

The Schools of the Islamic Fiqh [Jurisprudenece]

We have learnt that *Fiqh* (jurisprudence) means knowing about the Islamic precepts and laws, the *Halal*, the *Haram*, the *Wajib*, the *Makruh*, the *Mustahabb* the valid, the *Batil* and other rules and regulations.

We have also known that these Islamic precepts and laws have been taken from the Glorious Qur'an and the pure Traditions (*Sunnah*) of the Prophet (s) We have further known that the Muslims during the days of the Messenger of Allah (s), used to directly refer to him to receive instructions on the devotional rituals.

Such as, the *Salat*, the *Hajj*, the *Sawm*, the *Taharah*, etc, or on the issues concerning business dealings, such as the regulations of transactions, buying, selling, leasing, handling land, marriage, divorce, penal code, and so on.

After the demise of the Messenger of Allah (s), certain issues came forth concerning the *Salat*, the *Sawm*, family affairs, business, buying and selling, and many other happenings the like of which did not happen during the days of the Prophet (s). People needed to know their relevant Islamic precepts. They used to refer to some of the Companions of the Prophet (s), like Ali Ibn Abi Talib (a.s.), Abdullah Ibn Abbas, and Abdullah Ibn Mas'ud.

The last two took the precepts from *Imam* Ali as he was considered the most knowledgeable among the Prophet's Companions. It is narrated from the Prophet (s) as saying "I am the city of knowledge and Ali is its gate." In fact, in this period, we find the *Fatawa* (verdicts) differ, on some occasions, among the Companions (r.).

When the next generation of, the *Tabi'un*, followed, it witnessed more people practising *Ijtihad*, with differences of opinion in their *Fatawa*. Yet, there were still no sects, as there are today. All the Muslims used to refer to the *Ulama* of the Companions, or the *Tabi'un*, and, to the *Imams* of *Ahlul-Bayt* (a.s.).

At that period there were the *Imams*, *Imam* Ali Ibn Al-Husayn, As-Sajjad (a.s.), the *Imam* Muhammad Ibn Ali Al-Baqir (a.s.) and the *Imam* Ja'far Ibn Muhammad As-Sadiq (a.s.). People referred to them, and took the Islamic precepts from them, and acted accordingly.

It is useful to clarify how the schools of Islamic jurisprudence rose and started working. The division and discord rose widely among the Muslims. After the murder of the third Caliph, Uthman Ibn Affan (may Allah be pleased with him), the Muslims pledged allegiance with the *Imam* Ali Ibn Abi Talib (a.s.), but Mu'awiyah Ibn Abi Sufyan refused that *Bay'ah* [allegiance], and was followed only by the people of Ash-Sham [Syria of today].

He established an independent state in Ash-Sham, and appointed his own *Faqihs* and traditionists. This caused a juristic split among the Muslims, at a time when the Muslims and the great Companions (of the Prophet (s)) believed the *Imam* Ali (a.s.) to be the Guided Caliph, the most learned of all, and the authority of the *Ummah*. When war started between Ali (a.s.) and Mu'awiyah Ibn Abi Sufyan, there was the inclination to follow ¹ the *Imam* Ali and his two sons, Al-Hasan and Al-Husayn, all being members of *Ahlul-Bayt* whom Allah Almighty kept uncleanness away from and purified a [thorough] purifying, and whom the Qur'an honoured and whose love and guardianship Allah enjoined on the people.

Hence Shi'ism established as an adherence to *Ahlul-Bayt*, and their followers increased. So adherence to *Ahlul-Bayt* means: Loving and adherent following of them, and believing in their right to the Imamate [*Imaman*] i. e. *Khilafah* after the Prophet (s), and their being authoritative sources in the sciences of *Shari'ah* and its teachings.

Thus, adhering to *Ahlul-Bayt*, or Shi'ism, as a strong and distinct movement, appeared during the struggle with Mu'awiyah and after the martyrdom of the *Imam* Ali Ibn Abi Talib (a.s.), and when his son, the *Imam* Al-Hasan, the son of the daughter of the Prophet (S.A) came to the Caliphate.

After the death of the *Imam* Al-Hasan (a.s.) and Mu'awiyah, the struggle between the *Imam* Al-Husayn Ibn Ali Ibn Abi Talib (a.s.) and Yazid Ibn Mu'awiyah. There was a war between them in Karbala (in Iraq) on the 10th of the month of Muaharram, in the year of 61 A.H. The *Imam* Al-Husayn (a.s.) was martyred with 78 of his companions and household.

So far there were no distinct jurisprudential schools, as there are now. However, there were two political groups: On one side there were the *Shi'ah* of *Ahlul-Bayt* (a.s.): Ali, Al-Hasan, Al-Husayn and their offspring after them. On the other side there were those who supported the Umayyads. And at that time there were *Muftis*, who differed in opinion and *Fatwa* (verdict) from the *Imams* of *Ahlul-Bayt* (a.s.).

In the later half of the first century (A.H.) the Islamic teachings and knowledge, spread, such as the interpretation of the Qur'an, traditions (*Hadith*), *Fiqh*, and theology developed and Al-widely spread. There appeared distinguished, *Ulama* and *Faqihs*, such as Sa'id IbnulMusayyab, Al-Hasanul-Basri, Sufyanuth-Thawri, who were contemporaneous with *Imam* Muhammadul-Baqir Ibn Ali Ibn AlHusayn Ibn Ali Ibn Abi Talib (a.s.), who was known as "Al-Baqir" for his profound knowledge and vast learning.

Other scholars used to learn and acquire knowledge from him.

The Rise [Appearance] of the Jurisprudential [Fiqhi] Sects

The second century witnessed a further spread of jurisprudence (*Fiqh*), and there appeared many schools of *Fiqh* and many *Faqihs* (jurisprudents) who practised *Ijtihad* and inferred many *Fiqhi* precepts. The *Ijtihad* and the inference of *Fiqhi* precepts continued afterwards, and there appeared many *Faqihs* who differed in their opinions and precepts such as the difference in hanging down the arms or folding them in the *Salat*, or in some precepts of the *Wudu*, or of the *Siyam*, marriage, divorce, heritage, etc.

Hereunder we mention today's most renowned Islamic jurisprudential sects:

1. The school of *Ahlul-Bayt* (a.s.), which is known as the *Ja'fari* Sect, or the *Imami Shi'ah*.
2. The *Hanafi* Sect.
3. The *Maliki* Sect.
4. The *Shafi'i* Sect.
5. The *Hanbali* Sect.

Now we are talking briefly about these Islamic *Fiqhi* Sects.

The school of Ahlul-Bayt (a.s.)

It is also called the *Ja'fari* Sect after the *Imam* Ja'far As-Sadiq Ibn Muhammad Al-Baqir Ibn Ali, Zaynil-Abidin, Ibn Al-Husayn Ibn Ali Ibn Abi Talib (a.s.). It is also known as the *Imami Shi'ah*, because they believe in the twelve *Imams* of *AhlulBayt* (a.s.)

Al-Imam Ja'far As-Sadiq (a.s.) was the *Imam* of the Muslims, and the teacher of his contemporary renowned *Ulama* and scholars. So they admitted his deep knowledge, virtues, piety and devotion.

He was born in the year 82 A.H. during, the Umayyad rule. He was brought up and educated under the supervision of his father, the *Imam* Muhammd Al-Baqir (a.s.). He used to lecture on the teachings of the *Shari'ah* in the Prophet's Masjid, as his father used to do. He narrated, quoting his father (a.s.) who quoted his fathers (a.s.) who quoted their grandfather, the Messenger of Allah (s).

He issued thousands of *Fatawa* concerning different *Fiqhi* issues. He offered the *Ulama* and the students a vast knowledge of Islamic teachings, such as monotheism, exegesis of the Qur'an, and the like, with which he enriched the Muslims and gave them deep knowledge of their religion.

Some scholars estimated the number of the trustworthy narrators and students of theology who received their knowledge from the *Imam* Ja'far As-Sadiq (a.s.) as well as those who narrated quoting him, to be

4000 students and narrators.

Among those who studied at his school were a number of the wellknown narrators of the *Hadith* (Tradition,) and heads of the Islamic Sects, such as the *Imam* Abu Hanifah, the *Imam* of the *Hanafi* Sect, the *Imam* Malik Ibn Anas, the *Imam* of the *Malikis*, and others.

[The Scholars' Testimonies in Favour of Imam Ja'far As-Sadiq](#)

His contemporary scholars, *Faqihs*, *Imams* and historians had all recognized the *Imam* Ja'far–As–Sadiq's merits, knowledge and asceticism. His merits were also admitted by those who came after him. He was mentioned with respect, esteem and exaltation. Here are some statements about him:

1. *Imam* Malik Ibn Anas, the *Imam* of the *Malikis*, praising the *Imam* As–Sadiq (a.s.) said: "I used to see frequent Ja'far Ibn Muhammad for quite a time. I never saw him in other than these three states: he was either *Musalli*, *Sa'im* or reciting the Qur'an."² He also said: "No eye had ever seen, no ear had ever heard, and no heart had ever the occurrence of a more merited [person] than Ja'far Ibn Muhammad As–Sadiq, in his knowledge, devoutness and piety."³

2. Umar Ibn Al–Miqdam said: "Whenever I looked at Ja'far Ibn Muhammead I realized that he was a descendant of the prophets. No book of *Hadith*, philosophy, asceticism or preaching is void of his speech. They all repeat: "Ja'far Ibn Muhammad As–Sadiq said so–andso."⁴

3. Al–Ya'qubi the famous historian, said: "He was the best of the people, and the best authoritative one versed in the religion of Allah. The people of learning, who took knowledge from him, or heard him lecturing, used to say, when quoting him: The welllearned scholar (*Al–Alim*) told us"⁵

4. Describing him, Ash–Shahristani said: "He was of superabundant knowledge of religion, and had a complete hold of philosophy. He renounced all worldly pleasures, and forsook all desires...."⁶

5. The *Imam* Abu Hanifah, the *Imam* of the *Hanafis*, describing Ja'far Ibn Muhammad–As–Sadiq (a.s.), said: "I have never seen a more learned authority [on religion] than Ja'far Ibn Muhammad As–Sadiq. When Al–Mansur⁷ summoned him, he also sent for me and said: "O Abu Hanifah, the people are infatuated with Ja'far Ibn Muhammad, so, prepare for him some hard questions". So, I prepared forty questions. He sent for me in Al–Hirah⁸. I came, entered, and saw Ja'far Ibn Muhammad sitting on his right side. As soon as I saw Ja'far Ibn Muhammad I dreaded him more than I dreaded Abu Ja'far Al–Mansur. I greeted him, he nodded to me and I sat down. Then he [Al–Mansur] turned to him and said: 'O Abu Abdillah! this is Abu Hanifah. Ja'far said 'yes', then added: 'he did come to us,' (as if he did not like the gossip about his recognizing a man on seeing him.) Al–Mansur turned to me and said: 'O Abu Hanifah! Ask Abu Abdillah your questions, I began asking him my questions and receiving his answers by saying 'You say so–and–so, the Madanis say so–and–so, and we say so–and–so,.. 'Sometimes he might agree with them, and sometimes he might disagree with all of us, until I asked all my forty problems." Then Abu Hanifah added: "Did we not narrate that the most learned is the one who knows

better where people differ?"⁹.

6. The late *Shaykh* Muhammad Abu Zuhrah, Head of the honoured Al–Azhar, said of him: "...We, with the help of Allah and His blessings, had decided to write about the *Imam* Ja'far As–Sadiq. So far I have written about seven of the noble *Imams*. I did not postpone my writing about him because of any inferiority in him. In fact, he has the merit of preceding most of them, and a special merit over the great ones of them, since Abu Hanifah used to quote him, found him the best knowledge able of what people differ about, and regarded him to have vastest and most comprehensive knowledge of the religion.

Imam Malik used to attend his [lectures] as a student and a narrator. He has the merit of teaching Abu Hanifah and Malik, and this suffices him as an honour. [So,] he cannot be put off because of any defect, nor can anyone else be brought forward because of any superiority. Furthermore, he was a grandson of Ali Zaynul–Abidin (a.s.), who was the master of his contemporary people of Al–Madinah at his time in matters of merits, honour, piety and knowledge.

As his students, he had notables like Ibn Shihab Az–Zuhri and many of the *Tabi'un*. He was the son of Muhammad Al–Baqir (a.s.), who split open knowledge, and reached its inner core (that is the meaning of Al–Baqir). He is the one on whom Allah bestowed intrinsic and additional honour, through his honourable lineage, the Hashimite kinship and the Muhammadan progeny...."¹⁰

Thus, we get to know the high position of Ja'far Ibn Muhammad AsSadiq (a.s.) to whom the "sect of *Ahlul–Bayt*" (a.s.) is ascribed, and which is also called "The *Ja'fari* Sect". He was one of the *Imams* of *Ahlul–Bayt* (a.s.), born when his grandfather, Ali Ibn Al–Husayn, Zaynul–Abidin, was still living, and he was brought up in his and his father's lap. Both his father and grandfather were *Imams* of the Muslims, heads of *Ahlul–Bayat* and teachers of Muslim scholars.

He was a coeval of his grandfather and father for a while, and he learnt from them his Islamic knowledge and teachings. The *Imam* Ja'far As–Sadiq lived for 66 years. He was born in the year 82 A.H. and died in the 148 A.H. He was buried in the Luminous Madinah, in the Baqi Cemetery, near the honoured Masjidun–Nabi [the Prophet's mosque].

Imam Ja'far As–Sadiq narrated thousands of *Ahadith*, and quoted his fathers, the *Imams* of *Ahlul–Bayt* and the Messenger of Allah (s) whereas the narrators and the *Ulama* used to quote him in many fields of knowledge, such as *Tafsir* [exegesis of the Qur'an], jurisprudence, monothesis, ethics (*Akhlaq*), etc. He argued with the scholars and philosophers, refuted the nonreligious, the atheists and the sneakers into Islam, proving the falsity of their deviated opinions and destructive thoughts. He played a significant scientific role in preserving Islam and spreading its teachings.

He used to quote his fathers on the authority of the Messenger of Allah (s), in narrating different *Ahadith*, saying: "My *Ahadith* are my father's, my father's *Ahadith* are my grandfather's; and his are the *Ahadith* of Ali Ibn Abi Talib; and the *Ahadith* of Ali Ibn Abi Talibs are the *Ahadith* of the Messenger of Allah; and the *Ahadith* of the Messenger of Allah are the words of Allah. The Almighty and High."

The sect of *Ahlul-Bayt* is prevalent now in different parts of the world, especially in Iraq, Lebanon, Iran, Pakistan, Indonesia, Turkey, Arab Peninsula, India and other places.

The Hanafi Sect (School)

It was named after Abu Hanifah (may Allah be pleased with him), the *Imam* of the sect. Abu Hanifah's full name is, An-Nu'man Ibn Thabit Ibn Zuti, from Persia. His grandfather was from Kabul¹¹. He was born in 80 A.H. and died in Baghdad in 150 A.H. and was buried near the Tigris River, his shrine is still known there.

Abu Hanifah was brought up in the city of Kufah, where he was engaged in business for a while, then he turned to acquiring knowledge. He studied under one of the *Tabi'un* by the name of Hammad Ibn Abi Salamah, for some 18 years. He soon became one of the *Ulama* of his time, having his own opinion and practising *Ijtihad*. He depended on both his own opinion and analogy, besides the Qur'an and the *Sunnah*, in inferring his religious verdicts.

Many of his contemporary scholars and *Imams* of other sects refuted him and criticised his dependence on "Opinion and Analogy". Both the *Imams* Muhammad Al-Baqir and Ja'far As-Sadiq (a.s.) criticised his resort to the "Opinion and Analogy", asking him to stick only to the Qur'an and the *Sunnah*. The *Imams* Malik and Ahmad Ibn Hanbal rejected his argument, too.

His school of thought spread in Iraq and in some other parts of the Islamic world. He lived for 52 years under the Umayyads' rule, but he did not support their rule, as he believed that the caliphate belonged only to the sons of Ali (a.s.), and he issued *Fatwa* in support of the revolution of the Alawis [the progeny of Ali Ibn Abi Talib (a.s.)], which was led by Zayd Ibn Ali Ibn Al-Husayn Ibn Ali bn Abi Talib (a.s.). He even issued a *Fatwa* allowing the *Zakat* to be paid to those revolutionaries to support them.

It is worthwhile to mention that Abu Hanifah studied for two years under Zayd Ibn Ali Ibn Al-Husayn, as well as under Abdullah Ibn Al-Hasan Ibn Ali Ibn Abi Talib (a.s.). He also met *Al-Imam* Al-Baqir Ibn Ali Ibn Al-Husayn, argued with him and learnt from him. The Umayyads asked Abu Hanifah to accept the position of a judge, but he refused.

Thereupon, their men imprisoned and whipped him for some days until he nearly died, but the prison-keeper helped him to escape from prison. He travelled to Mecca, and Al-Madinah, living in both places at different times. There he met the Imam Ja'far As-Sadiq (a.s.) studied under him for two years and learnt from him. He often used to refer to these two years by saying: "Had it not been for those two years, An-Nu'man would have perished." He remained there until the fall of the Umayyads and the establishment of the Abbasids.

Abu Hanifah refused to cooperate with the Abbasids. Consequently he was imprisoned by Al-Mansur [the second Abbasid Caliph] who had him whipped until he died after 110 lashes¹². Abu Hanifah (may Allah be pleased with him) used to say, concerning his *Ijtihadi* opinions: "This is my opinion and it is the

best which I can think of. If anyone brings another [opinion] we can accept it. It is *Haram* for anyone to issue a *Fatwa* based on my words without knowing my proof."¹³

After Abu Hanifah's death, his students, like Abu Yusuf the judge, were on good terms with the Abbasids, making use of their posts as judges to spread their opinions.

[The Miliki Sect \(School\)](#)

It is named after the *Imam* Malik Ibn Anas Ibn Malik Al-Asbahi (may Allah be pleased with him). He belonged to the *Bani-Asbah* tribe of Yemen. *Imam* Malik Ibn Anas was born in the Luminous (Madinah) in 93 A.H., studied under some jurists of his time, like Nafi', the freed slave of Abdullah Ibn Umar (may Allah be pleased with him), and Ibn Shihab Az-Zuhri, and others. He also studied under the *Imam* Ja'far AsSadiq (a.s.) learning *Ahadith* and *Fiqh* from him.

He used to say about *Al-Imam* As-Sadiq (a.s.): "No eye had seen better than Ja'far Ibn Muhammad." He lived 40 years under the rule of the Umayyads during which he attained fame as a scholar. After the fall of the Umayyads and the establishment of the Abbasid rule, he displayed his inclination towards the Alawis, and his belief in their right of the Caliphate.

He issued a *Fatwa* asking people to support Muhammad Ibn Abdillah Ibn Al-Hasan Ibn Ali Ibn Abi Talib (a.s.), who proclaimed his revolution against the Abbasid rule. He did not see any validity in the allegiances given to the Abbasids, because they were taken forcibly from the people. The Abbasid ruler of AlMadinah, Ja'far Ibn Sulayman, flogged him with fifty lashes until his right shoulder was dislocated due to the force of the lashes.

The Abbasid Caliph, Abu Ja'far Al-Mansur, changed his mind and improved his relations with *Imam* Malik, and asked him to write a jurisprudential book and spread it among the people so that they may act according to it. *Imam* Malik wrote his book "Al-Muwatta including in it his *Fatawa* and *Fiqhi* opinions"¹⁴.

By this his *Fiqh* spread out, especially in North Africa and particularly in Andalusia (Spain). His students, who were also judges, helped in spreading his thoughts and opinions. He used to differ with Abu Hanifah on acting according to the jurisprudential opinion and Analogy. *Imam* Malik died in 179 A. H.. Concerning his own *Fiqhi* opinions he used to say: "I am but a human being, I may be right or wrong, so, refer what I say to the Book and the *Sunnah*."¹⁵

[The Shafi'i Sect \(School\)](#)

It was named after *Imam* Muhammad Ibn Idris Ibn Abbas Ibn Uthman Ibn Shafi (may Allah be pleased with him). His lineage goes back to Hashim Ibn Abdil Munalib¹⁶, the Prophet's grandfather.

Imam Ash-Shafi'i was born in 150 A.H., the same year in which *Imam* Abu Hanifah died. His mother undertook raising him up in Yemen, as he was an orphan. As a child of ten years of age, he travelled to

Mecca where he learned to read and write. He travelled into the desert, where he lived for seventeen years.

He, then, started learning *Fiqh* and religious knowledge under a number of the *Ulama* of his time, such as Muslim Ibn Khalid Al-Makhzumi and Malik Ibn Anas (the *Imam* of the *Malikis*) under whom he studied his *AlMuwatta* on *Fiqh*.

After the death of the *Imam* Malik, he returned to Yemen where he undertook some official responsibilities. During the rule of Ar-Rashid in 148 A.H. he and some other groups were accused by the governor of Yemen, of being supporters of the Alawis and that they propagated for them.

They were dispatched to Baghdad to be tried with others. Some were killed, while Ash-Shafi'i escaped death, travelled to Egypt and lived there. His school of thought spread there as well as in other Islamic counties, by him and his followers. *Imam* Ash-Shafi'i died in 198 A.H.

He used to say about his fiqhi opinions: "If a true *Hadith* was contrary to my opinion¹⁷, strike my opinion against the wall."¹⁸

The Hanbali Sect (School)

It was named after its *Imam*, Ahmad Ibn Muhammad Ibn Hanbal (may Allah be pleased with him), whose lineage went back to an Arabic tribe. He was born in 164 A.H. in Baghdad, where he was educated at the age of fifteen.

He was a student of Ash-Shafi'i, Abu Yusuf the judge (himself a student of Abu Hanifah) and other *Ulama*. He also learned from other *Faqihs* of his time, such as Jarir, a student of *Allmam* As-Sadiq. His school of thought did not spread like the other sects among the Muslims. The followers of this sect are now mostly in Al-Hijaz and in some other regions of the Islamic world. Ahmad Ibn Hanbal died in Baghdad in 241 A.H.

Explanation

These five Islamic sects, which we have been talking you about are not the only Islamic schools of jurisprudence, though they are the most famous ones. As a matter of fact there are many other sects, such as the sect of *Imam* Zayd Ibn Ali Ibn Al-Husayn Ibn Abi Talib, which is now current in Yemen. It is very close to the sect of Abu-Hanifah, who, as we have mentioned, studied under Zayd Ibn Ali.

There were other sects followed by the Muslims who acted according to their own opinions, such as the sect of Al-Awza'i who died in 157 A.H. This sect spread among the people of Ash-Sham during the days of *Imam* Malik. It also spread in Andalusia, then died away and was replaced by Ash-Shafi'i's sect.

Another sect was that of Al-Hasanul-Bari who died in 110 A.H., the sect of Ash-Shi'bi who died in 105 A.H., the sect of Sufyan AthThawri who died in 161 A.H., the sect of Ibn Hazm Al-Andalusi, and other

sects which also had jurisprudential opinions and *Fatawa* practised by the people, but they died away, and there remained only the five sects; (The *Ja'fari*, the *Hanafi*, the *Maliki*, the *Shafi'i* and the *Hanbali*)

Moreover, there is the Zeydi sect which has followers in Yemen, and The Ibadiyyah sect, which has followers in the Arabian Peninsula.

All Muslims Are a Single Ummah

We know that Islam, which had been brought by the Prophet Muhammad (s) has no sects and no differing precepts. The present differences have stemmed from the *Ijtihad* of the jurists.

Therefore, it is *Wajib* (incumbent) on every Muslim to search for the correct religious precept when he sees that the jurists differ on it, and to follow the jurist whom he finds to be most fit to be followed.

The Head of Al-Azhar, the late *Shaykh* Mahmud Shaltut (may Allah have mercy on him) issued a *Fatwa* to the effect that the Muslims are one *Ummah*, and that the differences among the sects are but differences in *Ijtihad* and *Fatwa*. He said:

1. Islam does not impose upon any of its followers to act according to a particular sect. In fact, every Muslim has the right to start following any one of the sects whose teachings had strictly been quoted and written down in its books. However, any person who had followed any one of such sects would also have the right to switch to any other one without being blamed for it.
2. The *Ja'fari* sect, known as the sect of the twelve-*Imami Shi'ah*, is a sect by which worship is allowed and lawful, like any other Sunni sect. All Muslims are to understand this and rid themselves of their unjustified sectarian fanaticism. Neither the religion of Allah, nor the *Shari'ah* have ever belonged to a particular sect or confined to it. But all are *Mujtahids* and acceptable of Allah, the Exalted. Those who are not trained to be *Mujtahids* themselves are allowed to be *Muqallids* of the *Mujtahids*, and act according to their jurisprudential decisions, whether these be on issues of worship or transactions"¹⁹.

Therefore, we know now that the diverse jurisprudential opinions dominant these days are but the opinions of different *Mujtahids* and *Faqihs*, inferred according to their respective *Ijtihad*. However, we have to carefully go through the different *Fatwas* about which there are differences of opinion among the *Faqihs*. We must then act according to the precept which was based on correct proof, and a sound understanding.

Discussion

Q1. Complete the following statements:

- a. The sect of *Ahlul-Bayt* (a.s.) was called the *Ja'fari* Sect after the name of *Imam*It is also called

- b. The *Fiqh* spread and the Islamic jurisprudential sects appeared in the century A.H.
- c. There remained of the well-known Islamic jurisprudential sects none but the following the sects:
,,,,
- d. Retell the opinions of some *Ulama* concerning *Imam Ja'far AsSadiq* (a.s.).

Q2. Write a short essay, inviting Muslims to unity and to avoid divisions.

(*Wal-Hamdu Li-Llahi Rabbil-Alamin*)

1. Historians say that a number of Muslims began gathering around Imam Ali (a.s.) as his Shi'ah [followers] as early as when Muslims differed on the Bey'ah [allegiance to the Prophet's successor] in the Saqifah meeting, on the same clay of the Prophet's demise. But the first who issued (released) the term Shi'ah was the Prophet (s) himself. As Ibn Al-Athir narrated from the Messenger of Allah (s) as sayig: "O Ali you and your Shi'ah will come to Allah well-pleased (with Him) and well-pleasing (Him), whereas your enemy will come to Allah enraged and furious, on thier necks chains, and they have their heads raised alotf."
2. "Malik" by Muhammad Abu Zuhrah, p. 28, quoted from "Al-Madarik" by AlQadi Iyad, p. 212.
3. Al-Manaqib" by Ibn Shahrashub, vol. 4, p. 248.
4. Ibid, p. 249, quoted by Abu Na'im in his "Hilyatul-Awilya".
5. "Tarikhul-Yaqubi", vol. 3, p. 119, ed. 1964.
6. "Al-Milal Wan-Nihal", the margin (sidenotes), by Ibn Hazm, vol. 1, p. 224.
7. Abu Ja'far Al-Mansur, the second Abbasid Caliph.
8. Al-Hirah; a town in Iraq, formerly the capital of the Abbasids before Baghdad was built.
9. Manaqib Abi-Hanifah" by Muwaffaq, vol. 1, p. 173, and "and "Jami Asanid Abi Hanifah", vol. 1, p. 222, and "Tadkiratul-Huffaz" by Adh-Dhahabi, vol. 1, p. 157.
10. Al-Imam As-Sadiq" by Muhammad Abu Zuhrah, p. 3.
11. The capital of Afghanistan.
12. "Abu Hanifah" by Muhammad Abu Zuhrah, pp. 32-34, quoted from Manaqib Abi-Hanifah" by Makki, an extract from "Mabadi'ul-Ammah Lil-Fiqha-Ja'fari" by Hashim Ma'ruf Al-Hasani.
13. "Al-Imamus-Sadiq Wal-Madhahibul-Arba'ah" by Asad Haydar, vol. 1, p. 175, quoted from "Jala'ul Uyun by Al-Alusi, p. 107, quoted from Ibn Taymiyyah.
14. Some historians have said: He wrote "Al-Muwatta" at the demand of the Abhasid caliphs Al-Mansur and Al-Mahdi.
15. Al-Imamu-Sadiq Wal-Madhahibul-Araba'ah," by Asad Haydar, vol. 1, p. 175.
16. Some historians said: "His grandfather, Nafi', was a slave of Abu Lahab, the Prophet's uncle, and he was not from Banu Hashim."
17. By that he meant that if his Fatwa was different from the Hadith, it would be Batil.
18. Imam As-Sadiq Wal-Madhahihul-Arba'ah" by Asad Haydar, vol. 1, p. 175.
19. "Ar-Rasul Wash-Shi'ah" by Hasan As-Sa'id, p. 85.

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