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The Dynamics of Early Islamic Thought: Conceptions and Differences of the Hanafi, Maliki, Shafi'i, and Hanbali Mazhab

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Abstract

This study examines the dynamics of early Islamic thought that underlie the emergence of the four major mazhabs of jurisprudence, namely Hanafi, Maliki, Shafi'i, and Hanbali. After the Prophet Muhammad SAW passed away, Muslims faced challenges in the form of territorial expansion and social complexity, which triggered differences in legal interpretation. Using a library research method with descriptive-qualitative analysis, this study explores the socio-political background, ijtihad methodology (ushul fiqh), as well as the characteristics of each mazhab. The results of the study show that differences of opinion among the mazhab imams are not a form of division, but rather a dynamic intellectual response to the realities of the time. The Hanafi mazhab is known for its rationalist approach (ahl al-ra'y), the Maliki mazhab strongly adheres to the traditions of the people of Medina (amal ahl al-Madinah), the Shafi'i mazhab successfully synergizes text and reason systematically, while the Hanbali mazhab tends to be textual and conservative. This study emphasizes that the diversity of these methodologies constitutes an intellectual wealth that preserves the flexibility of Islamic law in addressing various contemporary issues, ranging from transactional matters to practical worship.

Keywords: Dynamics of Islamic Thought, Mazhab, Ijtihad, History of Islamic Law.

Abstrak

Penelitian ini mengkaji dinamika pemikiran Islam awal yang melatarbelakangi lahirnya empat mazhab fikih besar, yaitu Hanafi, Maliki, Syafi'i, dan Hanbali. Pasca-wafatnya Rasulullah SAW, umat Islam menghadapi tantangan berupa perluasan wilayah dan kompleksitas sosial yang memicu perbedaan penafsiran hukum. Menggunakan metode studi kepustakaan (*library research*) dengan analisis deskriptif-kualitatif, penelitian ini mengeksplorasi latar belakang sosial-politik, metodologi ijtihad (*ushul fiqih*), serta karakteristik masing-masing mazhab. Hasil penelitian menunjukkan bahwa perbedaan pendapat di antara para imam mazhab bukanlah bentuk perpecahan, melainkan respons intelektual yang dinamis terhadap realitas zaman. Mazhab Hanafi dikenal dengan corak rasionalis (*ahl al-ra'y*), Mazhab Maliki sangat berpegang pada tradisi penduduk Madinah (*amal ahl al-Madinah*), Mazhab Syafi'i berhasil mensinergikan teks dan nalar secara sistematis, sementara Mazhab Hanbali cenderung tekstual dan konservatif. Studi ini menegaskan bahwa keberagaman metodologi tersebut merupakan kekayaan intelektual yang menjaga keluwesan syariat Islam dalam menjawab berbagai persoalan kontemporer, mulai dari masalah muamalah hingga ibadah praktis.

Kata Kunci: Dinamika Pemikiran Islam, Mazhab, Ijtihad, Sejarah Hukum Islam.

A. Introduction

During the prophetic era, all aspects of the life of Muslims, whether related to faith, law, or social order, were directly based on the revelations of Allah SWT and the guidance of Prophet Muhammad SAW. He held the highest and absolute authority in establishing laws and resolving various issues faced by the community. This condition created a strong unity of view, so that principle or sharp differences of opinion were almost nonexistent in society at that time. All decisions referred to a single and clear truth, thus maintaining the harmony and unity of the community well. In this period, sources of law and guidelines for life did not have a diversity of sources, because all rules came directly from the Qur'an and the Prophet's explanations, which did not allow for deep differences in interpretation¹

After the passing of the Prophet Muhammad PBUH in 11 AH/632 AD, the structure of religious and political authority underwent a very fundamental change.² Leadership shifted to the companions under the caliphate system, known as the era of the Rightly Guided Caliphs. In the first two stages of this era, during the leadership of

¹ Abdurrahman I. Doi, *Pengantar Sejarah Perkembangan Hukum Islam*, trans. Tim Penerjemah STAIN Pekalongan (Jakarta: Raja Grafindo Persada, 2004), p. 45.

² Sofiyullah, "Implementasi Mazhab Dan Sistem Bermazhab Dalam Kehidupan Komunitas Nahdlatul Ulama Sebagai Penguatan Pendidikan Islam," *Tarbawi: Jurnal Studi Pendidikan Islam* 10, no. 1 (2022): p. 65–81.

Abu Bakr As-Siddiq and Umar bin Khattab, the legacy of unity and stability could still be maintained well. The caliphs ran the governance and set policies based on the path left by the Prophet Muhammad PBUH as well as through intensive deliberation among the prominent companions. However, during the caliphate of Uthman bin Affan, challenges began to emerge along with the expansion of Islamic territories and the increasing complexity of governmental affairs. The policies implemented at that time sparked waves of dissatisfaction in several regions, which gradually eroded the unity of the Muslim community. The social and political tensions during this period were the initial seeds of a larger division, triggered by political misunderstandings and unprecedented competition of interests within the Muslim community³

The peak of this turmoil occurred with the killing of Caliph Uthman ibn Affan in the year 35 AH/656 AD, a historic event known as the Great Fitnah or the First Fitnah. This event became a turning point that changed the course of Islamic history, marking the end of the golden era of political unity and the beginning of a prolonged period of conflict. When Ali ibn Abi Talib was appointed as the fourth caliph, he inherited a very chaotic situation, in which various groups had conflicting demands, ranging from seeking revenge for Uthman's death to rejecting the legitimacy of Ali's leadership. This situation culminated in a series of major battles such as the Battle of the Camel and the Battle of Siffin, in which fellow Muslims fought against each other. The impact of this event is not only in the form of physical losses, but more seriously, it is the emergence of fundamental differences in views regarding the concepts of leadership, political piety, and interpretation of religious teachings, which were then passed down to subsequent generations.⁴

The impact of this political division gradually spread into the intellectual and religious thought realms. When the single authority that existed during the time of the Prophet no longer existed, and the authority of interpretation was distributed among the companions and tabi'in, differences in understanding the sharia began to appear clearly and diversely. Moreover, the continuously expanding Islamic territories brought Muslims into interaction with various cultural backgrounds, customs, and social systems of newly converted nations. This situation required scholars of religious knowledge to provide legal answers to new issues that had no clear responses in the texts of the Qur'an or Hadith. According to Hasan Hanafi, this phenomenon of differing views is actually a form of dynamic response and creativity of Islamic thought in addressing the challenges of time, as well as an effort to adapt sharia to the social realities that are constantly changing and developing.⁵

³ Taslim Batubara dan Ilhamzah Ilhamzah, "Social Institutions of Muslims During The Time of Utsman and Ali," *Islamika Inside: Jurnal Keislaman dan Humaniora* 10, no. 1 (2024): p. 45. <https://doi.org/10.35719/islamikainside.v10i1.230>

⁴ Ismail bin Umar Ibnu Katsir, *Al-Bidayah Wan Nihayah (Jilid 7)* (Beirut: Dar al-Kutub al-Ilmiyah, 2003), p. 189.

⁵ Hasan Hanafi, *Al-Turats Wa Al-Tajdid: Qira'ah Mu'asirah Fi Turatsina Al-Fikri* (Kairo: Dar asy-Syuruq, 2010), p. 68.

The more the need for legal determination develops, the more the necessity for a standard rule or method as a basis for legal reasoning or *ijtihad* is felt. This awareness eventually gave birth to the discipline of *Ushul Fiqh*. Although the practice of *ijtihad* had been carried out since the time of the companions, this knowledge only began to be compiled, systematized, and standardized in its structure in the 2nd century AH. Scholars began to build varying methodologies for legal determination (*ushul fiqh*) in positioning the Qur'an, Sunnah, *ijma'*, *qiyas*, and considerations of *maslahah*. For example, Imam Shafi'i's thought developed a strict methodological framework based on the Qur'an, hadith, *ijma'*, and *qiyas*, different from other mazhabs of thought that emphasized *istihsan* or *istislah*.⁶ Differences of opinion regarding the priority of sources of law, the way of understanding the text of the *nash*, and the limits of the use of reasoning in law, become the main variables that give rise to diverse views among scholars. It is this difference in methodological approaches that then becomes the main identity distinguishing one group of scholars from another, which ultimately becomes the precursor to the formation of mazhabs of legal thought.⁷

The pinnacle of the dynamics of early Islamic thought was manifested in the formation of the four largest and most influential mazhabs of law, namely the Hanafi, Maliki, Shafi'i, and Hanbali mazhabs. These four mazhabs were formed during the 2nd to 3rd centuries Hijri or the 8th to 9th centuries CE, amid the atmosphere of rapid development of knowledge in the Islamic world. Although these four mazhabs are based on the same primary sources, namely the Qur'an and the Sunnah, the geographical background, socio-cultural conditions of the places where the mazhabs developed, as well as the distinctive methodological approaches upheld by their founders, created unique characteristics and distinctiveness in each mazhab. In their study, Kasyfia Rizka and Leo Dwi Cahyono emphasized that the diversity of views in these four mazhabs of thought is not a sign of weakness or division among the community, but rather represents the intellectual wealth of Islam, demonstrating the flexibility of Sharia in addressing various human needs in different places and times.⁸

The study of the dynamics of early Islamic thought as well as the differences among the Hanafi, Maliki, Shafi'i, and Hanbali mazhabs is very important. These four mazhabs serve as the main references for Muslims and emerged as a response to the post-death situation of the Prophet Muhammad PBUH. Each mazhab has its own perspective and method in understanding religious teachings according to the

⁶ Muannif Ridwan Syaiful Anwar, Fuad Bawazir, Rafika Sakina, Megawati Lukita, Naufal Hernata, Meilani Miranda, "Mazhab Syafi'i Sebagai Paradigma Dalam Pemikiran Dan Penetapan Hukum Islam Di Indonesia," *Jurnal Forum Studi Hukum Dan Kemasyarakatan* 5, no. 2 (2023): p. 79–101. <https://doi.org/10.15575/vh.v5i2.2819>.

⁷ Muhammad Abu Zahrah, *Tarikh Al-Mazahib Al-Islamiyah* (Kairo: Dar al-Fikr al-Arabi, 1994), p. 27.

⁸ Lukman Dwi Cahyono & Khairun Rizka, "Dinamika Perbedaan Pendapat Dan Pembentukan Mazhab Empat Dalam Sejarah Hukum Islam," *Jurnal Hukum Islam Dan Perundang-Undangan* 12, no. 1 (2024): p. 76.

conditions of its environment, thus giving rise to a diversity of thought that still stems from the same foundation.

The urgency of this study is necessary so that we understand that differences of opinion among mazhabs of thought are natural and scholarly, not a sign of division. This understanding is important for researchers and the public so that they can be open-minded and mutually respectful. In addition, this study is also useful for making this intellectual heritage a reference in addressing various legal issues that arise today.

B. Literature Review

The theoretical framework in this study is focused on the study of the main theories and concepts that underlie the dynamics of early Islamic thought and the formation of the school of fiqh. The three main concepts that are the basis are the concept of madhhab fiqh, ushul fiqh as a methodology of ijihad, and the theory of ikhtilaf (differences of opinion)

Etymologically, the word madhhab comes from the Arabic zahaba which means "way" or "the way taken". Terminologically, the school of fiqh is a set of opinions and methods of ijihad developed by an imam mujtahid and his followers in interpreting the sharia law from his postulates. The madhhab is not a division, but a diversity of intellectual approaches in response to the complexity of the problems of the ummah after the death of the Prophet Muhammad SAW.⁹

The second concept is ushul fiqh as a science of ijihad methodology. Ushul fiqh regulates the hierarchy of legal sources (shari'a postulates) and how to dig the law from these postulates. The difference in madhhab is greatly determined by the emphasis and order of use of evidence, both primary (Al-Qur'an and Sunnah) and additional evidences such as qiyas, istihsan, maslahah mursalah, 'urf, istishab, and istidlal.¹⁰

The third concept is the theory of ikhtilaf (differences of opinion). The scholars state that ikhtilaf al-ummah rahmah (differences of opinion among the ummah is mercy) as long as it is done scientifically and based on the postulates of sharia. This theory explains that the emergence of sectarian differences is influenced by geographical, socio-political, cultural, and intellectual factors of each imam (ahl al-ra'y in Kufa versus ahl al-hadith in Medina).¹¹

The above concepts are the theoretical basis for understanding that differences between schools are not shortcomings, but intellectual wealth that provides flexibility (al-murunah) for Islamic sharia in facing various challenges of the times.¹²

⁹ Muhammad Abu Zahrah, *Tarikh Al-Mazahib Al-Islamiyah* (Kairo: Dar al-Fikr al-Arabi, 1994), p. 12.

¹⁰ Syekh Sayyid Sabiq, *Ilmu Ushul Fiqih* (Depok: Gema Insani Press, 2018), p. 28–30.

¹¹ Ahmad Hasan, *Sejarah Perkembangan Hukum Islam* (Yogyakarta: Pustaka Pelajar, 2021), p. 70–75.

¹² Hasan Hanafi, *Al-Turats Wa Al-Tajdid: Qira'ah Mu'asirah Fi Turatsina Al-Fikri* (Kairo: Dar asy-Syuruq, 2010), p. 62–65.

C. Method

The research method used in this study is the library research method. This approach is carried out by examining various literature, such as books, scientific journals, and other writings relevant to the dynamics of early Islamic thought as well as the conceptions and differences within the Hanafi, Maliki, Shafi'i, and Hanbali mazhabs. The data obtained are analyzed descriptively and qualitatively to understand the background of the formation of the mazhabs, their fundamental principles, and the differences of opinion among the four mazhab. The analysis is conducted by examining the content of the literature and comparing the views of scholars to see the position and uniqueness of each mazhab. This approach allows researchers to explain how the thoughts of these imams grew and developed, as well as their impact on the development of Islamic law to the present day.

D. Result

I. Socio-political-intellectual conditions of the 2nd-3rd century AH

The 2nd to 3rd century Hijri is known as a golden period in the history of the development of sharia sciences, where the disciplines of fiqh, hadith, tafsir, and the Arabic language experienced very rapid growth. The main characteristics of this era were marked by the movements of tadwīn (documentation and collection of scientific materials) and ta'lif (the composition of scholarly works) carried out systematically by the scholars. In the context of the development of Islamic legal thought, this phase witnessed the birth and growth of the major fiqh mazhabs that have endured until today, namely the Hanafi, Maliki, Shafi'i, and Hanbali mazhabs, alongside the emergence of other intellectual mazhabs that did not develop widely in later times.

In addition to intellectual progress, this period was also marked by political dynamics that were quite complex and had a significant impact on religious life. The transfer of power from the Umayyad Dynasty to the Abbasid Dynasty, internal conflicts within the palace such as the power struggle between al-Amīn and al-Ma'mūn, as well as various policies of the rulers, often directly intersected with issues of creed and the establishment of Islamic law. One of the most prominent events occurred during the reign of Caliph al-Ma'mūn, when the government officially supported the theological thought of the Mu'tazilah mazhab and implemented the mihnah or inquisition regarding the doctrine that "The Qur'an is created." This situation placed the scholars in a difficult position, requiring them to take a firm stance both within the framework of scientific thought and social-political responsibility. A concrete example of such a stance is shown by Imam Ahmad bin Hanbal, who remained consistent in upholding his position despite being under pressure from authority.¹³

¹³ Rahmat Abdul Rahman, "Latar Belakang Sosial Lahirnya Mazhab Hambali," *Bustanul: Jurnal Bidang Hukum Islam* 1, no. 3 (2020): p. 505–515, <https://doi.org/10.36701/bustanul.v1i3.204>.

In addition, the emergence and development of Islamic legal mazhabs in the early period were closely related to the strategic role of several major cities that served as centers of government, centers of knowledge, as well as centers for meetings and interactions between generations of scholars. Differences in geographical character, culture, and scholarly traditions in each region also shaped the patterns of thought and methods of ijtihad of the scholars within them, as outlined in the following table:

Table I
Characteristics of Mazhab of Thought Research Centers

| City and Mazhab of Thought | The Role of Intellectual and Social | General Information |
|-----------------------------------|--|--|
| Kufah–Hanafi | This city became a center for very intensive fiqh studies as well as a center for the development of the ra'y (rational thought) tradition. The numerous legal cases that arose due to the complexity of social and political life in this region encouraged scholars to develop the use of reasoning and legal deduction, which later became known as the group of ahl al ra'y. | The thoughts of this mazhab were formed in the dynamic and heterogeneous society of Iraq, as well as amidst the diversity of streams of thought that were developing at that time. |
| Madinah – Maliki | Madinah holds a special position as the center for the direct transmission of knowledge and religious practices carried out by the companions and tabi'in. In this city, the practices carried out by the people of Madinah ('amal ahl al Madinah) are recognized and used as one of the very important and authoritative legal foundations. | The tradition of hadith transmission as well as the continuity of authentic religious practices are the main foundations in the formation and development of Maliki jurisprudence. |

| | | |
|---|--|---|
| <p>Mekah & Baghdad – Syafi'i</p> | <p>Imam Muhammad bin Idris al-Shafi'i acquired and developed his thoughts through direct interaction with two major traditions, namely the scholarly tradition of the Iraqi society and the scholarly tradition of the Hijaz society. He then systematically compiled the principles of the science of ushul fiqh through his monumental work, the book al-Risālah, and formulated the framework of his mazhab of thought while in Baghdad.¹⁴</p> | <p>Baghdad served as a center of scholarship and a place for sharp methodological debates, whereas Mecca and Medina became the main sources of hadith knowledge and religious practices inherited from the early Islamic period.</p> |
| <p>Baghdad & Damaskus – Hanbali</p> | <p>Baghdad is known as the city of scholars and has become a center for theological intellectual struggles, political dynamics, as well as a hub for the translation of philosophical works. It is in this environment that Imam Ahmad bin Hanbal formed the style of jurisprudential and ushul fiqh thought that he adhered to (Rahman: 2022). Furthermore, this intellectual tradition increasingly strengthened and developed rapidly in</p> | <p>The Hanbali mazhab grew and developed amid the situation of theological thought conflicts between the Ahlussunnah and Mu'tazilah groups, pressures from political power, as well as the widespread development of various scientific disciplines.¹⁵</p> |

¹⁴ Syahrul Anwar Novita Ardiyanti Ningrum, Siti Kuraesin, Putri M. R. Aisah, Restu Prasetya, "Ajaran Imam Abu Hanifah Dalam Hukum Islam Melalui Mazhab Hanafi," *Legal Standing: Jurnal Ilmu Hukum* 8, no. 3 (2024): p. 993–994, <https://doi.org/Legal Standing: Jurnal Ilmu Hukum>.

¹⁵ Rahman, "Latar Belakang Sosial Lahirnya Mazhab Hambali.," p. 510-511.

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| | the region of Syria, particularly in the city of Damascus. | |
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Source: Data processed from various sources

2. The Conceptual Thinking of Each Mazhab of Thought

a. Mazhab Hanafi (Imam Abu Hanifah)

Imam Abu Hanifah, whose full name is Nu'man bin Thabit, was born in 80 AH and passed away in 150 AH in the city of Kufa, Iraq. He grew up in a diverse, dynamic city that served as a meeting point for various nations and cultures. The character of the city of Kufa, being far from the center of Hadith dissemination in Medina, gave rise to an intellectual tradition that relied more on reasoning and rational thinking in addressing newly emerging legal issues.¹⁶ It was in this environment that Imam Abu Hanifah developed his thoughts, later known as the founder of a mazhab of thought that emphasizes depth of analysis and meticulousness in *ijtihad*.¹⁷

In establishing law, the Hanafi mazhab arranges the hierarchy of legal sources in a structured order, namely: the Qur'an as the primary source, followed by the Sunnah of the Prophet Muhammad (SAW). If no explicit provision is found in either, the method of *Qiyas* or analogy is used. However, if the result of *qiyas* is considered to contradict the principle of justice or public interest, then the *Istihsan* method is prioritized. In addition, this mazhab also gives a very important position to common societal customs (*Urf*) and the principle of public interest as long as they do not contradict the basic principles of Sharia.¹⁸

The main characteristic of the Hanafi mazhab is its rationalist, flexible, and adaptive thinking pattern. The scholars of this mazhab are very bold in using reason to explore the meaning of the law behind the textual evidence, so this mazhab is often referred to as the mazhab that is easiest to apply in various situations and changing times. This approach has made the Hanafi mazhab widely adopted by the general public, especially in Central Asia and the Indian subcontinent.¹⁹

b. Mazhab Maliki (Imam Malik bin Anas)

Imam Malik bin Anas was born in the year 93 AH and passed away in the year 179 AH in the city of Madinah al-Munawwarah. Unlike Kufah, Madinah is a special city that served as the residence of the Prophet Muhammad (peace be upon him) and the center for the spread of Islamic teachings in the early period. This city contains a very rich heritage of knowledge, both in the form of hadith and the direct practices carried out by the companions and continued by the *tabi'in*. The environment, rich with tradition and the sanctity of teachings, shaped Imam Malik's mindset to always place

¹⁶ Novita Ardiyanti Ningrum, Siti Kuraesin, Putri M. R. Aisah, Restu Prasetya, "Ajaran Imam Abu Hanifah Dalam Hukum Islam Melalui Mazhab Hanafi.", p. 994.

¹⁷ Abdul Karim Zaidan, *Sejarah Perundang-Undangan Islam* (Jakarta: Pustaka Firdaus, 2010). P. 212.

¹⁸ Ali bin Muhammad Al-Jurjani, *Kitab At-Ta'rifat* (Jakarta: Akbar Media, 2016). p. 35.

¹⁹ Dedi Ahmad Muhammad, *Sejarah Hukum Islam* (Depok: UI Press, 2019). p. 144.

texts and tradition as the main foundation in every legal decision-making. He was also known by the title Imam Dar al-Hijrah or Leader of the People of the City of Hijrah due to his highly respected scholarly authority.²⁰

The methodology used in the Maliki mazhab has a precedence order: the Qur'an, followed by the Sunnah. The main distinction of this mazhab is the placement of 'Amal Ahl al-Madinah, or the customary practices carried out by the people of Medina, as a source of law with high authority, often even prioritized over personal opinions or qiyas results. This is based on the belief that what is practiced by the community in Medina over generations is evidence of the authentic and continuous application of the Sunnah. Furthermore, the methods of Qiyas and Istislah, or public interest, are used as supplements to address new issues.²¹

A distinctive characteristic of the Maliki mazhab of thought is its thinking pattern, which strongly adheres to tradition and religious texts. This mazhab is very careful to maintain the continuity of teachings received from previous generations and tends to be cautious in using purely rational opinions that are not based on a strong foundation. This approach makes the Maliki mazhab known as a mazhab with solid foundations and has developed widely in the regions of North and West Africa.²²

c. Mazhab Syafi'i (Imam Muhammad bin Idris al-Syafi'i)

Imam Muhammad bin Idris al-Shafi'i was born in 150 AH and passed away in 204 AH. He is known as a reformist figure who succeeded in unifying two major intellectual traditions of the time, namely the Ahl al-Hadith tradition that developed in Hijaz and the Ahl al-Ra'yi tradition that was dominant in Iraq.²³ His life experiences of moving around and seeking knowledge in various major cities such as Mecca, Medina, Baghdad, and Egypt gave him a very broad insight into various legal approaches. His greatest contribution was systematically and formally compiling the principles of Usul al-Fiqh through his monumental work, Al-Risalah, which has become a primary reference for scholars to this day.²⁴

In the methodology he developed, Imam Shafi'i established a very orderly and strict sequence of legal sources, namely: the Qur'an, then the Sunnah, followed by Ijma' or the consensus of scholars, and lastly Qiyas. He placed Qiyas as a method of deriving law that is valid but must be carried out with very strict and measured rules and conditions. He was very firm in prohibiting the use of personal opinions that are not based on clear evidence, thereby closing the space for deviations in legal

²⁰ Ali bin Ahmad Ibnu Hazm, *Al-Ihkam Fi Ushul Al-Ahkam (Jilid 1)* (Bandung: Diponegoro, 2008). p. 90.

²¹ Syihabuddin Al-Qarafi, *Syarah Tanqih Al-Fushul Fi Ikhtisar Al-Mahshul Fi Ushul* (Jakarta: Pustaka Azzam, 2006). p. 118.

²² Ahmad Hasan, *Sejarah Perkembangan Hukum Islam* (Yogyakarta: Pustaka Pelajar, 2021). p. 96.

²³ Yazid Aris Fuadi, "Metodelogi Madrasah Fikih dan Analisis Mazhab Fikih Ahli Hadits pada Masyarakat Islam," *Jurnal Al-Tatwir* 9, no. 1 (2022): p. 35. <https://doi.org/10.35719/altatwir.v9i1.51>

²⁴ Philip Khuri Hitti, *Sejarah Bangsa Arab* (Jakarta: Serambi, 2016). p. 413.

interpretation. This method is considered the most balanced and has become the standard of ushul fiqh knowledge among the majority of scholars thereafter.²⁵

The characteristic of Shafi'i mazhab of thought is its balanced, moderate, and systematic nature. Imam Shafi'i succeeded in bridging the differences between the Hanafi mazhab, which relies heavily on reason, and the Maliki mazhab, which strictly adheres to tradition. He established a clear foundation that reasoning must still operate within the corridor of revealed texts. Therefore, this mazhab is known for having the most orderly methodological basis and serves as the primary reference for the majority of Muslims, including in Indonesia.²⁶

d. Mazhab Hanbali (Imam Ahmad bin Hanbal)

Imam Ahmad bin Hanbal was born in 164 AH and passed away in 241 AH in the city of Baghdad. He lived in a very difficult time full of intellectual turmoil, where rationalist thought from the Mu'tazilah mazhab received full support from the government of Caliph al-Ma'mun. The Mihnah policy or inquisition implemented at that time pressured anyone who disagreed with the official state doctrine that "The Qur'an is a created being." In this oppressive situation, Imam Ahmad bin Hanbal emerged as the main defender of the Sunnah and the Prophet's traditions with a very firm stance and the courage to endure torture in order to maintain the purity of religious teachings. This heavy experience greatly shaped his mindset, which always prioritized texts and avoided speculative interpretations.²⁷

The methodology used in the Hanbali mazhab has a sequence of priorities: the main and highest source is the Qur'an, followed by the Sunnah of the Prophet with a very broad scope, including hadiths with weak chains of narration but widely recognized meanings that do not contradict fundamental principles. After that, he highly prioritizes the fatwas and opinions of the Prophet's companions. The use of Qiyas or legal reasoning in this mazhab is carried out within very limited and strict boundaries, and is only used when no textual evidence or relevant companion opinions are actually found. He is very cautious and tends to reject the use of personal opinions or reasoning alone in establishing rulings.²⁸

The main characteristic of the Hanbali mazhab is its textual, conservative, and very cautious way of thinking. The scholars of this mazhab are very strict in following the texts of the Qur'an and Hadith and are very careful in preserving the purity of the early Islamic tradition from various new thoughts considered deviant. The use of reasoning or personal opinion is greatly limited because it is feared it could alter the original meaning of the Sharia or create misunderstandings. This approach has made

²⁵ Syekh Sayyid Sabiq, *Ilmu Ushul Fiqih* (Depok: Gema Insani Press, 2018). p. 81-156.

²⁶ Syaiful Anwar, Fuad Bawazir, Rafika Sakina, Megawati Lukita, Naufal Hernata, Meilani Miranda, "Mazhab Syafi'i Sebagai Paradigma Dalam Pemikiran Dan Penetapan Hukum Islam Di Indonesia." p. 81.

²⁷ Syamsuddin Al-Dzahabi, *Siyar A'lam Al-Nubala' (Jilid 12)* (Jakarta: Pustaka Azzam, 2011). p. 315.

²⁸ Rahman, "Latar Belakang Sosial Lahirnya Mazhab Hambali." p. 510.

this mazhab known as the one that most firmly upholds the texts of religious evidence and forms the basis for later purification movements of teachings.²⁹

E. Discussion

The Differences of the Four Mazhab of Fiqh: Sources, Methods, and Practical Examples

Scholars and researchers agree that the four main mazhabs of Islamic jurisprudence in the Sunni tradition, Hanafi, Maliki, Shafi'i, and Hanbali, are all based on two primary sources of Islamic teachings, namely the Qur'an and the Sunnah of Prophet Muhammad PBUH. Although grounded in the same sources, differences among them arise in terms of the order of priority of legal sources, the way of understanding and using rational reasoning, as well as the application of legal provisions in various real-life cases, such as in worship, transactions, zakat, fasting, and issues of endowment. These differences do not occur by chance, but are greatly influenced by social background, political conditions, and the geographical environment in which each mazhab developed during the early stages of its formation³⁰

I. Differences in Usul al-Fiqh: Sources and Their Hierarchy

Each mazhab of thought has its own framework in determining the order and position of legal sources, which reflects their characteristics and distinctive approaches, as summarized in various academic studies:

a. Hanafi Mazhab

Arranges the sequence of legal sources as follows: the Qur'an, Sunnah, Ijma', Qiyas, followed by Istihsan and 'Urf (customs of society) as sources that hold significant status. The main characteristic of this mazhab is that it provides ample room for consideration of social context and public welfare in the determination of law.³¹

b. Maliki Mazhab

Places the Qur'an and Sunnah as the primary sources, followed by the Amal of the People of Medina (practices carried out by the inhabitants of Medina), Qiyas, as well as the principles of Maslahah Mursalah (benefits not explicitly mentioned in the texts) and Sadd al-Dzari'ah (efforts to block all paths that could lead to prohibited

²⁹ Ahmad Warson Munawwir, *Sejarah Dan Perkembangan Mazhab Fiqih* (Yogyakarta: Pustaka Al-Mizan, 2017). p. 187.

³⁰ Jamil Uddin dan Wawan Afriadi, "Karakteristik Dinamisitas Hukum Muamalah Tentang Rahn Dalam Teori dan Praktik (Pertarungan Antara Formalitas Versus Substansialitas Hukum Muamalah)," *Jurnal Justisia Ekonomika: Magister Hukum Ekonomi Syariah* 6, no. 2 (2022): p. 35. <https://journal.um-surabaya.ac.id/JE/article/view/14264>

³¹ Novita Ardiyanti Ningrum dkk., "Ajaran Imam Abu Hanifah dalam Hukum Islam Melalui Mazhab Hanafi," *Legal Standing: Jurnal Ilmu Hukum* 8, no. 3a (2024): p. 130. <https://doi.org/10.24269/ls.v8i3a.10845>

acts). This uniqueness shows how strong the influence of the traditions and actual practices of the people of Medina is in shaping the jurisprudence of this mazhab.³²

c. Shafi'i Mazhab

Establishes a very systematic and standard hierarchy of legal sources, namely: the Qur'an, Sunnah, consensus (Ijma'), and analogical reasoning (Qiyas). This mazhab recognizes the use of the methods of Istishab and Istidlal, but explicitly does not recognize Istihsan as an independent source of law. This approach reflects the mazhab's very cautious attitude and prioritizes clear and measurable evidence-based foundations.³³

d. Hanbali Mazhab

Places the Qur'an and authentic Hadith as the foremost sources, prioritized above all else. The use of Qiyas is acknowledged, but its application is very limited and is only carried out if no answers are found in the religious texts. Likewise, with the method of Istihsan or Maslahah, this mazhab only accepts it within very narrow and strict limits, as long as it does not contradict the understanding of the religious texts.³⁴

2. Differences in Istinbat Methods

Istinbat is the process of deriving or extracting law from the existing sources. Differences in approaches in this process become the main characteristic that distinguishes one mazhab of thought from another. The following is a comparison of the use of key methods in ushul fiqh:

a. Qiyas (Legal Analogy)

This method becomes the main instrument in ijtihad after the Qur'an and Hadith. Its use is very prominent and serves as the primary foundation in the thought of the Hanafi and Shafi'i mazhab's of thought. Both consider qiyas as the main tool to resolve new issues that have not been explicitly regulated in religious texts.³⁵

b. Istihsan

Understood as the process of choosing or prioritizing an opinion that is considered stronger, more specific, or more in line with the purposes of sharia

³² Mohamad Husni Hani Shidqiah, Fahrurrozi, "Analisis Sejarah Perkembangan Mazhab Fiqh Dan Pengaruhnya Terhadap Hukum Islam Kontemporer," *ALADALAH: Jurnal Politik, Sosial, Hukum & Humaniora* 3, no. 2 (2025): p. 113–123, <https://doi.org/10.59059/aladalah.v3i2.1243>.

³³ Siti Nailul Izzah, "Metode Istinbath Dalam Ushul Fiqh Studi Kasus: Ayat-Ayat Ekonomi," *Justeko: Jurnal Ekonomi Syariah* 5, no. 2 (2021): p. 45. <https://doi.org/10.30651/justeko.v5i2.7731>

³⁴ Hanif A'la Ilhami, Ismail, dan Asasriwarni, "Komparasi Istihsan Antar Mazhab Fikih dan Penerapannya dalam Penetapan Hukum Islam," *Comparativa: Jurnal Ilmiah Perbandingan Mazhab dan Hukum* 5, no. 1 (2024): p. 15. <https://doi.org/10.24239/comparativa.v5i1.139>

³⁵ Husnu Shidqiah et al., "Analisis Sejarah Perkembangan Mazhab Fiqh dan Pengaruhnya terhadap Hukum Islam Kontemporer," *ALADALAH: Jurnal Politik, Sosial, Hukum dan Humaniora* 3, no. 2 (2025): p. 120. <https://doi.org/10.59246/aladalah.v3i2.1243>

compared to the legal deduction through qiyas in general. This method is highly justified and frequently used by the Hanafi mazhab. The Maliki mazhab and some Hanbali scholars also acknowledge its validity, albeit with different limitations. Conversely, the Shafi'i mazhab rejects it terminologically, although in substance they sometimes apply a similar approach under a different name³⁶

c. Istislah or Maslahah Mursalah

A method that prioritizes considerations of public welfare in determining the law. This is highly emphasized and becomes a distinctive feature of the Maliki mazhab. This method is also widely adopted in the ijihad of contemporary scholars, as seen in Yusuf al-Qaradawi's view when discussing the expansion of the meaning of zakat recipients in the path of Allah, which combines the approaches of qiyas and istislah to adapt to the needs of the times.³⁷

d. 'Urf or Social Custom

Refers to matters that are recognized but become points of difference among scholars. The Hanafi and Maliki mazhabs give great attention and recognize social customs as a basis for legal rulings, especially in matters of transactions and social relations, as long as these customs do not contradict the principles of Sharia. Meanwhile, other mazhabs still acknowledge them, but place them merely in a supplementary position.³⁸

e. Sadd al-Dzari'ah

An approach aimed at closing all paths that could potentially lead a person to prohibited acts. This approach is very prominent and often used in Maliki mazhab thought, although this method is also known and discussed in ushul fiqh literature in general as one of the methods that becomes a point of difference among scholars³⁹

f. Istishab and Istidlal

These two methods are positioned as complementary tools used when there are no explicit provisions in the nash or clear results from qiyas. These two methods complement each other and are used by various mazhabs of thought to strengthen

³⁶ Ilhami, H. A., Ismail, & Asasriwarni. (2024). Komparasi istihsan antar mazhab fikih dan penerapannya dalam penetapan hukum Islam. *Comparativa: Jurnal Ilmiah Perbandingan Mazhab dan Hukum*, 5(1), p. 1-25. <https://doi.org/10.24239/comparativa.v5i1.139>

³⁷ Asep Gunawan, "Posisi Dan Metode Ijtihad Yusuf Al-Qaradawi Tentang Fisabilillah Sebagai Asnaf Mustahiq Zakat Dalam Perbandingan Empat Mazhab," *Tahkim (Jurnal Peradaban Dan Hukum Islam)* 2, no. 1 (2019): p. 69–86, <https://doi.org/10.29313/tahkim.v2i1.4472>.

³⁸ Ibnu Izzah, "Nusyuz and Its Solutions in Compilation of Islamic Law from the Perspective of the Al-Quran," *Jurnal Al-Dustur* 4, no. 1 (2021): p. 31–48, <https://doi.org/10.30863/jad.v4i1.1420>.

³⁹ Siti Nailul Izzah, "Metode Istibath Dalam Ushul Fiqh Studi Kasus: Ayat-Ayat Ekonomi," *Justeko: Jurnal Ekonomi Syariah* 5, no. 2 (2021): p. 45. <https://doi.org/10.30651/justeko.v5i2.7731>

legal arguments or maintain existing provisions as long as there is no new evidence that changes them.⁴⁰

3. Example of Practical Fiqh Differences Thematically

a. Muamalah: Pawn (Rahn)

The difference in approach is clearly seen in the view regarding the pawn contract, particularly related to the utilization of the collateral item:

- The Hanafi mazhab tends to be contextual and emphasizes substantial aspects. In this view, primary attention is given to the meaning and purpose of collateral, thus providing flexibility in the utilization of pledged goods and being open to considerations of public interest and the social conditions of the local community.
- The Shafi'i mazhab is more formal and textual. They detail the pillars, conditions, and terms of contracts very strictly and meticulously. According to this view, the recipient of the collateral is not allowed to use the pledged item without explicit permission from its owner. The main focus in this view is the conformity of the contract form with the provisions of the religious text.⁴¹

b. Zakat: Asnaf Fisabilillah

In the discussion of the categories of zakat recipients that are carried out in the way of Allah:

- In general, the four classical madhhabs have similar views, namely limiting the meaning of fisabilillah to warfare or armed jihad at that time.
- However, in its development, contemporary scholars such as Yusuf al-Qaradawi have broadened this meaning by using qiyas and istislah approaches. According to this view, fisabilillah encompasses all forms of activities aimed at drawing closer to Allah and bringing benefits to the community. This shows how the framework of madhhab thought can serve as a starting point for expanding the meaning of the law so that it remains relevant with the development of the times.⁴²

⁴⁰ Umar Muhaimin, "Metode Istidlal dan Istishab (Formulasi Metodologi Ijtihad)," *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam* 8, no. 2 (2018): p. 330–350, <https://doi.org/10.21043/yudisia.v8i2.3243>

⁴¹ Wahyu Afriadi Jalal Uddin, "Karakteristik Dinamisitas Hukum Muamalah Tentang Rahn Dalam Teori Dan Praktik," *Jurnal Justisia Ekonomika: Magister Hukum Ekonomi* 6, no. 2 (2022): p. 479–91, <https://doi.org/10.30651/justeko.v6i2.14264>.

⁴² Gunawan, "Posisi Dan Metode Ijtihad Yusuf Al-Qaradawi Tentang Fisabilillah Sebagai Asnaf Mustahiq Zakat Dalam Perbandingan Empat Mazhab." p. 76.

c. **Cash Waqf**

The issue of the permissibility of endowing cash has become one of the most apparent differences among scholars:

- Shafi'i and Hanbali mazhabs: The majority of scholars in these two mazhabs argue that cash waqf is invalid or not allowed. The main reason is that the object of waqf must be something fixed and perpetual, whose benefits can be taken without consuming the asset itself, such as land or buildings. Nevertheless, there are a few scholars within the Shafi'i mazhab who hold a more lenient view and allow it under certain conditions.
- Hanafi and Maliki mazhabs: These two s mazhab allow the practice of cash waqf. The legal basis used is the method of Istihsan bi al-'Urf (prioritizing established customs) and the analogy with movable property waqf that has been known since the past. Considerations of social benefit and the established habits of society are the main reasons for this view.⁴³

d. **Fasting: Cupping Therapy**

Differences of opinion also arise regarding the ruling on cupping therapy for those who are observing the fast:

- Shafi'i mazhab: They argue that cupping during fasting does not break the fast. Nevertheless, this action is considered makruh (discouraged) because it is believed to weaken the physical condition and spirit of the fasting person. This opinion is based on an understanding of the hadith narrated by Ibn Abbas RA.
- Hanbali mazhab: They hold the opposite view, stating that cupping can break the fast. This opinion is based on the hadith narrated by Shaddad bin Aus RA, which serves as the main basis for their viewpoint on this matter.⁴⁴

e. **Calendar: Determination of the Beginning of Time**

In matters of determining the beginning of the Hijri month, including Ramadan and Eid:

⁴³ Miftah Nurjannah Rahmat, "Wakaf Uang Dalam Perspektif Empat Mazhab Dan Implementasinya Di Indonesia," *El-Uqud: Jurnal Kajian Hukum Ekonomi Syariah* 2, no. 2 (2024): p. 131–45, <https://doi.org/10.24090/eluqud.v2i2.12312>.

⁴⁴ Zainal Muttaqin Muhammad Rasyid, "Hukum Berbekam Bagi Orang Yang Berpuasa Perspektif Mazhab Syafi'i Dan Mazhab Hambali," *Interdisciplinary Explorations in Research Journal* 1, no. 3 (2023): p. 296–313, <https://doi.org/10.62976/ierj.v1i3.426>.

- The four classical mazhabs of thought agree and prioritize the use of the Rukyat method or sighting of the crescent moon as the basis for determining the time.
- Meanwhile, the approach that uses purely astronomical calculations or Hisab, as widely applied by contemporary religious organizations such as Muhammadiyah, is a form of new ijihad that has a different approach compared to the classical method. This difference has a direct impact on the determination of worship times such as the start of fasting, Eid holidays, Arafah fasting, payment of zakat al-fitr, and the performance of sacrificial worship.⁴⁵

f. Local Transactions and Customs

Fiqh studies also often interact with traditions that develop in society, as seen in the customary practice of “Pulang Sambung” in wedding receptions. In this case study, the researchers used the ushul fiqh principle of Al-‘Adah Muhakkamah (custom can be used as the basis of law) as well as the concept of hibah to assess the validity of the practice. In conclusion, this practice is legally permissible as long as it does not contain elements that harm any party and does not contradict the principles of Shari'ah. This approach is very much in line with the characteristics of the Hanafi and Maliki mazhabs, which provide wide scope for the role of societal customs in Islamic law.⁴⁶

⁴⁵ Maskufa, “Implikasi Fikih Penggunaan Metode Hisab Wujûd Al-Hilâl Pada Kalender Muhammadiyah,” *Istinbath: Jurnal Hukum Islam* 16, no. 2 (2017): p. 280–301, <https://doi.org/10.20414/ijhi.v16i2.7>.

⁴⁶ Zahra Nuzula Mila Humayya, Neng Fauziah, “Analisis Fikih Muamalah Terhadap Praktik Pulang Sambung Pada Penyelenggaraan Pesta Pernikahan Di Desa Jomin Barat,” *Conference Series: Sharia Economic Law* 5, no. 2 (2025): p. 585–92, <https://doi.org/10.29313/bcssel.v5i2.19962>.

Conclusion

Based on the analysis that has been conducted, it can be concluded that the dynamics of Islamic thought during the formative period were not merely a phenomenon of ordinary differences of opinion (*ikhtilaf*), but rather the product of a highly complex intellectual dialectic. This study found that the formation of legal methodology in the four major mazhabs of thought was significantly influenced by the geographical and sociopolitical ecosystems in which the Imams resided. The heterogeneous city of Kufa gave rise to a rationalistic mindset in the Hanafi mazhab, while Medina, steeped in prophetic tradition, shaped a textual-traditionalist mindset in the Maliki mazhab, which was later synthesized and systematically reformulated by the Shafi'i mazhab and reinforced by the Hanbali mazhab. The difference in tendencies between the Hanafi-Maliki group, which is more flexible through instruments of *istihsan* and *maslahah*, and the Shafi'i and Hanbali group, which emphasizes strict formalism of the evidence, demonstrates the richness of Islamic legal epistemology. This is clearly visible in various case studies, ranging from the use of pawned goods, the redefinition of the meaning of *fi sabilillah* in *zakat*, to the legality of cash *waqf*. These differences prove that Islamic law has extraordinary flexibility (*al-murunah*) in responding to the developments of the times without losing its foundation in its primary sources. In conclusion, the existence of these four mazhabs of thought should be placed within the framework of intellectual grace that provides space for the community to choose the legal solutions most relevant to their conditions. Awareness of the history and background of these differences becomes crucial in fostering a stance of religious moderation in modern Muslim society. The differences among mazhabs of thought are not a source of division, but rather a manifestation of the collective wisdom of past scholars in grounding heavenly messages into the diverse realities of the earth.

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