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The Philosophy of Economic Legislation, Its Definition and Its Influence on Fatwa and Ijtihad (Reasoning)

*Abbas A. Al-Baz**

ABSTRACT

Knowing the Philosophy behind the Economic legislation in the jurisprudential transactions is vital for evidencing the argument and a necessity for the researcher to reach the right conclusions thereof to follow the right method in the process of reasoning and in issuing the fatwa.

Therefore, it is quit important for those who work in Islamic jurisprudence and tackle the financial transactions to consider the philosophy behind its legislation.

Knowing the philosophy of legislation is quite important in recognizing whether the implementation is right or wrong.

It is also important to know that there is no ruling but has a point behind it and achieves one of the objectives of the legislator. Ignoring the point behind the legislation however, leads to miss the objectives of the legislator and knowing it normally helps the jurists to reach the conclusions of the ruling so if it achieves the benefit he legislate otherwise he forbids with special regard to the financial transactions and contemporary issues.

Keywords: Economic Legislation, Fatwa, Ijtihad.

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