

## Evaluating the Legal Authority of Şaḥābi Opinions: A Methodological Framework for Islamic Jurisprudence

A.H.M. Ershad Uddin

0000-0002-6270-9117

[ershad.uddin@kocaeli.edu.tr](mailto:ershad.uddin@kocaeli.edu.tr)

Kocaeli University, Faculty of Theology, Department of Islamic Law, Kocaeli, Türkiye  
[ror.org/0411seq30](http://ror.org/0411seq30)

Ayhan Hira

0000-0002-3574-7660

[ayhan.hira@kocaeli.edu.tr](mailto:ayhan.hira@kocaeli.edu.tr)

Kocaeli University, Faculty of Theology, Department of Islamic Law, Kocaeli, Türkiye  
[ror.org/0411seq30](http://ror.org/0411seq30)

### Abstract

**Purpose:** The present article explores the methodological and legal foundations of evaluating the opinions and actions (aqwāl and af'āl) of the Companions of the Prophet Muhammad (şaḥāba) in Islamic jurisprudence. Although historical veneration of the şaḥāba as morally exemplary authorities (‘udūl), classical Islamic legal theory is deficient in a coherent and systematic framework for determining the extent to which their statements and practices possess binding legal authority (ḥujjiyyah). In a multitude of contemporary studies on the principles of Islamic jurisprudence, the definition of the Companions (şaḥāba), their integrity (‘adālah), and the evidentiary value (ḥujjiyyah) of their statements have been examined through various approaches found in classical sources. However, the absence of a comprehensive evaluative framework is becoming increasingly evident, particularly when divergent interpretations arise within modern applications of ijtiḥād.

**Method:** Employing the method of document analysis, the present article offers a qualitative study that compares the approaches of the founding imams, such as Abū Ḥanīfa, Mālik, al-Shāfi‘ī, and Aḥmad ibn Ḥanbal, alongside those of marginal traditions like the Zāhirī and Mu‘tazilī schools, as well as contemporary legal theorists.

**Findings:** To address this gap, the study proposes a six-criteria evaluative framework: (1) textual consistency with the Qur’ān and Sunnah, (2) silent consensus (sukūti ijmā‘), (3) proximity to the Prophet, (4) historical applicability, (5) coherence with established principles of legal methodology (e.g., qiyās, istiḥsān), and (6) endorsement by the major schools of Islamic law (madhāhib). Furthermore, the study demonstrates how this methodological framework can be applied to contemporary issues. The findings also demonstrate the feasibility of employing the proposed evaluative model in addressing contemporary jurisprudential challenges, both epistemologically and practically.

**Conclusion:** The proposed study adopts a systematic approach, integrating the authority of the Companions (şaḥāba) with modern legal reasoning. This integration aims to contribute to Islamic legal thought at both theoretically and practically. The objective of this study is to fortify the methodological underpinnings of ijtiḥād drawing upon the

exemplary practices of the Companions. This endeavour aims to construct a constructive bridge that connects the rich classical tradition with the contemporary requirements.

### Keywords

İslam Law; Şahāba; Qawl al-Şahābī; Islamic Legal Theory; Hıjjah; Legal Methodology

### Highlights

- The present study proposes a structured, multi-criteria framework to evaluate the legal authority (hıjjiyyah) of the Companions' opinions in Islamic jurisprudence.
- The evaluation is based on six key criteria: conformity with the Qur'ān and Sunnah, tacit consensus (ijmā' sukūti), proximity to the Prophet, historical implementation, consistency with uşul principles, and recognition by significant madhāhib.
- The research study under consideration here proposes a reconstruction of classical typologies and offers a practical application of Companion-based legal authority in contemporary contexts such as Islamic finance, bioethics, refugee law, and digital commerce.
- The framework bridges the gap between traditional authority and modern interpretive needs by enabling sound ijtiḥād using şahābī evidence.
- It safeguards the reverence for the Companions while offering modern jurists a principled methodology for consistent and ethical decision-making.

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## Sahâbî Kavlinin Hukuki Otoritesi: İslam Hukuku İçin Yöntemsel Bir Çerçeve

A.H.M. Ershad Uddin

0000-0002-6270-9117

[ershad.uddin@kocaeli.edu.tr](mailto:ershad.uddin@kocaeli.edu.tr)

Kocaeli Üniversitesi, İlahiyat Fakültesi, İslam Hukuku Anabilim Dalı, Kocaeli, Türkiye

[ror.org/0411seq30](http://ror.org/0411seq30)

Ayhan Hira

0000-0002-3574-7660

[ayhan.hira@kocaeli.edu.tr](mailto:ayhan.hira@kocaeli.edu.tr)

Kocaeli Üniversitesi, İlahiyat Fakültesi, İslam Hukuku Anabilim Dalı, Kocaeli, Türkiye

[ror.org/0411seq30](http://ror.org/0411seq30)

### Öz

**Amaç:** Bu makale, Hz. Muhammed'in sahâbîlerinin (şahâba) söz ve fiillerinin (akvâl ve ef'âl) İslam hukukundaki bağlayıcılık düzeyini (hücciyet) değerlendirmeye yönelik yöntemsel ve hukukî temelleri incelemektedir. Sahâbe tarihsel olarak adil ve güvenilir otoriteler ('udûl) olarak görülse de, klasik İslam hukuk teorisinde onların görüş ve uygulamalarının ne ölçüde bağlayıcı olduğuna dair sistemli ve bütüncül bir değerlendirme çerçevesi bulunmamaktadır. Bu konuda günümüz araştırmacıları tarafından yapılan birçok fıkıh usulü çalışmasında sahâbinin tanımı, adaleti ve sahâbe kavlinin hüccet değeri üzerine klasik eserlerdeki çeşitli yaklaşımlar ele alınmış olmakla birlikte, kapsamlı bir ölçüt eksikliği, özellikle çağdaş icthad uygulamalarında farklı yorumlarla karşılaşıldığında daha da belirgin hâle gelmektedir.

**Yöntem:** Makalede yazılı belge analizi yöntemi kullanılarak nitel bir çalışma ortaya konmakta, bu bağlamda Ebû Hanîfe, Mâlik, Şâfiî ve Ahmed b. Hanbel gibi kurucu imamların yaklaşımlarıyla birlikte, Zâhirî ve Mu'tezilî gibi marjinal gelenekleri ve çağdaş hukuk teorisyenleri ile mukayeseli bir analiz sunulmaktadır.

**Bulgular:** Bu boşluğu gidermek amacıyla çalışma, altı ölçütlü bir değerlendirme modeli önermektedir: (1) Kur'an ve Sünnet ile metinsel uyum, (2) Sukûtf icmâ, (3) Hz. Peygamber'e yakınlık, (4) Tarihsel uygulanabilirlik, (5) Usûl ilkeleriyle tutarlılık (kıyâs, istihsân gibi), ve (6) Ana hukuk ekolleri (mezhepler) tarafından onaylanmış olma. Ayrıca bu yöntemsel çerçevenin günümüz meselelerine nasıl uygulanabileceği de gösterilmektedir.

**Sonuç:** Sahâbe otoritesini çağdaş hukuk mantığı ile birleştiren sistemli bir yöntem önererek İslam hukuk düşüncesine teorik ve pratik düzeyde katkı sağlamayı, sahâbeye dayalı icthadın metodolojik temellerini güçlendirerek, klasik gelenek ile modern ihtiyaçlar arasında kurucu bir köprü kurmayı amaçlayan bu çalışmada elde edilen sonuçlar, önerilen değerlendirme modelinin, sahâbe otoritesinin çağdaş fıkıh problemleri karşısında hem epistemolojik hem de pratik düzeyde anlamlı biçimde kullanılabileceğini gösterecek mahiyettedir.

### Anahtar Kelimeler:

İslam Hukuku; Sahabe; Sahabi Kavli; İslam Hukuk Teorisi; Hüccet; Hukuki Yöntem

## Öne Çıkanlar

- Bu çalışma, sahabe kavlinin hüccet değerine (hujjiyyah) dair sistematik ve çok kriterli bir değerlendirme çerçevesi önermektedir.
- Çalışma, sahabe kavlinin Kur'an ve Sünnet ile uyumu, sukûtî icmâ, Hz. Peygamber'e yakınlık, tarihsel uygulama, usûl ilkeleri ile tutarlılık ve mezhep onayı gibi altı temel ölçüte göre değerlendirilebileceğini savunur.
- Araştırma, klasik fıkıh literatüründe yer alan görüşlerin sistematik olarak tasnif edilmesini sağlarken modern problemlere (örneğin İslami finans, dijital sözleşmeler, organ bağıışı) uygulanabilir bir yapı sunar.
- Sahabe kavlinin günümüz şartlarında bağlayıcılığını belirlemek için geliştirilen bu metodoloji, geleneksel otorite ile çağdaş içtihad arasında köprü kurmayı amaçlar.
- Bu yaklaşım hem sahabenin örnekliğini korur hem de çağdaş hukukçulara istikrarlı ve kaynak temelli karar verme süreçleri sunar.

## Atıf Bilgisi

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## Introduction

The term *ṣaḥāba* (Companions) is the plural form of *ṣaḥābī*, which literally means “companion” or “associate.” In the context of *uṣūl al-fiqh* (principles of Islamic jurisprudence), the prevailing definition of a *ṣaḥābī* is “a person who, having embraced faith, spent sufficient time with the Prophet Muḥammad such that he could be considered a companion according to customary understanding.”<sup>1</sup> The expression *qawl al-ṣaḥābī* refers to the opinions of these Companions regarding juristic matters that can be understood through reason (*ʿaql*) or transmitted sources (*naql*).<sup>2</sup> Within Islamic legal theory, debates concerning the binding authority of the Companions’ statements primarily focus on those who were particularly prominent in deriving rulings and transmitting reports. Consequently, the term “*fatwā* of the Companion” or “school (*madhhab*) of the Companion” has also been used interchangeably with *qawl al-ṣaḥābī*.<sup>3</sup>

Islam is a religion with a legal framework, with Allah and His Messenger as the ultimate source of legislation.<sup>4</sup> Since the Companions of the Prophet Muhammad (*ṣaḥāba*) made decisions and applied legal reasoning to develop Islamic law, their actions have remained important throughout Islamic history. Due to their roles as direct followers of the Prophet and early Islamic practice observers, the *ṣaḥāba* acted as both messengers of religious knowledge and founders of legal responses to emerging matters through their independent reasoning (*ijtihād*) and their collective judgments (*ijmā*).<sup>5</sup>

In classical Islamic jurisprudence, particularly in cases where other primary sources prove insufficient, the statements (*aqwāl*) and actions (*aʿfāl*) of the Companions are, under certain conditions, regarded as an authoritative source of legal reasoning. Although the Companions possess established authority, their statements exist without uniformity. Different legal interpretations of various issues have led to multiple debates on which legal perspectives should be prioritised.<sup>6</sup> *Uṣūl* scholars have examined the evidentiary value (*ḥujjah*) of *ṣaḥābī* reports; however, their traditional research lacks definitive methods to resolve disagreements among the Companions’ statements. The situation has become even more critical in modern times, as legal experts must decide without a definitive *ijma*’ consensus and direct Quranic textual evidence. This research presents an organised system to handle and manage the various opinions that emerge among the *ṣaḥāba*. The methodology employs classical legal theory and historical practice to establish evaluative criteria, including alignment with the Qurʾān and Sunnah, tacit consensus, proximity to the

<sup>1</sup> ʿUthmān ibn ʿAmr ibn al-Ḥājjib, *Muntahā al-wuṣūl wa-l-amal fī ʿilmay al-uṣūl wa-l-jadal* (Beirut: Dār al-Kutub al-ʿIlmiyya, 2000), 149.

<sup>2</sup> Muḥammad ibn al-Ḥusayn Abū Yaʿlā al-Farrā, *al-ʿUdda fī uṣūl al-fiqh* (Riyadh, 1990), 4/1187.

<sup>3</sup> ʿAlī ibn Muḥammad Āmidī, *al-Iḥkām fī uṣūl al-aḥkām* (Saudi Arabia: Dār al-Ṣumayʿī, 2003), 4/155.

<sup>4</sup> Abdullah Ünalan, “Sahâbî Kavlinin Hücciyeti”, *Bitlis İslamiyat Dergisi* 1/2 (2019), 20.

<sup>5</sup> Ahmet Yaman, “Sahâbenin Fikhî Mezheplere Kaynaklığı” (The Companions as Sources for Jurisprudential Schools), *Necmettin Erbakan Üniversitesi İlahiyat Fakültesi Dergisi* 38/38 (2014), 12; Mohamad Sobirin - Karimatul and Khasanah, “The Pesantren Scholars’ Fatwa on Global Warming and Climate Change: An Integrative Analysis of Islamic Law, Theology, and Environmental Sciences on the Practice of Multidisciplinary Ijtihad,” *Cogent Arts & Humanities* 10/1 (2023), 2193023.

<sup>6</sup> Musa Günay, “İmam Ebû Hanîfe’nin Sahâbî Kavli ile İlgili Görüş ve Uygulamaları,” *Harran Üniversitesi İlahiyat Fakültesi Dergisi* 18/29 (2013), 121; Ahmed Gad Makhlouf, “Evolution of Islamic Law in the 20th Century: The Conception of Collective Ijtihad in the Debate Between Muslim Scholars,” *Oxford Journal of Law and Religion* 9/1 (2020), 157–178.

Prophet Muhammad, and application of these practices in early Islamic communities. This study aims to make a practical contribution to contemporary jurists and scholars by transforming the evaluative criteria related to şahāba-based legal reasoning into a functional approach.

English scholarship on şahāba aqwāl and af'āl provides a limited understanding because it fails to study the Qur'ān and the Sunnah, as well as classical legal manuals, directly. English-language scholarship has also made significant intellectual contributions to the study of Islamic legal methodology, especially in formative legal reasoning and uşūl al-fiqh, but central concepts such as 'amal ahl al-Madīna remain peripheral to much of this work. Simultaneously, the doctrinal and madhhab-based views on the legal authority of şahābī statements and actions have been studied extensively by classical Arabic sources and contemporary Turkish scholarship. Notwithstanding this range of scholarship, much of the current literature is descriptive and lacks a systematic methodology for prioritizing divergent Companion opinions in modern ijtihād settings.<sup>7</sup>

### 1. The Virtue and Legal Authority of the Şahāba

As mentioned above, the Companions whose statements have been the subject of debate among scholars of uşūl regarding their binding authority are particularly those who were well-known for their ability to derive legal rulings and transmit reports.

Setting aside the Shia perspective, which differs on the justice of the Companions, the Sunni segment of the Muslim community generally accepts the Companions as upright and fair ('udūl); this belief is based on Qur'ānic verses, prophetic traditions, and the consensus of Muslims.<sup>8</sup>

The main feature of classical Islamic literature focuses on the şahāba's moral excellence alongside their ability to endure challenges while upholding justice in every aspect.<sup>9</sup> Islamic history recognises them as veritable revelers and authoritative jurists because of their exemplary ethical conduct. The concept of justice ('adāla)<sup>10</sup> is extended throughout ḥadīth transmission to provide interpretive legal contributions to these rulers.<sup>11</sup> Anas ibn Mālik (d. 93/711-12) and al-Shāfi'ī, along with Abū Muḥammad 'Alī ibn Ḥazm (d. 456/1064), acknowledged şahāba views as ḥujjah, meaning valid legal sources when such views were supported through textual and rational proofs.<sup>12</sup> Their closeness to the Prophet and their

<sup>7</sup> In the case of English literature, the seminal ones are Umar F. Abd-Allah, *Medina: Islamic Legal Reasoning in the Formative Period*; Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*; and Hamid Pongoliu, *The Existence of the Statement of the Companions and Its ḥujjah*. Classical Arabic texts that mention the issue of şahābī statements and actions are Ibn al-Athīr, *Usd al-Ghāba*; Ibn Ḥajar al-'Asqalānī, *al-Işābah*; Abū Nu'aym al-Aşbahānī, *Ma'rifat al-Şahābah*; and al-Āmidī, *al-Iḥkām fī uşūl al-aḥkām*. Taha Nas, Halil İbrahim Demir, Salih Erdem, Recep Özdemir, Yunus Apaydın, Ahmet Yaman, Recep Çetintaş, Musa Günay, and Abdullah Ünalın have also written postgraduate theses and articles on qawl al-şahābī.

<sup>8</sup> For discussions on this subject, see Harun Reşit Demirel, "Adālet Kavramı ve Şia'da Sahābenin Adāleti Meselesi," *Mütefekkir* 2/3 (2015), 41-76; Süleyman Besler, "Fisku'r-Râvî Bağlamında Sahābenin Adaleti", *Asya Studies* 6/20 (2022), 169-188. (see References).

<sup>9</sup> *Ibid.* Fakhr al-Dīn Rāzī, *al-Maḥşūl fī 'ilm uşūl al-fiqh* (Beirut-Lebanon: Mu'assasat al-Risālah, 1998), 4/307; Muḥammad Ibn Qayyim al-Jawziyyah, *I'lām Al-Muwaqqi'in 'an Rabb al-'ālamīn*, ed. Mashhūr ibn Ḥasan (Egypt: Dār al-Hadīth, 1991), 4/110.

<sup>10</sup> Ibn Şalāh, *Muqaddimah Ibn al-Şalāh*, 260.

<sup>11</sup> Āmidī, *al-Iḥkām fī uşūl al-aḥkām*, 2/110.

<sup>12</sup> 'Alī ibn Aḥmad Ibn Ḥazm, *al-Iḥkām fī uşūl al-aḥkām* (Egypt: Dār al-Hadīth, 1404), 5/92.

moral authority gave their spoken words (aqwāl) and deeds (af'āl) special authority in legal interpretation.

Ibn Hāzım established three categories for companions based on their issuance of legal verdicts through his analytical system. Mukthirūn's group includes prominent companions such as 'Umar ibn al-Khaṭṭāb, 'Ā'ishah bint Abī Bakr, 'Abd Allāh ibn 'Abbās and Ibn Mas'ūd because of their extensive engagement in legal activities. Law scholars and debates about early ijtihād rely heavily on these statistical figures regarding the companions. The Mutawassiṭūn issued fatāwā at a lower frequency yet continued to make significant contributions to the development of early Islamic law.<sup>13</sup> The third category, Muqillūn, comprises companions for whom few legal opinions have survived. These historical divisions serve practical evaluation needs in jurisprudence, although they primarily exhibit a biographical character. The number of cases in which a şahâbî interpreted with consistent reasoning helped to determine their legal authority.<sup>14</sup>

According to this research, such factors, along with alignment with Qur'ānic and Sunna principles and community consensus, provide an objective framework for assessing şahāba opinions. Due to this section's emphasis, its virtuous nature holds practical significance in Islamic law.

## 2. The Influence of the Şahāba on the Formation of Islamic Law

The influence and the role of a şahâbî have been the subject of scholarly debate, particularly regarding the extent of association required to be recognised as a companion of the Prophet.<sup>15</sup> Some argue that proximity to the Prophet or narrating ḥadīths were essential criteria. However, this view may be overly restrictive, as not all companions attained advanced levels of legal interpretation (*ijtihād*). Instead, the role of the companions is more broadly understood as embodying merit, righteousness, and justice, as outlined in the Qur'ān. This understanding inspires respect for the companions close to the Prophet and exemplifies these noble attributes without strict conditions. Additionally, the fact that a Companion was not only a long-time companion of the Prophet, to the extent that they could be considered a close friend, but also a jurist qualified for *ijtihād*, should be taken as the primary criterion. The şahāba played a pivotal role in the early Islamic community, ensuring the continuity of the faith through leadership, military engagement, and the spread of Islamic teachings following the Prophet's death, particularly during the era of the Rightly Guided Caliphs. Scholars such as Badr al-Dīn al-Zarkashī (d. 794/1392) have also highlighted divergences in the definitions of a companion between jurists and ḥadīth scholars, especially concerning the duration of an individual's association with the Prophet.<sup>16</sup>

Someone can be recognised as a şahâbî of the Prophet and established through explicit and implicit means. Classical books of ḥadīth and jurisprudence employ the concept of *tawātūr* to identify şahāba, who transmit ḥadīth from individuals with collective integrity

<sup>13</sup> Ibn Hāzım, *al-Ihkām fi uşūl al-aḥkām*, 5/93.

<sup>14</sup> Ibn Hāzım, *al-Ihkām fi uşūl al-aḥkām*, 5/94-94.

<sup>15</sup> See, Muḥammad ibn Sakhāwī, *Fath Al-Mughith Sharḥ Alfıyat al-Ḥadīth Lil-Iraqi* (Cairo: Maktabat al-Sunnah, 2003); Abū al-Ḥasan Athīr, *Uşūl al-Ghābah fi Ma'rıfat al-Şahābah* (Beirut: Dār al-Kutub al-'İlmiyyah, 1994).

<sup>16</sup> Muḥammad ibn Zarkashī, *al-Baḥr al-muḥit fi uşūl al-fıqh* (Kuwait: Wizārat al-Awqāf wa-al-Shu'ūn al-İslāmiyyah, 1992), 4/301.

and credibility. Notable figures like Abu Bakr (d. 13/634) and ‘Umar ibn al-khiṭāb fall into this category.<sup>17</sup>

### 3. Methodology for Evaluating and Prioritizing Şahāba Opinions

The challenge with ranking the legal opinions of the Companions (şaḥāba) is the lack of a standardized decision-making process in classical legal thought, given that divergent fatāwā are reported within their ranks. Even though several jurists have acknowledged the evidentiary weight of şahābi opinions, the methodological treatment of dissenting views has not been adequately developed. This paper thus presents an evaluative approach organized around traditional jurisprudential arguments to explain how the authority of the Companions may be evaluated and applied in contexts of legal plurality.

The suggested model is purposefully restricted to six criteria, formulated as a minimal yet inclusive evaluative core based on recurrent justificatory patterns in classical uşūl al-fiqh discourse on qawl al-şaḥābī. Taken together, these standards reflect the main aspects by which Companion authority has traditionally been assessed, namely textual conformity, communal acceptance, epistemic proximity to Prophetic practice, historical practice, coherence within uşūl-based reasoning, and subsequent madhhab endorsement. The framework is not exhaustive; rather, it provides a clear analytical baseline that may be further developed where necessary without compromising comparability across cases.

The framework is deliberately limited to these six criteria in order to preserve methodological clarity and analytical comparability across cases, rather than expanding into an open-ended list.

The methodology of the study consists of qualitative document analysis applied to a purposive corpus of foundational uşūl al-fiqh texts, representative madhhab manuals, and uşūl works, as well as contemporary scholarly treatments of Companion authority. These texts are analyzed with regard to their explicit positions on the ḥujjiyyah of şahābi statements or actions, the grounds of preference invoked when Companion reports conflict, and the role assigned to communal practice and later school reception. The comparison is thematic and criteria-based, with positions extracted and mapped onto the six criteria in order to identify patterns of convergence, divergence, and implicit prioritization across schools and periods.

Accordingly, the evaluative framework operates through the following principles:

1. Alignment with the Qur’ān and Sunnah: An opinion of a şahābī gains priority when it aligns with the explicit scriptures of the Qur’ān and Sunnah. Islamic legal hierarchy refers to this approach in jurisprudence.

2. Early Communal Acceptance and Ijmā’ Sukūti: The absence of dissent from the Muslim community about an opinion developed by şahāba, whose reputation included legal experience, provides an unmistakable sign of its legal value. The silence of companions about a legal opinion demonstrates the existence of a hidden agreement that forms a collective decision through ijmā’ sukūti.

3. Position and Proximity to the Prophet: The legal position and geographical proximity to the Prophet Muhammad elevate the authority of opinions. Controversial cases involving legal interpretations received priority favor from Abū Bakr, ‘Umar, and ‘Alī, along with

<sup>17</sup> Shawkānī, *Irshād al-fuḥūl ilā taḥqīq al-Ḥaqq min ‘ilm al-uşūl*, 343.

‘Ā’ishah, because of their close companionship with the Prophet Muhammad and their significant roles during the Rashidun period.

4. Practical Implementation in the Early Muslim Community: Various legal opinions developed during the rightly guided caliphs achieved evidential status when they delivered practical outcomes that received community acceptance.

5. Consistency with Established Uşūl Principles: Legal authority lies with opinions that fit underneath *qiyās* (analogy), *istihsān* (juristic preference), or *maşlahā* (public interest) because they adapt to changing contexts.

6. Scholarly Endorsement in Later Legal Schools: When one of the *şahābī*’s opinions receives recognition from members of the four principal *madhāhib* (Ḥanafī, Mālikī, Şāfi‘ī, and Ḥanbalī), it provides wide acceptance of its legitimate legal basis. Although this approach is a vital evaluation tool, it requires additional evidence. This method combines the principles of historical practice with legal theory, enabling scholars and jurists to develop organised evaluations of companions’ divergent views.

This method is complementary to the approaches found in classical jurisprudence and aims to contribute to the field by offering an interpretive tool essential for contemporary *ijtihād*-based rulings in cases where there is no scholarly consensus and no clear textual evidence.

However, in terms of the typology of scholars’ views on the *ḥujjiyyah* of *şahāba* statements, which can be provided in the table below, there is a comparative overview of the significant scholarly positions regarding the evidentiary value (*ḥujjah*) of *şahāba* statements in Islamic jurisprudence, followed by the position adopted in this study:

**Table 1:** *Positions on Qawl al-Şahābī by Legal Schools and This Study*

Scholar/School	Position on Qawl al-Şahābī	Conditions
Abū Ḥanīfah (Ḥanafī)	Ḥujjah, mainly when no conflict exists (If no ruling is found in sources such as the Qur’ān, the Sunnah, and consensus ( <i>ijmā’</i> ), one of the differing legal opinions of the Companions is preferred.)	Gives priority when companions agree or when consistent with <i>qiyās</i>
Mālik ibn Anas (Mālikī)	Ḥujjah, especially in line with Madinan practice (In matters for which there is no evidence in the Qur’ān or the Sunnah, the opinion of a Companion ( <i>şahābī qawl</i> ) is regarded as analogous to the Sunnah.)	Vigorous use of <i>şahāba</i> practice as binding precedent
Al-Şāfi‘ī (Şāfi‘ī)	Not <i>ḥujjah</i> unless supported by other sources (The views upon which the Companions have reached consensus are accepted, while in cases of disagreement among them, the opinion that is closest	Earlier works are more accepting; later works are more restrictive

	to the Qurʾān and the Sunnah is preferred and acted upon.)	
<i>Aḥmad ibn Ḥanbal (Ḥanbalī)</i>	Generally, ḥujjah, if no opposition is reported	Strong reverence, especially for the four caliphs
<i>Ibn Ḥazm (Zāhiri)</i>	Not definitive ḥujjah	Requires strict textual evidence; opposes use of <i>qawl</i> alone
<i>Muʿtazilah &amp; Some Ashʿarīs</i>	Not ḥujjah on its own	Rationalists prefer <i>qiyās</i> or textual reasoning over companion reports
<i>This Study</i>	Conditional ḥujjah guided by six evaluative criteria	Prioritisation based on systematic evaluation (textual, historical, doctrinal)

Source: authors' own

Textual conformity with the Qurʾān and Sunnah functions as a minimum threshold, while the remaining criteria operate as non-hierarchical contextual evaluative considerations.

This research considers *afāl* (Section 4) before *aqwāl* (Section 5) because pre-verbal conduct inspired later legal pronouncements.

#### 4. The Practice of the People of Medina and Its Jurisprudential Impact

This section analyses how the şahāba residents of Medina formed Islamic legal traditions through their daily practices. The legal weight applied to the practice of şahāba is examined through Mālikī law, primarily because this school attributes strong jurisprudential power to its actions in creating new legal authorities. The Mālikī School takes an exceptional stance regarding the application of Medinan community practices (ʿamal ahl al-Madīna) as enforceable Islamic law. According to Mālik, the practices of the şahāba, combined with continuous community practice, earned their legal validity. The followers of Mālik documented how these activities originated from prophetic teachings, which were endorsed by the complete agreement of Madinah's population. Medinan practice is a vital link connecting divine revelation to actual Islamic legal practice. The lineage of the Medinan legal tradition derives its authenticity primarily from the practices of the şahāba in implementing Islamic teachings in Medina and its surrounding areas, which kept them close to the channels of divine revelation. All legal actions performed by şahāba serve as physical representations of the revelations delivered by the Prophet. The şahāba performed public actions that supplemented guidance for situations where the Qurʾān and Sunnah had no clear or specific text. The link between Medinan practice and şahāba conduct formed an essential aspect of the legal methodology that helped shape early legal schools.

##### 4.1. Legal Scope of Şahāba's Actions (Afāl)

Prophet Muhammad conveyed the divine revelation from Allah. However, he retained all his natural human attributes until the time in the Qurʾān, 18:110,<sup>18</sup> I am only a human being like you, only it is revealed to me. Elements of both divinely revealed instruction and

<sup>18</sup> al-Kahf 18/110.

human characteristics distinguish their functions in Islamic legal traditions.<sup>19</sup> A binding obligation is ascribed to rulings derived from divine revelation. However, as in the case of the grafting method of date palms in Medina, no such obligation is imposed on all actions arising from worldly matters.<sup>20</sup>

Research has demonstrated that since the Prophet's specific actions, undertaken without legal authority, do not apply, the actions of the *şahāba*, undertaken without revelation, require additional caution when assessing them. *Şahāba* practices provide only informative value, constituting valid evidence after a legal assessment is confirmed by supplementary data or reasoning.<sup>21</sup>

#### 4.2. The Categories of the *Şahāba*'s Actions

Jurists belonging to the *Ḥanafī* school, along with the *Shāfi'ī* and *Ḥanbalī* schools, preferred many actions of the *şahāba* over *qiyās* and accepted them as evidence.<sup>22</sup> 'Alī performed six voluntary rak'ahs during the night, while Ibn 'Abbās uttered earthquake supplications by applying analogical reasoning from established prayers.<sup>23</sup> Abū Sa'īd al-Khudrī prevented others from moving in front of him while he was praying by applying the practical teachings of the Prophet.<sup>24</sup> Different *şahāba* opinions regarding fainting and prayer established the basis for legal outcomes about making up missed prayers. 'Ammār ibn Yāsir followed up with prayer after fainting,<sup>25</sup> which led to the *Ḥanbalī* view, but other companions like Ibn 'Umar never did so and received backing from most imams regarding this matter.<sup>26</sup>

In contrast, the three eminent imams, Abū Ḥanīfah, Mālik, and Shāfi'ī, held a different stance. They contended that individuals who have fainted are not obliged to compensate for missed prayers. To support their argument, they cited Ibn 'Umar's actions, which, upon fainting and losing consciousness, did not result in the subsequent performance of the missed prayers.<sup>27</sup> The divergence of opinions within various Islamic schools of thought regarding the obligation to make up missed prayers after fainting underscores the complexity of this issue, with interpretations primarily shaped by the companions' actions.

In the case of *ta'arūḍ* (contradiction) in a *şahābī*'s actions (*af'āl*) in a narration, most scholars concur that one should not dismiss the narration simply because the *şahābī* may have forgotten it.<sup>28</sup> An example of this phenomenon can be found in the sayings and actions of 'Ā'ishah, who narrated various *ḥadīth*s that seemingly contradicted her behaviors. For instance, 'Ā'ishah relayed a *ḥadīth* stating that the Prophet sanctioned two rak'ahs for prayers during travel, yet she prayed more when traveling.<sup>29</sup> She also narrated the

<sup>19</sup> al-Khaṭīb Tabrīzī, *Mishkāt al-Maṣābiḥ* (Beirut-Lebanon: al-Maktab al-Islāmī, 1979), 147.

<sup>20</sup> Muḥammad Sulaymān Ashqar, *al-Wāḍiḥ fī uṣūl al-fiqh* (Egypt: Dār al-Salāfiyah, 1984), 100.

<sup>21</sup> Tabrīzī, *Mishkāt al-Maṣābiḥ*, 147.

<sup>22</sup> For examples on this subject, see Sarakhsī, *Uṣūl Al-Sarakhsī*, 2/6.

<sup>23</sup> 'Aṭṭār, *Ḥāshiyat al-'Aṭṭār 'alā jam' al-jawāmi'*, 2/397.

<sup>24</sup> Bayhaqī, *al-Madkhal ilá al-sunan al-Kubrā*, 3581.

<sup>25</sup> Ibn Najjār, *Sharḥ al-Kawkab al-munir*, 2/208.

<sup>26</sup> Bayhaqī, *Al-Madkhal ilá al-Sunan al-Kubrā*, 1/389.

<sup>27</sup> Bayhaqī, *Al-Madkhal ilá al-Sunan al-Kubrā*, 1/387.

<sup>28</sup> Ibn Najjār, *Sharḥ al-Kawkab al-munir*, 2/562.

<sup>29</sup> Abī Shaybah, *Muṣannaḥ Ibn Abī Shaybah*, 6/6774.

prohibition of mare's milk, but later did not adhere to it.<sup>30</sup> Additionally, she conveyed the requirement for a woman to seek her guardian's permission for marriage. Still, she defied this guidance by marrying the daughter of her brother 'Abd al-Rahmān without his knowledge or consent, while he was alive and absent in the Levant/Shām.<sup>31</sup>

The Hanafīs and some narrations from Ahmad held a different viewpoint. They argued that when a şahābī's fatwā contradicts a ḥadīth he narrated, it renders the ḥadīth's validity questionable. They asserted that such a contradiction indicates a break in the chain of transmission and that the companion's stance takes precedence over the ḥadīth in such cases.<sup>32</sup> Abū Ḥanīfah invoked a narration from Abū Hurayrah to substantiate the Prophet's statement: "If a dog licks a container belonging to any of you, wash it seven times, the first time with soil." However, it is reported directly from Abū Hurayrah that he advocated washing dishes that had been licked by a dog three times.<sup>33</sup> This scholarly disagreement underscores the intricacies of interpreting and reconciling conflicting sources within Islamic jurisprudence.

### 4.3. Examples of Variance and Legal Weight

Jurists expressed varied stances on the count of 'Takbīr' (proclamation of Allah's greatness) during the 'Eid prayer, stemming from differences observed among the şahāba in specific takbīr practices. These contrasting viewpoints among legal scholars originated from the permission granted to Muslims to vocalise takbīrs during 'Īd prayers, such as 'Īd al-Fitr and 'Īd al-Adha.

According to one point of view, there are three takbīrs in the first rak'ah, each accompanied by raising hands, followed by the recitation of al-Fātiḥah and a sūrah from the Qur'ān. In contrast, during the second rak'ah, he recommended three takbīrs without raising the hands.<sup>34</sup> This standpoint aligns with the Hanafi school of thought, elucidated in *Hashiyat Ibn Abidin*.<sup>35</sup>

Supporters of the second standpoint determined the count of takbīrs during the 'Īd prayer based on accounts attributed to Ibn Umar, who bore witness to the Adha and Fitr prayers with Abu Hurairah. Imām Mālik mentioned this in his *Mudawwanah*, and Ibn 'Abd al-Barr in *Kafi*. The Hanbali madhab also shares this view.<sup>36</sup> They advocated for seven takbīrs in the first of the two rak'ahs of 'Īd, including the opening takbīr before reciting the sūrah, and six takbīrs in the second rak'ah, including the takbīr when rising from prostration.<sup>37</sup>

Followers of the third viewpoint regarding the count of takbīrs during 'Īd prayers advocated for eight takbīrs in the first rak'ah and six in the second rak'ah, including the takbīr when standing up from prostration. This stance aligns with the perspective of the

<sup>30</sup> Tirmidhī, *Sunan al-Tirmidhī*, 1148.

<sup>31</sup> Ibn Ḥazm, *al-Iḥkām fi uşūl al-aḥkām*, 5/19.

<sup>32</sup> Sarakhsī, *Uşūl Al-Sarakhsī*, 2/6.

<sup>33</sup> Muḥammad ibn 'Alī Shawkānī, *Nayl al-awṭār min Asrār Muntaqā al-akhbār* (Saudi Arabia: Dār Ibn al-Jawzī, 1427), 1/46.

<sup>34</sup> Shams al-Dīn Sarakhsī, *al-Mabsūṭ* (Beirut: Dār al-Ma'rīfah, 1989), 1/123.

<sup>35</sup> Muḥammad Amīn Ibn 'Ābidīn, *Radd al-muḥtār 'alā al-Durr al-Mukhtār* (Riyadh: Dār 'Ālam al-Kutub, 2003), 6/72.

<sup>36</sup> 'Abdullāh Ibn Qudāmah, *al-Mughnī* (Riyadh: Dār 'Ālam al-Kutub, 1997), 3/271.

<sup>37</sup> Muḥammad ibn Rusḥd, *Bidāyat al-mujtahid wa-nihāyat al-muqtaṣid* (Riyāḍ: Dār Ibn Ḥazm, 1992), 1/217. Sulaymān Sijistānī Abū Dāwūd, *Sunan Abi Dāwūd* (Beirut: Dār al-Risālah al-'Ālamīyah, 2009), 1151; Tirmidhī, *Sunan al-Tirmidhī*, 536.

Şâfi'î School.<sup>38</sup> Their rationale is based on Ibn Umar's narration, in which he witnessed the forenoon prayer and breaking of the fast with Abu Hurairah, indicating seven takbirs before recitation initially and six in the subsequent phases.<sup>39</sup>

The disparity among the imams of various schools of thought stems from variations in narrations attributed to the Şahâba that have been transmitted. Malik, for instance, relied on Ibn 'Umar's narration, stating, "I witnessed Eid al-Adha and Fitr prayers with Abu Hurairah. He performed seven takbirs in the initial phase before reciting and five in the subsequent phase."<sup>40</sup> Imam Al-Shafi'i followed a similar practice but interpreted the seven takbirs as indicating the absence of takbirat al-ihram, akin to the absence of the five takbirs. Conversely, Abu Hanifa and other scholars in Kufa favored Ibn Mas'ud's teachings, as he had demonstrated the Eid prayers consistent with preceding Hanafi practices. However, they all endeavored to align their practices with the şahâba's practices due to the absence of explicit evidence from the Prophet himself.<sup>41</sup>

Different counts of takbirs emerged from the companions with unique observation techniques during their worship sessions. Each school followed the şahâbî authority, which was considered the most persuasive by their members. The schools did not present definitive prophetic evidence to support their positions, so they relied on companion transmissions as authoritative proof since the prophet did not speak.

#### 4.4. The value of the Legal Authority (Hujjah) of the Companions' Fatāwā in Islamic Law

The Islamic legal framework includes hujjah as its primary system for establishing religious and legal decisions.<sup>42</sup> The method employs the Qur'ān and Sunnah, supported by scholarly consensus and valid reasoning, to inform legal judgments. Scholars within the classical legal tradition have engaged in prolonged debates about the authoritative value of statements and fatāwā attributed to the companions of the Prophet Muhammad. Islamic law took shape through the essential contributions of the şahâba fatāwa. The Prophet's companionship with Muhammad gave them the necessary insight into his legal intentions and understanding of the situations he had addressed. Through their direct experience with the Prophet, they proved their threefold qualifications as witnesses to revelation, Arabic specialists, and observers of Sharia applications. Later, jurists consistently referred to their actions and statements when developing interpretive guides.

The following part, "Qawl al-Şahâbî," establishes vital definitions for evaluating statements made by Companions as legal sources.<sup>43</sup> These include mawqūf reports, statements, or actions of a Companion not directly attributed to the Prophet. Though ranked below marfū' (Prophetic) narrations, they retain significant weight, particularly in

<sup>38</sup> Şhâfi'î, *Al-Umm*, 8/395; Abū al-Ḥasan Māwardī, *al-Ḥāwī al-Kabīr fi Fiqh Madhhab al-Imām al-Shāfi'ī* (Beirut: Dār al-Kutub al-'Ilmiyah, 1999), 2/489.

<sup>39</sup> 'Alī Ibn Aḥmad Ibn Ḥazm, *Al-Muḥallā* (Beirut-Lebanon: Dār al-Kutub al-'Ilmiyah, 2001), 5/83.

<sup>40</sup> Anas ibn Mālik, *Muwatta'at Mālik* (Egypt: Muṣṭafā al-Bābī al-Ḥalabī, 1985), 434.

<sup>41</sup> Rushd, *Bidāyat al-mujtahid wa-nihāyat al-muqtaṣid*, 1/218.

<sup>42</sup> Muḥammad Hashem Kamali, *Principles of Islamic jurisprudence* (Cambridge: Islamic Texts Society, 2012), 308–312.

<sup>43</sup> Aḥmad ibn Hajar Asqalānī, *al-Muyassar 'alā Nuzhat al-naẓar* (Egypt: Maktabat Awlād al-Shaykh lil-Turāth, 2012), 360; İbrahim Halil Demir, "Fıkıh Usûlünde Şahâbî Kavlinin Hüccet Olması Meselesi," *Akademik Platform İslami Araştırmalar Dergisi* 6/2 (August 18, 2022), 230–250.

areas not explicitly covered by the Qurʾān and Sunnah. Jurists used mawqūf reports as supplementary evidence to understand how early Muslims applied Islamic principles. They are considered one level below *marfūʿ* narrations, which are directly attributed to the Prophet.<sup>44</sup>

Mawqūf statements are significant in Islamic scholarship as they provide insights into how the şahāba interpreted and applied the teachings of the Prophet Muhammad. Although not as authoritative as *marfūʿ* ḥadīths, they still have a high degree of reliability. Various scholars disagree precisely on how much authority such pronouncements from şahābī should be considered. People consider these pronouncements reliable, but others do not regard them as enforceable commands. This divergence stems not from the credibility of the şahāba, but from the epistemological status of their legal pronouncements.<sup>45</sup> The statement of a şahābī, whether an imam, judge, or mufti, does not serve as evidence against another companion except in matters of religious rulings (*Ḥukm al-taʿabbud*). In such cases, a companion's statement becomes evidence when it aligns with the apparent source of the Prophet.<sup>46</sup>

### 5. Consensus of the Şahāba (Ijmāʿ)

*Ijmāʿ* holds authority alongside the Qurʾān<sup>47</sup> and Sunna,<sup>48</sup> representing the consensus of qualified scholars (*mujtahids*) on legal matters after the Prophet's death, especially when primary sources are silent. The Shariʿah, often called 'diversity within unity,' occasionally diverges from jurists' rulings. While differences among jurists are usually seen as manifestations of divine will, expecting universal consensus on matters of *ijtihad* is impractical. When the *şahāba* unanimously agree on a legal matter, their consensus (*ijmāʿ*) is considered authoritative. This form of consensus is regarded as the most authentic and unambiguous example of *ijmāʿ* in Islamic legal theory. However, *ijmāʿ* is defined as the unanimous agreement of the *Mujtahidūn* of the Muslim community of any period following the demise of the Prophet Muhammad on any matter.<sup>49</sup>

Regarding the matter of the consensus (*ijmāʿ*) of the şahāba on a specific fatwā, the unanimous agreement among the şahāba occurred in response to the challenge faced by Abu Bakr after the Prophet's passing. This challenge involved apostates (those who refused to pay Zakat to Ebū Bakr were not apostates, on the contrary, they were muslims. They were only interpreting the verse of at-Tawba 103 differently from Abū Bakr and others. These were rebellious groups who resisted giving zakāt to Abū Bakr; however, it was not concluded that they had apostatized. Their killing was not due to apostasy, but rather because they rebelled based on an interpretation they had adopted. The majority of those who initially opposed Abū Bakr eventually came to understand the truth, their doubts were removed, and they ultimately returned to his view and agreed with him on the necessity of fighting.<sup>50</sup>

<sup>44</sup> Aḥmad ibn Hajar 'Asqalānī, *al-Nukat ʿalā Kitāb Ibn al-Şalāḥ* (Riyadh: al-Maymān, 2013), 512.

<sup>45</sup> 'Abdul-Karīm Zaydān, *al-Wajiz fī uşūl al-fiqh* (Egypt: Mu'assasat Qurtubah, 2007), 260.

<sup>46</sup> 'Aṭṭār, *Ḥāshiyat al-'Aṭṭār ʿalā jam' al-jawāmi'*, 2/397.

<sup>47</sup> Yūnus 10/71; Tāha, 20/64.

<sup>48</sup> Āmidī, *al-Iḥkām fī uşūl al-aḥkām*, 2/195.

<sup>49</sup> Kamali, *Principles of Islamic Jurisprudence*, 155.

<sup>50</sup> Māwardī, *al-Hāwī al-Kabīr fī Fiqh Madhhab al-Imām al-Şāfiʿī*, 13/101; Recep Çetintaş, "Din Özgürlüğü Bağlamında İslâm Hukukunda İrtidâd Cezasının Nedeni ve Mahiyeti," *Turkish Studies* 12/27 (2017), 127–146.

Despite performing prayers and adhering to Islam, these individuals refused to pay zakât. In response, Abū Bakr declared that he would fight against those who sought to separate prayer and zakât, basing his position on the statement of the Messenger of Allah: “I have been commanded to fight the people until they declare, ‘There is no god but Allah.’ When they do so, their lives and wealth become protected from me, except by right of Islam, and their final reckoning is with Allah.” According to this principle, their lives and property would be safeguarded under Islamic law, while their ultimate judgment would be left to Allah.<sup>51</sup>

In another illustration of this unity among the şahâba, many Muslims united after losing many Qur’ân memorisers during the War of the Apostates. ‘Umar, fearing the loss of the Qur’ân’s preservation, proposed to Abu Bakr and Zayd ibn Thâbit that they compile and record down the Qur’ân. Despite initial hesitation, ‘Umar argued that this action would benefit Islam and the Muslim community.<sup>52</sup> All the şahâba agreed, and unanimous consent was obtained to compile the Qur’ân into a single book.

Similarly, the şahâba agreed to distribute one-sixth of the estate or inheritance to the paternal and maternal grandmothers. Initially, Abu Bakr allotted this portion to the maternal grandmother, which was confusing. However, the sixth portion was split between paternal and maternal grandmothers after their deaths. No disagreements were expressed, resulting in a consensus on inheritance practices. This decision was made after the maternal grandmother’s death.<sup>53</sup>

They also agreed that anyone engaging in behavior like fornication would face severe consequences, including punishment for both the perpetrator and the recipient,<sup>54</sup> regardless of marital status, based on multiple instances of consensus in this ruling.<sup>55</sup>

### 5.1. Agreement of the Four Caliphs

A ruling or fatwâ originated from the four caliphs and became unanimous whenever no şahâba disputed its content.<sup>56</sup> The lack of opposition indicated by attributing authority to the four caliphs created unanimous approval. The protocols established by the four caliphs received agreement across the board until certain şahâba generated different reports through dissenting these decisions. Their divergent opinions towards them follow scholars’ acceptance or rejection of rulings.

Imam Ahmad Ibn Hanbal (d. 241/855) treated the statements of the four caliphs as an established consensus<sup>57</sup> through his interpretation of this tradition: “You should maintain my Sunnah along with the Sunnah of the succeeding Rightly Guided Caliphs holding onto it with determination.”<sup>58</sup> Imâm Al-Şhâfi’î (d. 204/820) made the decisions of Abu Bakr ‘Umar and Uthman preferred choices instead of other opinions when Qur’anic evidence was not available during his earliest writings.<sup>59</sup> While writing Kitâb al-Umm, he acknowledged that the Qur’ân

<sup>51</sup> Yaḥyá ibn Sharaf Nawawî, *al-Minhâj fi sharḥ Şaḥiḥ Muslim ibn al-Ḥajjāj* (Egypt: al-Maṭba’ah al-Miṣriyah bi-al-Azhar, 1929), 9/ 20.

<sup>52</sup> Abū Ya’lá Mawṣilî, *Musnad Abi Ya’lá al-Mawṣilî* (Beirut-Lebanon: Dâr al-Ma’mûn lil-Turâth, 1988), 63.

<sup>53</sup> ‘Alî Ḥasaballâh, *Uṣûl al-tashrî’ al-İslâmî* (Egypt: Ṭab’ah Maṣjid al-Salâm bi-al-Haram, 1982), 116.

<sup>54</sup> Muḥammad ibn Jarîr Ṭabarî, *Tahdhîb al-Āthâr* (Egypt: Maṭba’at al-madani, 1982), 2/780.

<sup>55</sup> Muḥammad al-Amin Shinqîṭî, *Aḍwâ’ al-Bayân fi Īdâḥ al-Qur’ân* (Jeddah: Majma’ al-fiqh al-İslâmî, 2013), 3/48.

<sup>56</sup> Abū al-Barakât ‘Abd al-Salâm Ibn Taymîyah, *al-musawwadah fi uṣûl al-fiqh* (Riyadh: Dâr al-Faḍîlah, 2001), 660.

<sup>57</sup> Ibn Najjâr, *Sharḥ al-Kawkab al-munîr*, 2/239.

<sup>58</sup> Muḥammad Ibn Tirmidhî, *Sunan al-Tirmidhî* (Egypt: Maktabat Muṣṭafá al-Bâbî al-Ḥalabî, 1977), 2676.

<sup>59</sup> Ibn Qayyim, *l’lâm al-muwaqqi’în ‘an Rabb al-‘âlamîn*, 4/106.

and Sunnah were already sufficient. However, he proposed that following the opinions of the caliphs remains acceptable if direct proof cannot be found.<sup>60</sup> His approach only validated the independent statements of individual caliphs, which followed the initial approach.<sup>61</sup>

According to Qāḍī Abū Ḥazim, any disagreement with Zayd's inheritance theories did not invalidate the immovable position of the four righteous caliphs based on dissent.<sup>62</sup> The latter criticism produced by Abū Sa'īd al-Bardāwī about Mu'tasim's treasury ruling demonstrates that interpretive strategies were evolving.<sup>63</sup>

### 5.2. Agreement Between Abū Bakr and 'Umar

Several authors use the consensus between Abū Bakr and 'Umar as valid evidence for their decisions, though they fail to identify specific authors.<sup>64</sup> The Prophet instructed the Muslims to follow Abū Bakr and 'Umar after his passing through a ḥadīth transmitted by Hudhayfah.<sup>65</sup> Due to this statement, their rulings carry enough weight to be accepted despite the conflicting viewpoints of other companions.<sup>66</sup> The companions understood their agreement would be reconsidered when discovering that the authority figures of Abū Bakr and 'Umar opposed it because of the power of their opinion.<sup>67</sup> The consensus and view of these two authorities became relevant enough to follow. Some scholars disputed using their statements as proof that should be enforced.

The scholars interpreted this ḥadīth as a supportive recommendation towards following examples rather than as a basis for legal control over other Muslims.<sup>68</sup> According to 'Ubaydullāh ibn Yazīd 'Amīr, reported through Ibn 'Uyaynah, Ibn 'Abbās followed the Qur'ān then the Sunnah and defaulted to adopt the practices of both Abū Bakr and 'Umar when no other evidence existed.<sup>69</sup> Due to his deep admiration, he revered their position as authoritative figures. The Prophet showed his belief in a speaking cow miracle alongside Abū Bakr and 'Umar based on his words as reported by Abū Hurayrah.<sup>70</sup>

### 5.3. Singular Fatwā by A Caliph

Skeptical discussions persist regarding the judicial power that comes from when the four caliphs make statements. Aḥmad ibn Ḥanbal's sound doctrine deems these statements without *ḥujjah* status since other companions maintain equal authority.<sup>71</sup>

Shāfi'ī scholars who base their argument on a narration recorded by Aḥmad maintain that a caliph's statement serves as authoritative proof that surpasses other opinions,

<sup>60</sup> Muḥammad ibn Idrīs Shāfi'ī, *Al-Umm*, ed. Rif'at Fawzī 'Abd al-Muṭṭalib (Egypt: Dār al-Wafā', 2001), 8/763.

<sup>61</sup> Şalāḥ al-Dīn Abū Sa'īd 'Alā'ī, *Ijmāl Al-Işābah Fī Aqwāl al-Şahābah*, ed. Muḥammad Sulaymān al-Ashqar (Kuwait: Jam'iyat Iḥyā' al-Turāth al-Islāmī, 1987), 47.

<sup>62</sup> Khayr al-Dīn Ziriklī, *al-A'lām* (Beirut-Lebanon: Dār al-'Ilm lil-Malāyīn, 2002), 11/114.

<sup>63</sup> Abū Bakr Sarakhsi, *Uşūl Al-Sarakhsi*, ed. Abū al-Wafā al-Afghānī (India: Lajnat Iḥyā' al-Ma'ārif al-'Uthmāniyah, 1993), 1/318.

<sup>64</sup> 'Alā'ī, *Ijmāl al-Işābah fī aqwāl al-şahābah*, 52.

<sup>65</sup> Tirmidhī, *Sunan al-Tirmidhī*, 3662; Ahsan Dawi Mansur - Siti Murtiningsih, "Justice Ontology; A Study of 'Umar Ibn Al-Khaṭṭāb's Ijtihād," *Al-Ahkam* 31/1 (2021), 91-108.

<sup>66</sup> Sarakhsi, *Uşūl al-Sarakhsi*, 1/106.

<sup>67</sup> Ibn Qayyim, *l'lām al-muwaqqi'īn 'an Rabb al-'ālamīn*, 4/124.

<sup>68</sup> Shawkānī, *Irshād al-fuḥūl ilā taḥqīq al-Ḥaqq min 'ilm al-uşūl*, 394.

<sup>69</sup> Ibn Qayyim, *l'lām al-muwaqqi'īn 'an Rabb al-'ālamīn*, 4/124.

<sup>70</sup> al-Nasā'ī, *Sunan al-nisā'ī*, 8057.

<sup>71</sup> Ibn Taymiyah, *almswdh fī uşūl al-fiqh*, 663.

particularly when it follows the practices of the rightly guided caliphs.<sup>72</sup> Ibn Mas'ūd declared that when weighing the knowledge of 'Umar against all other individuals, his knowledge would remain heavier.<sup>73</sup> The Prophet sought guidance for the heart and tongue of 'Alī before sending him to Yemen. 'Alī declared himself confident about his ability to make proper decisions.<sup>74</sup> 'Ikrima emphasised that for Ibn 'Abbās to establish the legal validity of a ruling from 'Alī, no additional verification was necessary.<sup>75</sup>

Al-Ihkām by Ibn Ḥazm recorded that statements released by the caliphs should be accepted as true consensus.<sup>76</sup> The proclamation of any of the four successors in unopposed statements can act as legal evidence based on the Prophet's command, the remarkable qualities of Abū Bakr and 'Umar, and the Prophet's assignment of prayer leadership to Abū Bakr.

#### 5.4. Widely Accepted Statements (Without Objection)

Such statements from Companions who added one to three extra words about a topic became valid legal evidence through general agreement. The Companion statements that gained widespread passive approval, according to Alā'ī in *Ijmāl al-Iṣābah fī Aqwāl al-Ṣaḥābah*, are classified as *Ijmā' Sukūti*.<sup>77</sup>

The work *I'lām al-Muwaqqi'īn* contains multiple scholarly perspectives, according to Ibn al-Qayyim (d. 751/1350). Such statements from Companions served as legal evidence because most juristic schools accepted them as forms of consensus. Few scholars accepted these statements as supporting evidence, but many theologians denied them as valid evidence.<sup>78</sup> In his view, Ibn Ḥazm quoted Shāfi'ī to declare that such statements ought not to serve as proof or consensus. 'Isā ibn Abān, along with al-Bāqillānī, Dā'wūd al-Zāhirī, and several individuals belonging to the Mu'tazilite tradition, maintained this position.

The view of Shāfi'ī established that consensus could be established when the backing majority was large, and the minority remained silent regardless of a particular saying's initial origins from one to two individuals. Consensus as proof failed to exist when numerous scholars did not express their affirmation. The interpretation regarding this matter showed the separation between different educational institutions.<sup>79</sup> In the opinion of Abū Bakr al-Marwazī al-Sanjī, a Companion's unchallenged comment, which survived historical preservation, qualified as authentic evidence.<sup>80</sup>

According to Al-Zarkashī, there was consensus if the Shāfi'ī community-maintained approval of this view regardless of its initial origin from one or two scholars.<sup>81</sup> Al-Jubbā'ī supported this position for accepted beliefs.<sup>82</sup> The ṣaḥāba maintained their silence when

<sup>72</sup> 'Alā'ī, *Ijmāl al-Iṣābah fī aqwāl al-ṣaḥābah*, 53.

<sup>73</sup> Abī Shaybah, *Muṣannaf Ibn Abī Shaybah*, 32666.

<sup>74</sup> Aḥmad ibn 'Alī -Nasā'ī, *Sunan al-nisā'ī* (Beirut-Lebanon: Dār al-Ma'rifa, 2001), 8363.

<sup>75</sup> Aḥmad ibn 'Alī Bayhaqī, *al-Madkhal ilā al-sunan al-Kubrā* (Egypt: Dār al-khulafā' lil-Kitāb al-Islāmī, 1983), 52.

<sup>76</sup> Ibn Ḥazm, *Al-Ihkām Fī Uṣūl al-Ahkām*, 4/219.

<sup>77</sup> 'Alā'ī, *Ijmāl al-Iṣābah fī aqwāl al-ṣaḥābah*, 20.

<sup>78</sup> Ibn Qayyim, *I'lām al-muwaqqi'īn 'an Rabb al-'ālamīn*, 4/104.

<sup>79</sup> 'Abd al-'Azīz 'Alā' al-Dīn, *Kashf al-asrār 'an uṣūl Fakhr al-Islām al-Bazdawī* (Istanbul: Maṭba'at al-Sharikah al-Ṣaḥāfiyah al-Uthmāniyah, 1308), 3/ 249.

<sup>80</sup> Zarkashī, *Al-Baḥr al-Muḥīṭ Fī Uṣūl al-Fiqh*, 6/61.

<sup>81</sup> Zarkashī, *Al-Baḥr al-Muḥīṭ Fī Uṣūl al-Fiqh*, 6/61.

<sup>82</sup> 'Alā' al-Dīn, *Kashf al-asrār 'an uṣūl Fakhr al-Islām al-Bazdawī*, 3/229.

they agreed with something based on their reputation for truthfulness and justice because silence indicated their acceptance of a matter. Whenever false information existed in the community, they did not remain silent. The acceptance of something through silence alone generates evidence supporting it.<sup>83</sup> ‘Umar and Ibn Mas‘ūd ensured that a woman who conceives from a relative can do as she wants regarding the womb of a mahram.<sup>84</sup> Ibn al-Zubayr and Abū al-Dardā’ provided opinions about ill health<sup>85</sup> inheritance and marriage. At the same time, Ibn ‘Umar and al-Barzā decided on post-separation sales practices,<sup>86</sup> and Umm Salamah (d. 62/681), along with ‘Uthmān ibn Abī al-‘Āṣ, discussed post-partum bleeding duration.<sup>87</sup>

### 5.5. Singular or Unspread Statements

Amongst şahāba members, a regular occurrence involves those who deliver statements or rulings without influencing disagreement or holding distinguished authority. A debate exists among scholars regarding the legal validity of individual statements made by Companions. Three main views emerge: some scholars see them as valid proof; others reject them; and a third group accepts them only if they contradict analogical reasoning (qiyās), not when they align with it.<sup>88</sup> Most scholars, especially the Ḥanafī school, affirm the authority of such statements. Muḥammad ibn al-Ḥasan al-Shaybānī (d. 189/805) articulates this view, drawing on Abū Ḥanīfah’s position.<sup>89</sup> Mālik ibn Anas (d. 179/795) and his school also support it, with *al-Muwatta’* cited as evidence. Işhāq ibn Rāhwayh, Abū ‘Ubayd, Sufyān al-Thawrī, and others echo this view.<sup>90</sup> Imām Aḥmad ibn Ḥanbal reinforced this stance, though later, Ḥanbalī scholars sometimes hesitated to treat these statements as binding.<sup>91</sup>

In his early works, Imām al-Shāfi‘ī praised the companions’ knowledge and adopted uncontested opinions.<sup>92</sup> However, in his later work (*al-jadīd*), he questioned whether a singular statement lacking Qur’ānic, Sunnah, or consensus-based support should be followed. He concluded that if no textual or rational evidence exists, it may be attributed to the şahābī or analogized accordingly.<sup>93</sup> Al-Zarkashī, a later Shāfi‘ī scholar, agreed, stating that even widely accepted şahābī statements are not conclusive evidence of a position transmitted by Abū Bakr al-Bayhaqī (d. 458/1066).<sup>94</sup>

The şahāba hold an exceptional standing because they interacted one-on-one with the Prophet while grasping revelation deeply and possessing a thorough knowledge of the

<sup>83</sup> ‘Alā’i, *Ijmāl al-Işābah fi aqwāl al-şahābah*, 32.

<sup>84</sup> ‘Alā’ al-Dīn Fawzī, *Kanz al-Ummāl fi Sunan al-aqwāl wa-al-af’āl* (Beirut-Lebanon: Mu’assasat al-Risālah, 1985), 10/ 29800.

<sup>85</sup> Aḥmad ibn ‘Alī Bayhaqī, *Ma’rifat al-sunan wa-al-āthār* (al-Manşūrah-Egypt: Dār al-Wafā’, 1991), 4062.

<sup>86</sup> Abī Shaybah, *Muşannaf Ibn Abī Shaybah*, 6/17744.

<sup>87</sup> Ibn Ḥazm, *Al-Ihkām Fi Uşul al-Ahkām*, 6/92.

<sup>88</sup> For detailed explanations on this subject, see İbrahim Halil Demir, “Fıkıh Usûlünde Sahābī Kavlinin Hücet Olması Meselesi,” *Akademik Platform İslami Araştırmalar Dergisi* 6/2 (2022), 232 (230–250).

<sup>89</sup> For an examination of the views of Ḥanafī imams and uşul scholars, see Recep Çetintaş, “Hanefi Mezhebinde Sahābe Kavlinin Hücet Değeri,” *Hitit Üniversitesi İlahiyat Fakültesi Dergisi* 16/32 (2017), 611, 617 (607–641).

<sup>90</sup> For the evidentiary value of the *qawl al-şahābī* according to Imām Mālik, see Recep Özdemir, *İmam Malik ve Sahabe Kavline Yaklaşımı* (Institute of Social Sciences: İnönü University, Master’s Thesis, 2012), 117.

<sup>91</sup> Ibn Najjār, *Sharḥ Al-Kawkab al-Munir*, 4/423.

<sup>92</sup> Zarkashī, *al-Baḥr al-muḥīt fi uşul al-fiqh*, 4/ 53.

<sup>93</sup> Muḥammad ibn İdris Şāfi‘ī, *al-Risālah* (Egypt: Muştafā al-Bābī al-Ḥalabī, 1940), 597.

<sup>94</sup> Bayhaqī, *al-Madkhal ilā al-sunan al-Kubrā*, 109.

beleaguered implications and technicalities.<sup>95</sup> Some of their statements may represent the unspoken Sunna, as they often issued rulings rooted in the Prophet's teachings without explicitly attributing them to him. When such statements reflect direct transmission or sound *ijtihād*, they deserve priority over later opinions.

Whether rooted in transmission or reasoning, the *şahāba*'s views carry weight. If a ruling is based on *ijtihād*, it still surpasses that of the *Tābī'in* due to the *şahāba*'s linguistic mastery and proximity to the Prophet's practice.

Conversely, several later scholars from the four Sunni schools and theologians such as the Ash'arīs and Mu'tazilites held that a singular companion's statement lacks definitive authority.<sup>96</sup> They supported their view using verses from *Sūrat al-Nisā*<sup>97</sup> and *Sūrat al-Ḥaşr*,<sup>98</sup> noting that although the *şahāba* possessed knowledge and piety, they were not immune to error in *ijtihād*.

Ibn Mas'ūd and Abū Bakr acknowledged fallibility in their judgments, attributing any errors to themselves or Satan.<sup>99</sup> They emphasized that only Allah's guidance is infallible and encouraged critical engagement with legal opinions, including their own. The Prophet alone is to be followed without exception. Even among the *şahāba*, differences of opinion were respected. Neither Abū Bakr nor 'Umar condemned dissent when it was based on sincere reasoning.<sup>100</sup>

The companions did not enforce blind adherence to their views. 'Uthmān followed a different approach to 'Alī by permitting *Tamattu'*, although they had different opinions on this belief. The position held by 'Uthmān regarding his actions proved to be optional. 'Abdullāh maintained different views compared to 'Umar concerning when to perform *Umrah* during *Hajj*. Pure evidence surpasses individual declarations when making decisions because logical beliefs and maintained evidence carry decisive power.<sup>101</sup> Followers should opt for *şahābī* statements instead of their inclinations when no supporting proof exists. The emergence of specific, unmistakable evidence demands that it receives priority above all existing statements, regardless of origin.<sup>102</sup> Disagreements among the companions reveal a rich legal pluralism. One *şahābī*'s opinion does not invalidate another's, and all were acknowledged for their scholarly effort.

While the companions' views in *ijtihād* are respected, the four significant *Imāms* viewed them as potentially weak when unsupported. *Imām* Abū Ḥanīfah valued their opinions but prioritised textual proof.<sup>103</sup> Similarly, *Imām* al-Shāfi'i used *şahābī* views in the absence of *Qur'ān* or *Sunnah* guidance but still favored alignment with more substantial evidence or the consensus of rightly guided caliphs.<sup>104</sup>

<sup>95</sup> Nancy Khalek, "Al-Dāraquṭnī's (d. 385 Ah) Faḍā'il al-Şahāba: Mild Anger and the History of Emotions in Religious Merits Literature," *Bulletin of SOAS* 83/3 (2020), 415–436.

<sup>96</sup> Ibn Qayyim, *I'lām al-muwaqqi'in 'an Rabb al-'ālamīn*, 4/106.

<sup>97</sup> *an-Nisā* 4/59.

<sup>98</sup> *al-Ḥaşr* 59/7.

<sup>99</sup> Fawzī, *Kanz al-'Ummāl fī Sunan al-aqwāl wa-al-af'āl*, 10/29500.

<sup>100</sup> Abū Ḥāmid Ghazālī, *al-Mustaşfā min 'ilm al-uşūl* (Saudi Arabia: Sharikat al-Madīnah al-Munawwarah lil-Ṭibā'ah, 2007), 2/451.

<sup>101</sup> Bayhaqī, *al-Madkhal ilā al-sunan al-Kubrā*, 9136.

<sup>102</sup> Āmidī, *Al-Ihkām Fī Uşūl al-Ahkām*, 4/182.

<sup>103</sup> Muḥammad Abū Zahrah, *Uşūl al-fiqh* (Beirut-Lebanon: Dār al-Fikr al-'Arabī, 1997), 196.

<sup>104</sup> Shāfi'i, *al-Umm*, 8/763–764.

Two prominent views exist on whether a companion's statement overrides analogy. The first, supported by Aḥmad, most Ḥanafīs, and some Shāfī'īs, holds that such a statement must be followed. It is considered a *Marfū'* ruling, meaning it implicitly reflects Prophetic teaching and overrides *qiyās*. The second, supported by most Shāfī'īs and some Ḥanbalīs, maintains that it is only accepted when no contrary evidence exists. In this view, legal value depends on scholarly validation within each school.<sup>105</sup>

The second opinion, endorsed by most Shāfī'īs, 'Abdullāh ibn 'Abd al-Raḥmān Ibn 'Aqīl (d. 513/1119), and Abū al-Khaṭṭāb among the Ḥanbalīs, contends that the şahāba statement in contradiction to an analogy does not hold sway. Instead, its legal status is determined by the scholars of the respective school.<sup>106</sup>

According to this perspective, when a companion's statement contradicts an analogy, it can only be accepted as evidence when there is no opposing evidence. According to Abū al-Ḥasan al-Karkhī, who died in 340/952, one can use a companion's statement when *qiyās* fails to provide a clear solution. Abū'l-Ḥasan al-Karkhī considered it obligatory to act upon the opinion of a Companion (şahābī qawl) in matters of legally defined quantities (*maqādir shar'īyya*) that cannot be proven through reason or *ijtihād*, and he attributed this view to the imams of the Ḥanafī school. Indeed, both early and later Ḥanafī jurists (*mutaqaddimūn* and *muta'akhhirūn*) are in agreement that, in matters not comprehensible through reason or independent judgment, the opinion of a Companion, provided it is not known to have been opposed, is considered authoritative (*hujjah*) for the *tābi'ūn* and subsequent mujtahids.<sup>107</sup>

Two qualified scholars, Abū al-Yusr al-Bazdawī (d. 493/1100) and Ibn al-Sā'ātī (d. 694/1295), confirmed that individual statements maintain their worth when analogy becomes ineffective.<sup>108</sup>

Understanding the legal power of companions becomes intricate, mainly when their decisions appear to develop conflicts with *qiyās* or demonstrate weak evidence.<sup>109</sup> Although their better understanding provides authority to their position, pious yet imperfect reasoning could cause them to make errors. Scholarly discussion persists about the authenticity of hadiths combined with their correct interpretation since these elements determine their authority level.

The *fatāwā* from şahāba carry significant authority, but they cannot remain unquestionable. Lawmakers must first refer to the Qur'ān and Sunnah as their fundamental sources. The interpretation of a şahābī remains accepted when there is no explicit Quranic or Sunnah evidence but must avoid contradicting stronger authentic information.

### 5.6. Epistemological Skepticism in Companion Authority

Sunni jurists accept *qawl al-şahābī* as some evidence, while dissenting scholars, primarily from rationalist and literalist schools, question its fundamental validity as proof.

<sup>105</sup> Ibn Najjār, *Sharḥ Al-Kawkab al-Munir*, 4/424.

<sup>106</sup> 'Alā' al-Dīn Ba'ī, *al-Qawā'id wa-al-fawā'id al-uşūliyah wa'mā'iyah min al-aḥkām al-far'iyah* (Beirut-Lebanon: al-Maktabah al-'Aşriyah, 1998), 296.

<sup>107</sup> Çetintaş, "Hanefi Mezhebinde Sahābe Kavlinin Hüccet Değeri", 611.

<sup>108</sup> Rāzī, *al-Maḥşūl*, 6/129.

<sup>109</sup> Salih Erden, "Hanefi Mezhebinin Deliller Hiyerarşisinde Sahābī Kavlinin Kıyas Karşısındaki Konumu," *Düzce İlahiyat Dergisi* 8/1 (2024), 87–114.

The Mu'tazilah<sup>110</sup> and some Ash'ari<sup>111</sup> scholars maintained that moral uprightness does not prove that legal experts cannot make mistakes. According to their doctrinal view, rational or textual certainty (qat'iyah) proves stronger than status-based authority for deriving hüjjiyyah. Wael B. Hallaq explains that such criticism develops from Sunni legal epistemological concerns about how inherited consensus (ijmā') and companion reports could eliminate rational assessment; he also adds that the classical theory effectively blocked genuine epistemological examination through its self-evident acceptance of Companion reports and consensus.<sup>112</sup>

According to Ibn Hāzım (d. 1064) and other Zāhirī works, the school rejected şahāba principles unless they obtained their authority from the Prophet Muhammad directly. Ibn Hāzım asserts that şahābî qawl serves as hüjjah exclusively when it has a marfūc transmission or proof from clear revelation. According to his writing, the declaration of a Companion lacks binding legal proof but constitutes information for consideration, provided it contains either direct reports from the Prophet or unanimous acceptance.<sup>113</sup>

Among Sunni orthodox schools of thought, particularly Hānafīs,<sup>114</sup> and Hānbalīs,<sup>115</sup> followed qawl al-şahābī as a valid authority unless a conflicting interpretation emerged or stronger evidence appeared. The dispute between Shia and Sunni jurisprudence creates a fundamental disagreement about whether law stems from direct contact with the Prophet through moral distinction or whether it requires logical verification methods. According to scholar Mohammad Hashim Kamali, modern scholars should approach the Companion authority through the lens of maqāsid-based reasoning instead of relying solely on historical transmissions because Companion opinions should receive evaluation based on higher objectives before being declared authoritative.<sup>116</sup>

Shīcī scholars avoid accepting statements made by Companions due to their doctrinal and political views.<sup>117</sup> As a marja' in the twentieth century, Sayyid al-Khū'ī identifies groups of Companions through individual assessments in his work Mu'jam Rijāl al-Ḥadīth without granting them general authority because he focuses on the Imams' proximity and doctrinal attributes.<sup>118</sup> Shīcī doctrine about authoritative religious guidance declares that Imams from Ahl al-Bayt possess infallibility and authority regarding law.<sup>119</sup>

The proposal establishes an organised procedure transforming the knowledge base from status-based worship to comprehensive evaluation criteria. The six selected criteria assess

<sup>110</sup> See, Abū al-Ḥusayn Muḥammad Mu'tazilī, *al-Mu'tamad fi uşūl al-fiqh* (Beirut: Dār al-Kutub al-'İlmīyah, 1403), 831-836.

<sup>111</sup> Fakhr al-Dīn Rāzī, *al-Maḥşūl fi 'İlm Uşūl al-Fiqh* (Beirut: Mu'assasat al-Risālāh, 1997).

<sup>112</sup> Wael B. Hallaq, *Authority, Continuity, and Change in Islamic Law* (Cambridge: Cambridge University Press, 2001), 104. See, Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005).

<sup>113</sup> 'Alī ibn Aḥmad Ibn Hāzım, *Al-Iḥkām fi Uşūl al-Aḥkām* (Beirut: Dār al-Jil, 1987), 1/68; 4/539, 598.

<sup>114</sup> Sarakhsi, *al-Mabsūṭ*, 1/295-298.

<sup>115</sup> Abdullāh ibn Qudāmah, *Rawḍat al-Nāzir* (Beirut: Mu'assasat al-Rayyān lil-Ṭibā'ah, 2002), 198-200.

<sup>116</sup> Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 2003), 313-317.

<sup>117</sup> al-Ḥasan Yūsuf Ibn Ḥilli, *Mukhtalaf al-Shī'a fi Aḥkām al-Sharī'a* (Qom: Mu'assasat al-Nashr al-Islāmī, 1412); See also, Abī Ja'far Ṭūsī, *Uddat al-Uşūl* (Qom: Mu'assasat al-Nashr al-Islāmī, 1416), 2/672-680.

<sup>118</sup> Abū al-Qāsim Khū'ī, *Mu'jam Rijāl al-Ḥadīth* (Qom: Madrasat al-Imām al-Khū'ī, 1970), 1.

<sup>119</sup> 'Alī ibn al-Ḥusayn Murtaḍā, *al-Dharī'a ilā Uşūl al-Sharī'a* (Qom: Markaz al-Dirāsāt al-Islāmīyya, 1422), 2/805-812.

şahāba-based evidence through textual authenticity, communal usage, and the time gap from prophetology while upholding traditional tradition and analytical standards for establishing legal precedent. Studies should investigate usūl disputes in Shi'ī theological law that question şahāba authority since Shi'ī religious beliefs contain both doctrinal and political disagreements. The study would contribute to defining the outer limits that Sunni beliefs should maintain.

### **Conclusion**

This study has addressed a crucial methodological gap in Islamic legal theory by proposing a systematic and multi-criterial framework for evaluating the legal authority (*hujjiyyah*) of the Companions' statements and actions (*aqwāl* and *af'āl al-şahāba*). While classical jurists widely recognised the status of şahāba, their opinions have historically lacked a coherent evaluative structure, especially in cases of contradiction or legal ambiguity. The framework introduced here builds upon both traditional jurisprudential insights and modern legal needs, offering six objective criteria: textual conformity, communal acceptance (*ijmā' sukūti*), prophetic proximity, historical implementation, compatibility with *uşūl al-fiqh*, and madhhab recognition.

The research delivers evaluation standards that enable scholars to create an intellectual framework that avoids accepting şahāba-based evidence indiscriminately or rejecting it altogether. This approach safeguards the beyond-reproach status of Companions' knowledge while making their thoughts accessible to modern legal scholars with a defined methodology. The paper conducts comparative academic analysis through critical study between classical literalist scholars like Ibn Ḥazm and modern perspectives proposed by Mohammad Hashim Kamali. The research incorporates Wael Hallaq's observations about Sunni legal theory epistemological closure as a critical part. The approach establishes a structured *ijtihad* system, which connects traditional principles with current complications.

While Islamic finance has served as the primary field for practical illustration, especially in the validation of *murābaḥah* models through şahābi precedents, the study has extended this analysis to bioethics, digital commerce, and refugee law, demonstrating the adaptability of the proposed methodology across evolving ethical and legal terrains.

Nevertheless, challenges remain. Future scholarship should remedy the transmission inconsistencies of historical times and subjective assessment methods that affect closeness perceptions and interpretive pluralism that exists naturally within classical jurisprudence. Researchers should focus on developing historical examinations of disputed court decisions that demonstrate specific criteria for modern-day judicial decisions. The current research suggests that the Companions' authority remains valid for judicial decision-making when properly evaluated with proper interpretive methods. The gap between classical orthodoxy and modern legal methodology advances the ongoing process of Islamic jurisprudence renewal (*tajdid*). The institution gains better capability to address our current legal, ethical, and societal needs.

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