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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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﴿ يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَجِدَةٍ

وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً ۚ وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ

وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا ﴿١﴾ ﴿ يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ

حَقَّ تَقَاتِهِ ۚ وَلَا تَمُوتُنَّ إِلَّا وَأَنْتُمْ مُسْلِمُونَ ﴿١٠٢﴾ ﴿ يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا

اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧٠﴾ يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ وَمَنْ

يُطِعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا ﴿٧١﴾ ( ) ( )

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قَالَ تَعَالَى: ﴿ فَسَاهَمَ فَكَانَ مِنْ

الْمُدْحَضِينَ ﴾ (١)

قَالَ تَعَالَى: ﴿ وَمَا كُنْتَ لَدَيْهِمْ إِذْ يُلْقُونَ أَقْلَامَهُمْ ﴾ (٢)

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﴿ يَأْتِيهَا

الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ

تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ ﴾ (١)

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( ) ﴿ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ﴾

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( ) ﴿وَمَا كَانَ لِمُؤْمِنٍ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً﴾ :

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( ) ﴿ وَإِذَا حِينُكُمْ بِنَحِيَّةٍ فَحَيُّوا بِأَحْسَنَ مِنْهَا أَوْ رُدُّوهَا <sup>ط</sup> ﴾ :

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( ) ﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ﴾

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﴿ وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ ﴾ :

خَالِدًا فِيهَا وَعَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا ﴿١٣﴾ ( )

﴿ وَإِنْ طَافَيْنَا مِنْ الْمُؤْمِنِينَ أَقْتَلُوا ﴾ :

﴿ فَأَصْلِحُوا بَيْنَهُمَا ﴾ ( ) : ﴿ إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ ﴾ ( )

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: ﴿ ذَلِكُمْ بِأَنَّهُمْ  
﴿ ذَلِكُمْ بِأَنَّهُ إِذَا دُعِيَ اللَّهُ وَحْدَهُ  
﴿ ذَلِكُمْ بِأَنَّهُمْ أَخَذْتُمْ  
﴿ شَاقُوا اللَّهَ وَرَسُولَهُ ۗ ﴾ ( )  
﴿ كَفَرْتُمْ وَإِنْ يُشْرِكْ بِهِ تُؤْمِنُوا ﴾ ( )  
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		وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۚ ...	
		لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا ...	
		وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ	
		يَأْتِيهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ حَقَّ تُقَاتِهِ ...	
		وَمَا كُنْتَ لَدَيْهِمْ إِذْ يُلْقُونَ أَقْلَمَهُمْ	
		يَأْتِيهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ ...	
		مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دِينٍ غَيْرِ مُضَارٍّ ...	
		يَأْتِيهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم	
		وَمَا كَانَتْ لِمُؤْمِنٍ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً ...	
		وَإِذَا حَيَّيْتُمْ بِنَحِيَّةٍ فَحَيُّوا بِأَحْسَنَ مِنْهَا أَوْ رُدُّوهَا ...	
		وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ	
		خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ ...	
		ذَلِكَ بِأَنَّهُمْ شَاقُّوا اللَّهَ وَرَسُولَهُ ۚ	
		إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ...	
		إِلَّا الَّذِينَ ظَلَمُوا مِنْهُمْ ...	
		وَأَفْعَلُوا الْخَيْرَ	
	-	يَأْتِيهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ..	

		ذَلِكَ بِأَنَّهُ إِذَا دُعِيَ اللَّهُ وَحْدَهُ كَفَرْتُمْ <sup>بِ</sup> وَإِنْ يُشْرَكَ بِهِ تَوَمَّنُوا	
		ذَلِكَ بِأَنَّكُمْ اتَّخَذْتُمْ آيَاتِ اللَّهِ هُزُوعًا	
		وَإِنْ طَافْتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلِحُوا بَيْنَهُمَا	
		إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ	



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## **The abstract of thesis**

**Praise be to Allah and peace and blessings be upon His Master of Prophets and Messengers,**

This is a complementary search to attain Master Degree under title of “The branches divisions reporting form book of ( Kashaf Al-Qinaa on the Fiqh rules at Hanablies in section of (The gift and givens), collecting and studying .

This study consist of :

An introduction , preamble , three chapters, and a conclusion.

I mentioned the search plan , the reason that motivated me to select and choose this subject , previous studies, the following methodology in the research writing.

**The preamble:** I mentioned the definition of the jurisprudence (fiqh ) rules, and I identify the gift and givens in language and terminology.

**The first chapter:** I addressed the reporting of the branches on the Jurisprudence (Fiqh) rules in the matters related to the gift and it is consisting of thirteen sections.

The second chapter addressed the reporting of the branches on the Jurisprudence (Fiqh) rules in the matters related to the gift for the sons and daughters and it is consisting of four sections.

The third Chapter: it includes the branches reporting of the branches on the Jurisprudence (Fiqh) rules in the matters related to the patient's gift and it is consisting of four sections.

The conclusion included the most important results during my studying and researching this research , as well as the most important recommendations:

- 1- The selected definition of the gift in terminology: Is the Donation of legal ownership to act as it is well known in the other life is a gift, including custom.
- 2- The gift should paid through the suggested saying.
- 3- The gift with negative reward is vanity through the suggested saying.
- 4- The exception in the gift is right and correct through the suggested saying.
- 5- The gift's payment is incorrect without the permission of the giver as a report on the rule (there is a satisfactory in all contracts of Trade, donation contracts).
- 6- The negative gift don't correct on the reporting on the rule (No harm and harmful).
- 7- There is no incorrect conditions, not matched to the gift through the scientists, reporting on the rule of ( Muslims on their conditions, only a condition allowed Hram or deprived Halal).
- 8- Nobody has the right to recover the gift, only the father in what he gives his son on the suggested saying.
- 9- The donor is entitled to make a condition as known allowance on the suggested saying. The gift in this case means the trade contracts.

- 10- The givens shall be preceded on the recommendation if it more than a quarter , reporting as a rule (if the interests are crowded, the top shall be preceded).
- 11- The equal in the gift among the sons is due.
- 12- The equal in the sons and daughters' gift will be according to the Dividing by God Almighty in inheritance that, a male is entitled shares of two females and this is the suggested saying.
- 13- The expenses on the children of the people of the book is should be done , and the equal among them is desirable.
- 14- Givnes( Atyah) in the death illness shall be measurable on the commandment, we should implement  $\frac{1}{3}$  of it , the suggested saying.

The most important recommendations:

- 1- The jurisprudence issues must be linked to its principal and jurisprudence rules.
- 2- Increasing attention of writing the jurisprudence rules at Hanablies through investigation, explaining, and publication.

This is my effort in this research and hope that research beneficiates Muslims. And peace be upon our prophet Muhammed Peace be upon him.