

Al-Shafi'i: Champion of the *Sunnah*

Muḥammad ibn Idrīs al-Shāfi'ī (d. Rajab 204 /20th January 820) had a profound impact on the foundation of Islamic legal theory and played a significant role in the Muslim intellectual scene during the latter-half of the 2nd/8th century. He is revered as *nāṣir al-sunnah* 'defender of the Sunnah' who established one of the foremost legal schools, and is noted for reconciling *Hadīth*-based jurisprudence with *Ijtihād*-based *fiqh*. His integration of received Tradition with Rationalism offers an important model for Muslims today. — *from the keyboard of Ghurayb*



Early Career & Training. **Born** in Gaza in 150 H /767 CE his father passed away early on, and his mother took him at first to Makkah to be with his paternal relatives. Imam al-Shafi'i was an eighth-generation descendant of the Quraysh nobleman from the *Muṭṭalibī* clan, Hāshim b. al-Muṭṭalib b. °Abd Manāf—the first cousin of the Prophet Muhammad's grandfather from the *Banū Hāshim*: °Abd al-Muṭṭalib b. Hāshim b. °Abd Manāf. Al-Shafi'i always took pride in his descent from the Prophet's Family, and understood this to impose special responsibility for the welfare of the Muslim community.

In Makkah this noble son of Quraysh memorized the Qur'an by age seven and devoted himself to legal studies under the guidance of the Makkan mufti Muslim b. Khālid al-Zanjī (d. 180 H), while benefiting from leading Hadith authorities such as Sufyān b. °Uyaynah. On his own al-Shafi'i studied the important collection of legal precedents *al-Muwatta'* compiled by Mālik b. Anas (d. 179/795), the outstanding legal expert of Madinah. At the tender age of thirteen in 163 H al-Shafi'i went to Madinah to study this book with Mālik himself. When al-Shafi'i read out *al-Muwatta'* from memory to Mālik, the great *faqih* was impressed and advised his earnest young pupil: “*Be conscious of God and steer clear of deeds of disobedience, for you are destined to achieve great things; God the Exalted has cast a light on your heart, so do not extinguish it by disobedience!*” (The phrase ‘*a light in the heart*’ denotes abundant insight and penetrating intelligence.) By fifteen years of age when back in

Makkah, al-Shafi'i was deemed competent to issue his own *fatwās* or legal opinions. He was thus trained in both the Makkan and the Madinan *sharī'ah* schools of the Hijāz (west-central Arabia).

As a young man al-Shafi'i took a keen interest in linguistics and poetry, and he next spent over ten years residing with the northern branch of the Hudhayl tribe in the Hijaz. Exposure to the pure speech of the Bedouins brought him expertise in Arabic. He also cultivated skill in target shooting with bow and arrow as a chivalric sport. With this life experience behind him he now sought employment to secure his worldly needs, and attached himself to the service of the Governor of north Yaman as administrator of the city of Najrān. Yet his innate integrity and sense of justice clashed with the self-interested agenda of the Governor, and al-Shafi'i's moral counsel was not appreciated. He viewed al-Shafi'i as a thorn in his side, and sought to exploit the young man's descent from the Prophet's Family. This Governor unfairly accused al-Shafi'i to the °Abbāssid ruling authorities in Baghdad of being a suspected agitator for pro-°Alid activity in Yaman along with eight other persons.

The °Abbāssid caliphs were wary of the revolutionary challenge of the Banū Hāshim with their legitimist political claims, and readily gave credence to unfounded charges against them. Caliph Harun al-Rashid had al-Shafi'i taken to Baghdad in 184 H and interviewed him publicly at court. Fortunately, present that day was the leading Iraqi legal scholar and judge Muhammad b. al-Ḥasan al-Shaybānī (d. 189, disciple of the great Kufan jurist Abū Ḥanīfah), who realizing his unique qualities intervened with the Caliph to secure al-Shafi'i's release. By this twist of fate at the age of thirty-four he became attached to al-Shaybānī as a close pupil for several years, forsaking government service and plunging back into the pursuit of Islamic legal practice. Al-Shafi'i now acquired profound experience of the rationalist procedures of Iraqi jurists who cultivated 'inferential reasoning' (*qiyās*) and applied 'independent rational effort' (*ijtihād & ra'y*) when solving new cases and determining legal rulings.



Tradition & Reason. In Islamic legal practices of the 2nd/8th century a strong tension existed between revealed Scripture and Prophetic narratives (the Qur'an & *Hadith*, or *al-Kitāb & Sunnah*), and the use of independent rational methods. A major manifestation of this tension was

the rivalry between the strict Traditionalists or ‘Hadith Folk’ /*Ahl al-Ḥadīth* of the Hijaz who confined legal knowledge solely to the sacred texts, and the rationalising jurists /*Ahl al-Ra’y* based mainly in Iraq. The Rationalist jurists viewed religious knowledge to comprise the body of legal rulings derived from the sacred texts complemented with individual reasoning exertion (*ijtihād al-ra’y*). During most of Islam’s second century the *Ahl al-Ra’y* dominated legal reasoning, but by the close of that century the *Ahl al-Ḥadīth* emerged as a powerful countervailing force exerting pressure on the rationalists leading to their partial decline.

After the lifetime of al-Shafi’i, the Traditionalist orientation gained significant strength attracting many jurists who opposed rationalism, including Ahmad Ibn Ḥanbal (d. 241/855) and Dāwūd al-Zāhirī (d. 270/883). Yet by the end of the third century H the majority of jurists combined these two trends to some degree. It was increasingly acknowledged that human reason could not stand on its own as a central method of interpretation for legal practice—that ultimately reason was in the service of revelation, while transmitted religious knowledge benefits from critical rational methods. This normative synthesis bridging the contrasting approaches fertilized the classic elaboration of Islamic legal theory or *uṣūl al-fiqh*.

This successful integration was spearheaded by the creative work of al-Shafi’i who had trained in the Hijaz, worked in Yaman and Iraq, and finally moved to Egypt. Al-Shafi’i validated rational procedures for deducing legal rulings, but confined personal reasoning exertion to an inference based upon the texts of the revealed Qur’an and Prophetic traditions—a method he advocated as the technique of *qiyas* ‘inferential reasoning’. It was this *midpoint* between the two trends which constituted the normative position of the majority. From this centrist position the religious ideology and legal practice of the Muslim majority emerged.*



Mature Work. In 186 H al-Shafi’i returned to Makkah where he taught in the sacred Ḥaram for nine years elaborating his new mode of legal doctrine embracing both tradition and reason. He now defined religious ‘knowledge’ to comprise:

“the Sacred Texts of GOD’s revealed Book and the Prophet’s Sunnah, and what is sought of their meaning through Consensus and Reasoned-Inference (*ijmā’ & qiyās*).”^δ

His recognition that critical rational methods form a necessary tool for reaching the meanings of the Sunnah encouraged the development of a sophisticated Islamic legal methodology and theological doctrine. In 195 al-Shafi’i made his second stay in Baghdad lasting two years, where he taught both jurists as well as traditionalists. There he wrote his famous *Risālah* in response to a request from the prominent Basran traditionist °Abd al-Raḥmān b. Maḥdī (d. 198/813), setting out the basis for his new mode of legal practice. His writings produced in this period were spread by his Baghdadi pupils, yet were later referred to as his “old teaching” (*al-qadīm*) since they were superseded by a fresh series.

Al-Shafi’i moved to Fustat in old Cairo in 199 H where he produced several major works over the five years before his death in 204 H at the age of only fifty-four years. In this final period he revised his legal studies and propounded fresh positions on critical topics, known as his “new teaching” spread by his pupils in Egypt. Notable are his *Kitāb al-Umm* and *Ikhtilāf al-Ḥadīth*—works studied even today among the jurists of the Shāfi’ī *madhhab*. Many of his views are preserved in later works by scholars such as al-Ḥāfiẓ al-Bayhaqī. Today Egypt remains a stronghold of the Shāfi’ī legal school, while the majority of his followers are found in the Muslim lands of S.East Asia. His tomb in Cairo is a sanctified place with its original unique wooden dome.



Al-Shafi’i’s ‘Great Synthesis’ encouraged re-grounding the positive legal doctrine of rationalist jurists upon Prophetic Hadith by means of a legal methodology (*uṣūl al-fiqh*) embracing both the corpus of Hadith and the individual reasoning effort (*ra’y*). This meant that Traditionists had to meet rationalism halfway by accommodating their creative rational approach in law when meeting human needs. The mainstream position grew into the balanced integration of Traditionalism and Rationalism. The consequence was that disciplines previously formally distinct or separate, were now commonly integrated and combined. Thinkers emerged who were simultaneously traditionist·jurists as well as rationalist theologians

competent to conceptualize legal theory in terms of a synthesis between rationality and the textual tradition—a veritable harmony of reason and revelation.

Muslim thinkers, and all thinking Muslims, can learn a valuable lesson from al-Shafi‘i’s life and work. The midpoint between extremes (*wasatiyyah*) is Islam’s ideal for fostering harmony and balanced integration. Revealed truth and scientific advance should be harmonized into a higher synthesis, just as the ‘Folk of Hijaz’ and the ‘Folk of Iraq’ had to harmonize their conceptions of knowledge. This ideal may guide us in the challenging task of preserving the precious legacy from our past, while constructing more adequate responses to our present and future human needs. This may promote the wellbeing and flourishing of humanity intended by our CREATOR – *Exalted and Majestic*.



* [On the controversy between traditionalists and rationalists, see the treatment by Wael Hallaq, *Origins and Evolution of Islamic Law* (Cambridge University Press, 2005) pp. 52–4, 74–6, 113–119, 122–128, 140–146.]

δ [Cited in Ibn ‘Abd al-Barr, *Jami‘ Bayan al-‘Ilm wa Fadlih* (Cairo ed., rpr. Beirut) II 26. See Ibn ‘Adi al-Jurjani, *al-Kamil fi Du‘afa’ al-Rijal* (2nd pr., Beirut, 1985) I 125, where al-Shafi‘i is cited: “The basis (for legal rulings) is the *Qur’an* and *Sunnah*, and if these do not provide (explicit rulings) then it is ‘reasoned-inference’ (*qiyas*) upon these two...”; further, consult al-Shafi‘i, *al-Risalah/ Treatise on the Foundations of Islamic Jurisprudence*, trans. Majid Khadduri (1961; 2nd ed., London, The Islamic Texts Society) 288–303, on *qiyas & ijihad*.]