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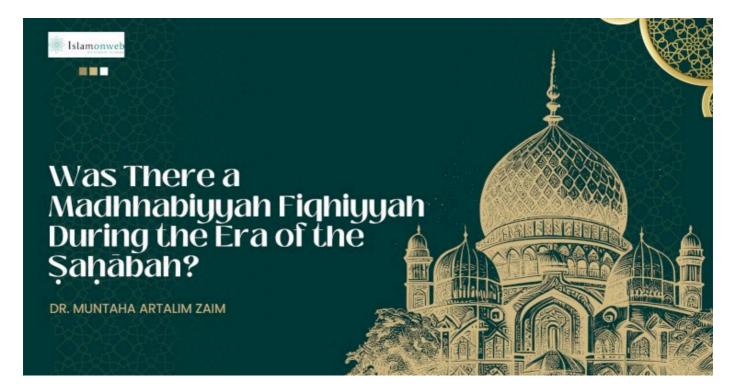
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## Was There a Madhhabiyyah Fiqhiyyah During the Era of the Ṣaḥābah? A Historical and Analytical Account

Dr. Muntaha Artalim Zaim (https://en.islamonweb.net/profile/dr-muntaha-artalim-zaim)

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There is a common misconception among some individuals that madhhabiyyah (the adherence to specific legal schools of thought) is a recent development and that following a particular madhhab is prohibited. This belief, however, oversimplifies the matter. The issue of madhhabs is far more complex than such claims suggest. Historically, the development of Islamic jurisprudence (fiqh) and the categorization of different schools of thought have deep roots that trace back to the era of the Companions of the Prophet Muhammad <sup>28</sup>. These early scholars laid the foundations for systematic legal frameworks that continue to guide Islamic jurisprudence to this

day. Thus, the notion of adhering to a madhhab is not a novelty, nor is it merely a matter of taqlid; rather, it is a scholarly practice grounded in centuries of jurisprudential development, and it holds an important place in the preservation and dissemination of Islamic law.

This article will give some proofs and historical evidences the origins and development of jurisprudential schools (Madhābs) in the early Islamic period, particularly during the time of the Prophet's Companions (Ṣaḥābah). It also aims to trace the historical factors and foundations that led to the establishment and evolution of these schools of thought. This study also aims to highlight the influence of the Companions of the Prophet (may Allah be pleased with them) and their schools in the emergence of the four Islamic jurisprudential schools (Madhābs). It seeks to demonstrate that these schools were built upon the jurisprudence inherited from the Companions, who derived their understanding of jurisprudence and legal opinions from the light of Prophethood.

However, despite the fact that the Companions were the generation with the most comprehensive understanding of Islam and were the transmitters of the Prophet's *knowledge* to subsequent generations, it is notable that the scholars of fiqh attribute the understanding of fiqh not to the Companions, but to the scholars of the four Madhābs. The writer hopes that readers will find a concise answer in this brief article.

## The Fatwa in the age of the Prophet and Sahabah

The Prophet Muhammad <sup>##</sup> was the first to engage in issuing legal rulings (fatwas), doing so based on the clear revelation from Allah. His rulings served as a source of legislation alongside the Quran. He practically taught his Companions the methodology of issuing fatwas, engaging in ijtihad (independent reasoning), and applying qiyas (analogical reasoning). The Companions learned this methodology and the principles of issuing legal rulings from the Prophet <sup>##</sup> and transmitted the hadiths they heard directly from him.

Related to the number of the Prophet's companions cannot be definitively determined, due to their dispersion across various cities, villages, and deserts. Additionally, during the time of the Prophet <sup>26</sup>/<sub>26</sub>, there was no comprehensive record

kept that listed the names of those who converted to Islam or those born into Islam. But narrated by al-Khatib al-Baghdadi (d. 463/1072) in his work "al-Jami' li Akhlaq al-Rawi", that Imam Abu Zur'ah al-Razi (d. 262/878) affirmed that the number of the companions was 114,000. (See; Al-Jami' li Akhlaq al-Rawi, vol. 2, p. 293).

However, not all of these Companions were specialists in issuing legal rulings (fatwas). According to Ibn Qayyim Al-Jauziyyah (d. 751/1350) in his work *I'lam al-Muwaqqi'in*, he mentioned only around 130 Companions were recognized as experts in providing fatwas. He stated: "The number of companions of the Messenger of Allah <sup>##</sup> from whom legal rulings (fatwas) were preserved is one hundred and thirty, including both men and women. Among them, the most frequent issuers of fatwas were seven: Umar ibn al-Khattab, Ali ibn Abi Talib, Abdullah ibn Mas'ud, Aisha, Zayd ibn Thabit, Abdullah ibn Abbas, and Abdullah ibn Umar." (See: I'lam al-Muwaqqi'in, vol. 1, p. 10). These individuals had acquired an in-depth understanding of Islamic jurisprudence directly from the Prophet <sup>##</sup> and were entrusted with guiding others in legal matters.

Among these jurists, the most active in issuing fatwas were a select group of approximately 20 Companions, as noted by Kamal al-Din Ibn al-Humam (d. 861/1457) in *Fath al-Qadir*. These Companions, such as Abu Bakr, Umar, Uthman, Ali, Ibn Mas'ud, and Ibn Abbas, became the primary sources of legal rulings within the community. The remaining Companions generally adhered to the fatwas of these leading scholars, relying on their expertise and deep knowledge of Islamic law. This system of specialization and reliance on the most knowledgeable figures laid the foundation for the development of Islamic jurisprudence in subsequent generations.

Ibnu al-Humam said: "*Lā tablughu 'iddatu al-mujtahidīn al-fuqahā' minhum akthara min 'ishrīn, kal-khulafā' wa al-'Abādilah wa Zayd ibn Thābit wa Mu'ādh ibn Jabal wa Anas wa Abī Hurayrah – raḍiya Allāhu 'anhum – wa qalīl, wa al-bāqūn yarji'ūna ilayhim wa yastaftūna minhum.* (The number of jurists among the Companions who were qualified for independent reasoning (*ijtihad*) did not exceed twenty. These included the caliphs, the 'Abadilah (the four Abdullahs), Zayd ibn Thabit, Mu'adh ibn Jabal, Anas, and Abu Hurayrah (may Allah be pleased with them), among a few others. The remaining Companions would refer to them and seek their legal opinions (fatwas)). (See: Fath al-Qadir, vol 3, p. 470). There is a more specific study highlighting that, among the many Companions who were experts in issuing fatwas, only three were consistently followed and regarded as primary references. These were Zaid ibn Thabit, Abdullah ibn Mas'ud, and Abdullah ibn Abbas. This point is elaborated upon by the prominent muhaddith, Imam Ali al-Madini (d. 243/849) in his work *Al-'llal*.

Ali al-Madini explains that these three Companions possessed exceptional legal acumen and were widely recognized for their mastery of jurisprudence. Their fatwas became foundational in shaping Islamic legal thought during the formative years of the Muslim community. Zaid ibn Thabit was renowned for his expertise in legal reasoning (fatwa). Abdullah ibn Mas'ud was celebrated for his deep understanding of the Quran and his practical approach to jurisprudence, while Abdullah ibn Abbas was recognized as "the scholar of the ummah" (*habr al-ummah*). Their contributions became benchmarks for subsequent generations and played a central role in the development of Islamic legal schools. Actually, it is not just these three companions; it seems that Ibn al-Madini was only providing examples. As is well known, Ibn Umar was also a reference for fatwas for the people of Madinah.

Ali Al-Madini stated in al-'Ilal: "*Lam yakun fī aṣḥābi Rasūlillāhi ṣallá Allāhu 'alayhi wa sallam man lahu ṣuḥbah yadhhabūna madhhabahu wa yuftūna bi-fatwāhu wa yaslūkūna ṭarīqatahu illā thalāthah: 'Abdullāh ibn Mas'ūd, wa Zayd ibn Thābit, wa 'Abdullāh ibn 'Abbās* (Among the Companions of the Messenger of Allah ﷺ, there were none whose their methodology (Madhāb) was followed, whose fatwas were adopted, and whose approach was adhered to except for three: Abdullah ibn Mas'ud, Zayd ibn Thabit, and Abdullah ibn Abbas). (See: al-'Ilal by Ali Al-Madini, p. 42).

Ali Al-Madini explored more and he gave an example of madzhab Zaid ibn Thabit, he said, "*Wa kāna aṣḥābu Zayd ibn Thābit alladhīna yadhhabūna madhhabahu fī al-fiqh wa yaqūlūna bi-qawlihi hā'ulā' al-ithnay 'ashar, kāna minhum man laqiyahu wa minhum man lam yalqahu..."* (The followers of Zayd ibn Thabit, who adhered to his methodology (madhabahu) in jurisprudence (fiqh) and adopted his opinions, numbered twelve individuals. Among them were those who met him personally and those who did not meet him directly...). Ali al-Madini mentioned the name of twelves students and followers who adhered to the jurisprudential school of Zayd ibn Thabit. He then stated: "*Wa kāna a'lamu ahl al-Madīnati bi-hā'ulā'i al-ithnay 'ashar wa* 

madhhabihim wa ṭarīqihim Ibn Shihāb, wa Yaḥyá ibn Saʿīd, wa Abū al-Zinād, wa Abū Bakr ibn Ḥazm. (The most knowledgeable individuals in Medina regarding these twelve followers, their jurisprudential school (madhabihim), and their methodology were Ibn Shihab, Yahya ibn Saʿid, Abu al-Zinad, and Abu Bakr ibn Hazm). (See: al-'Ilal by Ali Al-Madini, p. 46).

The mention of the name Muhammad ibn Shihab al-Zuhri (d. 124/742) in the text by Ali al-Madini is very significant, as known that Ibn Shihab was a prominent scholar and the teacher of Imam Malik bin Anas (d. 179/795) the founder of Madhab Maliki. This connection is important because Imam Malik is the founder of the Maliki school of thought, one of the four major Sunni Madhābs. Ibn Shihab al-Zuhri was known for his vast knowledge of hadith and his role in transmitting the traditions of the Prophet Muhammad <sup>48</sup>. The fact that Ali al-Madini highlights him as a key figure in understanding the jurisprudential school of Zayd ibn Thabit further emphasizes the deep roots of *madhhabiyyah* (the adherence to a particular school of thought) within Islamic legal tradition.

In his book *al-'llal*, Ibn al-Madini mentions the chains of transmission (sanad) of the scholars of the various Madhābs from different regions, including Madinah, Kufa, Sham, and other major cities of that time. Although this book primarily focuses on the names of hadith narrators, it surprisingly contains valuable information about the sanad (chain of transmission) of the fiqh madhhabs from the era of the Companions (Ṣaḥābah) up to the time of Ibn al-Madini. This provides important insights into the development and transmission of fiqh across generations, highlighting the continuity of legal scholarship through a well-preserved chain of knowledge.

From this, it becomes clear that madhhabiyyah is not an innovation (bid'ah) in Islam, but rather a well-established system and the deep methodology of understanding of the shari'ah that dates back to the time of the Ṣaḥābah (the Prophet's Companions). It means that the methodology of deriving legal rulings and establishing schools of thought had already been in practice during the era of the Companions, and it continued to evolve and be followed by subsequent generations, including the time of the four great imams (Abu Hanifah, Malik, Al-Shafi'i, and Ahmad ibn Hanbal) and other scholars in their age. This historical context illustrates that the development of different Madhābs was a natural progression of Islamic jurisprudence, rooted in the scholarly traditions of the early Muslim community.

# Why do scholars refer to the four madhhabs and not the madhhab of the Companions?

There is a question that warrants analysis: As is well known, the scholars among the Companions of the Prophet Muhammad <sup>#</sup> undoubtedly held the highest position in knowledge within this ummah and possessed the deepest understanding of the religion. However, the question arises as to why major scholars from the 4th century Hijri (10th century CE) to the 12th century Hijri (18th century CE), as well as the majority of scholars to this day, follow the four Sunni madhhabs (Hanafi, Maliki, Shafi'i, and Hanbali) rather than any other madhhabs, including the madhhab of the Companions. Additionally, it questions why these scholars do not affiliate themselves with the madhhabs of the Rightly Guided Caliphs (Khulafa' ar-Rashidin) or any specific Companion or Tabi'i (successor of the Companions).

An-Nawawi (d. 676/1277), the prominent scholar of the Shafi'i Madhāb, addressed this issue in his work *al-Majmu'*. He discussed whether a person is free to seek a fatwa from any scholar of their choice or whether they must adhere to the most rigorous and authentic madhhab. There are two opinions on this matter: one suggests that individuals should choose the most knowledgeable and trustworthy mufti, while the other, supported by Abu al-Hasan Ilkiya, insists on following the most authoritative Madhāb. This latter view is especially important for those who have not reached the level of ijtihad. The concern here is that allowing individuals to follow any madhhab based on personal preference could lead to inconsistencies in religious rulings, thereby undermining the integrity of Islamic duties (*Majmu' Sharh al-Muhadhab*, vol. 1, p. 55).

During the era of the Companions (Ṣaḥābah) and their successors (Tabi'in), legal rulings were primarily focused on immediate, practical issues and were not yet systematized into detailed theoretical structures. The fiqh of that time was shaped directly by the guidance of the Prophet Muhammad <sup>see</sup> and was based on the

contextual, real-world situations in which they lived. Consequently, detailed figh theories and structured schools of thought emerged later, particularly during the time of the great Islamic jurists who founded the major madhhabs.

An-Nawawi said: "Wa laysa lahu at-tamadhhubu bi mazhabi ahadin min a'immati as-Sahābah radī Allahu 'anhum wa ghayrihim min al-awwālīn, wa in kānū a'lam wa a'lā darajatan min man ba'dahum li'annahum lam yatafarraghū li tadwīn al-'ilm wa dabti usūlihi wa furūʻihi, fa laysa li ahadin minhum mazhabun muhaddhabun muharrarun mugarrar, wa innamā gāmā bihi man jā'a ba'dahum min al-a'immah an-nāhilīn li madhāhib as-Sahābah wa at-Tabī'in al-gā'imīn bi tamhīdī ahkām al-wāgi'i gabla wuqūʻih, an-nāhidhīn bi'idhāhi usūlihi wa furūʻihi ka Mālikin wa Abī Hanīfata wa ghayrihimā." (It is not permissible for anyone to adopt the madhhab of any of the Imams among the Companions (may Allah be pleased with them) or other early scholars, even though they were more knowledgeable and of higher rank than those who came after them, because they did not dedicate themselves to compiling knowledge and systematizing its principles and branches. Therefore, none of them had a refined, well-established madhhab. This task was carried out by those who came after them, such as the great Imams who adopted the methodologies of the Companions and Tabi'in. These later scholars were responsible for laying down the foundations of legal rulings before the events occurred, clarifying their principles and branches, such as Imam Malik, Imam Abu Hanifa, and others) (See: Majmu' Sharh al-Muhaddhab, vol. 1, p. 55).

Based on An-Nawawi's explanation, the writer will elaborate on the reasons why scholars refer to the four madhhabs rather than the madhhab of the Companions as follows:

- 1. The Companions and the Tabi'in did not write fiqh, did not organize it, and did not study it in detail or systematically.
- 2. The Companions, Tabi'in, and Tabi' al-Tabi'in did not write about usul al-ahkam (the foundations of figh law).
- 3. The fiqh of the four Madhābs covers all branches of fiqh, or most of them, differing from the fiqh of the salaf.
- 4. The figh of the four Madhābs has been documented.
- 5. The four Madhābs have usul figh in the derivation of rulings.

- 6. The books of the four Madhābs have been systematically arranged, discussed, and studied for centuries in the Islamic world.
- 7. The fiqh of the four Madhābs has a sanad (chain of transmission) connected to the imams of the madhhabs, and these imams have a sanad connected to the Companions and the Prophet Muhammad <sup>36</sup>.
- 8. The imams of the four madhhabs and their followers are great scholars who have been respected, generation after generation, for centuries.
- 9. Within the four Madhābs, there are scholars from various disciplines of religious knowledge.
- 10. The fiqh of the four Madhābs has been followed for centuries, as exemplified by the Ottoman Caliphate, which adhered to the Hanafi madhhab.
- 11. The caliphs in the Islamic caliphate have followed one of the four Madhābs.
- 12. The followers of the four Madhābs constitute the majority of this ummah (assawad al-a'dam).

## Conclusion

Madhhabiyyah in fiqh is not a new phenomenon; it has existed since the time of the Companions of the Prophet <sup>28</sup>. The concept of following a specific Madhāb, or school of thought, is deeply rooted in the Islamic tradition, even though it was not as formally structured during the time of the Prophet's companions.

While the scholars of the Companions were the most knowledgeable about the religion, their knowledge during their time was not documented or organized in a systematic way. The Companions, despite their profound understanding of Islam, did not compile the intricate details of Islamic jurisprudence (fiqh) as we see in later generations. Their knowledge was primarily passed down through personal teaching and direct application of the Prophet's teachings.

Islamic scholars throughout history have followed the four madhhabs because their fiqh is documented systematically, has well-established usul fiqh (principles of jurisprudence), and maintains a preserved chain of scholarly transmission (sanad), passed down through generations of expert scholars. These four Madhābs—Hanafi,

Maliki, Shafi'i, and Hanbali—became the reference points for scholars due to their structured approach to legal rulings and their rigorous methodology in preserving the integrity of Islamic law.

#### Wallahu a'lam bi al-Sawab.

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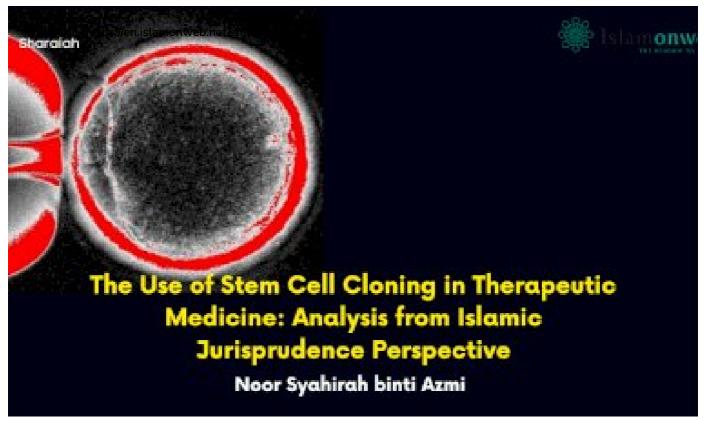
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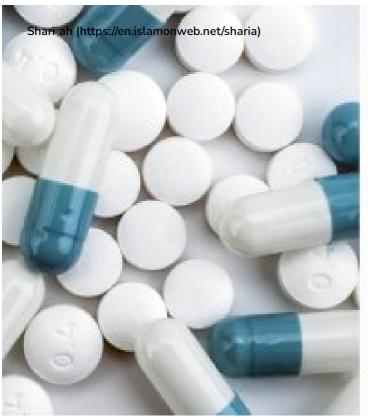


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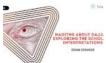
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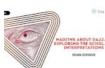


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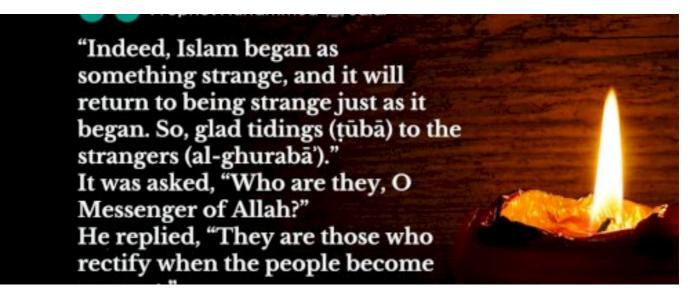
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Voting Poll

**Daily Quotes** 

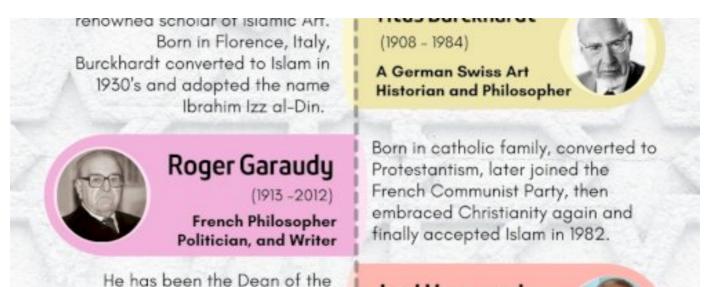
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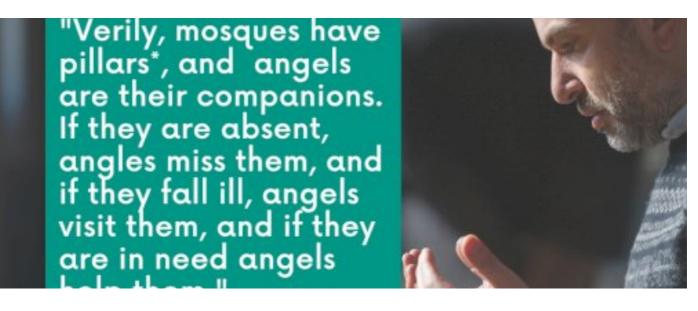
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