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Employing The Rules of Political Jurisprudence According to Imam Hassan Al-Mujtaba

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Abstract: The investigation started with an overview of his life and illustrious career, highlighting the exceptional features of his revered character, which are hardly seen in reality. The research examined the applicability of Imam Hassan al-Mujtaba's (peace be upon him) political jurisprudence theory to instances within Islamic jurisprudential rules, as well as the application of these rules in diverse practical examples within the political jurisprudential context for Muslims. It aimed to elucidate the principles of effective governance in guiding the Islamic nation through a jurisprudential framework that the Imam (peace be upon him) utilised to link the leader with the populace, while prior studies did not independently assess the political jurisprudential dimensions of his work (peace be upon him). This study examined the role of Imam Hassan (peace be upon him) in his peace deal with Muawiyah, which is deemed miraculous when considering the intricate and challenging circumstances around him, including opposition from those closest to him. The Imam's (peace be upon him) action in his peace pact facilitated the application of his political jurisprudential theory within the context of Islamic legal principles.

Keywords: Rules of Jurisprudence, Political Jurisprudence, Jurisprudence, Jurisprudence of Imam Hassan, Rules of Political Jurisprudence

1. Introduction

All praise is due to God, Lord of the Worlds, and the most esteemed prayers and utmost peace be upon Muhammad, the one sent as a mercy to the Worlds, together with his clean and infallible family; may God's blessings be upon them all. Subsequently, Imam Hassan al-Mujtaba (peace be upon him) assumes the role of custodian of the Islamic renaissance and shoulders the responsibilities of religious and political leadership [1], [2]. His efforts facilitated peace with Muawiyah ibn Abi Sufyan, rendering him the nation's bulwark against external adversaries, such as the Romans, and a sanctuary against the internal foes represented by the Kharijites. He had all the attributes of divine leadership, serving as a true witness to the hadith of his grandpa, the Chosen One (peace be upon him), about him and his brother (peace be upon him): "Al-Hasan and Al-Hussein are two Imams, whether they stand or sit." The study challenge was articulated via the delineation of the application of Imam Al-Hasan's (peace be upon him) political jurisprudence throughout the Muslim caliphate [3], [4], [5]. The rationale for selecting this issue is the dearth of research pertaining to it and the significance of the study of Imam Al-Hasan's (peace be upon him) use of political jurisprudence principles to benefit Muslims. Previous studies have addressed certain aspects of Imam Al-Hasan's (peace be upon him) rule;

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however, most have largely overlooked his political jurisprudential theory and seldom examined the political jurisprudential issues pertaining to Imam Al-Hasan Al-Mujtaba (peace be upon him) independently.

The study addressed two subjects: the first about Imam Al-Hasan, his history and career; the second on the application of political jurisprudence principles by Imam Al-Hasan Al-Mujtaba (peace be upon him) [6], [7]. The study yielded many findings applicable to the Islamic political landscape, along with various proposals for broadening the implementation of Islamic political jurisprudential principles to include cases that emerged subsequent to the sources and references [8].

The first subject: The life and career of Imam Al-Hassan (peace be upon him).

His biography

- A. Lineage and Birth: Imam Al-Hassan (peace be upon him) descends from a noble lineage, tracing his paternal line to Imam Ali bin Abi Talib (peace be upon him) and his maternal line to Lady Fatima, the daughter of the esteemed Prophet Muhammad (peace be upon him) [9], [10]. The genealogy of Imam Al-Hassan (peace be upon him) is as follows: Al-Hassan bin Ali bin Abi Talib bin Abdul Muttalib bin Hashim bin Abdul Manaf bin Qusayy...
- B. Imam Al-Hassan (peace be upon him) was born in Medina on the night of the middle of Ramadan in the year three of the Hijra, while other sources state it was the year two of the Hijra. His nickname is Abu Muhammad [11].

Secondly: His background and biography: The phases of Imam al-Hassan al-Mujtaba's life (peace be upon him) represent a significant milestone in Islamic history. It was reported by Imam al-Sadiq (peace be upon him), via his father and grandfather (peace be upon him): "Al-Hassan bin Ali was the most pious, the most ascetic, and the finest individual of his era." During his Hajj pilgrimage, he walked, sometimes barefoot. Upon invoking death, he wept; upon referencing the grave, he wept; upon discussing resurrection and revival, he wept; upon alluding to the crossing of the bridge, he wept; upon contemplating the presentation before God Almighty, he gasped and fainted; and when he rose to pray, his limbs trembled before his Lord, the Almighty and Majestic. The Imam, peace be upon him, continued his discourse till he said, peace be upon him: "He was the most truthful among people in expression and the most articulate in oration." Imam al-Hassan (peace be upon him) undertook the responsibility of He ascended to the imamate on the 21st of Ramadan in the year 40 AH, after to the death of his father, the Commander of the Faithful, Ali (peace be upon him) [12], [13]. He stayed in his caliphate for 10 years. One of his esteemed traditions recounts that Imam al-Baqir (peace be upon him) stated: "Al-Hasan ibn Ali undertook the Hajj pilgrimage from Medina to Mecca on foot twenty times, accompanied by led camels." He often said, "I feel ashamed before God to approach Him without having visited His House." Among his traditions is his writing on noble and virtuous morality. It was reported from him (peace be upon him): Muawiyah enquired of Imam al-Hasan (peace be upon him) [14], [15]. He stated: O Abu Muhammad, there are three attributes about which I have not encountered anybody to inform me. He enquired: What are they? He stated: Chivalry, magnanimity, and valour [16]. He said that chivalry included a man's reformation of his spiritual matters, prudent management of his finances, gentleness in demeanour, promotion of peace, and kindness towards others. Generosity entails providing assistance proactively, contributing resources, offering sustenance locally, protecting neighbours, and advocating during crises while exhibiting patience amid adversity [17].

The second section: The employment of the principles of political jurisprudence according to Imam al-Hasan al-Mujtaba :The principles of jurisprudence that Imam al-Hasan (peace be upon him) employed in his blessed career are practical examples that all Muslim rulers followed, including the principle of "there is no harm" and the principle of "things are judged by their intentions." [18], [19] We will review each of the two principles:

2. Materials and Methods

The Principle of "No Harm"

- A. The semantic significance of the principle. Harm: everything that is deemed contrary to benefit. Harm (with the damma) signifies frailty and suboptimal state. Thus originated the term "damage," which signifies the antithesis of advantage. Harm also signifies anguish and inadequacy in a certain aspect.
- B. The technical definition of the principle: "Harm, in legal terminology, is contrasted with benefit and signifies a detriment to one's soul, wealth, or honour." The phrase "There is no harm and no harm in Islam" has the same meaning as harm, serving to emphasise the lack of damage.
- C. The principle's concept: The ban against inflicting damage onto oneself or others. "In other words, anyone who inflicts harm on another is obligated to compensate and rectify the situation."
- D. The foundation of the rule: This rule is among the jurisprudential principles that evolved after the period of the Imams' texts (peace be upon them all). The foundation of the regulation is the Holy Quran, which includes the Divine proclamation: "And when you divorce women and they have completed their term, either retain them under equitable conditions or release them under equitable conditions." Do not retain them to inflict damage for the sake of transgression. Whoever engages in such actions has undoubtedly harmed himself. Do not treat the words of Allah with levity; recall the blessings of Allah upon you and the revelations of the Book and wisdom He imparts for your admonition. Fear God and recognise that He has complete knowledge of all matters. The esteemed accounts detail that Samura bin Jundub possessed a collection of dates in the garden of an Ansari man, whose residence was adjacent to the garden. Samura would traverse to his palm tree without seeking permission. Consequently, the Ansari addressed him, requesting permission upon his arrival, but Samura declined. In response to this refusal, the Ansari approached the Messenger of God, may God bless him and his family and grant them peace, to lodge a complaint. He approached him and conveyed the news, prompting the Messenger of God, may God bless him and his family and give them peace, to respond by relaying the concerns expressed by the Ansari. He advised, "If you wish to enter, seek permission," but the individual declined. Upon his refusal, he negotiated until he arrived at the price deemed appropriate by divine will; however, he declined to sell. Consequently, he offered a cluster of dates in Paradise in exchange, yet the refusal persisted. The Messenger of God, may God bless him and his family and grant them peace, instructed the Ansari to uproot the item and discard it, asserting that there is no detriment nor reciprocal harm, supported by consensus, reason, and the principles of the wise.
- E. Applications of the regulation: This principle was embraced by legal scholars in formulating numerous jurisprudential rulings associated with it, exemplified by the actions of Imam Hassan (peace be upon him), notably his endorsement of the peace treaty with Muawiyah. Through this agreement, the Imam (peace be upon him) mitigated significant harm by preventing the bloodshed of the faithful and the broader Muslim community, thereby safeguarding their lives, dignity, and property. One stipulation of this treaty ensured the safety of Ali's companions and his adherents concerning their lives, assets, families, and children, irrespective of their location.

3. Results and Discussion

Furthermore, the Imam (peace be upon him) played a pivotal role in mitigating the dangers of insurrection, dissolving divisions, and fostering national unity via his oratory. It was conveyed from him (peace be upon him): Therefore, revere God, O servants of God, and recognise that whoever fears God, He will provide an escape from turmoil, direct him

in his endeavours, facilitate his guidance, ensure his success with His reasoning, illuminate his countenance, and fulfil his aspirations, alongside those upon whom God has conferred favor—namely, the prophets, the truthful, the martyrs, and the righteous [20], [21]. Those partners are exceptional. This passage unequivocally demonstrates the Imam's determination to avert the danger that encircled the Muslims.

The Principle (Actions are Evaluated Based on Their Intentions).

A. The semantic significance of purpose. The roots Qaf, Sad, and Dal signify actions and their completion, as well as the concept of accumulation. The essence is that I approached it with deliberate aim and purpose [22], [23], [24].

Intention: (Nawe: aimed at the matter with purpose and intent, specifically with the relief of the letter Al-Laythani, which is uncommon until accompanied by deletion, and both parties aimed for it: planned it and had belief in it. He desired the home and similarly intended it. And intention: the aspect that he enters into.

B. The precise technical definition of the rule: The ruling resulting from a case corresponds with the desired meaning of that case. Three principles: one representing the execution of an activity and its importance, and the other indicating the aggregate of an entity. The notion is that I formulated it with deliberation and intent. The arrow hit and caused an instant death. The alternate interpretation is: I meant something; I caused its harm.

The Aim

The fundamental tenet of the regulation: The majority of scholars varied in their interpretations of the concept into three unique approaches.

The Hanafis and Malikis contend that in contracts, intentions and meanings take precedence over the language and structures used. Do the Shafi'is ascertain the importance of contracts based on their wording or their meanings? The Hanbalis contend that if an addition to contract language deviates from the original subject, does this nullify the contract, or does it convert it into a metaphor that may be considered valid in that context?

4. Conclusion

The foundation of the regulation: The authentic Sunnah: It was told by him (S) that actions are only determined by intentions, and each individual would get just what they intended. Thus, whomever migrates for the sake of Allah and His Messenger, their travel is really for Allah and His Messenger. Whoever migrates for material gain or to marry a lady, his migration is for that purpose to which he has gone.

It was told from him (Sal) that the purpose of the believer surpasses his actions, while the intention of the unbeliever is inferior to his actions, and each individual acts in accordance with his intention.

Applications of the regulation: Notwithstanding the variations in the interpretations of the contract, the unifying principle throughout all Islamic sects is that it becomes obligatory for both parties at consent and finalisation. This is a significant principle that Imam Hassan (peace be upon him) adhered to with genuine sincerity. His objective was to safeguard the essence of Islam, protect the lives of adherents from violence, and maintain the unity of Muslims against fragmentation. He accomplished this, which was one of his ambitious objectives for the benefits of his peace with Muawiyah. The Imam's (peace be upon him) use of these jurisprudential principles in his esteemed life significantly reinforced the tenets of genuine Muhammadan Islam. Upon examining this study and its environment, the researcher concluded with the below conclusions and recommendations:

Findings from the Research

The life of Imam Hassan al-Mujtaba (peace be upon him) serves as a model for all Muslims in exemplifying virtuous conduct in both speech and action.

Imam Hassan's (peace be upon him) political views serve as the foundation for several Islamic political jurisprudential principles.

Imam Hassan (peace be upon him) played a pivotal role in preserving the lives of Muslims and fostering their unity.

Regarding the Recommendations

The need for scholars to focus on the jurisprudential methodology of Imam Hassan al-Mujtaba (peace be upon him).

The need for academics to emphasise his role in instituting a new political jurisprudential framework during his reign over the Muslims, while relinquishing the position of caliph.

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