention is to donate, it is a voluntary charitable act. If his intention is to receive something in return, it is a contract of exchange, which expects material compensation, and therefore falls outside the scope of this category.

The second approach relates to the legitimate objectives that are achieved through this work, and the harm or benefit that it may bring, or fail to bring. From this perspective, it has a significant impact on the ruling on this voluntary work. Just as charitable and voluntary work may fall outside the original ruling of being recommended and encouraged, and fall under other rulings, such as being obligatory, forbidden or disliked, all of which are contrary to the original ruling, it is not permissible simply because it is encouraged, because the original intention of the person doing it is to benefit people and seek reward from Allah, may He be exalted. Any action that wards off harm from people, such as rescuing drowning people, feeding the hungry, or treating the sick, as in the case of epidemics and disasters such as earthquakes, floods, and fires, fulfils the purpose of warding off harm, which is one of the major objectives of Islamic law. Therefore, it is obligatory or one of the collective obligations, and the rest is recommended.

As for what causes harm, it is forbidden even if its origin is commanded, such as commanding good with something that is not good, or forbidding evil with something that is equally evil or worse, or at an inappropriate time, causing harm that outweighs the desired benefit. Therefore, the Prophet (peace be upon him) adhered to peacefulness in his call and peace with the disbelievers of Quraysh, and did not confront them with force. He even went further than that and made peace with them at Al-Hudaybiyah, and Allah, the Almighty, rewarded him by turning the disbelievers away from him and turning him away from them, in accordance with this rule. Today, this principle is applied by those who involve the ummah in confrontations that it is neither capable of nor prepared for, without considering the consequences of their actions, which they deem to be charitable. Or the charitable work may appear to be good and beneficial in itself, but those who direct it use it to spread corruption on earth, disobey the Creator, and harm His creation. The intention behind the work is good, but the intention of the one who carries it out is corrupt and harmful. It is like someone who buys alcohol, for example, with money donated by charitable people and organisations. In this case, he is judged according to his intention, not according to the intention of the

charitable person, and according to the intention of the Shariah itself in regard to doing good deeds, which forbids cooperating with or assisting in evil deeds. This is the basis for this ruling, and it is followed in other similar cases. All of this falls under the rule that "the sale of that which is intended for unlawful purposes is invalid." Therefore, the fuqaha' prohibited the sale of weapons during times of strife and the sale of grapes to those who would use them to make wine. This is the opinion of the majority of scholars and Ibn Hazm⁽⁵⁶⁾

Second Section: Rule: No harm and no reciprocating harm

This is a useful rule ⁽⁵⁷⁾, which is a saying of the Prophet. Ibn Rajab said: "They differed as to whether there is a difference between the two terms, i.e., harm and harmfulness. Some said that they have the same meaning, but the well-known view is that there is a difference between them."⁽⁵⁸⁾ . This means that it is not permissible to cause harm in the first place, because harm is injustice, and injustice is forbidden. It is also not permissible to respond to harm with harm, so no one should cause harm to another. If harm occurs, it must be removed.

This comprehensive rule is both imperative and prohibitive. On the one hand, it is imperative in that it commands the removal of harm from people and the prevention of corruption among them, according to their needs. On the other hand, it is prohibitive in that it states that harm must be removed, because the statements of the jurists indicate that this is obligatory ⁽⁵⁹⁾

As for its prohibitive aspect, with its secondary wording "no harm," it prohibits causing harm or exceeding the limits in warding off harm so as not to cause further harm, whether to the doer of good and volunteer, to the intended recipient of the good deed, or to others. This jurisprudential rule preserves the balance in doing good and calling for it, without excess or negligence.

An example of this at the individual level is that it is not good for a person, as a human being, let alone a Muslim, because of his faith, to see people in need of mercy and then not to have mercy on them when he is able to do so. The Prophet (peace be upon him) said: "The merciful are shown mercy by the Most Merciful; be merciful to those on earth, and the One in heaven will be merciful to you."⁽⁶⁰⁾

With these words, he included everyone on earth without exception. Here, he strives to remove harm from them as much as he can, but he must not neglect those he is responsible for and violate their rights under the pretext of doing good and volunteering. Therefore, when a man came to the Prophet (peace be upon him) wanting to volunteer his wealth for charitable work, and he had a lot of wealth but only one daughter, he forbade him from volunteering two-thirds or half of his wealth, and permitted him to volunteer one-third, saying: "One-third is a lot. It is better for you to leave your heirs rich than to leave them poor and dependent on others."⁽⁶¹⁾ This is a general ruling that applies to every person and

every province. What applies to individuals or minor provinces also applies to governors and their subjects, rulers and their peoples. It is not befitting for someone to leave his people in need, then go and donate the nation's money left and right, perhaps inappropriately and to those who do not deserve it.

The third requirement: The fruits and effects of charitable and voluntary work in light of jurisprudential and fundamental rules

There are many fruits of charitable and voluntary work, some of which benefit the individual who does good, whether in this world or in the hereafter, if he is a believer who expects reward, and some of which benefit the Islamic community in its internal and external relations, and some of which benefit human society and even the animal kingdom. For the sake of brevity, we will limit ourselves to a few of them.

First Section: Benefits and effects on the individual

Among the rules that bear fruit for the individual from charitable and voluntary work are the following:

1. Rule: The lesson in contracts is in the intentions and meanings, not in the words and structures.

The effect of this rule on the individual in particular is that it governs his actions and words according to his intention and purpose, so that he uses it in sales, gifts, divorce, and the like. If a man says to his wife, "Go to your family," then if he intended divorce, it is valid, and if he intended for her to visit her family, for example, or for some other purpose, then it is also valid.

Its effect is also seen in the field of charitable and voluntary work. If someone intends to spend money on voluntary work and charity, it is considered voluntary work for which he will be rewarded, and he cannot claim it back afterwards, nor can he claim a share of any growth or profit that results from it. If someone intends to obtain something in return, the contract is concluded without reward, even if it is in the form of a donation or gift.

Whoever gives money to establish a profitable project or a charitable foundation whose proceeds go to the needy or students, for example, or builds housing for those affected by an earthquake, for example, with the intention of volunteering, is not entitled to claim rent afterwards, even if the needy no longer need it, and they do not get their charity back.

2. Rule: The reward is of the same nature as the deed

This rule has guided many people when they understood its meaning and based their behaviour on it. Those who believe that the reward is of the same nature as the deed, in the case of doing good, hasten to do it, knowing that Allah, may He be exalted, will replace what they have spent and will provide them with those who will support and defend them when they are wronged or oppressed. The

reward for supporting the weak, defending them and their honour, meeting their needs, and relieving their suffering.

This is what our mother Khadija, may Allah be pleased with her, used to console the Prophet, peace be upon him, when she said to him: "Be of good cheer, for by Allah, Allah will never disgrace you. by Allah, you are kind to your relatives, truthful in your speech, generous to the poor, hospitable to guests, and you help those in need."⁽⁶²⁾. The evidence from her statement here is her description of him as one who honours guests and earns what is lost, which means that you give to the needy and help in times of hardship and calamity, or what we call disasters and crises in our time.

On the other hand, he will fall short and be afraid that he will be punished for his deceit, or that Allah, the Almighty, will send someone to humiliate and despise him as punishment for his contempt for people, or someone to take his money as punishment for his unjustly consuming people's money, or someone to attack his honour as punishment for his slandering and robbing people.

This is something that many have experienced and recounted in numerous stories. Perhaps some of the early generations said, "I find the effects of my sin in my wife and my animal," meaning that his wife would dominate him, and his animal would tire him.

Second Section: Benefits and effects on the Islamic community

There are fiqh and usool rules that have an effect on charitable and voluntary work that benefits the Muslim community, in regulating its transactions, making them stable and orderly, and removing embarrassment from it. Among these are:

1. The rule: "When things get tight, they get loose, and when they get loose, they get tight."

This rule is very useful in regulating people's affairs and maintaining balance when corruption is rampant or conflicts with interests, because one of the objectives of Sharia is to remove hardship from people and alleviate hardship. If, for example, their livelihood becomes difficult and halal becomes scarce, and necessities increase without alternatives, then the first part of the rule, "When things get tight, they get loose," requires leniency in taking matters and not being strict in fatwas. In times of hardship, what is not permissible in times of ease is permissible, and tolerance is shown in some matters to the extent that it removes hardship and difficulty **and** wards it off.⁽⁶³⁾

And "if something is forbidden in a country to such an extent that it is rarely permissible, then it is permissible to consume what is needed from the forbidden for necessity, because public need takes the place of necessity, and those who need it do not go to extremes in the forbidden, nor do they indulge in it as they do in the permissible, such as in clothing, furniture, furniture, clothing, and enjoying

fruits and delicacies, because necessity or need that is considered equivalent to necessity is estimated according to its extent"⁽⁶⁴⁾.

As for the second part, which states, "If it expands, it narrows," it is the opposite of the first. Where doubts abound, and people's affairs are facilitated and simplified for them in the causes of life, the matter of fatwa, for example, narrows for them, to prevent them from what is not necessary, which was tolerated in times of hardship, and is close to the principle of "blocking the means."

An example of this is the sale of bare land, which was established contrary to the original principle, in order to ease the burden on people when their livelihood became difficult. These sales were permitted to the extent that they filled the gap and alleviated hardship.

Its application in the field of voluntary charitable work is that in times of hardship, acts of kindness and types of donations that would not be appropriate in times of prosperity are expanded. I see this as an example of this principle. There is a story that when they came to Madinah, the Messenger of Allah, peace be upon him, made Abdurrahman and Sa'd ibn al-Rabee brothers. He said to Abdurrahman: I am the wealthiest of the Ansar, and I have divided my wealth in half. I have two wives, so see which of them you like and name her for me, and I will divorce her. When her waiting period is over, you may marry her. He said: May Allah bless you in your family and your wealth..."⁽⁶⁵⁾.

Although the offer did not take place, and there is no ruling from the Prophet (peace be upon him) on it, either denying or confirming it, and the noble Companion Abdurrahman ibn Awf refrained from it, it seems that the noble Companion Sa'd ibn al-Rabee' was motivated to consider this extension because of the hardship that the Muhajireen and even the Muslims were experiencing at that time.

From this, it is clear that this is not a reproach to the understanding of the Companions, nor is it a followed Sunnah, but rather its apparent reasons have disappeared completely with the occurrence of what the Prophet (peace be upon him) informed us about the signs of the Hour, which is the abundance of women for a single man. Even if it were said that the hardship has now shifted and turned into hardship for unmarried women, if women fear Allah, the Almighty, in their sisters, then the donation should be a second, third, and fourth for her husband and her sister in Allah to meet her needs, ease her hardship, and protect the whole community. Above that, she will be rewarded for her altruism and sincerity, even though her donation here is only in the form of kind words and not causing trouble or being selfish; otherwise, it is his right.

2. The rule: "The use of people as an argument must be acted upon."

This rule benefits society by stabilising transactions and considering customs as contractual provisions and social transactional contracts, which are referred back to society itself. What people have agreed upon or their use of words, which does not contradict Sharia law – is considered a ruling argument when they disagree. Other rules are similar to this, such as the rule that "**custom is a court of law**", provided that it does not contravene Sharia law, is not contrary to the beliefs of people of faith and sound mind, and is not considered reprehensible in their view⁽⁶⁶⁾. Another rule is that "**what is known as customary is considered a condition**," which, although it may differ in some applications, is a common practice that facilitates people's transactions and regulates their behaviour.

One of its applications in the field of charitable and voluntary work is that if people are accustomed to providing material or physical assistance to those in need, as happens in our society when people get together to build for someone in need, help build a mosque or housing for the needy, or help with ploughing, harvesting or gathering fruit, which is called "**al-tweza**" in our society, no one should demand payment for the physical labour they have done in accordance with people's customs and traditions, or for those who have cooperated in collecting money for someone's wedding, for example, which is called "**taweza**" in our society. Those who participate in this manner should not demand the return of their money as if it were a debt, because it is understood that it is not a debt, but rather a donation and voluntary contribution.

Third requirement: Benefits and effects on human society

By human society, we mean that which transcends the boundaries of the Islamic community, including non-Muslim individuals or non-Islamic, non-belligerent communities. Given that the world has become like a single village, and the proximity of its parts in terms of time and space, with the advent of new means of communication and transportation, and the conclusion of international agreements and treaties, cooperation has taken the form of charitable and voluntary work, for example through the Red Crescent on the part of the Islamic nation – despite its fragmentation, may Allah reunite it – and on the part of Christian countries through the Red Cross, regardless of what may be a cover for proselytising, espionage or infiltration, as its outward appearance is that of doing good for those affected by disasters, wars, diseases and the like.

All of this is a reason to regulate charitable and voluntary work related to the humanitarian world, and what may result from a call for human solidarity or a call to non-Muslims and showing the blessings of Islam and its mercy to human beings as human beings, and perhaps refuting some of the doubts that are raised about it and its people, so that the response is practical and not just verbal, and through safe contact and interaction. There are fiqh rules that govern this, including:

1. The rule: "Action towards the flock is dependent on the benefit."

That is, the effectiveness of the guardian's actions on the ward and their obligation upon them, whether they like it or not, is contingent upon the existence of fruit and benefit in his actions, whether religious or worldly⁽⁶⁷⁾. This rule is well known among scholars and has many formulations, all revolving around the necessity for the ruler to act in the interests of his subjects and their affairs in a way that achieves their interests and wards off harm from them, and to issue orders and implement policies that achieve their interests. He must also act in the affairs of the nation in a manner that benefits them religiously and worldly, on the basis that it is their money and they are more entitled to it than anyone else, but he is an agent who has the right to dispose of and manage it in accordance with the conditions of his mandate, which are trustworthiness, strength, justice and advice. In the field of charitable and humanitarian work, this rule stands as an impenetrable barrier against those who squander the nation's wealth on losing projects or in areas that do not benefit the nation religiously or worldly, Not to mention squandering the nation's money on entertainment or frivolity under the pretext of art or recreation, or distributing it to other nations under the banner of charitable and humanitarian work, while its own people are in dire need of it!

The guardian also has the right to act in the best interests of the nation in matters such as pricing, intervening to preserve people's livelihoods, and protect their sustenance, so that speculators and monopolists do not tamper with them.[Al-Omari, The Impact of the Rule "The Imam's Actions Towards His Subjects Are Bound by the Public Interest and Its Applications in Pandemics: The Coronavirus (COVID-19) as an Example," p. 247. For details, refer to the jurisprudence of pricing in its proper place.

The guardian must also act in the public interest if a disaster or epidemic such as coronavirus befalls the nation, by preventing gatherings or movements, imposing a specific quarantine, or dealing with matters that could spread infection or cause harm, or by compelling some of the nation to perform functions and duties for the benefit of the entire community, as a means of achieving sufficiency, under the jurisprudence of sufficiency ⁽⁶⁸⁾, he may require or prohibit permissible acts in accordance with this rule.

Similarly, in areas such as international environmental cooperation or combating phenomena harmful to nations, the president or imam may engage in such activities as an alliance of necessity ⁽⁶⁹⁾, provided that his actions are in the interest of the nation, preserving its entity and protecting its sovereignty⁽⁷⁰⁾. The nation must not be compromised, for example, by opening the door to foreign intervention, control, or intrusion into its privacy, or by undermining its constants, identity, or sovereignty under the pretext of fighting a common enemy.

2. Rule: Preventing harm takes precedence over bringing benefits.

Non-Islamic associations, such as crusaders or others, may offer support to Muslims in the form of donations and volunteer work. If their help is needed, it must be approached with caution and prudence, because their actions are not innocent and are also fraught with danger. They are often proselytising or spying, or they masquerade as charitable organisations, but they are organisations whose aim is to infiltrate society and destroy it from within, fighting its identity and constants and sowing discord among its components, and so on. In this case, such funds are not acceptable, nor are those who offer them or carry out this work on the pretext of charity. If the harm that results from it can be eliminated, and is minor compared to the benefit that is achieved, then it is governed by the rule: **the greater benefit takes precedence over the lesser harm**⁽⁷¹⁾.

Fourth: Benefits and effects on the animal community

We conclude these fruits with the role of jurisprudential rules in regulating the fruits that benefit the animal world. National and international animal welfare associations have been established, such as The World Society for the Protection of Animals, an international non-profit organisation founded in 1981 and headquartered in London [Website: <https://ar.wikipedia.org/wiki>]. Islam preceded this by many centuries, and we remember that Islam is a religion of mercy towards all living creatures, and that kindness to them is considered an act of worship for which Muslims are rewarded, and that mistreating them is a sin for which the perpetrator deserves punishment. This has not been achieved by any legislation on earth. In the hadith, it is said: "A man was walking along a road when he became very thirsty. He found a well, went down into it, drank, and then came out. He saw a dog panting and eating the dust from thirst. The man said, 'This dog is as thirsty as I was,' so he went down into the well, filled his shoe with water, and then held it in his mouth and gave the dog a drink. Allah thanked him and forgave him. They said: O Messenger of Allah, do we have a reward for animals? He said, 'There is a reward for every moist liver.'⁽⁷²⁾ At a time when other nations stun their animals or electrocute them, Islam recommends: "When you slaughter, slaughter well. Let one of you sharpen his blade and spare his animal suffering."⁽⁷³⁾ This contains comprehensive rules, including:

Rule: Good is repaid with good, and evil with evil

Its origin is a Qur'anic principle, counted among the comprehensive words: ﴿So whoever does an atom's weight of good will see it, and whoever does an atom's weight of evil will see it﴾.⁽⁷⁴⁾ The Prophet ﷺ described it as a comprehensive rule, saying: "Horses are for three" (Hadith). When asked about donkeys, he said: "Nothing has been revealed to me except this comprehensive rule." The Prophet . applied its meaning to the reward for donkeys and kindness to them, or treated

them as a general rule in its particulars, or as a rule in its cause, to include all its particulars, and this is precisely the case with the jurisprudential rule.

If there is a voluntary charitable act directed towards protecting or caring for certain animals, it falls under this comprehensive rule, as long as it does not cause more harm or compete with a greater interest.

Conclusion

Through this study of the methodology of legal reasoning using jurisprudential and fundamental rules in the field of voluntary and charitable work, we conclude several important results, the most important of which are:

1. Charitable and voluntary work has a legal concept and is a mandatory act that should be governed by the rules and objectives of Sharia law and be inferred according to the rules of legal reasoning.
2. Jurisprudential and fundamental rules are the closest Sharia principles to regulating this work, charitable and voluntary work, and they have the flexibility to cover its branches and developments, if a sound jurisprudential reasoning approach is taken, combining Sharia jurisprudence and real-world jurisprudence.
3. Charitable and voluntary work has positive effects on individuals and society, on humans and even animals, but it may also involve risks that must be taken into account and regulated according to a rigorous deductive approach.
4. The basis of charitable and voluntary work is recommendation and supererogation in light of jurisprudential and fundamental rules, but it may take on other rulings, such as obligation and prohibition, depending on its purpose and consequences.
5. Charitable work has a profound impact on the act of doing good, which may be a means of da'wah and winning hearts and minds. It may even be extended to non-Muslims who are not at war with us, as was the case with the share given to those whose hearts were to be won over in the chapter on zakat.

Recommendations in this area include:

1. Continuing to strive and theorise about this type of work, according to a clear methodological approach that combines Islamic jurisprudence and practical jurisprudence, and increasing research to make it achieve the objectives of Islamic law and a more effective tool in calling to Islam and refuting doubts about it.
2. Establishing a legal basis through rules to institutionalise charitable and voluntary work in order to protect it from distortion or dishonest exploitation. If Sharia law employs those who work in zakat and pays their fees from it, then regular voluntary and charitable work deserves even more consideration, as it is broader in scope and more diverse.

This is what Allah, the Almighty, has guided us to and blessed us with. Whatever is correct in it is from Allah, the Almighty, alone, and whatever is wrong in it is

from ourselves and from Satan. We ask Allah, the Almighty, to grant us sincerity and correctness in it, to reform us and make us righteous, and to bless the Ummah in particular and humanity in general with faith and piety, security and safety. May goodness and good people abound among the people.

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