

Ta'assub Al-Madhab: Scholarly Perspectives in Islamic Jurisprudence

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Abstract

Adherence to a particular *madhhab* in Islamic jurisprudence is a well-established tradition among Muslims. However, *ta'aṣṣub* (fanaticism) towards one's *madhhab*, to the extent of rejecting other scholarly views without valid reasoning or knowledge, is strongly condemned by the majority of Muslim scholars. This article examines the phenomenon of *ta'aṣṣub al-madhabī* (sectarian partisanship) and its implications, with reference to the perspectives of prominent classical and contemporary Islamic scholars. Employing a qualitative methodology, this study draws upon primary sources, including works of *uṣūl al-fiqh*, *fiqh*, and *'aqīdah*, as well as secondary sources such as academic journals, books, and conference papers. The analysis adopts inductive, deductive, and comparative approaches to synthesise the relevant literature and scholarly positions. The findings indicate that *ta'aṣṣub* towards a *madhhab* arises from multiple factors, including limited access to *shar'ī* evidence, blind imitation (*taqlīd a'mā*), inadequate understanding of *uṣūl al-fiqh*, and the influence of community norms. Scholars across the *madhāhib* agree that while following a single school is permissible for purposes of legal consistency, fanaticism that disregards authentic evidence, or belittles other valid opinions, contradicts the principles of Islamic jurisprudence. This study concludes that Muslims should adopt *madhhab* affiliation with awareness and scholarly understanding, avoiding sectarian rigidity while respecting legitimate differences of opinion.

(*ikhtilāf*). By doing so, they can uphold the integrity of Islamic law and foster unity within the *ummah*.

Keywords: *Madhhab*, *Ta'aṣṣub*, Blind Imitation, *Uṣūl Al-Fiqh*, Islamic Unity

Introduction

Islamic jurisprudence (*fiqh*) has undergone a long process of development, resulting in the establishment of recognised schools of law (*madhāhib*). The majority of Muslims today follow one of these schools, such as the Ḥanafī, Mālikī, Shāfi'ī, or Ḥanbalī. Adherence to a single *madhhab* serves important purposes, including the preservation of legal consistency, facilitation of religious practice, and transmission of juristic methodology (*uṣūl al-fiqh*) across generations. However, alongside legitimate *madhhab* adherence (*iltizām*), there exists the phenomenon of *ta'aṣṣub al-madhhabī* — rigid partisanship or fanaticism towards one's school which entails rejecting the opinions of other scholars outright, even when supported by authentic evidence (*dalīl ṣaḥīḥ*), and sometimes declaring opposing views as misguided or invalid. This form of fanaticism has been criticised by numerous classical and contemporary scholars, who regard it as contrary to the objectives of the Sharī'ah (*maqāṣid al-sharī'ah*) and the spirit of scholarly dialogue (*adab al-ikhtilāf*).

Historically, the four Sunni *madhāhib* emerged during the second and third centuries AH, each with its own methodological foundations. While the founders of these schools — Imām Abū Ḥanīfah, Imām Mālik, Imām al-Shāfi'ī, and Imām Aḥmad ibn Ḥanbal respected the diversity of legitimate interpretations, some of their later followers adopted an exclusivist stance, closing the door to *ijtihād* and treating their *madhhab* as the sole repository of truth. In the Malay world, the Shāfi'ī school has been the dominant *madhhab* for centuries, shaping legal rulings, religious education, and community norms. While this has ensured doctrinal stability, it has also, in certain contexts, given rise to *ta'aṣṣub*, particularly when adherents are unaware of the evidentiary basis for differing opinions. Such attitudes may hinder intellectual openness, inter-*madhhab* cooperation, and the dynamic application of Islamic law to contemporary challenges.

This study seeks to examine the concept of *ta'aṣṣub al-madhhabī* from the perspective of Islamic scholarship, identifying its causes, manifestations, and consequences. It will also explore the balance between legitimate adherence to a school (*iltizām bi-l-madhhab*) and the avoidance of harmful fanaticism, drawing upon evidence from the Qur'ān, Sunnah, and the writings of authoritative jurists (*fuqahā'*).

Literature Review

To the best of the researcher's knowledge, there is no existing study that directly examines *ta'aṣṣub al-madhhab*—sectarian partisanship towards a particular school of jurisprudence—its causes, and strategies for overcoming it from the perspective of Islamic scholars. Nevertheless, several related works provide useful insights that can serve as references for this research.

Among these is the work of Sheikh Syed Salim et al. (2020) entitled *Kaedah Berinteraksi Dengan Teks Turath Mazhab Syafie: Aplikasi*, which discusses practical approaches for engaging with classical Shāfi'ī jurisprudential texts, offering methodological tools for contextualising traditional legal discourse in contemporary contexts. In another related

study, Syed Salim et al. (2020) in *Kitab Turath Fiqh Syafie Jawi Sebagai Medium Penyampaian Ilmu Fardu Ain di Malaysia: Analisis Metodologi Penulisan Kitab Hidayat al-Sibyan Fi Ma'rifat al-Islam wa al-Iman* examine the structure and methodology of a classical Jawi Shāfi'ī text, providing insight into the transmission of *fard 'ayn* knowledge within the Malaysian setting. The historical dimension of madhhab influence is explored by Mohd Yusri (2019) in *Mazhab Syafie: Its Influence and Progression in the Archipelago*, which traces the historical development, geographical spread, and enduring impact of the Shāfi'ī school in Southeast Asia. This perspective offers valuable context for understanding patterns of juristic adherence and the cultural foundations of madhhab identity in the region.

On the issue of sectarianism, Mohd Asri bin Zainul Abidin (2016) in *Taasub Mazhab Fekah dan Kesan Negatifnya Terhadap Pemikiran Umat* provides a critical examination of the intellectual stagnation and divisive effects resulting from rigid madhhab loyalty, highlighting the importance of openness in juristic discourse. Complementing this, Mohd Hapiz Mahaiyadin (2017) in *Mazhabku: Bagaimana Saya Beriltizam dengan Mazhab* offers a personal reflection on the reasons for maintaining adherence to a particular madhhab, adding an experiential dimension to the discussion.

Although none of these works directly investigate *ta'aşşub al-madhhab* from both a causative and solution-oriented perspective, they collectively provide essential background on Shāfi'ī textual engagement, the historical influence of the madhhab, and contemporary attitudes towards juristic adherence. These perspectives form an important intellectual backdrop for the present study.

Research Methodology

Research Design

This study adopts a qualitative approach, as the nature of the discussion requires in-depth examination of textual sources, scholarly opinions, and socio-religious contexts. This approach enables the author to elucidate the concept of *ta'aşşub al-madhhabī* analytically and critically within the framework of *uşūl al-fiqh*.

Data Sources

The data for this study is derived from two main categories:

- Primary Sources – Works of *tafsīr*, *ḥadīth* compilations, *fiqh* literature of the al-Shāfi'ī school, *fiqh* works of the four major *madhāhib*, as well as treatises on *uşūl al-fiqh*.
- Secondary Sources – Academic articles, contemporary books, seminar papers, and information from the official websites of several *muftī* departments in Malaysia.

Data Collection Method

The document analysis method was employed for data collection. This process involved:

1. Identifying key texts related to the concept of *ta'aşşub al-madhhabī*.
2. Conducting close reading to identify definitions, arguments, and principles discussed by the '*ulamā'*'.
3. Selecting relevant and authoritative materials for systematic analysis.

Data Analysis Method

The data was analysed using three main approaches:

- Inductive – Gathering facts and arguments from various sources to formulate general principles or conclusions.
- Deductive – Applying *dalīl sharī* and *uṣūl al-fiqh* principles to evaluate the accuracy or weakness of a given view.
- Comparative – Comparing the positions of the major *madhāhib* as well as classical and contemporary perspectives to identify similarities, differences, and the evidentiary bases employed.

Research Findings and Discussion

The findings and discussion of the study are presented as follows:

Definition of Fiqh Madhhab

The term *ta'aṣṣub* linguistically derives from the Arabic root 'aṣaba, meaning "to bind" or "to support one's group." In classical Arabic usage, it denotes partisanship towards a tribe, clan, or group, often with disregard for truth or justice. In Islamic legal discourse, *ta'aṣṣub al-madhhabī* refers to excessive loyalty to a particular school of jurisprudence (*madhhab*) to the extent that one rejects or disparages the opinions of other schools without valid *sharī* justification.

From a jurisprudential standpoint, *ta'aṣṣub* differs from legitimate *iltizām bi-l-madhhab* (commitment to a school). The latter is a structured adherence to a recognised *madhhab* for purposes of methodological consistency, ease of religious practice, and preservation of legal principles. In contrast, *ta'aṣṣub* manifests in several problematic behaviours, including:

The term *fiqh*, in technical usage, encompasses two primary meanings:

- Knowledge of *sharī* rulings related to the actions and speech of a *mukallaf* (a person legally accountable under *sharī'ah*), derived from detailed evidences found in the Qur'ān, the Sunnah, and their subsidiary sources, namely *ijmā'* and *ijtihad*. For example, the intention (*niyyah*) in performing *wuḍū'* is obligatory, based on the ḥadīth narrated from 'Umar ibn al-Khaṭṭāb (RA):

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ

Verily, actions are but by intentions. (al-Bukhārī: 1)

- The *sharī* rulings themselves, such as those related to *wuḍū'*, prayer, trade, marriage, breastfeeding, warfare, *jihad*, and others (al-Bughā, al-Khinn, and al-Sharabajī, 2013, 1: 8).

The four canonical *madhāhib* refer to the opinions or *ijtihadāt* formulated by the four *imāms*—Abū Ḥanīfah, Mālik, al-Shāfi'ī, and Aḥmad ibn Ḥanbal—regarding matters of *fiqh* or subsidiary Islamic legal issues that are speculative (*ẓannī*) in nature and not definitive (*qaṭ'ī*).

Roles and Functions of a Fiqh Madhhab

The phenomenon of *ta'aṣṣub al-madhhabī* arises from a combination of historical, intellectual, and sociocultural factors. Based on the analysis of classical and contemporary sources, the main causes can be summarised as follows:

i. Systematising the Sharī'ah

A *fiqh madhhab* functions as an institutional framework that organises Islamic law in a systematic manner through juristic rulings, encompassing both issues upon which all *fuqahā'* agree and matters subject to *ijtihād* within the Shāfi'ī school, such as *'ibādāt* (acts of worship), *mu'āmalāt* (transactions), and *munākahāt* (family law). This system indirectly connects society to the rulings of the Qur'ān and Sunnah in a proper and reasoned way, acknowledging that not everyone possesses the expertise to derive rulings directly from these primary sources. As in other fields of knowledge — whether social sciences or natural sciences specialised understanding belongs to those trained in the discipline, and the public naturally refers to such experts.

ii. Demonstrating the Process of *Ijtihād*

A *fiqh madhhab* exemplifies the process of deriving *shar'ī* rulings (*istinbāt al-aḥkām*) through established juristic methodologies and tools employed by its scholars. Similar approaches are evident in the Ḥanafī, Mālikī, and Ḥanbalī schools. Importantly, the Qur'ān and ḥadīth are not applied in a purely literal or arbitrary manner; rather, their texts are examined, their legal reasoning (*'illah*) analysed, and their application contextualised with the *maqāṣid al-sharī'ah* (objectives of Islamic law) before conclusions are presented to the public. This process ensures that the Sharī'ah does not impose undue hardship on the *mukallaf* (legally responsible person) and that subsidiary rulings (*furū'*) remain consistent with overarching legal principles. Sound juristic analysis requires more than verifying the authenticity of a ḥadīth — it also demands mastery of the Arabic language, consideration of valid local customs (*'urf*), and awareness of differing scholarly opinions across the *madhāhib*.

iii. Providing Legal Discipline and Consistency

A *fiqh madhhab* instils legal discipline among the public by ensuring consistency in the understanding and practice of *shar'ī* rulings. Through adherence to a *madhhab*, non-*mujtahid* individuals can still recognise the criteria that render a ruling valid or invalid, obligatory or recommended, prohibited or disliked, and identify which rulings to follow or avoid. They also become familiar with the *fatwā* of their own *madhhab*, which may differ from those of other schools. This framework enables laypersons to appreciate points of divergence among the *fuqahā'* and to manage such differences with a spirit of tolerance (*tasāmuḥ*). Conversely, abandoning *madhhab* adherence risks undermining doctrinal consistency, leading to confusion — for instance, treating recommended acts as obligatory, declaring lawful matters unlawful, or, more severely, labelling legitimate juristic disagreements (*masā'il khilāfiyyah*) as *bid'ah* (blameworthy innovation), deviation, or human fabrication allegedly at odds with Islam (Mohd Hapiz Mahaiyadin & Sumayyah Abdul Aziz, 2020: 163).

The Concept of Adhering to a Fiqh Madhhab

The true concept of adherence (*al-tamadhub* in Arabic) to one of the four canonical *fiqh madhāhib* is realised when a Muslim commits himself to a particular *madhhab*—whether in matters of *uṣūl* (fundamental principles) and *furū'* (subsidiary matters), in either one of them, or by being ascribed to that *madhhab*. At times, a person may attain the rank of *mujtahid* within the *madhhab*, and at other times, he may even reach the level of *mujtahid muṭlaq* in the *shar'ī* sense. Nevertheless, even upon attaining such a level, he may continue to adhere

to the *madhhab* of his *imām*. Such an individual is still regarded as a *madhhab* adherent (al-Ruwāyīṭī, 2013: 339).

Conditions for Adhering to a Fiqh Madhhab

The conditions for following one of the four canonical *madhāhib* are divided into two categories: general conditions and specific conditions.

i. General Conditions

These include:

a. Possession of Intellect (*‘Aql*)

A *madhhab* adherent must be of sound intellect and possess full cognitive capacity. An individual devoid of intellect cannot be attributed to any particular *madhhab*.

b. Attainment of Puberty (*Bulūgh*)

A *madhhab* adherent must be mature. One who has not attained puberty is considered to lack complete intellectual capacity and thus cannot be linked to any particular *madhhab*.

c. Being a Muslim

A *madhhab* adherent must be a Muslim. A non-Muslim cannot be considered as following any *madhhab* within Islam. This is an elementary and self-evident requirement from the outset (al-Ruwāyīṭī, 2013: 340–341).

ii. Specific Conditions

These include:

a. Eligibility or Readiness to Adhere to a Madhhab

This applies regardless of whether it concerns the *uṣūl* or the *furū’* of the *madhhab*, or both. Some scholars have described this readiness as *fiqh al-nafs* (self-understanding). Among those who expressed this view are al-Juwaynī (1400H: 417ff), Ibn al-Ṣalāḥ (1407H: 101), al-Nawawī (n.d., 1:44), Ibn Ḥamdān (1380H: 23), and Ibn Taymiyyah (1422H, 2:968). Ibn al-Qayyim (1423H, 6:203) remarked that a person entirely unprepared or unqualified to recognise a *madhhab*, yet claiming “I am Shāfi‘ī, Ḥanbalī, or otherwise,” is not truly an adherent of that *madhhab* merely by utterance. This is akin to one who says, “I am a jurist (*faqīh*), grammarian, or author,” yet has never engaged directly in the field—such a person cannot be considered an expert therein.

b. Knowledge of the Imam’s Madhhab

This encompasses familiarity with either the *uṣūl*, the *furū’*, or both. If one does not know the principles and rulings of the *madhhab*, it is impossible to follow it meaningfully. The minimum requirement is to know the majority of the teachings within the *madhhab* and have the ability to consult sources for the remainder. A person may diverge from the *madhhab* of his *imām* in certain issues without being considered outside it, provided such divergence is justified according to the *Sharī‘ah*. These conditions apply to those who have not reached the level of *ijtihād*. As for a scholar who has attained the rank of *mujtahid* yet continues to adhere to a *madhhab*, he is a *mujtahid* in the true sense, though conventionally referred to as a *madhhab* adherent out of scholarly courtesy (al-Ruwāyīṭī, 2013: 341–343).

From the above explanation, it is evident that a madhhab adherent is one who possesses knowledge of the *uṣūl* and *furū'* of the madhhab of the scholar or imām he follows, and not an ignorant person who follows it blindly (*taqlīd a'mā*) without evidential basis.

Domains in Which Adherence to a School of Fiqh is Permissible

The domains in which it is permissible for an individual to adhere to a particular school of fiqh among the four recognised madhāhib are: first, matters pertaining to *uṣūl* (fundamental principles) of the school, and second, *furū' al-fiqh* (subsidiary legal rulings) that are subject to *ijtihād*. This is because adherence to a madhhab constitutes a branch of *ijtihād*. Without *ijtihād*, there would be no existence of a madhhab. In this regard, al-Imām al-Zarkashī (n.d., 6:227) asserted that issues open to *ijtihād* encompass every *ḥukm shar'ī* of a practical (*'amalī*) or theoretical (*'ilmī*) nature, aimed at determining a ruling for which there is no *dalīl qaṭ'ī*. The term *'ilmī* here refers to speculative matters (*zanniyyāt*) contained within the science of *uṣūl al-fiqh* that serve as the foundation of human practice.

It is acknowledged that within *uṣūl al-fiqh*, there are elements of a speculative nature, such as the probative value of irregular Qur'ānic readings (*qirā'ah shādhah*), the practice of the people of Madīnah, *mafhum mukhālafah* (inference from the implied meaning of a text), and the probative authority of *istiḥsān* (al-Āmidī, 1387H, 1:228).

Among the issues in *uṣūl* that are open to *ijtihād* are also *qawā'id* (legal maxims) and *ḍawābiṭ* (regulatory principles) of fiqh for which there is no explicit *dalīl*, such as the maxim *al-ghālib ka al-muḥaqqaq* ("that which is prevalent is tantamount to that which is certain") and *al-ḥiwālah bay'un* ("assignment of debt is a form of sale") (al-Ruwayṭī, 2013, 1:413).

As for the second category subsidiary legal issues (*furū' fiqhiyyah*) established by *naqlī* evidence of a speculative nature (*zannī*) this encompasses three types:

- i. Legal issues established by evidence that is *zannī al-thubūt* and *zannī al-dilālah*
When a ruling in fiqh is established by evidence that is speculative in transmission (*zannī al-thubūt*), such as an *ḥadīth āḥād* (a solitary report) not corroborated by supporting evidence, and speculative in indication (*zannī al-dilālah*), such as a text of general import (*'āmm*), then the ruling derived from such evidence is subject to *ijtihād* both in its establishment and in its interpretation. Consequently, such matters fall within the permissible scope of madhhab adherence (al-Jaṣṣāṣ, 1414H, 4:13).
For example, the *ḥadīth* narrated by 'Ubādah ibn al-Ṣāmit RA, wherein the Messenger of Allah (ﷺ) said:

لَا صَلَاةَ لِمَنْ لَا يَقْرَأُ بِفَاتِحَةِ الْكِتَابِ

"There is no prayer for the one who does not recite the Opening Chapter of the Book." (Ṣaḥīḥ: Ibn Khuzaymah, 488)

This *ḥadīth*, in terms of transmission, is *zannī* because it is an *āḥād* report. Likewise, the imperative it contains, which commands recitation of al-Fātiḥah in prayer, indicates obligation (*wujūb*).

- ii. Legal issues established by evidence that is *zannī al-thubūt* but *qaṭ'ī al-dilālah*
When a ruling in fiqh is established by evidence that is speculative in transmission but definitive in indication (*qaṭ'ī al-dilālah*), it remains subject to *ijtihād* in the sense of determining its legal application, thus falling within the domain of madhhab adherence (Khudrī, 1403H, 1:17; 'Alī Ḥasaballāh, 1402H, 87).

For instance, the *ḥadīth* narrated by Abū Saʿīd al-Khudrī (RA), wherein the Prophet (ﷺ) said:

لَيْسَ فِيهَا دُونَ خَمْسٍ ذُوْدٌ صَدَقَةٌ

“There is no *zakāt* due on camels numbering less than five.” (al-Bukhārī, 1447)

This *ḥadīth*, in terms of transmission, is *zannī* as it is an *āḥād* report. However, its indication is *qaṭʿī* because the specified number falls under explicit textual designation (*naṣṣ*). Thus, from the perspective of the legal ruling, it can be a matter for *ijtihād*, but in terms of *dilālah*, it is *qaṭʿī* and not open to dispute or reinterpretation.

iii. Legal issues established by evidence that is *qaṭʿī al-thubūt* but *zannī al-dilālah*

When a ruling in *fiqh* is established by evidence that is definitive in transmission (*qaṭʿī al-thubūt*) yet speculative in indication (*zannī al-dilālah*), it is open to *ijtihād* in its interpretive dimension. Such matters also fall within the permissible domain of *madhhab* adherence.

For example, in the case of a divorced woman’s *ʿiddah*, is it to be determined by menstrual cycles (*ḥayḍ*) or periods of purity (*ṭuhr*)? The divergence of opinion among the jurists arises from the interpretation of the word *qurūʾ* in the verse of Allah (SWT):

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ

“And divorced women shall wait, keeping themselves apart, for three *qurūʾ*...” (al-Baqarah, 2:228)

Fanaticism in Fiqh Schools of Thought

Fanaticism in *fiqh* schools of thought refers to an excessive and uncompromising attachment to a particular *madhhab*, to the extent of rejecting, belittling, or dismissing the views of other *madhāhib* without objective scholarly evaluation or reference to authoritative *Sharīʿah* evidence. This phenomenon goes beyond permissible adherence to a *madhhab* and extends into *ʿaṣabiyyah*—blind partisanship—which entails the refusal to accept truth from other valid sources, even when supported by sound evidence (al-Shawkānī, 1999).

Scholarly Views on Fanaticism in Fiqh Schools of Thought

Islamic scholars, past and present, have consistently warned against the dangers of fanaticism within *fiqh madhāhib*. Al-Dhahabī (1985), for example, explained that the *ʿimmah* of the *madhāhib* themselves prohibited Muslims from being exclusively devoted to them or believing that their own *madhhab* is inherently the most virtuous. He stated:

“Do not hold the belief that the *madhhab* you follow is the most superior and the most beloved in the sight of Allah, for you have no evidence to assert such a claim. Those who differ from your *madhhab* also have no proof to claim the same. Indeed, all the imams of the *madhhabs* are upon abundant goodness. If they are correct in their *ijtihād*, they will be rewarded with two rewards; and if they err, they will still be granted one reward.”

Al-Qaraḍāwī (1999) observed that fanaticism in *fiqh madhāhib* can lead to disputes among Muslims, as each *madhhab* possesses its own methodology and approach in interpreting the textual sources of the *Sharīʿah*. Such sectarian attitudes contradict the spirit of Islam, which promotes unity and intellectual openness in matters of a subsidiary (*furūʾ*) nature.

Similarly, Shaykh Ṭāhir ibn ‘Āshūr (2006:135) explained that the *a’immah* of the *madhāhib* themselves cautioned their followers against harbouring any form of fanaticism, urging them to uphold scholarly etiquette and avoid attitudes that divide the *ummah*.

Causes of Fanaticism towards the Four Sunni Schools of Law

There are various factors that contribute to the occurrence of fanaticism towards the schools of *fiqh*, particularly the four well-known *madhāhib*. Among these factors are as follows:

i. Reluctance to Rely upon the Qur’an and the Authentic Sunnah as Evidences

Scholars of *uṣūl al-fiqh* have placed great emphasis on establishing the foundations of legal reasoning (*istidlāl*) based on the two primary sources of the *Sharī’ah*, namely the Qur’ān and the Sunnah. They formulated *uṣūlī* principles to guide those who adhere to them in deriving sound legal rulings. However, some adherents of a *madhhab* refuse to employ the Qur’ān and the Sunnah in addressing contemporary issues, preferring instead to rely exclusively on the opinions of their own school’s scholars.

Abū al-Wafā’ Ibn ‘Aqīl (1420H, 1:259) affirmed that it is obligatory for a Muslim to adhere to *dalīl* (evidence). One’s *madhhab* should be determined based on the evidence found, not by committing to a *madhhab* first and then searching for evidences to support it. Ibn ‘Aqīl likened such an attitude to walking in darkness without light, only seeking a lamp after encountering danger ahead.

Muḥammad ‘Alī al-Sayyis (n.d., p. 174) described the refusal of some *madhhab* followers to return to the Qur’an and Sunnah as an “intellectual calamity.” They believe that truth exists solely within their *madhhab*, clothing it in the “garb of religion.”

Ibn al-Qayyim (1429H, p. 65) criticised those who abandon the rulings of the Qur’an and Sunnah and instead cling to *qiyās*, *istiḥsān*, or the opinions of their teachers. This, according to him, corrupts one’s natural disposition (*fiṭrah*) and darkens the heart.

Al-Ṭurṭūshī (as cited in Ibn Farḥūn, 1:31; al-Tusulī, 1397H, 1:21) stated that most *muqallidūn* in his time were unaware of the *āthār* of the Companions and the Successors (*tābi’īn*). Their “*muṣḥaf*,” he said, was merely the book of their own *madhhab*.

One of the causes of this reluctance is the perception that only *mujtahid* scholars are qualified to analyse the Qur’anic and Prophetic texts (*nusus*). This view contradicts the command of Allah (SWT) in Sūrah Muḥammad (47:24), which urges all Muslims to contemplate (*tadabbur*) the Qur’an (al-Shanqīṭī, 2013, 1:8–9).

ii. Rejecting Legal Reasoning Based on the Textual Evidences of the Qur’an and the Sunnah

It is acknowledged that the possibility of an *imām* of a *madhhab* erring in his understanding of the Qur’anic or Prophetic texts (*nusus*) is not inconceivable. This should serve as a legitimate basis for the followers of that *imām* to depart from his view in a given matter and follow another *mujtahid* scholar who possesses sound evidences in the same issue. Unfortunately, this is not what occurs in practice. Certain adherents of the four *madhāhib* continue to uphold the opinions of their *imām* and reject legal reasoning (*istidlāl*) based on the Qur’an and the Sunnah presented by scholars of other schools. They act in this manner in order to avoid opposing their *madhhab* and the view of their *imām*. Consequently,

anything in the Qur'an and Sunnah that contradicts the opinion of their *imām* is dismissed, while whatever aligns with his opinion is accepted. The result is that some followers of the four *madhāhib* have, directly or indirectly, fallen into the error of opposing the explicit texts of the Qur'an and the Sunnah, due to prioritising the view of their *imām*.

This approach adopted by certain *madhhab*-bound individuals has been commented upon by several prominent scholars. Ibn 'Aqīl (1420H, 1:358), for instance, stated that the schools of *fiqh* in Islam were derived from evidences (*adillah*). In contrast, deriving evidences from the *madhhab* itself, or seeking validation through the *madhhab*, is entirely unwarranted. This, he observed, was a common practice among *fuqahā'* of his time.

Ibn al-'Izz al-Ḥanafī (1405H, p. 30) remarked that when a textual proof (*naṣṣ*) was presented that contradicted the opinion of their *imām*—in his context, Imām Abū Ḥanīfah—they would interpret (*ta'wīl*) it in such a way as to reject the text.

Ibn Ḥazm (1403H, 6:117) also criticised some *madhhab*-fanatics of his era, noting that they would reject every proof that contradicted their *imām's* opinion. If the matter involved a Qur'anic verse or a ḥadīth of the Prophet ﷺ, they would interpret it with far-fetched explanations, diverting it from its proper meaning. In doing so, they fell under the purview of Allah's statement:

“Among the Jews are those who distort the words from their [proper] places and say: ‘We hear,’ [while meaning], ‘We disobey.’ And [they say]: ‘Hear, but may you not be made to hear,’ and ‘Rā'inā,’ twisting their tongues and defaming the religion. If only they had said: ‘We hear and we obey,’ and ‘Hear and look upon us,’ it would have been better for them and more upright. But Allah has cursed them for their disbelief, so they believe not, except a few.” (al-Nisā' 4:46)

When such individuals find it difficult to accept a particular proof, they claim that the verse is restricted in application (*khāṣṣ*), has been abrogated (*mansūkh*), or is no longer applicable.

iii. Supporting a Madhhab with Weak or Fabricated Hadith

The phenomenon of defending a school of Islamic jurisprudence (*madhhab fiqh*) through the use of weak (*da'if*) hadith—even fabricated ones—has been documented by classical scholars. While some hadith scholars permit the use of weak hadith for certain virtuous deeds (*fadā'il al-a'māl*) under strict conditions, such discussions lie beyond the scope of this study. Here, the focus is on the conduct of certain ignorant or less learned adherents of a *madhhab* who strive to reinforce the opinions of their Imām by any means—such as fabricating hadith, reinterpreting (*ta'wīl*) the Qur'anic and Prophetic texts to fit their school, or employing weak hadith without critical authentication (al-Tabrīzī, 2006, 1:26; al-Anṣārī, 1416H:276).

Ibn al-Jawzī (1418H, 1:20) and al-Qarāfī (1418H, 2:456) explain that among the main motives for hadith fabrication was the desire of certain followers to defend and strengthen the position of their *madhhab*. A frequently cited example is Asbugh ibn Khāliq al-Mālikī, a prominent Maliki jurist who served as the *muftī* of al-Andalus for about fifty years. Despite his expertise in Maliki jurisprudence, his knowledge of hadith and its transmission chains (*isnād*)

was limited, and he distanced himself from hadith scholars, even disparaging them. His sectarian zeal led him to fabricate a hadith rejecting the practice of raising the hands (*raf' al-yadayn*) after the *takbīrat al-iḥrām* in prayer, influencing many people in the process (Ibn Farḍī, 1429H, 1:129–130). According to Qāḍī 'Iyāḍ (1998, 4:252), Asbugh did not intend to lie against the Messenger of Allah ﷺ per se, but acted purely to support his madhhab.

An example of fabricated hadith created for sectarian purposes is a narration attributed to Anas ibn Mālik:

يكون في أمي رجل يقال له محمد بن إدريس أضر على أمي من إبليس، ويكون في أمي رجل يقال له أبو حنيفة هو سراج أمي هو سراج أمي

“There will be among my ummah a man named Muḥammad ibn Idrīs who will be more harmful to my ummah than Iblīs. And there will be among my ummah a man named Abū Ḥanīfah, he is the lamp of my ummah, he is the lamp of my ummah” (al-Jūzjānī, 1415H, 1:283; Ibn al-Jawzī, 1418H, 2:304).

Ibn al-Jawzī (1418H, 2:304) classified this hadith as *mawḍū'* (fabricated), while al-Jūzjānī (1415H, 1:283) declared it *bāṭil* (false) and certainly not the statement of the Prophet ﷺ. Anas RA himself never narrated such a report. According to al-Ruwāyṭī (2013:1395), Shaykh Ṣādiq al-Ghuryānī observed that some Maliki works, including marginal notes, cite fabricated hadith or wordings absent from authoritative hadith sources.

Another phenomenon is the attitude of certain followers who are proficient in hadith science yet only classify a narration as weak if it conflicts with their madhhab. If no conflict exists, they leave the hadith unexamined. Ibn al-Jawzī (1419H, 1:3) criticised this as a sign of weak religiosity and the dominance of personal desires. An example of a weak hadith used in such a manner is the narration:

من قص أظفاره مخالفا لم ير في عينيه رمدا

“Whoever trims his nails in reverse order will not be afflicted with eye disease” (Ibn Qudāmah, 1412H, 1:118; al-Ramlī, 1414H, 2:341).

This hadith has been used to support a particular method of nail-trimming: beginning with the little finger of the right hand, followed by the middle finger, thumb, index finger, and ring finger; and for the left hand, beginning with the thumb, then the middle finger, little finger, index finger, and finally the ring finger (al-Ruwāyṭī, 2013:1398). However, al-'Irāqī (1413H, 2:79) affirmed that this narration has no basis whatsoever, and al-Sakhāwī (1399H:424) stated that he could not find any source for it despite its mention by many jurists, including Ibn Qudāmah in *al-Mughnī*.

Imām al-Nawawī (1418H, 1:59–60) also cautioned against being deceived by the fact that many jurists—despite being authors of monumental works in jurisprudence—were overly lax in using weak hadith for deriving legal rulings.

iv. Accepting Hadith-Based Evidences Only When They Conform to One's Own Madhhab
The use of the Prophet's ﷺ hadith as a basis for argumentation in addressing societal issues is an inherently commendable practice. However, there exists a phenomenon wherein certain individuals only accept a hadith when it aligns with the doctrinal stance of their madhhab. Should the hadith in question be at variance with their school's position, they may either

accept only those portions that support their madhhab while rejecting the rest, or dismiss the hadith entirely.

Such conduct reflects a form of *ta'aṣṣub* (sectarian fanaticism) that serves as one of the causes of madhhab-based extremism. This results in a separation between two rulings derived from the same textual source (*naṣṣ*), without any legitimate *sharī* justification for such a distinction. The implication is a flawed implementation of *taqlīd* within the madhhab, for it is illogical in principle to employ part of a hadith as authoritative evidence while disregarding other parts of the very same hadith (Abbasi, 1406H:224; al-Ban'ali, 1409H:93). Ibn al-Qayyim (1423H, 4:491) emphasised:

“If you hold fast to a hadith—whether *mursal* or *musnad*—because it accords with the opinion of your Imām, and thereafter you encounter within that very hadith a ruling that contradicts his opinion, yet you choose not to adopt it, despite it being the same hadith, then it is as though the hadith serves as evidence only in matters consistent with your Imām’s view, but ceases to be authoritative when it conflicts with his opinion”.

A similar issue arises when one cites specific hadith as proof in a given legal matter because it supports one’s madhhab, yet in another matter rejects the very same hadith on the grounds of its weakness (*ḍa'f*), solely because it contradicts the school’s stance. Such inconsistency compromises scholarly integrity, for *sharī* texts should never be treated selectively, accepting or rejecting them based on their conformity to the views of one’s preferred Imām. Rather, the opinions of the Imāms themselves should be assessed according to their alignment—or lack thereof—with the *naṣṣ* of the *Sharī'ah*.

Ibn Ḥazm (1403H, 4:220) provides an illustrative example through his study of Shaykh 'Abd al-Wahhāb al-Mālikī's treatment of the chapter on manumission (*itq*). In the discussion of *man yu'tiqu 'ala al-mar'i idhā malakahu* (one who frees a slave upon possessing him/her), Shaykh 'Abd al-Wahhāb cites the hadith narrated by Samurah RA:

مَنْ مَلَكَ ذَا مَحْرَمٍ فَهُوَ حُرٌّ

“Whoever owns a person who is his *mahram* becomes free (i.e., the person is automatically emancipated).” (al-Tirmidhī, no. 1365)

Yet, in another legal issue, he rejects the use of this very same hadith on the grounds of its inauthenticity, particularly when it does not support the opinion of his Imām.

v. Claiming that the Gate of Ijtihad Has Been Closed

The view that the gate of *ijtihād* has been closed, as expressed by certain adherents of specific *madhhabs*, often arises from sectarian bias (*ta'asub*) and efforts to defend their respective schools of thought. According to Ibn Qayyim (1423H, 4:31–32), this group believes that later scholars could never attain the level of erudition possessed by the earlier generations. As a result, Abu Zahrah (n.d.: 303) notes that scholars of later periods tended to focus primarily on the opinions and *ijtihād* of the earlier *imams*, without striving to develop new *ijtihād*.

In this regard, it is necessary to distinguish between *absolute independent ijtihād* (*ijtihād mutlaq mursal*) and *absolute restricted ijtihād* (*ijtihād mutlaq muqayyad*). Absolute

independent *ijtihad*, which is not bound by the principles and *usul* of earlier *madhhabs*, is acknowledged to have been closed, since the foundational principles established by the *mujtahid imams* have become well-founded and stable. There is no longer a need to formulate new *usul* that differ from those laid down by the eminent founders of the classical schools of law (Ibn al-Salah, 1407H: 91; al-Haytami, n.d., 4:302; al-Zuhaili, 2007).

Conversely, *absolute restricted ijtihad* that is, *ijtihad* undertaken within the framework of an existing *madhhab's usul* remains open. Ibn al-Salah (1407H: 91) affirms that the practice of issuing *fatwas* continues among jurists who adhere to the *madhhab* of the *imam* they follow. Ibn Hamdan (1380H: 17) rejects the notion that *mujtahid* scholars have become extinct. In his view, while *absolute independent mujtahids* may no longer exist, his era was in fact much more conducive to *ijtihad* than the earliest period of Islam, owing to the compilation of *fiqh* and *hadith*, as well as the accessibility of knowledge related to Qur'anic verses, *athar*, *usul al-fiqh*, the Arabic language, and other disciplines. He attributes the decline of *ijtihad* not to the impossibility of engaging in it, but to the weakness of resolve, unwillingness to endure hardship, and a tendency toward *taqlid* despite the fact that *ijtihad* is a communal obligation (*fard kifayah*).

The negative perception that the gate of *ijtihad* has been closed also stems from the intention to safeguard religion from being misused by unqualified individuals. Muhammad Makhluḥ (1386H: 14) emphasises that there are those who fail to meet the qualifications of a *mujtahid* yet boldly claim to possess the capacity for *ijtihad*, thereby causing confusion in society.

Mustafa al-Zarqa' (1416H: 102–103) interprets the concept of the closure of the gate of *ijtihad* as a regulatory measure to protect the integrity of Islamic law. He explains that the scholars of the four *madhhabs* feared the emergence of individuals whose religious commitment was weak, whose knowledge was not coupled with *taqwa*, and who would exploit religious knowledge for worldly gain. The erosion of scholarly integrity due to the moral decline of the times prompted them to restrict *independent ijtihad* in order to prevent corruption in the rulings of the *Shari'ah*. Thus, it is unsurprising that a legal opinion emerged stating that *ijtihad* was no longer permissible after the fourth century AH, a view which eventually became known as the closure of the gate of *ijtihad*.

Scholarly Perspectives on Approaches to Overcoming Madhhab Fanaticism in Fiqh

The phenomenon of *ta'aṣṣub* (fanaticism) towards a particular *madhhab* among followers of the four Sunni legal schools has long been a matter of concern for scholars. Various approaches have been proposed to address it, including the following:

- i. Giving Attention to Madhhab Texts Free from Elements of Fanaticism
Earlier scholars of the *madhāhib* produced highly valuable works replete with arguments (*hujaj*) and evidences (*adillah*) in support of their respective legal opinions, while also applying the methodological principles (*uṣūl*) of jurisprudence. Emphasising objective *madhhab* literature enables students to identify, evaluate, and respect evidence based on its strength or weakness. This approach also allows them to understand the views of the *imām* of the *madhhab* and the analyses presented by subsequent scholars within that school.

According to Abū Ishāq al-Shātibī (2004, 1:148), preference should be given to the works of earlier scholars due to the solidity of their arguments compared to those of later authors.

ii. Studying Other Madhhabs and Knowing the Views of the Early Salaf

The heritage of *fiqh* and *uṣūl* found in the four *madhāhib* is vast and valuable. According to al-Jubūrī (1425H:149–150) and al-Sāḥī (1410H:142), it is a loss for a follower of a *madhhab* not to benefit from the works of his own school. Muṣṭafā al-Zarqā' (1418H, 1:252) emphasises that openness eliminates *ta'aṣṣub*, while al-Makkī (1420H:370) considers such openness a sign of contemporary juristic competence (*fiqh*). Early authorities such as Qatādah (Ibn 'Abd al-Barr, 1414H, 2:814–815) and Sa'īd ibn Abī 'Urūbah also stressed the importance of knowing the differences of opinion among scholars as a hallmark of a learned person.

iii. Convening Scholars of the Four Madhhabs to Discuss Contemporary Issues

Gatherings of scholars from the four *madhāhib* can positively influence followers by exemplifying scholarly interaction and mutual respect. Al-Qaraḍāwī (2001) notes that modern *fiqh* conferences and academic bodies in the Muslim world now bring together scholars from multiple *madhāhib* to conduct collective *ijtihād* (*ijtihād jamā'ī*). Muṣṭafā al-Zarqā' (1418H, 1:251) views this as a revival of *ijtihād* in a modern form.

iv. Respecting Other Madhhabs

Respect for differing *madhāhib* is fundamental to avoiding *ta'aṣṣub*. Muḥammad Tājā (1425H:246) asserts that embodying proper etiquette (*ādāb*) and fairness will distance a person from fanaticism. History records the harmful effects of lacking such etiquette, as narrated by Ibn 'Aqīl (Ibn Mufliḥ, 1424H, 3:22) regarding tensions between Ḥanbalī and Shāfi'ī adherents at certain times. Imām al-Shawkānī (1419H:89) urges students to be just and open-minded, while Ṭāhir ibn 'Āshūr (2006:124) links fanaticism to an educational void devoid of *adab* and sound moral formation.

v. Understanding the Scholarly Relationships among the Imāms of the Madhhabs

The four great a'imma of the *madhāhib* had close scholarly connections through chains of transmission (*sanad*). For example, Imām al-Shāfi'ī was a student of Imām Mālik ibn Anas, and Imām Aḥmad ibn Ḥanbal studied under Imām al-Shāfi'ī (al-Ashqar, 1423H:261). Understanding these relationships strengthens awareness that differences in opinion did not sever scholarly ties.

vi. Focusing on Specialised Expertise

Deep mastery of a particular discipline encourages objective examination of evidence and protects against *ta'aṣṣub*. Al-Sāḥī (1410H:146), al-Na'sānī (1429H:223), and al-'Awnī (1429H:38) affirm that specialists in specific fields tend to be more just and critical. Khalīl ibn Aḥmad al-Farāhīdī (Ibn 'Abd al-Barr, 1414H, 1:522) advocated focusing deeply on one field in order to reach true scholarly proficiency.

vii. Improving Teaching Methodologies

Effective teaching methods influence students' ability to understand and analyse evidence. Al-Zarqā' (1418H, 1:251) stresses that exposure to varied techniques produces students with strong analytical skills. Muḥammad al-Ḥajjāwī (1396H, 4:394) calls for intensive training in analysing Qur'ānic verses and ḥadīth texts, mastering the Arabic language, and *uṣūl al-fiqh*.

Specialised modern scholarly studies in *fiqh* and *uṣūl* also contribute to solving contemporary issues without being influenced by elements of *ta'aṣṣub*.

Conclusion

Adherence to a *madhhab* (school of Islamic jurisprudence) is a recognised and commendable approach in Islam, as affirmed by authoritative scholars. It enables Muslims to access religious rulings through a sound, systematic methodology grounded in the Qur'ān, Sunnah, consensus (*ijmā'*), and analogical reasoning (*qiyās*). The four major *madhāhib* — Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī — have each played a pivotal role in the historical development of Islamic law. However, *ta'aṣṣub al-madhhabī* — excessive attachment to one school to the extent of rejecting other valid opinions without sound *sharī* evidence has been condemned by the majority of scholars. Such fanaticism can result in intellectual stagnation, sectarian division, and the dismissal of truth even when supported by clear evidence.

Prominent scholars such as Imām al-Nawawī, Ibn Taymiyyah, al-Shawkānī, and Yūsuf al-Qaraḍāwī emphasise that *madhhab* adherence must be accompanied by scholarly etiquette (*ādāb al-'ilm*), intellectual openness, and respect for the *ijtihād* of others. Truth should not be measured solely by the label of a particular *madhhab* but by the strength of its evidentiary basis and the soundness of its reasoning.

To address *ta'aṣṣub*, it is essential to prioritise authentic evidence over school-based opinions when conflicts arise; respect legitimate differences among the *madhāhib*, recognising that juristic diversity is a source of *rahmah* when approached with knowledge and proper etiquette; deepen one's understanding of *uṣūl al-fiqh* and the principles of *ijtihād* to cultivate intellectual openness; and adopt a *wasatiyyah* (moderation) approach in line with the *maqāsid al-sharī'ah*, which emphasise wisdom, justice, and the welfare of the *ummah*. Through such an approach, *madhhab* adherence can remain an authoritative scholarly framework that unites the *ummah*, prevents intellectual stagnation, and ensures that *fiqh* remains dynamic, relevant, and responsive to contemporary realities.

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