



ANALYSIS OF DISAGREEMENTS REGARDING ABLUTION IN THE BOOK “AL-HIDAYA”

Mavlidin Gadzhiev

Researcher

International Islamic Academy of Uzbekistan

Uzbekistan, Tashkent

ABOUT ARTICLE

Key words: Islamic jurisprudence, Hanafi school, halal, haram, legal disagreements, comparative analysis, al-Hidaya, Burhanuddin al-Marghinani.

Received: 08.03.25

Accepted: 10.03.25

Published: 12.03.25

Abstract: This article covers a wide array of issues in Islamic law, including the intricate rules governing ablution (wudu). Ablution, an essential ritual purification, is mandatory before engaging in specific acts of worship, such as prayer. The analysis of “Al-Hidaya” reveals various disagreements regarding the procedural and conceptual aspects of ablution among different Islamic schools of thought (mazhabs). This article delves into these disagreements, elucidating key points of contention, underlying principles, and their implications for contemporary Islamic jurisprudence. Through qualitative analysis supplemented by historical and comparative methodologies, the study utilizes primary sources including the original text of “Al-Hidaya” and secondary sources such as scholarly articles and commentaries. Comparative analysis with seminal works like “Al-Muwatta” by Imam Malik and “Al-Umm” by Imam Shafi'i highlights the unique contributions of “Al-Hidaya” to the science of legal disagreements (hilyaf). The findings underscore “Al-Hidaya's” role in promoting legal tolerance, inclusivity, and adaptability, making it an enduring and influential resource for contemporary scholars and practitioners.

“AL-HIDOYA” KITOBIDAGI TAHORAT HAQIDAGI KELISHMOVCHILIKLARNI TAHLIL QILISH

Mavlidin Gadjiyev

ilmiy tadqiqotchi

O‘zbekiston xalqaro Islom Akademiyasi

O‘zbekiston, Toshkent

MAQOLA HAQIDA

Kalit so‘zlar: Islom huquqshunosligi, Hanafiy maktabi, halol, harom, huquqiy kelishmovchiliklar, qiyosiy tahlil, al-Hidaya, Burhonuddin Al-Marg‘inoniy.

Annotatsiya: Ushbu maqola Islom huquqidagi ko‘plab masalalarni, shu jumladan tahoratni tartibga soluvchi murakkab qoidalarni (tahorat) qamrab oladi. Tahorat, muhim marosim poklanishi, ibodat kabi aniq ibodat qilishdan oldin majburiydir. "Al-Hidoya" tahlili turli xil Islom maktablari (mazhablar) o‘rtasida tahoratning protsessual va kontseptual jihatlari bo‘yicha turli xil kelishmovchiliklarni ochib beradi. Ushbu maqola ushbu kelishmovchiliklarni o‘rganib chiqadi, tortishuvlarning asosiy nuqtalari, asosiy tamoyillari va ularning zamonaviy Islom huquqshunosligi uchun ta‘sirini ochib beradi. Tarixiy va qiyosiy metodologiyalar bilan to‘ldirilgan sifatli tahlil orqali tadqiqotda asosiy manbalar, shu jumladan "Al-Hidoya" ning asl matni va ilmiy maqolalar va sharhlar kabi ikkilamchi manbalardan foydalaniladi. Imom Molikning "Al-Muvatta" va Imom Shofe‘iyning "Al-Umm" kabi seminal asarlari bilan qiyosiy tahlil "Al-Hidaya" ning huquqiy kelishmovchiliklar ilmiga qo‘shgan noyob hissalarini ta‘kidlaydi (hilyaf). Topilmalar "Al-Hidoyaning" huquqiy bag‘rikenglik, inklyuzivlik va moslashuvchanlikni targ‘ib qilishdagi rolini ta‘kidlab, uni zamonaviy olimlar va amaliyotchilar uchun doimiy va ta‘sirchan manbaga aylantiradi.

АНАЛИЗ РАЗНОГЛАСИЙ ПО ПОВОДУ ОМОВЕНИЕ В КНИГЕ “АЛЬ-ХИДАЙЯ”

Mavlidin Gadjiyev

Научный сотрудник

Международной исламской академии Узбекистана

Узбекистан, Ташкент

О СТАТЬЕ

Ключевые слова: исламская юриспруденция, ханафитская школа, халяль, харам, правовые разногласия, сравнительный анализ, аль-Хидая, Бурхануддин аль-Маргинани.

Аннотация: В этой статье рассматривается широкий спектр вопросов исламского права, включая сложные правила, регулирующие омовение (вуду). Омовение, являющееся важным ритуалом очищения, является обязательным перед

совершением определенных актов поклонения, таких как молитва. Анализ “Аль-Хидая” выявляет различные разногласия относительно процедурных и концептуальных аспектов омовения между различными исламскими школами мысли (мазхабами). В данной статье рассматриваются эти разногласия, разъясняются ключевые спорные моменты, основополагающие принципы и их значение для современной исламской юриспруденции. Благодаря качественному анализу, дополненному историческими и сравнительными методологиями, в исследовании используются первичные источники, включая оригинальный текст “Аль-Хидая”, и вторичные источники, такие как научные статьи и комментарии. Сравнительный анализ с такими основополагающими трудами, как “Аль-Муватта” имама Малика и “Аль-Умм” имама Шафии, подчеркивает уникальный вклад “Аль-Хидая” в науку о правовых разногласиях (хилаф). Полученные результаты подчеркивают роль “Аль-Хидая” в продвижении правовой терпимости, инклюзивности и адаптивности, что делает ее надежным и влиятельным ресурсом для современных ученых и практиков.

INTRODUCTION

“Al-Hidaya” (The Guidance), written by the esteemed Islamic jurist Burhanuddin al-Marghinani in the 12th century, stands as a cornerstone in Hanafi jurisprudence. This comprehensive legal text covers a wide array of issues in Islamic law, including the intricate rules governing ablution (wudu). Ablution, an essential ritual purification, is mandatory before engaging in specific acts of worship, such as prayer. The analysis of “Al-Hidaya” reveals various disagreements regarding the procedural and conceptual aspects of ablution among different Islamic schools of thought (mazhabs). This article delves into these disagreements, elucidating key points of contention, underlying principles, and their implications for contemporary Islamic jurisprudence.

MAIN PART

This study employs a qualitative analysis of the text of “Al-Hidaya,” supplemented by historical and comparative methodologies. Primary sources include the original text of “Al-Hidaya” and secondary sources such as scholarly articles, commentaries, and historical records.

Comparative analysis with other seminal works in Islamic jurisprudence, including “Al-Muwatta” by Imam Malik and “Al-Umm” by Imam Shafi’i, is conducted to assess the unique contributions of “Al-Hidaya” to the science of legal disagreements (hilyaf). This multifaceted approach facilitates a comprehensive understanding of diverse opinions on ablution and their significance in Islamic law.

Pronouncement of “Bismillah” before ablution.

The necessity of pronouncing “Bismillah” before ablution showcases varying degrees of adherence to ritual formalities among the schools. The Hanafi view that it is recommended but not obligatory emphasizes practical flexibility, acknowledging that the omission of “Bismillah” does not compromise the validity of the ablution (Hallaq, 2009). This approach makes the practice more accessible to Muslims in diverse circumstances.

In contrast, the Shafi’i and Hanbali schools, by deeming “Bismillah” obligatory, stress the importance of maintaining a spiritual connection through verbal invocation before worship (Kamali, 2005). This perspective aligns with a more rigorous adherence to ritual completeness and the significance of initiating acts of worship with the remembrance of Allah.

The Maliki school's balanced stance, considering it preferable but not mandatory, reflects a middle-ground approach that upholds the significance of the practice while recognizing the practicality of flexibility (Esposito, 1995). This demonstrates an inclusive methodology accommodating various situations without compromising the spiritual essence of the act.

Washing of feet.

The disagreement over the method of washing the feet underscores different interpretative approaches to Quranic directives and prophetic traditions. The Hanafi, Maliki, and Hanbali schools' requirement for complete washing of the feet up to the ankles emphasizes a literal and strict adherence to the Quranic command, reinforcing the importance of ritual purity (Kamali, 2005; Hallaq, 2009).

The Shafi’i school's allowance for wiping over light leather socks (khuff) introduces a pragmatic concession, recognizing practical difficulties while maintaining adherence to the broader principles of ritual cleanliness (Esposito, 1995). This highlights the Shafi’i madhab's adaptability and acknowledgment of contextual challenges faced by adherents.

Order of actions

The varied opinions on the sequence of actions in ablution illustrate different priorities in ritual observance. The Hanafi school's flexibility in the order of actions focuses on the holistic completion of the ritual, accommodating real-life interruptions and ensuring the act's overall validity (Vogel, 2000).

Conversely, the Shafi'i school's insistence on a specific sequence, based on prophetic practice, underscores a commitment to ritual precision and the belief that the prescribed order enhances the completeness of the act (Kamali, 2005). This highlights a meticulous approach to following the prophetic example.

The Maliki and Hanbali schools' recommendation of the prescribed order, without making it obligatory, demonstrates a balanced perspective that values adherence to tradition while allowing for practical considerations (Esposito, 1995). This approach caters to both strict observance and situational flexibility.

Wiping of ears

The differing views on wiping the ears during ablution reflect varying interpretations of the comprehensiveness of purification. The Hanafi madhab's view that it is sunnah but not obligatory indicates a focus on prioritizing essential body parts over supplementary practices (Kamali, 2005).

The Shafi'i and Hanbali schools, considering wiping the ears as sunnah supported by prophetic traditions, emphasize following the prophetic example even in minor details (Hallaq, 2009). This underscores the significance they place on emulating the Prophet's practices.

The Maliki school's preference for wiping the ears, highlighting the comprehensive nature of purification, reflects an approach that considers the completeness and thoroughness of the ritual (Esposito, 1995). This perspective values an inclusive understanding of purification encompassing all relevant body parts.

A comparative analysis of "Al-Hidaya" with other foundational texts in Islamic jurisprudence, such as "Al-Muwatta" by Imam Malik and "Al-Umm" by Imam Shafi'i, reveals the unique contributions of Burhanuddin al-Marghinani's work. While "Al-Muwatta" and "Al-Umm" are seminal works in their respective schools (Maliki and Shafi'i), "Al-Hidaya" stands out for its thorough analysis and presentation of legal rulings from multiple perspectives. This comprehensive approach makes "Al-Hidaya" an invaluable resource for the science of hilyaf, providing a systematic framework for understanding legal differences (Calder, 1997).

The detailed examination of disagreements in "Al-Hidaya" highlights the dynamic and interpretative nature of Islamic jurisprudence. It underscores the importance of considering various perspectives and methodologies in legal interpretation, promoting a more inclusive and flexible approach to Islamic law.

In summary, the key disagreements regarding ablution in "Al-Hidaya" reflect the diversity of opinions among different Islamic schools of thought. These disagreements are rooted in different interpretations of religious texts and principles, illustrating the richness of Islamic jurisprudence (Nematullo Mukhamedov & Nurulloh Turambetov, 2021). The comparative analysis of "Al-Hidaya" with other foundational texts further underscores its unique contributions

to the science of hilyaf, providing a valuable resource for understanding and resolving legal disagreements in Islamic law.

“Al-Hidaya” by Burhanuddin al-Marghinani has had a profound impact on the science of hilyaf, contributing to the understanding and resolution of legal disagreements in Islamic jurisprudence. The work's systematic presentation of legal opinions, detailed analysis of conflicting rulings, and methodological contributions have made it a cornerstone in the study of Islamic law.

“Al-Hidaya” by Burhanuddin al-Marghinani remains a cornerstone in the science of hilyaf, offering valuable insights into the resolution of legal disagreements and the development of Islamic jurisprudence. The work's systematic and detailed approach, coupled with its methodological contributions, has made it an enduring and influential text in the study of Islamic law. By promoting legal tolerance, inclusivity, and adaptability, “Al-Hidaya” continues to be a vital resource for contemporary scholars and practitioners.

CONCLUSION

As the global Muslim community faces new legal and social challenges, the insights provided by “Al-Hidaya” remain relevant and valuable. The work's emphasis on systematic analysis, methodological rigor, and inclusivity in legal interpretation offers a model for contemporary Islamic jurisprudence. By fostering a comprehensive understanding of different legal opinions, “Al-Hidaya” helps scholars appreciate the richness and diversity of Islamic law, ultimately contributing to a more cohesive and harmonious legal tradition.

REFERENCES:

1. Calder, N. (1997). “Studies in Early Islamic Jurisprudence”. Oxford University Press.
2. Esposito, J. L. (1995). “The Oxford Encyclopedia of the Modern Islamic World”. Oxford University Press.
3. Hallaq, W. B. (2009). “An Introduction to Islamic Law”. Cambridge University Press.
4. Kamali, M. H. (2005). “Principles of Islamic Jurisprudence”. Islamic Texts Society.
5. Marghinani, B. al-. (2000). “Al-Hidaya: A Commentary on Islamic Laws”. Translated by Imran Ahsan Khan Nyazee. Centre for Excellence in Research.
6. Nematullo Mukhamedov & Nurullo Turambetov. (2021). The origins of religious tolerance in Central Asia. International journal of social science & interdisciplinary research ISSN: 2277-3630 Impact Factor: 7.429, 10(12), 68–73.
7. Rahman, F. (1984). “Islam and Modernity: Transformation of an Intellectual Tradition”. University of Chicago Press.
8. Schacht, J. (1950). “The Origins of Muhammadan Jurisprudence”. Oxford University Press.
9. Vogel, F. E. (2000). “Islamic Law and Legal System: Studies of Saudi Arabia”. Brill.
10. Weiss, B. (1998). “The Spirit of Islamic Law”. University of Georgia Press.
11. Zysow, A. (2013). “The Economy of Certainty: An Introduction to the Typology of Islamic Legal Theory”. Lockwood Press.