

Methodology of Compiling the Principles Governing the Family by Adopting the Method of "Exploration" of Shahid Sadr

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Abstract

The researches that have been carried out so far regarding the principles governing the family, have often been about adopting of examples, without explaining the concept of the principle, government and the method of deriving these principles from the verses and traditions. Since every inference requires an explanation of the method, so in this research, we intend to adopt the bases and principles of the method of "exploration" of Martyr Sadr in the book "Our Economy" which is a new theory in the presentation of the school that is considered as economic school, to explain the methods and mechanisms of deriving the principles governing the family from verses and traditions by using the descriptive-analytically method. The most important mechanisms of the exploration method examined in this research are: repetition and emphasis of the law, collective speeches using common terminology, discovering the criteria of rulings, and induction method. The validation of the tools of this inference in the field of family will give more credit to the discovered principles which are of great interest today in policy-making, legislation and implementation in jurisprudential-legal issues related to family. This is because first of all, the method of Ijtihad of the Usulians requires development and evolution while maintaining the traditional framework, and in addition to the rules of Ijtihad that mainly focus on individual aspects, attention should also be paid to the method of obtaining social rulings and governmental jurisprudence as well as rulings derived from moral propositions. Secondly, these principles show the macro approach of a system and instead of expressing a ruling and knowing its segments, it states and discusses about what or why the rulings are, and in case of conflict with individual propositions, it can have authority over them.

Keywords: Principle government, principles governing the family, comprehensive system of Islamic knowledge, method of exploration, Shahid Sadr

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