

MAULANA MUHAMMAD YUSUF

# THE HIKMAH

BEHIND THE FOUR MAZHABS





# Abstract

بسم الله الرحمن الرحيم

The four Schools of thoughts (Mazhab) in Fiqh; Hanafi Mazhab, Maliki Mazhab, Shafi'ie Mazhab and Hanbali Mazhab. Many have heard of and are acquainted with the laws practiced within the four Schools of thoughts. The four Imams laid down the foundation with Quran and Sunnah as their guidance. The later generations continued their works and raised a firm structure on top of the existing foundation. As their circle grew, they gained more traction amongst the people. Thus, their influence eventually expanded throughout the Islamic Empire. Unfortunately, there are still some who are oblivious to this solid foundation. It is the aim of this book; that the readers could get a firm grasp over the four mazhabs where he would not be easily swayed by any misinformation.

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## Preface

الحمد لله وكفى، والصلاة والسلام على عباده الذين اصطفى،  
أما بعد:

“As of recently, more and more people are influenced by the movement of Salafism and regard it as a better option rather than abiding to any of the four existing mazhabs. We need a booklet that can clarify to the people the wisdom behind the four mazhabs. What is the wisdom behind Allah SWT choosing these four mazhabs for the Ummah of Muhammad ﷺ?” That was more or less the question posed in a meeting which spurred the writing of this booklet.

Fanaticism, narrow-mindedness, and blind faith. These are among the criticisms that had been thrown at those who abide by any mazhab from the four mazhabs; the Hanafi, the Maliki, the Shafiie and the Hanbali. These are

the four most influential schools of thoughts in the field of Islamic Legal system (or more commonly known as Fiqh) prior to the wide spreading influence of Salafism. With more excuses that emerged, it resulted in more people turning away from the four mazhabs. An obstacle towards a progressive future, incompatible with the spirit of taysir (making things easier on oneself and others) that is well acknowledged in Islam, a breeding ground for hatred and enmity, deviating away from the most important root in Islam i.e., Quran and Hadith. At the first glance, these might seem like compelling arguments, however, the fact of the matter is; the four mazhabs are free from all of these allegations.

Engaging in an argument against the Salafis is not the objective of this booklet. Scholars who were defined as Ahlul- Hadith (who were not affiliated with any existing mazhab) exist throughout the Islamic history. Spreading hate

and malice would only result in the Muslim Ummah being further disunited, which in turn, would take away the mercy and the blessing of Allah SWT from the Ummah.

*((And Obey Allah and his messenger and do not engage in an argument (amongst yourselves), lest your heart will be weakened and your power will depart, and be patient; For Allah is with those who are patient)).* Surah Al-Anfaal Chapter: 8, verse: 46.

Only Allah Ta'ala will decide which group will persevere and which group will cease to exist for He is the best planner. Our responsibility is only to convey what we believe to be the truth without spreading hate amongst the Ummah. Shi'ism has been in existence for many centuries despite countless efforts made against it -and we will not stop defending our sacred belief against its teaching-. On the other hand, there were some other groups that used to be influential which had either completely

died out or almost entirely died out (such as the Khawarij, the Mu'tazilie and the Zhohirie). Upon Allah is our utmost reliance.

This booklet will tread through a linear path of presenting the wisdoms behind the four mazhabs, as that was the impetus that pushed it forward into a writing form. Some endeavours will also be directed towards shedding light on the four mazhabs, clearing it from all misinformation and misunderstanding. These additional points will be included along the way within this linear path. Allocating each of these points in their own specific chapter would cause the writing to repeat many similar points.

Among the wisdoms of the four mazhabs are:

1. The four mazhabs in their pristine state; deal with the issue of the differences of opinion in a way that brings harmony amidst the differences.

2. One of the unique traits in Islam is preserving the chain of knowledge from Nabi ﷺ and ensuring the survival of this chain through conveying and spreading it to the next generation. This exact spirit is found within the four mazhabs.
3. Following these mazhabs is in line with asking the people of knowledge which is encouraged in Surah Al-Anbiyaa': *((So ask the people who are well versed in the previous scripture if you do not have any knowledge))*. From this verse some of the Mufasssireen (the scholars who are experts in Quranic exegesis) stated that it is compulsory for the ones without knowledge to consult the ones with knowledge.<sup>1</sup>
4. The concentration of Islamic Legal system within the four mazhabs allows it to grow and develop to a further refined state.

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<sup>1</sup>At-Tafsirul Munir by Dr. Wahbah Zuhaily, vol. 9.

These are the main wisdoms of the four mazhabs underneath which lie more wisdoms. I humbly apologize for any shortcoming and mistakes.

من كثر كلامه كثر خطؤه

“He who speaks a lot, his mistakes will also be a lot”.

I ask Allah Ta’ala to give me the ability to explain these points in a bit more detail.

والله تعالى أعلم وعلمه أتمّ

THE FIRST WISDOM  
*Harmony amidst the*  
*Differences*

“It would not have pleased me if the companions of Muhammad ﷺ had not differed, had they not differed with each other then it would not become a rukhsah (leniency)”.<sup>2</sup>

-Umar Bin Abdul Aziz-

**Unity and Islam**

Unity amongst the people is a sought-after quality by every nation on earth. Islam is not different in this matter. There are many Quranic verses and Ahadeeth that give a lot of significance to the unity of the Ummah. One of the most evident examples can be found in the

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<sup>2</sup> Kitab Adabul-Hiwar wa Qawaidul-Ikhtilaf by Umar bin Abdulllah Al-Kamil.  
Page 38.

Ahadeeth that urge the people not to remove themselves from the authority of the ruler (who is a Muslim and allows Islam to be practiced) even when that said ruler is corrupt. Rasulullah ﷺ said: *(Whomsoever came out from the obedience (of the Imam), and separated himself from the Jama'ah (the unity of Muslim Ummah), then he died, he died the death of Jahiliyyah).*<sup>3</sup>

That is because unity and order ensure benefits that outweigh the imagined “benefits” in rebellion and chaos. During the reign of Khalifah Uthman Radhiyallahu‘anhu, those who were misled by Abdullah bin Saba’ believed that Uthman Radhiyallahu‘anhu was an unjust Khalifah. Many false and baseless accusations were thrown at him. This rebellion led to nothing but bloodshed, after bloodshed. The rapid progression the Muslims were experiencing came to a halt. This trial and

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<sup>3</sup> Sahih Muslim, Hadith No. 4786.

tribulation (fitnah) continued for approximately six long years until eventually Hasan Bin Ali Radhiyallahu'anhuma put an end to it.

Whilst attempting to achieve unity, every society would have to face many obstacles. One of them is the differences of opinion. It is a factor that exists within every society and in every field of knowledges. Many a time we have heard of it becoming a leading cause to the collapse of a society. Starting from small differences. In time it grows larger and larger eventually, the seeds of revolution had already been planted all over the kingdom. On the other hand, implementing a very strict rule against expressing these differences would cause hardship to many people, together with the fact that in certain cases, these differences could become a vital means of progression to the society. Therefore, some level of tolerance should be developed towards it.

## **Facilitating Differences of Opinion in Islam**

In Islam there are certain areas where differences of opinion would be strongly rejected. And there are certain perimeters where it is allowed. One of these perimeters is the differences of opinion in Islamic Legal system.

After the Battle of the Trench Rasulullah ﷺ received a revelation regarding the betrayal of Banu Quraizah (one of the Jewish tribes who used to live in Madinah). He ﷺ told the Sahabah to march against them. It is narrated from Ibnu Umar RA: “He ﷺ said: *(No one should perform Asar prayer except in Bani Quraizah)*. Some of them reached the time of Asar in the road. One group amongst them said: “We will not perform it until we arrive at Bani Quraizah.” And the other group said: “Rather we will perform (it right now), he did not mean it from us like that (literally).” That was (later)

mentioned to Rasulullah ﷺ and he did not criticize any of us”.<sup>4</sup>

This ability of expressing differences of opinion (as long as it is supported with strong foundations) is in line with the spirit of taysir. A person who finds an extreme hardship in practising a fatwa of a mufti could take the opinion of another mufti that is lighter and easier for him. Had there been only one take in all of the areas of Islamic Legal system, then this person would have no other choice but to abide by that one singular practice, no matter how hard it may appear to him. Albeit, it should not be presented in an unrestrictive manner, as that will bring chaos and confusion in society.

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<sup>4</sup> Sahih Bukhari, Hadith No. 946

## **The Harm of Lawlessness within Differences of Opinion**

If everyone is allowed to take any opinion haphazardly, it could have many harmful impacts towards society. When a society is deprived from a system that could verify the authenticity of each other's opinion, especially concerning something as sensitive as religious opinions, the people could easily fall into the trap of Shaitan, slandering those who hold different opinions than them and start calling them names. As long as, this system of authentication is absent, they would have no way to put an end to these disputes.

Prior to the compilation of Rasam Uthmani (the writing and the arrangement of the Quran as we have it today), whenever two people who learned the Quran in different harf met, they would easily get into a heated argument, names would be thrown against each other. It

almost erupted into something even more concerning. In the end, through the mercy and blessing of Allah, this dispute was resolved with the standardization of Rasam Uthmani and the implementation of a strict ruling; that Quran should only be learned from certified teachers.

Without a proper system that could govern the people in this aspect, in time; there would be some who will pursue all of the easier opinions (tatabbu' rukhos). Every opinion in a mazhab stemmed from the implementation of a consistent methodology, and tatabbu' rukhos completely ignores that. What is even more harmful than that is when there are some people who will create a combination of opinions that no scholar had ever said before (more commonly known as talfiq). One of the more common examples of this malicious practice is found in the chapter of Marriage;

A person who marries a woman without the approval of her legal guardian (following the Ahnaaf) and without any witness at the time of 'aqad (following the Maliki). Among the distinctive qualities of marriage are its sanctity and also the walimah that follows which became a medium in spreading its news. A marriage that took place secretly without being sanctioned (approved) by the wali (bride's legal guardian) may seem not that much different than fornication.

These harms could be easily deterred by abiding to only one Mazhab.

### **The Need to Consider the Opinions of Other Mazhab in Dire Times**

While abiding to only a single mazhab ensures a person's safety from falling into the trap of Shaitan; like practicing tatabbu' rukhos, however, if push comes to shove; this person can refer his problem to a Mufti or a Qadi,

where, they would direct this person to an option that would benefit him the most. This option could come from anywhere within the four mazhabs.

When confronted with the issue of tawaf (circumambulation), many Shafi'iyah are troubled by the fact that it is an act of worship done by both gender within the same perimeter. Wudhu' (ablution) is required to be maintained throughout all seven rounds of tawaf. According to the stronger opinion of the Shafi'iyyah; wudhu' would be immediately nullified by mere skin contact between two opposite genders. Maintaining taharah for the entire seven rounds of tawaf while wearing Ihraam seems nigh impossible. In dealing with this issue, some of them have opted to follow the Maliki Mazhab in this issue; where the ablution could be maintained by both parties even when there is a touching that occurred between them, as long as their lust remain

calm. Once they are finished from tawaf or done with the entire rituals of Hajj or Umrah, they would then go back to the stronger opinion of Shafi'ie Mazhab, implementing a rule found in Islamic Jurisprudence;

إذا ضاق الأمر اتسع، إذا اتسع الأمر ضاق

“When a matter is too straitened then it will be made spacious, and when it is too opened-up it will then be filtered”.

Once it is narrated from Maulana Ashraf Ali Thanwi that he went to Maulana Rashid Ahmad Gangohi (both of whom were Deobandi Scholars)<sup>5</sup> to ask permission for him to be able to give an answer from any of the four mazhabs with regard to the issues in the field of commerce.<sup>6</sup>

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<sup>5</sup> The Deobandi Scholars were known to be very strict in following their mazhab.

<sup>6</sup> Maulana Taha Karaan- Connecting to Imaams of Fiqh. 1:02:18. Unfortunately, I could not get my hand on the full narration of this story whether Maulana Rashid Ahmad Gangohi gave the permission to him or not. However, the fact that a scholar as strict as Maulana Ashraf Ali Thanwi

As the modern financial world was not created by the Muslims, rather it was majorly shaped by the Western World. Trying to fit the Islamic shariah into it is like fitting a circle into a square, there would always be some gaps that need to be filled. Maulana Ashraf Ali Thanwi understood that what is important is not for one to only live according to his specific mazhab but for the Shariah of Allah Ta'ala to be practiced by the Ummah.

Maintaining tolerance towards the opinions of other reliable scholars is the key in freeing oneself from fanaticism. Without fanaticism, the path towards achieving unity in the field of Fiqh (Islamic Legal system) would be drawn closer within our grasp.

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is even considering taking opinions from another mazhab speaks volume on the necessity of broadening one's horizon when the need calls for it.

## **The Four Mazhabs Ensures a Higher Possibility of Unity**

The four mazhabs had been in existence amongst the Muslims for more than a millennium, the exposure that the Muslims community should have towards its existence should be massive. It should no longer be considered as foreign elements, especially in this current age of world without borders. Although, there are still some minorities who would engage in a heated debate regarding certain opinions of the four mazhabs, the chances of it ever escalating to something grave are much lower, as the masses by and large, had given their approval to all four of them.

A knife that was used to commit a murder does not make the knife itself to be evil. In fact, it is a tool possessing variety of uses and benefits. The hatred born amongst the people of

different mazhab should not affect the status of the mazhab itself. The four mazhabs started from honest efforts of the four Imams. Efforts that were spent earnestly in an attempt to unveil the law of Allah Azzawajall. All of them had the readiness to share this knowledge with others without condemning the views of other scholars.

If complete unity could be achieved then the best place for it to occur would be during the period of Khulafaa' Rashideen, where the Muslims were at their strongest and when they were the most united. However, even in that era we saw differences of opinion. Abdullah bin Abbas radhiyallahu'anhu had his own mazhab, Aishah radhiyallahu'aha had her own mazhab, Abdullah bin Mas'ud radhiyallahu'anhu had his own mazhab.

Once Khalifah Al -Mansur wanted to make a number of copies of Muwatta' of Imam Malik

and to spread these copies to all of the Islamic cities. His intention was to put an end to the differences of opinion in Islamic Legal system by imposing upon them the fiqh of Imam Malik. Imam Malik was the first person to oppose this idea. He said: “Oh Amirul-Mu”minin, do not do this. Indeed, the people were preceded by many Aqwaal (opinions), they have heard many Ahadeeth, they have narrated many narrations. Every nation holds on unto what has reached them from the earlier generations, and they brought with it the differences of opinions. So, leave the people and what they have chosen for themselves”. Then The Caliph said: “Had you complied with me, I would have ordered it (to be executed)”.<sup>7</sup>

Another benefit of abiding to the system of four mazhabs is the reliability of its opinions. In Islam, everything should come from Allah Taala

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<sup>7</sup> Ihya' Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws.

and his messenger ﷺ. Since Rasulullah ﷺ was appointed as a messenger to explain to the people the message of Allah Ta'ala, our understanding of the Quran would be much more reliable if it has a link to Rasulullah ﷺ. Therefore, the next discussion will be focused on the link of the Four Imams to Rasulullah ﷺ. As far as reliability is concerned, in the eyes of Muslims, this authentic link to Rasulullah ﷺ is the most valuable asset.

THE SECOND WISDOM  
*Preserving the Chains of*  
*Knowledge*

“Indeed, this knowledge is a part of our religion, so look properly from whom you take your religion”.<sup>8</sup>

-Muhammad Ibne Sirin-

**The Science of Sanad**

Sanad is an Arabic word which literally means support or backing. It is a term used by Muslims referring to the science of certifying news and information. For every news that was narrated, the chain of narrators for that news needs to be presented. Failure in doing so would demand the status of that news to be unreliable. A single unreliable or anonymous

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<sup>8</sup> Sahih Muslim, Introduction. Chapter 5: Explaining that Isnad is a part of religion.

narrator within that chain would put a scratch in the authenticity of that news. It is a science that is mostly discussed in the field of Hadith.

Many books were written to lay down the foundations and the rulings of this science. What is even more impressive is the fact that the names of most of the narrators of Hadith are documented by the scholars of the past. Their full names, their nicknames, the names of their fathers, which city they were attributed to, in which era they were alive and most importantly their vindication or vilification. All of these were documented with the purpose of preserving the authenticity of Hadeeth.

Muslims hold a high regard towards sanad. It is a sacred link that connects them to their beloved Prophet ﷺ . Any narration, any stories, any knowledge would possess a higher value by them once it is connected to Rasulullah ﷺ .

## **The Link of the Four Imams to Nabi ﷺ**

All of the Imam of the four madhahib obtained their knowledges from their teachers. And these teachers in turn, took these knowledges from their own teachers. The chains went upwards until it reaches the Sahabah, and the Sahabah took their knowledges either from other Sahabah or directly from Rasulullah ﷺ, and the Messenger ﷺ received his knowledge from Allah Azzawajall Sometimes through the medium of Jibreel ('alaihissalam), and sometimes directly from Allah Azzawajall.

**Imam Abu Hanifah** learned from Hammad bin Abi Sulaiman, Hammad learned from Ibrahim An-Nakha'I, Ibrahim An-Nakha'I learned from his uncle 'Alqamah bin Qais, 'Alqamah learned from Al-Faqih Al-Muqri' Abdullah bin Mas'ud (Radhiyallahu'anhu).

**Imam Malik** learned from Nafi' the freed slave of Abdullah ibnu Umar, Nafi' learned from Ibnu

Umar (Radhiyallahu'anhu) – this chain from Imam Malik is famously known as the golden chain-.

**Imam Shafi'ie** learned directly from Imam Malik and he also learned Muhammad bin Hasan Ash-Shaibani the student of Imam Abu Hanifah. Aside from them he also learned from Muslim bin Khalid Az-Zanji, Az-Zanji learned from Zaid bin Aslam, Zaid bin Aslam learned from Sa'id bin Musayyab one the Seven Fuqaha' of Madinah, Sa'id bin Musayyab learned from a number of Sahabah such as Saad bin Abi Waqqas, Abdullah ibnu Umar and Abdullah ibnu Abbas radhiyallahu'anhuma.

**Imam Ahmad** learned directly from Imam Shafi'ie and he also learned from Al-Qadhi Abu Yusuf the student of Imam Abu Hanifah. -Imam Abu Hanifah, Al-Qadhi Abu Yusuf and Muhammad bin Hasan Ash-Shaibani are the three most important figures of the Hanafi

Mazhab. Together they are called as *Aimmatuna Thalathah* (our three Imams) by the Ahnaaf-. Together with the influence of the fiqh of Imam Shafi'ie, the fiqh of Imam Ahmad is also heavily influenced by his teacher Ishaq bin Rahawaih. Ishaq bin Rahawaih learned from Abdurrahman bin Mahdi, Abdurrahman bin Mahdi learned from Imam Malik and Sufyan Ath-Thauri. Sufyan Ath-Thauri learned from Ayyub As-Sakhtiani. Ayyub As-Sakhtiani learned from Atho' bin Abu Rabah, Atho' bin Abu Rabah learned from Ibnu Abbas radhiyallahu'anhuma.

And from the four Imams, the knowledges were passed on to their students, the students took the torch from their teachers and passed it down to the next generations. The chains went on until today. Classes and madrasahs were founded with the intention of spreading the legacies of these four Imams. These are legacies that are derived from Rasulullah SAW himself.

## **The Sanad of Fiqh**

While Sanad is predominantly discussed in the science of Hadeeth, it is also found in the rest of Islamic fields. The recitation of the Quran nowadays is transferred from the previous generations through Sanad Mutawatir (a bulk of people from a generation passing down an information to another bulk of people of the next generation in such a way that removes any suspicion over the authenticity of that said information). In Aqidah (theology) we have Ahlussunnah wal-Jamaah. The creeds of Ahlussunnah wal-Jamaah would either go back to Imam Abul Hasan Al-Ash'ari, or Abu Mansur Al-Maturidi, or Salafus-Solihin (the pious people of the past). In Fiqh, there are the four Imams; Imam Abu Hanifah, Imam Malik, Imam Shafi'ie, and Imam Ahmad.

The Sanad in Fiqh holds a different a value than the Sanad in Hadith. The Sanad in Hadith preserve the authenticity of the Matan (the

wordings of Hadith). The Sanad of Fiqh preserves the detailed methodology of extracting laws (jurisprudence) from the Quran and Hadith. Once a man came to Hafiz Al-A'masy<sup>9</sup> to ask him a question, while Imam Abu Hanifah was sitting nearby, Hafiz Al-A'masy said to him: "Oh Nu'man (Imam Abu Hanifah)! Answer him!". Then he answered his question. After that Hafiz Al-A'masy asked him: "From where did you get the answer?". He replied: "That was from the Hadith which you had narrated to us." Hafiz Al-A'masy replied: "We (muhaddithen) are the pharmacists and you people (fuqaha') are the doctors".<sup>10</sup>

### **The Light Inherited from Rasulullah ﷺ**

Information is not the only thing preserved within this Sanad. Beyond it lies a very delicate

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<sup>9</sup> Sulaiman bin Mihran, a great muhaddith; The people called him al-Mushaf (the Manuscript) due to his truthfulness. Tahzibul Kamal fi Asmaa'l Rijal by Al-Hafiz Al-Mizzi, vol. 12, page 76-91.

<sup>10</sup> Jami' Bayanul- 'Ilm wa Fadhlihi by Ibnu Abdilbarr Al-Maliki, vol. 2, page: 1030, Narration no. 1973.

light of Nubuwwah (prophethood) drawn from this sacred link.

It is narrated from Abu Darda' radhiallahu'anhu, from Rasulullah ﷺ, he said: *(Verily the scholars are the inheritors of the prophets, verily the prophets did not leave behind gold coins, nor silver coins. Indeed, their sole inheritance was knowledge).*<sup>11</sup>

There is a famous poetry composed by Imam Ash-Shafi'ie Rahimahullah: "I complained to Waki' of my bad memory, then he guided me towards leaving sins, indeed this knowledge is a light from the light of Allah, and the light of Allah would not be given to a sinner". Whenever Imam Malik is about to conduct a class of Hadith; he would initially perform ablution, then he would proceed to sit at the front side of his couch, after which he would comb his beard and apply perfume. Before commencing the class, he would first make

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<sup>11</sup> Sunan Tirmizi, Hadith No. 2682.

sure that he is in a respectful sitting posture and filled with awe. When he is asked regarding this he replied: “I love to glorify the the Hadith of Rasulullah”. And he also said: “This knowledge is a light; Allah will place it wherever he wishes. It is not (obtained) through a lot of narrations”.<sup>12</sup>

Not learning via a teacher would deprive one off this light, it would then easier for him to be influenced by variety of rotten qualities. Without a teacher it would be hard for him to learn humility and obedience. Extracting laws on his own without being able to channel that effort and credit to anyone else but himself would expose himself to the danger of arrogance. Never experiencing companionship with any great scholar would remove the awe and respect towards the scholars, thus, leaving

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<sup>12</sup> Ihya' Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws.

him with but a little care in maintaining a proper manner towards the scholars.

"با ادب با نصیب، بے ادب بے نصیب"

“With good manner comes good fortune. With bad manner comes bad fortune”

Even after learning the importance of sanad, one might still ask this question: “Why should we choose the mazhab of the four Imams? What makes them different? Aren’t they just humans like us?”

### **The Humanity of the Four Imams does not Remove Their Credibility**

Yes, the four Imam are just human. They are not infallible. They are not free from mistake. These are all undeniable facts. Imam Shafi’ie used to say: “They (the scholars of the past) are mere men, and we are also men like them, had I (been given the chance to) present my

arguments against them, then, (there is a chance that) my argument would turn out to be stronger than theirs”.

Every field of knowledge has its own giants. In the modern era of technological advancement, there are countless of people who learned science, but not everyone can gain the same status and influence in science like Albert Einstein, or Isaac Newton, or Nikola Tesla. In the field of Hadith, thousands and thousands of students had finished their studies in Hadeeth, but none of them would dare to consider himself to be on the same level as Imam Bukhari, or Imam Muslim. In the same manner we give our respect to the four Imam. Not out of fanaticism, rather, out of respect towards the great knowledge and their great contributions to the Ummah. Their abundant knowledges are not the only reason why they were and are still respected. They were also known for their piety and sincerity.

## THE THIRD WISDOM

### *The Knowledge and Piety of the Four Imams*

*((So, ask the people who are well versed in the scripture if you do not have any knowledge)).*

(Surah Al-Anbiyaa; verse:7)

#### **For Every Field is Its Own Men**

A person who is terribly sick would not be happy if he is treated by an anonymous person without any medical certificate. In the same manner, when any religious complication arises, the matter should be referred back to the experts of this field.

Some people are quick to rely on their logical thinking when it comes to the religious matter. Thinking that uttering the lafaz (utterance) of divorce jokingly will not bear any consequence

since there was no seriousness in it. Willingly carrying a swine without any necessity is considered fine just because he/ she found it to be cute. Five times prayer can be skipped if one does not feel like doing it due to the absence of sincerity. Imam Tirmizi narrated a Hadeeth from Nabi ﷺ: *(There are three types of Judges: One of them will enter paradise and the other two will go to the hellfire. He who will go to Jannah is the one who knows the truth and judge according to it. A man who knows the truth and commits injustice will go to the hellfire. A man who gives judgment while he is ignorant of the matter will go to the hellfire).*<sup>13</sup>

Look at the piety of Imam Malik; once a man asked him a question. He replied: “I don’t know (the answer to your question)”. The man said: “I have travelled through many cities to come to you”. Imam Malik replied: “Return to your city and say (this to your people): I (went and)

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<sup>13</sup> Sunan At-Tirmizi, Hadith no. 1322.

asked Imam Malik and then his reply was: “I don’t know”.<sup>14</sup>

Even a scholar as learned as Imam Malik would abstain from saying anything regarding the law of Allah without a solid proof, we should be even more wary. The scholars had already paved the paths in Islamic Jurisprudence, putting themselves on the line, spending their efforts day and night searching for the correct answer, in order to provide a facility (taysir) to the people. The only thing that is left for us to do is just inquire from the learned ones, it is as simple as that. “May Allah have mercy on the one who knows his limit and stopped by it”.

### **The Criteria of the Followed Ones**

The best kind of person for us to entrust our matters to -especially regarding our religious matter- is; the one who has knowledge and is

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<sup>14</sup> Ihya’ Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws).

trustworthy. Yusuf A.S. said: *((Make me (in charge) on the treasures of the land, indeed I am a protector (of what is entrusted to me) and knowledgeable))*.<sup>15</sup> Surah Yusuf (Chapter:12), verse: 55.

A knowledgeable man who cannot keep his trust is just an evil scholar. How many times have we heard of charismatic figures with an ample amount of knowledge misleading a large group of people just for the sake of their own gains. The Qadhiyanies and their false belief in Mirza Ghulam Ahmad as Imam Al-Mahdi is but one of many examples in this regard.

An honest person without proper knowledge is just lost. Sometimes we may have heard of some Ahadeeth that talk about certain act of worship which comes with abundance of rewards. Be wary! Some of these Ahadeeth may be fabricated. The ones who fabricated it

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<sup>15</sup> Ad-Durrul Manthur fit-Tafsir Ma'thur by Imam Jalaluddin As-Suyuti, vol 4.

may have had a good intention behind it; to encourage the ummah towards increasing their acts of worship, albeit it was done in a manner that is strongly rejected by Islam.

### **The Eligibility of the Four Imams**

Now let us take a look at the characters and qualities of the four Imams:

**Imam Abu Hanifah:** When Hammad bin Abi Sulaiman passed away the people were in need of someone who could sit for them, they were afraid that his knowledge would be lost, so initially they went to Hammad's son Ismail. However, Ismail's expertise was in Arabic grammar and literature, so sitting in his halaqah (circle/ company) did not fulfil this need. In the halaqah of Imam Abu Hanifah the people found knowledge, comfort and tolerance that they could not find in other halaqah, thus his circle grew larger and larger until it became the largest circle in the mosque.

His status was eventually elevated, more people started to speak of him until even the leaders and the judges gave their respect to him.<sup>16</sup>

It is narrated that Imam Abu Hanifah used to pray half of the night. Once while he was walking in a road, a person pointed at him and said to his companion: “This is the man who prays the entire night”. From that day onwards he started to pray the entire night. He said: “I am ashamed from Allah SWT for me to be attributed with an act of worship that is not in me”.<sup>17</sup>

**Imam Malik:** The scholarly environment in Madinah and the noble pure family that he grew up with became the major factors in

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<sup>16</sup> Mazahibul Fiqhiyyah Al-Arba'ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Abu Hanifah: The Biography of Imam of Mazhab: The beginning of his sitting for Iftaa').

<sup>17</sup> Ihya' Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws).

Imam Malik's early education. It is narrated from Imam Malik, he said: "I used to come and learned under Nafi' Maula Ibnu Umar when I was just a boy of young age." He also said: "My mother used to make me to wear turban and said to me: "Go to Rabi'ah! Learn from his etiquette before you learn his knowledge."<sup>18</sup>

Imam Az-Zuhri said to him: "You are from the containers of knowledge. Indeed, you are a great person who is entrusted with knowledge". Imam Shafi'ie said: "When the scholars are mentioned, then Imam Malik is the star. No one has reached the height in knowledge like Imam Malik, due to his great memory, precision and preservation".<sup>19</sup>

Once Khalifah Ar-Rashid offered him to come out of Madinah and stay by him. Imam Malik

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<sup>18</sup> Mazahibul Fiqhiyyah Al-Arba'ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Malik: The Biography of Imam of Mazhab: His Searching for Knowledge).

<sup>19</sup> Mazahibul Fiqhiyyah Al-Arba'ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Malik: The Biography of Imam of Mazhab: The Praise of Scholars upon him).

replied: “As for coming out with you, there is no way to that. Rasulullah ﷺ said: “*Madinah is good for you, if only you know*”. He ﷺ had said: “*Madinah removes filth from itself like how the bellow removes the filth from the iron.*” Here are your gold coins (that you gave me), just as they were (remained untouched), if you wish you can take it and if you wish you can leave it”.<sup>20</sup>

**Imam Shafi’ie:** His lifetime was filled with many journeys and phases of acquiring knowledge. In Makkah he finished his memorization of Quran and Muwattha’. He then learned from Sufyan Ibnu ‘Uyainah and Muslim Az-Zanji. Then he travelled to Madinah and learned from Imam Malik. When Imam Malik had departed from the world he returned back to Makkah after which he set out to Yaman. After Yaman, he travelled to Baghdad. In Baghdad he learned

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<sup>20</sup> Ihya’ Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws).

from Muhammad bin Hasan the student Imam Abu Hanifah. It is within this period he learned from Waki'. After he has gathered the knowledge from Hijaz, Yaman and Iraq he travelled to Egypt.<sup>21</sup>

It is narrated from Imam Shafi'ie, he said: "I would love that the people could take benefit from this knowledge and they would not attribute anything from it back to me". Once a person asked Imam Shafi'ie a question to which he remained silent without giving any answer. So, it is said to him: "Why don't you answer? May Allah have mercy on you." He then replied: "Not until I know which one is better? My silence? Or my answer?".<sup>22</sup>

**Imam Ahmad:** He was known for his insatiable hunger for knowledge. He travelled to many

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<sup>21</sup> Mazahibul Fiqhiyyah Al-Arba'ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Shafi'ie: The Biography of Imam of Mazhab: His Scholarly Travels)

<sup>22</sup> Ihya' Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws).

places in search of knowledge. At the age of sixteen he studied in Baghdad. Then he travelled to Kufah, Basrah, Makkah, Madinah, Yaman, Sham and Jazirah. Constant learning kept him busy from earning and marriage. He only got married once his age was forty years old. Even at the age when he is older than many and after he had received a notable status in knowledge amongst the people he did not stop attending to classes. Once a person saw Imam Ahmad with an inkwell by him, so, he said: “Oh Abu Abdullah! You have reached this height, and you are the Imam of the Muslims!”. Then he replied: “I am together with the inkwell until the grave”.<sup>23</sup>

Imam Shafi’ie said: “When I left Baghdad, I did not leave behind in it anyone who is more pious, more god-fearing, more faqih, and more

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<sup>23</sup> Mazahibul Fiqhiyyah Al-Arba’ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Ahmad: The Biography of Imam of Mazhab: His search for knowledge).

knowledgeable than Ahmad bin Hanbal.” Once Abu Zur’ah Ar-Razi said “My eyes had never seen someone similar to Ahmad bin Hanbal.” Then he was asked: “In knowledge?” To which he replied: “In knowledge, in zuhud (worldly abstinence), in fiqh, in ma’rifah (knowledge that brings one closer to Allah) and in every good thing; my eyes had never seen someone like him”.<sup>24</sup>

These are but a glimpse into their great characters, as one read more about these Imams it should be clearer to him that they deserved the respects and honours that were given to them. It should also be clear to him that these Imams have nothing to do with the fanatics, in fact, they will be their most bitter

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<sup>24</sup> Mazahibul Fiqhiyyah Al-Arba’ah by Wahdah Bahsul Ilmiy (Mazhab of Imam Ahmad: The Biography of Imam of Mazhab: The praises of scholars towards him).

enemy as it is said by Imam Ghazali in Ihyaa' Ulumuddin<sup>25</sup>.

These Four Imams are not the only great figures in their mazhab, among their followers there were also many other renowned figures such as Imam Ghazali, Imam Nawawi, Shah Waliullah and so on. Some of these great figures had already reached a level where they could start their own mazhab.

These great scholars understood that they believe in the same Juriprudence (Usulul- Fiqh) that is employed by their Imams. Thus, they concluded that there is no benefit in them “reinventing the wheel”, rather, it would be much more beneficial for them to spend their efforts in completing the structure of their Imam's Mazhab.

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<sup>25</sup> Ihyaa' Ulumuddin by Imam Ghazali (Book of knowledge: Chapter of Praiseworthy knowledge and blameworthy knowledge, their types, and laws).

## THE FOURTH WISDOM

### *The Legacy*

“Laith bin Saad is more well versed in fiqh than Imam Malik, however his students did not undertake (the preservation of) his teachings”.

-Imam Shafiie-

### **The Lost Mazhabs**

Along with the four madhahib there used to be a number of other madhahib, but they did not survive the test of time. Some of them were great mazhab with great Imam, such as the mazhab of Sufyan Thauri, Laith bin Saad, Auza'ie, and Ishaq bin Rahawaih. As for why they could not survive, we could only make conjectures based on our observations, in the end we entrust everything to Allah SWT. Allah Ta'ala knows best and he is the best planner.

From what I've gathered from my teachers and my readings there are a number of elements that differentiate the four mazhabs from the rest of the mazhabs;

### **1. A Source of Inspiration for the Students**

Just as the Sahabah were inspired by the great characteristic of Rasulullah ﷺ, the great quality and the noble seerah (biography and livelihood) of the four Imams left behind a huge impact in hearts of their students. They became the visible role model for their students. Like how Imam Abu Hanifah was very adamant in refusing to be a Judge running away from the Dunya (wordly affairs), even after being punished by the Khalifah he refused to accept the position, Imam Malik's immense respect towards the hadith of Rasulullah ﷺ that even after being stung by scorpion he refused to stop his class of hadith, Imam Shafi'ie's sincerity that whenever he engaged in a

debate, his main concern was always that Allah would unveil the truth; either through his own tongue or through the tongue of his opponent, and Imam Ahmad's perseverance in establishing the truth where he had been imprisoned for many years refusing to agree with the wrong belief of the Khalifah and the Mu'tazilah. The list can go on and on.

## **2. Regional Influence**

Each and every one of the of the four mazhab had a regional influence that contributed in the spreading their mazhab. Starting from the area of their study circle; the Ahnaaf/ Hanafi in Kufa, the Maliki in Madinah, the Shafi'ie in Egypt, and the Hanbali in Baghdad. Aside from the regional influence, the influence gained from judicial system was also a major factor in the perseverance of mazhabs.

Every Islamic Empire is in need of Qadha' (judicial) system. Governing the people also

means that the Caliph needs to provide solutions for their daily problems and disputes. These issues could only be resolved after gaining a good understanding of the Sharia Law, thus, appointing a faqih to fill this role is vital for any Islamic Empire. Certain Islamic empires would employ fuqaha from certain mazhab to fill the positions of the Judge. For the majority of Abbasid Empire and Ottoman Empire the judicial system adopted the Hanafi school of thoughts. By the end of the Umayyad Dynasty the Maliki scholars were in charge of the judiciary. The Mamluk Empire chose the Shafiie mazhab as its official mazhab.

### **3. The Facilities provided by the Mazhab**

Mazhab emerged as a form of facility especially to the layman; who are busy earning, busy with their farms or any other services in a society, in such a way they would not have enough time to learn how to properly extract the legal laws

from Quran and Hadith. These are the people who are in need of mazhab the most.

Aside from the facility for the awwam (the layman), the four mazhabs also provide some other facilities to those who operate under their respective mazhab:

i. **Comprehensive Books of Law for the Judges**

The judges appointed by the government were not always on the level that they are able to extract laws on their own. Some of them were only at the level of understanding the basics of one's mazhab. These judges are in need of a comprehensive book of law to guide them. Not every mazhab were able to cater to this need, however, the four madhahib are rich in these kinds of writings.

Extracting laws directly from the Quran and Ahadeeth is not as feasible as some made it out to be. One needs to at least get a good grasp of Arabic language, and he also needs to at least

be familiar with the verses concerning laws, and it is also important for him to know a huge amount of Ahadeeth before actually being able to give a verdict in Islamic Legal system. There are other criteria that needed to be fulfilled which can be learned in the science of Islamic Jurisprudence.

These knowledges are especially crucial when dealing with two (outwardly) conflicting evidences. From Amr bin al- 'Aas, he heard Rasulullah ﷺ say: *(When a judge gave a verdict and exerted all of his efforts (in extracting the law) and he got the right answer, then for him will be two rewards. And when he gave a verdict and exerted all of his efforts, then he got the wrong answer, for him will be one reward).*<sup>26</sup>

The key point from the above Hadith is in the underlined words; exerted all of his efforts,

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<sup>26</sup> Sahih Bukhari, Hadith no. 7352.

which is called Ijtihaad in Arabic. The rewards in the above hadith can only be obtained after a meticulous study over one's own verdict in Islamic Legal system. Can this meaning be included in this Arabic word? Does it agree with the context? Is there any conflicting proof? Is there any indication that this law has already been abrogated? And many more factors to be considered. One who dives in this field half-heartedly is akin to one who gives judgement without knowledge, which -as we've already established earlier<sup>27</sup>- is a dangerous act to be attributed with.

## **ii. The Abridged Form of Book of Law Facilitates a Flexible Way of Teaching**

The abridged form of book of law or more commonly known as mukhtasar provide a solution in teaching that could not be achieved by bulkier books. First and foremost, is the fact

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<sup>27</sup> page 19.

that it requires lesser time span to cover the entire book. With it a person could cover the entire chapters of fiqh in a short period of time and obtained some basic knowledge of fiqh easily.

Sometimes it is arranged and written in a manner that is easy to memorize. Some of them were even written poetic form. If one forgot the ruling regarding certain issue, he could quickly regain his memory of that particular law it after reciting the poetry.

It is the most suitable form of book to be taught to the beginners, as in most cases a mukhtasar would not dive deeper into the differences of opinion. The small size of the book present itself as light and less intimidating to the newer audience.

However, shorter does not always mean easier. Some of the mukhtasar are packed with many meanings compressed into fewer words. These

had piqued the interest of many scholars to take these mukhtasars and elaborate them into writings that are more comprehensive. Every one of the four madhahib had their own mukhtasar provided by their followers from the early stage already.

### **iii. A Laid-out Foundation**

Every Mujtahid (one who is eligible to extract laws) rely on some solid foundations (Islamic Jurisprudence) whilst extracting laws from the Quran and Ahadeeth, whether we know it or we don't know. These foundations had already been in existence since the time Sahabah R.anhum. One Mujtahid may not have the exact same foundations compare to another Mujtahid. However, these differences are tolerable ones (where there is no clear deviation in any one of them). The first person to put these foundations into writing forms was Imam Shafi'ie. As for the remaining three Imams their

foundations were written by their followers through observing the pattern and the methodology employed by their Imams.

These are among the facilities provided by the four mazhabs, I believe there are more facilities that can be listed, after all we have more than a thousand years of efforts poured into the four Madhahib.

### **The Four Mazhabs is a Collective Effort**

The structure of the Four Mazhabs did not come to an end with the passing of the four Imams. It continued to grow and develop through the efforts of their students. The emergence of many great works in the later generations from different fields of knowledges allows the Mazhabs to grow even further. Especially the efforts that were poured into the field Fiqh and Hadith.

The Six collections of Hadeeth or more commonly known as Kutub Sittah (Sahih

Bukhari, Sahih Muslim, Sunan Abu Daud, Sunan Tirmizi, Sunan Nasai and Sunan Ibnu Majah), **the Major books of the Mazhabs, the abridged books, the books of Usul (foundations) and Qawa'id (rulings) in the Mazhab and so on. All of them contributed in the growth of the four Mazhabs.**

As times moves on, many opinions among the scholars of a mazhab were produced. The later scholars spent their efforts in evaluating these opinions. With the help of Kutub Sittah, and other compilations of Hadith, the path to evaluating these opinions has become clearer. Many issues that were left in the state of **tawaqquf** (where a scholar would refuse to give any verdict towards certain issues)<sup>28</sup> **could finally receive some answers. The tahqiq of the Ahadeeth (certification over the authenticity or weakness of certain Hadith) provided by the**

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<sup>28</sup> Like in the story of Imam Malik in page 19/20, and the story of Imam Shafi'ie in page 23.

Muhaddithin had alleviated the burdens of Fuqaha in solving the issues that were based on two conflicting hadith.

The four Imams, their students, their followers, the Mujtahid in Mazhab, the books of Tafseer, the books of Hadith all of them had a role in the formation of the four Mazhabs.

## Conclusion

Allah SWT said in Surah Al-Ma'idah (chapter: 5) verse: 03: *((This day I have perfected for you your religion))*.

### **The Emergence of New Masa'il in Every Era**

For every problem that arose a solution needed to be produced for that said problem. New problems had been emerging from the time of Rasulullah SAW until today. What is the hukum of washing clothes that were stained by impurities when using washing machine? What is the law of Bitcoin? What about the marriage that took place through video call? The rulings for all of these problems (exactly as they are presented over here) were not found during the farewell Hajj, yet Allah Azzawajalla has claimed that Islam has been completed. What does it

mean for it to be in a complete state from the angle of Fiqh?

The Holy Quran was not revealed for the sole purpose of imposing laws. It has many other angles to cover as well. There is no need for the Quran to directly address the laws for every single issue that has happened and that will happen. - (*Indeed, we have made the Quran easy to remember*))- . Instead of that, it is more practical to set up a system through which the more learned one (Mujtahid) could extract the law from the Quran and Hadith. The fuqaha' had spent their efforts tirelessly to unearth that system from Quran and Hadith. The four madhahib are the remnant and the product of their endless endeavours. The baton had now been passed to our generation, is it really the right move for us to just throw away this extremely valuable gem?

Ibnu Taymiyyah used to say: “A person who says: “I will not restrict myself to any one of these four Imams.” If he meant that: “I will not restrict myself to only one (of the four mazhab) without (considering the opinions found in) the remaining mazhabs.” Indeed, he has done well, and that is the right choice from the two opinions. But if he meant that: “I will not restrict myself to all of them, instead I will go against them.” Then he definitely made a mistake in most cases. Since the truth does not go out of the four (mazhabs) in the general Shari’ah”.<sup>29</sup>

Again, I humbly apologize for any mistakes and shortcomings. I ask Allah Azzawajall to accept this work of mine for he is true Judge, may Allah Subhanahu wa Taala keep us all in the in the right path.

آمين يا رب العالمين، والحمد لله رب العالمين.

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<sup>29</sup> Mukhtasar al-Fatawa al-Misriyyah (1/53)

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