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Introduction

1. The term “source-based” is being used to render the Arabic word *usuli*, which has referred traditionally to a scholar who devotes himself to the study of the principles of Islamic jurisprudence (*usul al-fiqh*). The noun *usul* (plural of *asl*) can also be used in the sense of “sources”; the four sources of Islamic law are agreed generally to be the Qur’an, the Prophetic Sunnah, analogical reasoning (*qiyas*) and consensus (*ijma’*). A source-based methodology is thus a methodology founded on the aforementioned sources, which are viewed as an authoritative basis for Islamic thought and practice. [Translator’s note].

Chapter One

1. Qur’an 2:30-32. Unless otherwise specified, Qur’anic quotations are taken from Muhammad Asad, *The Message of the Qur’an* (Gibraltar: Dar al-Andalus, 1984).
2. Muhammad al-Tahir ibn Ashur, *Al-Tahrir wa al-Tanwir* (Tunis: al-Dar al-Tunisiyyah li al-Nashr, 1984), 1/400.
3. Qur’an 37:102.
4. Qur’an 37:102.
5. Abu Bakr al-Tartushi, *Siraj al-Muluk* (Al-Matba’ah al-Wataniyyah bi Thaghr al-Iskandariyyah, no date), p.132. I shall have occasion to return to this passage shortly, God willing.
6. Badr al-Din ibn Jama’ah, *Tahrir al-Ahkam fi Tadbir Ahl al-Islam*, ed. Fuad Abd al-Munim Ahmad, 2nd Edition (Qatar: Ri’asat al-Mahakim al-Shar’iyyah wa al-Shu’un al-Diniyyah, 1991), p.169.
7. The translation in brackets, which is consistent with the author’s train of thought below, is based on Abdullah Yusuf Ali, *The Meaning of the Holy Qur’an*, 11th Edition, (Amana Publications, 2004).
8. Qur’an 2:232-233.
9. Qur’an 65:6. ‘Abdullah Yusuf Ali, *The Meaning of the Holy Qur’an*.
10. Qur’an 65:6.
11. *Sahih al-Bukhari*, The Book of Military Campaigns (*kitab al-maghazi*), the section on *Hadith al-Ifk* (the tradition dealing with the slander spread about ‘A’ishah

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12. Qur'an 4:35.
13. *Sahih al-Bukhari*, The Book of Military Campaigns (*kitab al-maghazi*), the section entitled, "The Account of the Calummy" (*Hadith al-ifk*).
14. Qur'an 33:28-29, *surah al-Ahzab*.
15. *Sahih al-Bukhari*, The Book of Commentary (*kitab al-tafsir*).
16. *Sahih Muslim*, The Book of Divorce (*kitab al-talaq*), the section entitled, "Giving a woman a choice [between remaining with her husband or separating] leads to divorce only if the intention to divorce is present."
17. Qur'an 42:38.
18. Qur'an 42:36-38.
19. Qur'an 3:159.
20. Siddiq ibn Hasan al-Qannuji, *Fath al-Bayan fi Maqasid al-Qur'an* (Qatar: Idarat Ihya' al-Turath al-Islami, 1989), 12/311.
21. Abu Bakr al-Jassas, *Ahkam al-Qur'an* (Beirut: Dar al-Fikr, no date), 3/386.
22. 'Abd al-Haqq ibn 'Atiyyah, *Al-Muharrir al-Wajiz fi Tafsir al-Kitab al-'Aziz*, ed. al-Rahhali al-Faruqi, et. al., 1st Edition (Doha, Qatar, 1977), 3/397.
23. Narrated by al-Tirmidhi in one of his sections on jihad.
24. Abu al-'Abbas al-Basili al-Tunisi, *Nukat wa Tanbihat fi Tafsir al-Qur'an al-Majid* (abridged from his sizable anthology on the authority of his shaykh, Ibn 'Arafah), ed. Muhammad al-Tabarani [dissertation] (Rabat: Dar al-Hadith al-Husniyyah, no date), 2/111-112.
25. More specifically, a *fasiq* is someone who commits major sins (*kaba'ir*) or who persists knowingly in minor ones (*sagha'ir*). [Translator's note].
26. What he means is that the Qur'anic command to "take counsel with them in all matters of public concern" is a binding command which applies to all Muslim rulers and leaders, and not exclusively to the Messenger of God.
27. Ibn Ashur, *Al-Tahrir wa al-Tanwir*, 4/148.
28. Ibn Hajar al-'Asqalani, *Fath al-Bari bi Sharh Sahih al-Bukhari* (Beirut: Dar al-Fikr, 1992), 15/184.
29. *Al-Muharrir al-Wajiz*, 3/398.
30. Qur'an 33:36.
31. Abu 'Abd Allah ibn al-Azraq, *Bada'i' al-Silk fi Taba'i' al-Mulk*, ed. Ali Sami al-Nashshar (Baghdad: Manshurat Wizarat al-'Ilam al-'Iraqiyyah, 1977), 1/316-317.
32. Despite the weakness in the chain of transmission relied on in this tradition, the content of the account is well-attested as being authentic and trustworthy.
33. Abu 'Umar Yusuf ibn 'Abd al-Barr, *Jami' Bayan al-'Ilm wa Fadlihi wa ma Yanbaghi fi Riwayatihi wa Hamlihi* (Beirut: Dar al-Fikr, no date), 2/73.
34. *Sahih al-Bukhari*, The Book of the Call to Prayer (*kitab al-adhan*), and al-Tirmidhi, The Sections on Prayer (*abwab al-salah*).
35. Abu Bakr ibn al-'Arabi, *Al-Qabas fi Sharh Muwatta' Malik ibn Anas*, ed. Muhammad

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- Abd Allah Walad Karim, 1st Edition (Beirut: Dar al-Gharb al-Islami, 1992), 1/194-195.
36. Abu Bakr ibn al-^ḥArabi, *Ahkam al-Qur'an* (Beirut: Dar al-Fikr, no date), 1/389.
 37. A "good" hadith or tradition is one whose narrators do not approach in moral excellence those of a sound or authentic (*sahih*) tradition.
 38. An authentic (*sahih*) tradition is traceable back to the Prophet and has been handed down by pious individuals known for their integrity. An authentic tradition may also be one whose chain of transmission goes back without interruption to one of the Prophet's Companions, and contains only narrators who are trustworthy.
 39. Al-Hafiz ibn Hajar, *Fath al-Bari*, 15/284.
 40. The region referred to earlier times as al-Sham extended from the Euphrates River in the northeast as far as al-Arish on the Egyptian border, and from the two mountains of Tayyib in the northern Arabian Peninsula (to the southwest of Dawmat al-Jandal) as far as the Mediterranean Sea (Yaqt al-Hamawi al-Rumi al-Baghdadi, *Mu'jam al-Buldan* [Beirut: Dar Sadir, 1995], vol. 3, p. 312). [Translator's note].
 41. Quoted by al-Hafiz ibn Hajar in *Fath al-Bari*, 3/60.
 42. Abu Bakr ibn al-^ḥArabi, *Ahkam al-Qur'an*, 4/92.
 43. Abu Bakr al-Jassas, *Ahkam al-Qur'an*, 2/41.
 44. Ibid.
 45. That is, issuing legal opinions among people based on his personal point of view. [Translator's note].
 46. Ibn Qayyim al-Jawziyyah, *A'lam al-Muwaqqi' in 'an Rabb al-'Alamin* (Beirut: Dar al-Jil, no date), 1/56.
 47. Muhammad Ruwwas Qalaji, *Mawsu'at Fiqh Abi Bakr al-Siddiq* (Beirut: Dar al-Nafa'is, 1994), p. 155.
 48. Ibn Hajar al-^ḥAsqalani, *Fath al-Bari*, 15/50.
 49. Ibid.
 50. Ibn 'Abd al-Barr, *Jami' Bayan al-'Ilm*, 2/30.
 51. Ibid. 2/101.
 52. Qahtan Abd al-Rahman al-Duri, *al-Shura bayna al-Nazariyyah wa al-Tatbiq* (Baghdad: Dar al-Ummah, 1974), p. 56.
 53. Abu Bakr al-Jassas, *Ahkam al-Qur'an*, 2/41.
 54. Abu Bakr ibn al-^ḥArabi, *Aridat al-Ahwadhi fi Sharh Sahih al-Tirmidhi* (Beirut: Dar al-Fikr li al-Tiba'ah wa al-Nashr wa al-Tawzi', no date), 7/206.
 55. Abu Bakr ibn al-^ḥArabi, *Ahkam al-Qur'an*, 4/91.
 56. Abu Bakr al-Muradi, *Al-Siyasah aw al-Isharah fi Tadbir al-Imarah*, ed. Ali Sami al-Nashshar. (Al-Dar al-Bayda', Dar al-Thaqafah, 1981).
 57. Qur'an 41:34.
 58. Qur'an 17:53.
 59. Qur'an 39:18.

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60. Qur'an 74:37.
61. Ibn 'Atiyyah, *Al-Muharrir al-Wajiz fi Tafsir al-Kitab al-^çAziz*, 15/194.
62. Qur'an 96:6-7.
63. Qur'an 40:29.
64. Qur'an 43:54.
65. al-Jassas, *Ahkam al-Qur'an*, 2/40.
66. Ibrahim al-Ali, *Sahih al-Sunnah al-Nabawiyyah* (Amman: Dar al-Nafa'is, no date), p.361.
67. *Sahih al-Bukhari*, The Book of Military Campaigns (*kitab al-maghazi*), the section concerning the words of God, "on the Day of Hunayn, when you took pride in your great numbers..." [Qur'an 9:25].
68. Qur'an 2:32.
69. What is involved here is a practice, prohibited in Islam but accepted in pre-Islamic times, known as *zihar*, or "injurious assimilation," in which a man would declare his wife to be forbidden to him sexually based on his likening her to his mother or to one of his non-marriageable female relatives.
70. Qur'an 58:1.
71. Qur'an 49:2.
72. See *Sahih Muslim* and *Sahih al-Bukhari*, the section entitled, "The Virtues of the Companions" (*Fada'il al-Sahabah*), the heroic feats of Zayd ibn Harithah (*Manaqib Zayd ibn Harithah*).
73. *Sahih Muslim*, The Book of Faith (*kitab al-iman*), the section entitled, "Whoever dies as a believer in the oneness of God will enter Paradise" (*Man Mata ^çAla al-Tawhid Dakhala al-Jannah*).
74. Abu al-Walid al-Baji, *Ihkam al-Fusul fi Ahkam al-Usul*, ed. Abd al-Majid Turki, 1st Edition (Beirut: Dar al-Maghrib al-Islami, 1986), p.575.
75. Qur'an 2:233.
76. Muhammad al-Tahir ibn Ashur, *Al-Tahrir wa al-Tanwir*, 2/438.
77. Abu Bakr al-Jassas, *Ahkam al-Qur'an*, 2/40-41.
78. Muhammad Abd al-Qadir Abu Faris, *Al-Shura wa Qadaya al-Ijtihad al-Jama'ci* (Al-Zarqa^ç: Maktabat al-Manar, 1986), p.35.

Chapter Two

1. Ibn Hajar al-^çAsqalani, *Fath al-Bari*, 15/284.
2. Ibid.
3. Abu Bakr ibn al-^çArabi, *Ahkam al-Qur'an*, 1/391.
4. Ibid.
5. See Abu Muhammad ibn Hazm al-Zahiri, *Al-Ihkam fi Usul al-Ahkam*, 2nd Edition (Beirut: Dar al-Afaq al-Jadidah, 1983), 3/80-86.
6. Ibid., 3/1.

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7. Ibn Hazm al-Zahiri, *Al-Ihkam fi Usul al-Ahkam*, 3/81-82.
8. *Ibid.*, 3/86.
9. The actual text of the hadith reads, *la ghusla ‘alayhi*, i.e., “He is not required to perform total ablutions.” Commenting further on this hadith, al-Khattabi states, “The apparent meaning of the hadith is that a man is required to perform total ablutions if, upon waking, he observes moisture [in the genital area], even if he is not certain that it is semen. This view is attributed to a group of the Prophet’s successors (*tabi‘in*), including ‘Ata’, al-Sha‘bi, and al-Nakh‘i. Ahmad ibn Hanbal states, ‘I think it preferable for one to perform total ablutions.’ However, the majority of scholars hold that one is not required to perform total ablutions unless he is certain that the moisture results from semen and not from something else, and that it is preferable for one not to perform them simply as a precaution. Furthermore, they agree that if one does not observe any semen even after dreaming of sexual intercourse, he is not required to perform total ablutions.” Commenting further, he states, “The view of the first group of scholars, namely, that the mere observance of moisture upon waking requires total ablutions, is more consistent with the overall message of the hadith.” (Abu Sulayman al-Khattabi, *Ma‘alim al-Sunan*, on the margins of al-Tirmidhi’s *Mukhtasar Sunan Abi Dawud*, ed. Ahmad Muhammad Shakir and Muhammad Hamid al-Fiqqi, Beirut: Dar al-Ma‘rifah, 1980, 1/161). [Translator’s note].
10. *Sunan Abi Dawud*, The Book of Ritual Purity (*kitab al-taharah*), the section entitled, “If a man has an emission of semen while asleep” (*bab al-rajul yajidu al-billah fi man-amih*).
11. Al-Khattabi, *Ma‘alim al-Sunan*, 1/161.
12. *Sahih al-Bukhari*, The Book of Heroic Feats (*kitab al-manaqib*), the section on the signs of prophethood in Islam (*‘alamat al-nubuwwah fi al-islam*).
13. Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 7/309.
14. *Sahih al-Bukhari*, The Book of Conditions (*kitab al-shurut*), the section entitled, “Conditions pertaining to jihad and reconciliation with foes in war, and on recording such conditions in writing.”
15. *Sahih al-Bukhari*, The Book of Heroic Feats (*kitab al-manaqib*), the section entitled, “Signs of Prophethood in Islam.”
16. *Ibid.*, The Book of *Jum‘ah* (*kitab al-jum‘ah*), the section entitled “Preaching From the Pulpit” (*al-khutbah ‘ala al-minbar*).
17. Al-Hafiz ibn Hajar al-‘Asqalani, *Fath al-Bari*, 7/306.
18. Yahya ibn Sharaf Al-Nawawi, *Sahih Muslim bi Sharh al-Imam al-Nawawi*, (Beirut: Mu‘ssasat Manahil al-‘Irfan and Damascus: Maktabat al-Gazali). 5/34.
19. Qur’an 27:29-35.
20. Qur’an 28:26.
21. *Sahih al-Bukhari*, “The Book of Dissension and Civil Strife” (*kitab al-fitan*).
22. Qur’an 9:71.
23. Qur’an 2:233.

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24. Allal al-Fasi, *Madkhal fi al-Nazariyyah al-‘Ammah li Dirasat al-Fiqh al-Islami wa Muqaranatuhu bi al-Fiqh al-Ajnabi* (Rabat: Mu’assasat ‘Allal al-Fasi, 1985), p. 101.
25. Imam al-Haramayn ‘Abd al-Malik al-Juwayni, *Al-Ghayyathi – Ghayyath al-Umam fi Iltayath al-Zulam*, ed. Abd al-Azim al-Dib, 2nd Edition (Doha: Idarat al-Shu’un al-Diniyyah, 1980), p. 62.
26. *Ibid.*, p. 64.
27. Ibn Qayyim al-Jawziyyah, *Zad al-Ma’ad fi Hadi Khayr al-‘Ibad*, ed. Shuayb al-Arnaut and Abd al-Qadir al-Arnaut, 14th Edition (Beirut: Mu’assasat al-Risalah, 1990), 3/48.
28. Abu ‘Abd Allah al-Qurtubi, *Al-Jami‘ li Ahkam al-Qur’an* (Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1967), 4/250.
29. Qur’an 16:43; cf. 21:7.
30. Qur’an 4:83.
31. Abu ‘Abd Allah ibn al-Azraq, *Bad’i‘ al-Silk fi Taba’i‘ al-Mulk*, pp. 309–310.
32. Qur’an 27:22.
33. Abu ‘Umar Yusuf ibn ‘Abd al-Barr, *Jami‘ Bayan al-‘Ilm wa Fadlihi wa ma Yanbaghi fi Riwayatihi wa Hamlihi* (Beirut: Dar al-Fikr, no date), 2/73.
34. *Sahih al-Bukhari*, The Book of Adherence to the Qur’an and the Sunnah (*kitab al-i’tisam bi al-kitab wa al-sunnah*), the section concerned with the words of God, “whose rule [in all matters of common concern] is consultation among themselves.”
35. Qur’an 7:20–22.
36. *Sunan Abi Dawud*, the section on consultation; the hadith cited is declared authentic by al-Albani in *Mukhtasar al-Sunan*.
37. Khayr al-Din al-Tunisi, *Aqam al-Masalik fi Ma’rifat Ahwal al-Mamalik*, edited and introduced by Munsif al-Shannufi (Tunis: al-Mu’assasah al-Wataniyyah li al-Tarjamah wa al-Tahqiq wa al-Dirasat, 1990), pp. 175–176.
38. That is, the rightly guided caliphs. [Translator’s note].
39. *Sahih al-Bukhari*, The Book of Adherence to the Qur’an and the Sunnah (*kitab al-i’tisam bi al-kitab wa al-sunnah*), the section concerned with the words of God, “whose rule [in all matters of common concern] is consultation among themselves.”
40. Badr al-Din ibn Jama‘ah, *Tahrir al-Ahkam fi Tadbir Ahl al-Islam*, ed. Fuad Abd al-Munim Ahmad (Qatar: Ri’asat al-Mahakim al-Shar’iyyah wa al-Shu’un al-Diniyyah, 1991), p. 72.
41. The term “election” is being used in its broadest sense without regard for the various forms the electoral process may take; similarly, the process may be spontaneous or organized, formal or informal.
42. *Sahih al-Bukhari*, The Book of Rulings (*kitab al-ahkam*), the section entitled, “Those knowledgeable of the people’s affairs” (*al-‘urafa’u li al-nas*), and The Book of Military Campaigns (*kitab al-maghazi*), the section concerning the words of God, “On the Day of Hunayn, when you took pride in your great numbers...” [Qur’an 9:25].
43. Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 15/74.

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44. ʿAbd al-Haqq ibn ʿAtiyyah, *al-Muharrir al-Wajiz fi Tafsir al-Kitab al-ʿAziz*, 4/382.
45. Ibn Qayyim al-Jawziyyah, *Aʿlam al-Muwaqqiʿin ʿan Rabb al-ʿAlamin*, 1/62, and Jalal al-Din al-Suyuti, *Tahdhib Tarikh al-Khulafaʾ*, ed. Nayif al-Abbas, 1st Edition (Damascus: Dar al-Albab, 1990), p.38.
46. Abd al-Hayy al-Kittani, *Nizam al-Hukumah al-Nabawiyyah*, also known as *al-Taratib al-Idariyyah* (Beirut: Dar al-Kitab al-ʿArabi, no date), 2/165; the account is found in the section entitled, “The people’s agreement on who will represent them in an official ceremony or religious funeral service.”
47. Qahtan al-Duri, *Al-Shuura bayna al-Nazariyyah wa al-Tatbiq*, p.323.
48. Abu ʿUmar Yusuf ibn ʿAbd al-Barr, *Jamiʿ Bayan al-ʿIlm*, 2/73.
49. Narrated by Imam Ahmad in *al-Musnad*, 4/227. See also Ibn Hajar al-ʿAsqalani, *Fath al-Bari*, 15/284.
50. Ibn Hajar al-ʿAsqalani, *Fath al-Bari*, 15/99.
51. Muhammad Ruwwas Qalaji, *Mawsuʿat Fiqh Abi Bakr al-Siddiq*, p.156.
52. Abu Jaʿfar Muhammad ibn Jarir al-Tabari, *Tarikh al-Umam wa al-Muluk* (Beirut: Dar al-Qamus al-Hadith li al-Tibaʿah wa al-Nashr, no date), 7/61.
53. As for the situation in which there is a tie vote, it rarely occurs, and when it does, the problem can be solved by allowing the chairman, or ruler, to break the tie with his own vote.
54. Hasan Huwaydi, *Al-Shura fi al-Islam* (Kuwait: Maktabat al-Manar, 1975), pp.26-27.
55. Ahmad Rahmani, *Al-Haqiqah al-Jawhariyyah fi Mushkilat al-Akthariyyah wa al-Aqalliyyah: Dirasah fi al-Tafsir al-Mawduʿi* (Cairo: Maktabat Wahbah, 2005), p.445.
56. *Ibid.*, p.452.
57. *Ibid.*
58. Qurʿan 7:60.
59. Qurʿan 11:27.
60. Qurʿan 38:6.
61. Qurʿan 7:88, 90.
62. Abu ʿUmar Yusuf ibn ʿAbd al-Barr, *Jamiʿ Bayan al-ʿIlm*, 1/226.
63. *Sahih al-Bukhari*, The Book of the Heroic Feats of the Supporters (*kitab manaqib al-ansar*), the section entitled, “The Days of Ignorance” (*ayyam al-jahiliyyah*).
64. Ibn Hajar al-ʿAsqalani, *Fath al-Bari*, 7/536.
65. Qurʿan 5:100.
66. Qurʿan 7:86.
67. Qurʿan 5:100.
68. I will be turning shortly to a discussion of the issue of majority-based decision-making on the part of Muslim scholars.
69. He is referring to his shaykh, Muhammad ibn ʿAbd al-Salam, the community’s judge in Tunisia, who died in 749 AH/1251 CE.
70. Muhammad al-Tahir ibn Ashur, *Al-Tahrir wa al-Tanwir*, 7/64.

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71. The “you” here is plural, and must therefore refer to the Muslim community as a whole. [Translator’s note].
72. Abu Ishaq al-Shatibi, *Al-Muwafaqat*, ed. Abd Allah Darraz (Beirut: Dar al-Ma‘rifah, no date), 3/353–354.
73. Adnan al-Nahwi, *Malamih al-Shura fi al-Da‘wah al-Islamiyyah* (Dammam: Dar al-Islah li al-Tab‘ wa al-Nashr, no date), p.36.
74. Qur’an 27:43.
75. Qur’an 27:44.
76. Qur’an 3:193.
77. *Dhu al-Qamayn* is described in the Qur’an as a leader who “chose the right means [in whatever he did]” (Qur’an 18:83–98). [Translator’s note].
78. Abu ‘Abd Allah al-Qurtubi, *Al-Jami‘ li Ahkam al-Qur’an* (Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1967), 13/194.
79. Qur’an 27:34. Apparently not all commentators attribute these words to God, as evidenced by the fact that in Muhammad Asad’s translation of the Qur’an (which is being relied on throughout this work), they are included in the statement attributed to the Queen of Sheba rather than being attributed to God. [Translator’s note].
80. Al-Qurtubi, *Al-Jami‘ li Ahkam al-Qur’an*, 13/195.
81. Muhammad al-Amin al-Shanqiti, *Adwa’ al-Bayan: Tafsir al-Qur’an bi al-Qur’an* (Beirut: ‘Alam al-Kutub, no date), 1/5.
82. ‘Abd al-Malik ibn Hisham, *Al-Sirah al-Nabawiyyah* (Cairo: Dar al-Fikr, no date), 2/653.
83. Ibid, pp.653–654.
84. Qur’an 8:67–69; *Sahih Muslim*, The Book of Jihad and Military Campaigns (*kitab al-jihad wa al-siyar*), the section entitled, “The provision of angels and the allowance of spoils.”
85. Muhammad al-Tahir ibn Ashur, *Al-Tahrir wa al-Tanwir*, 10/75.
86. Ibid., 10/73.
87. Abu Bakr ibn al-‘Arabi, *‘Aridat al-Ahwadhi*, 7/210.
88. ‘Abd al-Malik ibn Hisham, *Al-Sirah al-Nabawiyyah*, 3/841.
89. Qur’an 3:159.
90. Hasan Huwaydi, *Al-Shura fi al-Islam*, p.13.
91. Qur’an 33:10–11.
92. Ibrahim al-Ali, *Sahih al-Sunnah al-Nabawiyyah*, p.361.
93. ‘Abd al-Malik ibn Hisham, *Al-Sirah al-Nabawiyyah*, 3/1033–1034. See also Ibn Kathir, *al-Bidayah wa al-Nihayah* (Cairo: Dar al-Fikr), 4/106.
94. Qur’an 49:7.
95. *Sahih al-Bukhari*, The Book of Conditions (*kitab al-shurut*), the section entitled, “Conditions pertaining to jihad and reconciliation with foes in war, and recording such conditions in writing.”

The reference to Abrahah is an allusion to the time when, in the year 570 CE,

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Abraham, the Christian viceroy of Yemen (which was ruled at that time by the Abyssinians) marched toward Makkah with the intention of destroying the Ka'bah. However, God caused Abraham's elephant to turn around and head back where it had come from. [Translator's note].

96. Ibid.
97. Qur'an 48:24.
98. Abd al-Hadi Butalib, *Al-Shura wa al-Dimuqratiyyah* (Rabat: Manshurat al-Munazzamah al-Islamiyyah li al-Tarbiyah wa al-'Ulum wa al-Thaqafah, no date), p.27.
99. Abu Bakr ibn al-'Arabi, *Ahkam al-Qur'an*, 2/225.
100. Abu Ishaq al-Shirazi, *Sharh al-Luma'*, ed. Abd al-Majid Turki, 1st Edition (Beirut: Dar al-Gharb al-Islami, 1988), 2/751.
101. Quoting al-Bayhaqi in *A'lam al-Muwaqqi'in 'an Rabb al-'Alamin*, 4/122.
102. Abu Ya'la al-Farra', *Al-'Iddah fi Usul al-Fiqh*, ed. Ahmad ibn Ali Sir al-Mubarak, 3rd Edition (Riyadh, 1993), 4/1301. See also Ibn 'Abd al-Barr, *Jami' Bayan al-'Ilm*, 2/74.
103. Ibid., 4/1300.
104. Abu al-Husayn al-Basri, *Al-Mu'tamad fi Usul al-Fiqh*, edited and introduced by Shaykh Khalil al-Mays, 1st Edition (Beirut: Dar al-Kutub al-'Ilmiyyah, 1983), 2/182.
105. Shams al-Din Mahmud al-Isfahani, *Bayan al-Mukhtasar: Sharh Mukhtasar Ibn al-Hajib*, ed. Muhammad Zahir Baqa (1986), 1/556.
106. *Majmu' Fatawa Shaykh al-Islam Ahmad ibn Taymiyyah*, compiled and arranged by Abd al-Rahman Muhammad ibn Qasim with the assistance of his son, Muhammad (Rabat: Maktabat al-Ma'arif, no date), 28/387.
107. Cf. Qur'an 22:46.
108. See pp.19-20 above.
109. Ibn Hazm al-Zahiri al-Andalusi, *Al-Nubdhah al-Kafiyah fi Ahkam Usul al-Din*, ed. Muhammad Ahmad Abd al-Aziz, 1st Edition (Beirut: Dar al-Kutub al-'Ilmiyyah, 1985), p.47.
110. These words form the last statement in al-Shatibi's book entitled, *al-It'sam*. The author died before completing the book, which means that these words may have been the last he ever penned.
111. Abu al-Husayn ibn Battal, *Sharh ibn Battal 'ala Sahih al-Bukhari*, ed. Mustafa Abd al-Qadir Ata, 1st Edition (Beirut: Dar al-Kutub al-'Ilmiyyah, 2002), 1/367.

Chapter Three

1. This statement is taken from a lengthy hadith recorded in both *Sahih Muslim* and *Sahih al-Bukhari* concerning a man by the name of Jurayj who had devoted himself to solitary prayer. One day he was approached by his mother, who addressed him while

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- he was praying and wanted him to respond to her. Torn between the demand of his mother and his devotion to worship, he cried out, “O Lord, my mother, or my prayer?!”
2. See Abu Bakr al-Tartushi, *Siraj al-Muluk* (Al-Matba‘ah al-Wataniyyah bi Thaghr al-Iskandariyyah, 1872), p.63, and the same expression as used by Ibn Jama‘ah in *Tahrir al-Ahkam fi Tadbir Ahl al-Islam*, p.169.
 3. Abu ‘Abd Allah ibn al-Azraq, *Bada’i‘ al-Silk fi Taba’i‘ al-Mulk*, 1/302.
 4. Qahtan al-Duri, *Al-Shura bayn al-Nazariyyah wa al-Tatbiq* (Baghdad: Dar al-Ummah, 1974), pp.17-25.
 5. Abu Bakr al-Tartushi, *Siraj al-Muluk*, p.90.
 6. Muhammad Amhazun, *Tahqiq Mawaqif al-Sahabah fi al-Fitnah*, 1st Edition (Damascus: Dar al-Albab, 1994), 1/397.
 7. That is, the Muslim community would have been split in two. [Translator’s note].
 8. Al-Bukhari, vol.4, The Book of Divinely Prescribed Punishments (*kitab al-hudud*), hadith no.6830.
 9. Imam al-Haramayn ‘Abd al-Malik al-Juwayni, *Al-Ghayyathi – Ghayyath al-Umam fi Iltayath al-Zulam*, p.69.
 10. Ibid., pp.70-71.
 11. That is, Imam al-Shafi‘i, Imam Malik, Imam Ahmad ibn Hanbal, and Imam Abu Hanifah. [Translator’s note].
 12. Ahmad ibn Taymiyyah, *Minhaj al-Sunnah al-Nabawiyyah*, ed. Muhammad Rashad Salim, 2nd Edition (Rabat: Maktabat al-Ma‘arif, 1998), 1/526-527.
 13. Imam al-Haramayn ‘Abd al-Malik al-Juwayni, *Al-Ghayyathi*, p.71.
 14. Ibid., p.70.
 15. Abu Bakr ibn al-‘Arabi, *‘Aridat al-Ahwadhi fi Sharh Sahih al-Tirmidhi*, the sections on heroic feats. Ibn Umm ‘Abd was a name by which ‘Abd Allah ibn Mas‘ud, an Emigrant who fought at Badr and who was known for his heroism and virtue, was known.
 16. Qur’an 9:128.
 17. Qur’an 33:6.
 18. *Tahdhib Tarikh al-Khulafa’ li al-Suyuti*, ed. Nayif al-Abbas (Damascus: Dar al-Albab, 1990) pp.70-71.
 19. Ibid., p.71.
 20. Ibid., p.72.
 21. While leading the dawn prayer in the Prophet’s mosque in Madinah on November 1, 644 CE (24 AH), ‘Umar was stabbed by a Persian slave by the name of Abu Lu’lu’, who had apparently been commissioned to carry out the assassination by enemies of the caliph. ‘Umar died of his wounds three days later. [Translator’s note].
 22. *Sahih al-Bukhari*, The Book of Virtues (*kitab al-fada’il*), the section entitled, “The story of the pledge of allegiance to ‘Uthman and the agreement to nominate him.”

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23. Apparently, he had feared that ‘Ali would object if allegiance was pledged to anyone other than him, though in fact, this did not happen.
24. *Sahih al-Bukhari*, The Book of Rulings (*kitab al-ahkam*), the section entitled, “How people pledge allegiance to a spiritual and political leader.”
25. Ibn Hajar al-‘Asqalani, *Fath al-Bari bi Sharh Sahih al-Bukhari*, 15/107.
26. Ibn Kathir, *Al-Bidayah wa al-Nihayah*, 7/146.
27. Abu al-Husayn ibn Battal, *Sharh ibn Battal ‘ala Sahih al-Bukhari*, 8/217.
28. *Ibid.*, p. 216 and Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 15/109.
29. Abu ‘Ubayd al-Qasim ibn Sallam, *Al-Amwal* (Cairo: al-Maktabah al-Tijariyyah al-Kubra, no date), p. 58.
30. The footnote reads: Al-Kharaj, 28–29. The reference to “people of unbelief” apparently refers not to the general non-Muslim population, but rather, to non-Muslim combatants. [Translator’s note].
31. Abu ‘Ubayd al-Qasim ibn Sallam, *al-Amwal*, p. 59.
32. *Ibid.*, p. 60.
33. Abu Bakr al-Tartushi, *Siraj al-Muluk*, p. 8.
34. Abu Ja‘far Muhammad ibn Jarir al-Tabari, *Tarikh al-Umam wa al-Muluk*, 7/61.
35. Ibrahim Harakat, *al-Nizam al-Siyasi wa al-Harbi fi ‘Ahd al-Murabitin* (Al-Dar al-Bayda, Maktabat al-Wihdah al-‘Arabiyyah), p. 59.
36. *Ibid.*
37. ‘Abd al-Haqq ibn ‘Atiyyah, *Al-Muharrir al-Wajiz fi Tafsir al-Kitab al-‘Aziz*, 3/397.
38. For a summary of some of the plans referred to, see *Tarikh al-‘Allamah ‘Abd al-Rahman ibn Khaldun*, volume 1 (*al-Muqaddimah*) (Beirut: Maktabat al-Madrasah wa Dar al-Kitab al-Lubnani, 1967), pp. 386–400.
39. Abu al-Abbas al-Wansharisi, *Al-Mi‘yar al-Mu‘rib wa al-Jami‘ al-Mughrib ‘an Fatawa Ahl Afriqya wa al-Andalus wa al-Maghrib* (Beirut: Dar al-Maghrib al-Islami, 1981), 10/77.
40. This work is housed in the National Library in Rabat as Manuscript No. 1552d. Numerous individuals have edited parts of the manuscript under different names.
41. *Ibid.*, leaves 12–13. Quoted in an article on the book by Rabi al-Mighrawi which appeared in *Hawliyat al-Adab wa al-‘Ulum al-Insaniyyah*, The University of Kuwait, Vol. 23, 2002–2003.
42. *Ibid.*
43. Abu al-Abbas al-Wansharisi, *Al-Mi‘yar al-Mu‘rib*, 10/58–59.
44. Ibn Qudamah al-Maqdisi, *Al-Mughni*, ed. Abd Allah ibn Abd al-Muhsin al-Turki and Abd al-Fattah al-Hilw, 2nd Edition (Cairo: Hajar li al-Tiba‘ah wa al-Nashr, 1992), 14/28.
45. Muhammad Abd al-Wahhab Khallaf, *Tarikh al-Qada’ fi al-Andalus*, 1st Edition (Cairo: al-Mu‘assasah al-‘Arabiyyah al-Hadithan, 1992), p. 321.
46. *Ibid.*, p. 326.
47. Allal al-Fasi, *Madkhal fi al-Nazariyyah al-‘Ammah li Dirasat al-Fiqh al-Islami*, p. 148.

Chapter Four

1. Qur'an 39:18.
2. Qur'an 42:36-38.
3. Qur'an 17:26.
4. Qur'an 13:41.
5. Qur'an 10:3.
6. Qur'an 33:38.
7. *Sahih al-Bukhari*, The Book of Divinely Prescribed Punishments (*kitab al-hudud*).
8. Qur'an 59:2.
9. *Tarikh ibn Khaldun* (Beirut: Maktabat al-Madrasah wa Dar al-Kitab al-Lubnani, 1967), vol. 1 (*al-Muqadimmah*), p. 510.
10. Muhammad Umarah, *Umm al-Qura, Dimn al-A'mal al-Kamilah li 'Abd al-Rahman al-Kawakibi* (Cairo: al-Hay'ah al-Misriyyah li al-Ta'lif wa al-Nashr, 1970), p. 181.
11. For a definition of *hisbah*, see the Glossary of Terms.
12. *Sahih al-Bukhari*, The Book of Adherence to the Qur'an and the Sunnah (*kitab al-i'tisam bi al-kitab wa al-sunnah*), the section concerned with the words of God, "whose rule [in all matters of common concern] is consultation among themselves," and the Book of Commentary (*kitab al-tafsir*), the section dealing with the words of God, "Hold to forgiveness..." (Qur'an 7:199).
13. The term "al-'Aliyah" refers to the area of Najd extending from Madinah and its environs to Tihamah, Yaqut al-Hamawi al-Rumi al-Baghdadi, *Mu'jam al-Buldan* (Beirut: Dar Sadir, 1995), vol. 4, p. 71.
14. *Sahih Muslim*, The Book of Dissensions and Portents of the Day of Judgment (*kitab al-fitan wa ashrat al-sa'ah*).
15. Qur'an 18:49.
16. Muhammad al-Hijjawi al-Thaalibi, *Al-Fikr al-Sami fi Tarikh al-Fiqh al-Islami*, 1st Edition (Beirut: Dar al-Maghrib al-Islami, 1995), 1/239.
17. This is al-Bukhari's version of the account, which is found in The Book of Heroic Feats (*kitab al-manaqib*), the section on the signs of prophethood in Islam (*'alamat al-nubuwwah fi al-islam*). In *Sahih Muslim*, the account is found in The Book of Dissension and Civil Strife (*kitab al-fitan*).
18. Ibn Hajar al-'Asqalani, *Fath al-Bari*, 7/310. We read in Ibn Battal's commentary (10/46), "Al-Muhallab (that is, Judge al-Muhallab ibn Abi Sufrah) said, 'If someone were to ask how 'Umar knew that if a door is broken down, it will never be closed, the answer is that 'Umar realized this because a door will only be broken down by force, and force will only be used in a situation of civil strife.'"
19. *Sahih Muslim bi Sharh al-Nawawi*, 3/12.
20. *Majmu' Fatawa Shaykh al-Islam Ahmad ibn Taymiyyah*, 35/20.
21. Muhammad Amhazun, *Tahqiq Mawaqif al-Sahabah fi al-Fitnah*, 2/110.
22. The temptation would apparently have been a result of the Muslim women's not

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- having husbands to meet their sexual needs. [Translator's note].
23. Ibn Qayyim al-Jawziyyah, *A'lam al-Muwaqqi' in 'an Rabb al-'Alamin*, 3/159.
 24. The Almohad Dynasty (1121-1269 CE) was a Berber Muslim state that founded the fifth Moorish dynasty and conquered all of northern Africa as far as Egypt, together with Muslim Spain. [Translator's note].
 25. Abu 'Abd Allah Muhammad ibn Ibrahim al-Lawlawi, better known as al-Zarkashi, *Tarikh al-Dawlatayn al-Muwahhidiyyah wa al-Hafsiyyah* (Tunis: Matba'at al-Dawlah al-Tunisiyyah al-Mahrusah, 1279 AH/1862 CE), p.44.
 26. Ibn Qayyim al-Jawziyyah, *A'lam al-Muwaqqi' in 'an Rabb al-'Alamin*, 3/3.
 27. Qur'an 16:90.
 28. Qur'an 22:77.
 29. Qur'an 99:7-8.
 30. Qur'an 103.
 31. Abu Ishaq al-Shatibi, *Al-Fitisa*m (Riyadh: Maktabat al-Riyad al-Hadithah, no date), 2/129-133, with slight modifications.
 32. Qur'an 27:22.
 33. Qur'an 27:44.
 34. Qur'an 5:30-31.
 35. Ibn Hajar al-'Asqalani, *Fath al-Bari bi Sharh Sahih al-Bukhari*, 8/148.
 36. *Sahih al-Bukhari*, The Book of the Call to Prayer (*kitab al-adhan*), and al-Tirmidhi, the sections on prayer (*abwab al-salah*).
 37. Quoted by Al-Hafiz ibn Hajar in *Fath al-Bari*, 3/60.
 38. This account is taken from *Sahih Muslim*, The Book of Adornment (*kitab al-zinah*); it is also found in al-Tirmidhi, The Book of Knowledge (*kitab al-'ilm*), The Book of Attire (*kitab al-libas*), and elsewhere.
 39. *Sahih Muslim*, The Book of Virtues (*kitab al-fada'il*).
 40. *Sahih Muslim*, The Book of Dissensions and Portents of the Day of Judgment (*kitab al-fitan wa ashrat al-sa'ah*).
 41. Al-Qadi 'Ayad al-Yahsi al-Sabti. *Baghyat al-Ra'id li ma Tadammnanahu Hadith Umm Zar' min al-Fawa'id*, ed. Salah al-Din al-Idli, et. al. (Rabat: Wizarat al-Awqaf al-Maghribiyyah, 1975), p.18.
 42. Ibid.
 43. Ibid., p.36.
 44. Ibid., p.171.
 45. Narrated by Abu Dawud in The Book of Prayer (*kitab al-salah*) in his *Sunan*, and by al-Tirmidhi in the sections on prayer in *al-Jami' al-Kabir*.
 46. Al-Tirmidhi, the sections on prayer, the section entitled, "Concerning those who visit a mosque, that they should not lead its worshippers in prayer."
 47. See al-Tirmidhi, the sections on prayer, the section entitled, "Concerning him who leads a congregation in prayer when its members dislike him."
 48. Abu Bakr ibn al-'Arabi, *Aridat al-Ahwadhi fi Sharh Sahih al-Tirmidhi*, 1/153.

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49. Qur'an 25:2.
50. Qur'an 65:3.
51. Qur'an 13:8.
52. *Sahih al-Bukhari*, The Book of the Call to Prayer (*kitab al-adhan*), the section entitled, "The call to prayer for the traveler..."
53. *Sahih Muslim*, The Book of Pilgrimage (*kitab al-hajj*), the section entitled, "On the desirability of throwing stones at the Aqabah pillar while mounted."
54. Muhammad al-Tahir ibn Ashur, *Usul al-Nizam al-Ijtima'i fi al-Islam*, 2nd Edition (Tunis: al-Sharikah al-Tunisiyyah li al-Tawzi', and Algiers: al-Mu'assasah al-Wataniyyah li al-Kitab, no date), p.213.
55. *Ibid.*, p.214.
56. Ibn Qayyim al-Jawziyyah, *A'lam al-Muwaqqi'in 'an Rabb al-'Alamin*, 3/181.
57. *Ibid.*, 4/372.
58. Qur'an 21:47.
59. Ibn Hajar al-'Asqalani, *Fath al-Bari*, 15/523.
60. Ibn al-Qayyim al-Jawziyyah, *A'lam al-Muwaqqi'in*, 4/373, and *al-Turuq al-Hukmiyyah fi al-Siyasah al-Shar'iyyah* (Beirut: Dar Ihya' al-'Ulum, no date), p.21.
61. Qur'an 5:42; for an explanation of this verse, see Ibn 'Atiyyah, *al-Mihwar al-Wajiz*, 4/451-452.
62. Qur'an 45:30.

Conclusion

1. I say "certain high-minded politicians" because many politicians declare candidly that there is no place for morals in politics, in other words, that politics are one thing, and morals are another. Moreover, there are many who, though they do not say so directly, their conduct says it for them. And as the saying goes, actions speak louder than words.
2. Qur'an 7:109-112.
3. Qur'an 26:34-35.
4. Qur'an 12:7-15.
5. Narrated by Imam Muslim in The Book of Faith (*kitab al-iman*), the section entitled, "An explanation of the fact that religion consists in giving [sound] advice."
6. *Ibid.*
7. Qur'an 7:199.
8. *Sahih al-Bukhari*, The Book of Commentary (*kitab al-tafsir*), the section entitled, "Hold to forgiveness, command what is right, but turn away from the ignorant," and The Book of Adherence to the Qur'an and the Sunnah (*kitab al-i'tisam bi al-kitab wa al-sunnah*), the section entitled, "Emulating the examples set by the Messenger of God."
9. Qur'an 11:114.

GLOSSARY OF TERMS

Ahad, or solitary hadiths: A solitary hadith is a report narrated on the authority of the Prophet by one or more individuals, but whose chain of transmission does not fulfill the requirements of *tawatur*.*

Faqih (plural, *fuqaha'*): A scholar of Islamic jurisprudence who concerns himself with the details of Islamic legal rulings and their legal bases.

Fatwa (plural, *fatawa*): A formal legal opinion issued by a mufti, that is, a qualified scholar of jurisprudence, based on a question posed to him.

Fiqh: The study and application of Islamic legal rulings as based upon detailed evidence; the corpus of practical legal rulings in Islam.

Hisbah: A type of religious authority based on the commanding of what is good and the prohibition of what is evil, which emerged as an independent function in the Abbasid era. The person assuming this function would oversee markets, cleanliness and hygiene, and public morals.

Ijtihad, or independent reasoning: The effort exerted by a suitably qualified scholar of jurisprudence to arrive at an accurate conceptualization of the divine will based on Muslim legal sources (the Qur'an,

*The definitions in this glossary are drawn for the most part from the following two sources: Koutoub Moustapha Sano, *Mu'jam Mustalahat Usul al-Fiqh*, ^ᶜ*Arabi-Inkilizi* (Concordance of Jurisprudence Fundamentals Terminology), (Damascus: Dar al-Fikr, 2000) and Qalanji, Muhammad Rawwas, et. al., *Mu'jam Lughat al-Fuqaha'*, English-French-Arabic, (Beirut: Dar al-Nafa'is, 1996).

the Hadith, analogical deduction and consensus) and the means by which to apply this will in a given age and under given circumstances; as such, *ijtihad* is the effort exerted by such a scholar to derive a legal ruling from Muslim legal sources, and to reach certainty on questions of an ambiguous nature.

Istihsan, or juristic preference: A decision, in the process of arriving at a legal ruling, to refrain from applying to a given situation the same ruling which has been applied to analogous situations in favor of another ruling which is more in keeping with the aims of Islamic Law. In other words, juristic preference involves giving human interests and the aims of the Law priority over the results of *qiyas*, or analogical deduction.

Istislah, or reasoning based on unrestricted interests: The practice of issuing a legal ruling concerning a case which is not mentioned explicitly in any authoritative Islamic legal text and on which there is no consensus, based on consideration for an unrestricted interest (see below, *al-masalih al-mursalah*).

Al-Masalih al-Mursalah, or unrestricted interests (sometimes referred to also as public interests): Interests which are not explicitly identified by any text in the Qur'an or the Sunnah but which are generally agreed upon based on circumstances which arise in human society. Examples of unrestricted interests include the paving of roads, the setting up of administrative offices to handle public needs, the use of traffic signals, the construction of sewers and waste disposal facilities, etc.

Mufti: A jurist who expounds Islamic law and issues legal decisions concerning specific situations and cases outside a court of law.

Mujtahid: Someone who is qualified to offer interpretations of Islamic law based on his own independent reasoning, or *ijtihad*.

Qiyas, or analogical deduction: The practice of basing a new legal

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ruling on a previous ruling concerning a similar case, given the similarity between the two cases with respect to their underlying basis or occasion (*‘illah*).

Sadd al-Dhara’i’: The prohibition of evasive legal devices, or of anything which has the potential of leading to that which is forbidden.

Al-Shura: Consultation. To seek the opinion of knowledgeable people or mutual advice.

Tabi’i: A successor of the Prophet, namely, someone who was a believing Muslim, and who was acquainted with one or more of the Prophet’s Companions.

Unrestricted interests: See *al-masalih al-mursalah* above.

Usuli (plural, *usuliyyun/usuliyyin*): A scholar who devotes himself to the study of the principles of Islamic jurisprudence (*usul al-fiqh*).

Usul al-Fiqh: Principles or fundamentals of Islamic jurisprudence.

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...and whose rule [in all matters of common concern] is consultation among themselves...
(THE QUR'AN: *Al-Shura*, 42:38)

Muslims remain largely unaware of the importance and value of the Qur'anic principle of *al-Shura* (mutual consultation) and the significant role it can play in the advancement and reform of Muslim society. In this work, the author attempts to introduce and examine key meanings and practices of *al-Shura*, trace its historical evolution, and explore ways in which the principle can be introduced, institutionalized and applied in Muslim societies. There is no doubt that *al-Shura* has been sidelined throughout the Muslim world and the reasons for this are both historically and politically complex. According to the author, although much has been written on the subject, in reality it has been at best ineffectively applied and at worst heedlessly ignored. Even today it is a hotly contested issue. As *al-Shura* is increasingly associated with democratic participation in a decision-making process, debate has ignited with critics challenging the notion of equating the principle with western notions of democracy, with others claiming that the principle allows for a meaning that breaks the grip of centralized power. These and other issues are investigated with careful scholarship. Al-Raysuni concludes that *al-Shura* should be adopted as a way of life for all Muslims to protect their interests and as a vital tool for reconstruction and reform. In doing so he addresses the subject from some intriguing new angles, giving insight into areas hitherto little, if at all, examined.

The tide of popular protest against dictatorship that is currently sweeping Arab countries is evidence at once of the failure of participatory and consultative governance and an opportunity in the meantime for them to reclaim their all but lost heritage that is so germane to their own culture and Islam. Al-Raysuni's timely contribution unfolds the place of al-Shura in the scripture, juristic and historical precedent as well as the manner of its revival in contemporary Muslim politics. His focus on pragmatic issues and the lines of convergence between al-Shura and democracy he has highlighted, make this a particularly interesting reader on the subject.

Professor Mohammad Hashim Kamali
Founding Chairman & CEO, International Institute of Advanced Islamic Studies (IAIS) Malaysia.

'In the Beginning there was Consultation'. Thus begins Ahmad al-Raysuni's remarkable new book Al-Shura, a passionate plea for reviving and incorporating the principle of consultation in all walks of life. His message is that the principle is divine in origin, and its application was coeval with man's very creation. The author thus regards the principle as inherent in the creation process itself, and not merely a doctrinal matter. Further, he sees no objection to enhancing the principle by borrowing from (and further enriching) modern democratic theory and practice. 'Democracy,' he argues, 'needs us as much as we need it.' The book offers a comprehensive and compelling treatment and rethinking of this central Islamic principle.

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