

The Effect of Allama Vahid Behbahani's Thoughts on the Use of Mind in the Matters of Principle "Relying on the Criterion of Judgment"

Mohammad Jafari Harandi

Department of Islamic Education, Islamic Azad University, Rey City Branch, Rey City, Iran

Abstract: Among three factors: ethnic and factors of the growing environment, the relationship of individuals with influence events and finally the influence of ideas and actions of the characters used in the next generation, the third factor plays an important role for understanding the movement of the late Behbahani and so in this study, the third dimension of this character of the great scholar will be addressed, in terms of Both the impact on the rationalism of his students and the emphasis on "the criterion in inference rulings". After this world, he has paid special attention to the intellectual foundations and he is highlighted getting criteria which have to do with common analogy of Sunni religious.

Key words: Ideas, Vahid Behbahani, wisdom, knowledge of principles, criteria for judgment

INTRODUCTION

Historical figures and assessment of the impact are described in three dimensions. First genealogy and family situation, relationships and rules that govern the community which inevitably grown in it and whether or not, it has influence on the formation of the first character of each individual. These customs and beliefs of the family and the environment have a considerable impact on the mind of each individual.

One might refrain all or part of such belief, due to the events and subsequent treatment that in the second dimension will be discussed. The second dimension is the connection with contemporary influential events and people which start with work place, school or in general, the education and it starts by communicate and work in harmony or conflict with periodic events. During this period the serious character of the scholars will be shaped and scientists and thinkers compare their beliefs by what they have seen and heard during this period and by arguments that have been presented to them, so they have achieved their results of their study.

Many philosophers and thinkers who influenced by their environmental factors and their teachers, decided to build their new school of thoughts. In this regard, the philosophy of illumination, Masha and wisdom transcendent born and again in this field and other fields such as literature, sociology, anthropology and even withdraw the basics of jurisprudence rulings such events have been occurred and will be occurred that because of holiness, it is unlikely to open the way for human thought. Among the philosophers of the recent centuries, we can mention Voltaire and Jean-Jacques

Rousseau's ideas in the field of philosophy and sociological and also we can mention voltaire in the religious domain. Both philosopher in their time had thoughts and ideas and different attitudes toward contemporary events and characters that had a major impact on the formation of political society, religion and literature of their time. Luther's actions as a Nasrani pastor caused great tension of the Christian community and finally he built Protestant religion with a Church apart from Catholic church.

In Islam Religion, it can be cited the contrast with the treatment Mu'tazilites and Asharh and the conflicts in the legal sphere (= law) which led to the creation of sustainable and recyclable acceptance of religious theology and jurisprudence. Within different religions in particular, we can mention vote and comments of Imam Shafi'i and the ideas of ibn Idris against al-Tusi. The third dimension is the influence of the thoughts and actions of the desired characters in their next generation that sometimes come to his or her mind and it may become a model and sometimes face with hesitant or rejection of the others thoughts. In this regard, there are examples which in Shia field, we can point to opinions of Ibn Aqeel ibn Abi Junaid (Qdymyn) in negative reaction and views of Sheikh Tusi in the positive direction of the scholars of jurists. Late Vahid Behbahani's character in all three dimensions can be described and what will be addressed in this study is the third character of this great scholar both in terms of intellectual influence on his immediate disciples and next disciples which is among the issues related to wisdom, he has special emphasize on "Get a criterion for ruling in inference."

Place of wisdom among fundamentalists: One of the differences in Akhbaryan and Fundamentalists school in the field of Imamieh jurisprudence is relying on the wisdom in interference in the religious orders that fundamentalists defend it but Akhbaryan do not pay attention to it. Although, they call it in some of their evidences but relying on mind in Akhbaryan view is not like fundamentalists.

For example, in performing the action with caution, in doubt of the privative due to the lack of the texts which are come from the Verses and hadith, it is resorting to the wisdom and by an overview of science about the presence of the unlawful deeds in the religious orders and the origin of prohibition, "they decided to Demonstrate the necessity of caution in such uncertainty (Murtaza, 1998). Although, in act to Certainty and other items, they do not know it reliable in Judgment based on wisdom, even if it is certain. Fundamentalists to invoke the wisdom represented a wide field and In addition to discussing the implications of independent and rational to infer jurisprudence, they use wisdom for prove some kind of inference such as consensus and they call it "labial". In period that Akhbaryan had power in Shia society, principles of jurisprudence were not thriving till the time that one of the students wanted to claim testimony in tribunal of Sheikh Hor Ameli, Then Sheikh asked him about the books that he have read and the student say Zobdat Alosul which was written by Sheikh Bahaei. Sheikh Hor knew it with justice and he did not accept his testimony. In such circumstances it is natural that mental issues be abandoned and it will be relying more on Quoted without criticism. One of the events that was sprouted by Vahid Behbahani's movement and grew over time is relying on rational principles of religious orders. How to bring this holy seed may be legal issues raised by the reflection and evaluation of principles of jurisprudence even after Vahid. Around the texts, principles of jurisprudence have been edited to the extent that principles of jurisprudence have taken color of philosophy and somehow it was extremes. But such attention to rational conclusions tremendous has effect even in movable understanding and inference jurisprudence.

Recognized cases after deceased Vahid Behbahani which were affected by wisdom among Fundamentalists and Shia scholars or the issues that by rational proved, spend a lot of time to discuss. Among these cases, authors rely on access to "criterion in inference judgments" with the wisdom to show how this issue has not been raised in the earlier books of jurisprudence and principles or if it has been known it was very pale but after deceased Vahid Behbahani, among the eminent jurists it

has found special place and some rules has been made to infer presence or absence. This is mainly due to late Vahid approach to the wisdom in religious principles.

Definition of criterion in Fundamentalists 'word:

Criterion literally means "something that a work relies on it consistency and conveniently" and so they call it "Melak Aldin Var" (what is religion stable with it is Righteous) (Albahrain Assembly).

Criterion is what religious order is established based on it. Apparently, the criteria and causes have the same meaning in Religious term and it is the sign of an order and proof and rejection of the religious order is dependent on its presence or absence. Ghazali about the analogy of Almostasfy says: "the purpose of the cause in Sharia is the same as an order, it means what the legislator says about the order and makes it the sign of the rule" (Almostasfy).

A Costume Investigator in defining revision says: "combination between the original and the branch may be different and it is called revision" (Costume Investigator Marej Alosul).

Apparently Imami Fundamentalists know criteria the same as cause, a discussion of analogy which is disputed and the center of the debate which is finding the cause relying on reason, so instead of cause, they call it "focus".

Anyway, in this study, the meaning of the criteria is causes that a religion order relying on it, thus, causes, criteria and focus have the same meaning. The purpose is that after Vahid Behbahani, fundamentalists pay more attention to criteria and whether in religious debates or in principles of jurisprudence, they Valorize for the criteria, specially "Mostanbat criteria" not "Mansoos" criteria. Overviews of religious texts or principles that have been developed after the late V. Behbahani, makes it clear that although, before the deceased, Imami jurists use of rational reason in religious issues but they rarely use the term "criteria". In words of some Jurists, we cannot find this word. But the books of religious and the principles that have been developed since the restoration of principles of jurisprudence, the words "focus" and "criteria" rarely used and when we took away Vahid and went closer to contemporary, relying on the "criterion of judgments," become more and more to the point that in current situation that Imami Jurisprudence is the duct of the Islamic Republic of Iran, relying on criteria, cause and focus is found a lot. Investigating the main books of Shi'a jurisprudence and extracting the use of criteria and focus needs a lot of time and patience and this paper does not have this capacity but considering to three cases is necessary.

The first is the religious books that as mentioned previously, religious books written before the late V. Behbahani did not pay attention to cause, focus and criteria but after Vahid Behbahani more or less relying on the criterion of judgment and rational causes (although, this is not the name) appears on the issues which is measurable in provisions of trades than any other issues. For example, issues related to rights and the rule which is usually considered at the beginning of contract for the sale and search options issues is mainly rely on the rational arguments and even this discussion that the provisions of the situation arising out of the provisions of the duty or independent of the legislation is a kind of rational argument based on "criterion provisions". Here, it is appropriate to refer to the late Sheikh Mohammad Esfahani term paper with the name "message in achieving the right and judgment and everything related to it" which in its sideline, something was written about selling and in this paper, the issue of rights and the rule of philosophical terms is discussed (Fakhreddin, 1975).

Now in legal community of Iran, we have a lot of discussion related to rational arguments. For example, we can point to the Imam Khomeini's order about the preservation of the system, formation of expediency council, conventions and treaties with disbeliever in God and issues related to women's social rights which are based on the rational conclusions and detection criterion which are entered to the areas of law.

The second is the books of the principles of jurisprudence which are briefly, show the comparison between the books before and after Behbahani. While in the previous books a little attention has been paid to criteria and focus in the next books such as adequacy of assets and pleadings of the great figures such as the late Naini, Sir Zia Iraqi and Kazemaini much more attention have been paid to the criteria.

Late Akhund Khorasani closed more than others on topics of the principles of jurisprudence in philosophy, (Shamsuddin, 1978), thus in the eighth chapter of ten which is related to command and prohibition, he knew the criteria as the base whether in Proven or in prove step. Clearly understanding the principles and criteria is easy by wisdom.

In tenth chapter, he mentioned the criteria discussion. Also, we can find this attention in previous discussion, where speaking of something that can be found in the midst of an emergency come up.

Also, late Naini paid attention to the both independent and implications rational causes in principles and legal issues and he paid special attention to the criterion. About Labial issue, he believed Labial issues are not different from verbal issues and both of them cause that we do not trust to the suspect person (suspicion transmitted from general to specific) Unless the wisdom understand "criterion of the lawyer (Ali, 1983; Reza, 1950).

This comment states that it is possible for wisdom to understand "criteria" and state the Sharia legal based on it as verbal allocate the general legal. It means that after late vahid, fundamentalists enter the discussion of the rational causes which has a relationship with analogy. The third subject which is more outstanding than others and is briefly tangible for this paper is a comparison between the two books with the same title from the 2 supreme leaders. First book "rules and benefits" of the first martyr and the second book is "juristic rules" by late Bojnordi. Compare the contents of two books; including general provisions of law under the rules makes crystallized that although the first martyr used the wisdom to establish the rules, he did not speak about the criterion and focus but late Bojnordi spoke about criteria in proofing the rules. And in some cases "criterion" is preferred over other evidence. For example, we can point to the discussion of late Bojnordi in denied rules, indigestion and critical damage issues that is about the rule's criteria. It is interesting to know that why in the past the people did not pay attention to the criteria but after the movement by Vahid Behbahani a particular focus has been paid to it. It is better to note this in sociological jurisprudence "issues. Warrant consideration of this matter has different directions but what is important for the author of this study is Shiite religious community which was influenced by biased news in this holiness after a relatively long period and having heart's tendency to certain Hadith of the inmate and in the shadow of this attachment which was far from wisdom, suddenly found what damages happen for it in this avoid. Thus, the community wake up by Vahid Behbahani and unlike the past in a backlash, it gave importance to the wisdom, to the extent that principles of jurisprudence, went under the influence of philosophical problems. Although, Late Vahid Behbahani did not find enough time to state Jurisprudence topics and principles in wisdom but he left its impact over time. So, we should find him by his movement not by his actions. The latest pretext that Praise be to Allah, Lord of the Worlds.

REFERENCES

- Ali, A.M., 1983. Benefits of Assets (Determinations Naeeni) Teachers. Qom University, Qom, Iraq.
- Fakhreddin, T., 1975. Bahrain Mall-Library of Dissemination of Culture-Islamic. Library Almoftadah, Qom, Iraq.
- Murtaza, A.S., 1998. Fraud Asset-Commission of Inquiry. Heritage-Azam Sheikh, Qom, Iraq.
- Reza, M.S.M., 1950. Jurisprudence Notifications. Islamic Office, Qom, Iraq.
- Shamsuddin, M.M., 1978. Rules and Benefits in Jurisprudence and Arabic-Asset. Library Almoftadah, Qom, Iraq.