



Jurisprudential Diversity in Early Islam: The Rise, Fall and Intellectual Survival of Extinct Legal Trepidation

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ABSTRACT

This article is an analytical and exhaustive study and research on the extinct Islamic schools of legal thought (madhahib) and measures their long-term relevance on jurisprudence of today. Although a number of four main schools of jurisprudence are currently associated with the Sunni tradition, including Hanafi, Maliki, Shafi'i, and Hanbali, the history of Islam has seen a number of other important tradition of jurisprudence that have since either faded or evaporated in the form of an institution. In this research, a particular attention will be paid to the legal methodology and the intellectual input of the prominent jurists, such as Imam al-Awza'i, Imam Sufyan al-Thawri, Imam Layth ibn Saad, Imam Abu Thawr, Imam al-Tabari, and the Zahiri school of thought developed by Imam Dawud al-Isfahani. This research explores the intricate historical background and the multidimensional causes, which resulted in the fact that these schools were eventually extinguished. Among the critical aspects evaluated are unsystematic codification of their principles, the inability of the students to maintain and transmit the juristic heritage of their masters, the inability to offer central institutional support, and the changing tastes of governing officials. Although the schools have vanished institutionally, the article does suggest that they still have a role to play in the wider history of Islamic law. With the analysis of the modern practice the paper sheds some light in how the principles and judgments of these early jurists are applicable even in the present day. Their thoughts have been assimilated into the current form of the law and they remain a source of critical resource in contemporary ijihad (autonomous legal reasoning) on solving contemporary socio-economic and mercantile problems. The author concludes that these extinct schools are too important to be ignored in the study of the diversity, breadth, and development of Islamic law.



Keywords: Extinct jurisprudential schools, Islamic legal history, contemporary Islamic law, juristic influence, Ijtihad.

INTRODUCTION

The historical landscape of Islamic jurisprudence is often viewed through the prism of the four surviving Sunni schools: the Hanafi, Maliki, Shafi'i, and Hanbali traditions. However, a deeper investigation into the first three centuries of Islam reveals a much more pluralistic and diverse legal environment. During this formative period, numerous independent jurisprudential schools (madhahib) flourished across the expanding Islamic territories. Scholarly centers emerged in the Hijaz, Kufa, Basra, Khorasan, Syria, Egypt, and the Maghreb, where multiple intellectual and legal schools were established. These schools were led by mujtahids whose intellectual rigor and legal methodologies contributed to a vast and diverse treasury of jurisprudential opinions.

The "extinction" of these schools does not imply the disappearance of their intellectual output; rather, it refers specifically to their cessation as formal institutions of taqlid (imitation). Figures such as Imam al-Awza'i, Sufyan al-Thawri, Layth ibn Sa'd, and Dawud al-Isfahani developed comprehensive legal frameworks that were once the primary authorities in major metropolitan centers. For instance, the school of Imam al-Awza'i was the dominant legal force in Syria and Andalusia for a significant period. In Syria, his madhhab remained the "legal currency" until approximately 340 AH, while it prevailed in Andalusia until the late 2nd century AH before being superseded by the Maliki school.

Understanding why these schools vanished while others survived requires an analysis beyond mere political patronage. While the preference of ruling dynasties played a significant role--such as the Umayyad enforcement of the Maliki school in Andalusia--political factors were not the sole cause. Internal factors were equally decisive, including the lack of systematic codification of their principles and the failure of students to preserve foundational texts. Imam Shafi'i famously lamented that Imam Layth ibn Sa'd was a greater jurist than Malik ibn Anas, but his students "wasted" him by failing to preserve his legacy. Furthermore, some imams, such as al-Awza'i and Sufyan al-Thawri, were influenced by zuhd (asceticism), leading them to neglect the formal preservation or circulation of their writings¹.

In the contemporary era, these extinct schools are experiencing a silent revival as their principles and rulings remain relevant to modern Islamic jurisprudence. As modern jurists face complex challenges, they look toward the diverse rulings of these vanished traditions to inform contemporary ijtihad. By exploring the principles of these schools, we uncover a rich tapestry of legal thought that offers a more expansive understanding of the Sharia and provides a basis for resolving modern socio-economic, commercial, and educational issues.

Jurisprudential School of Imam al-Awza'i and Its Demise.

Imam Abd al-Rahman bin Amr al-Awza was a great Imam of jurisprudence (Fiqh); he was born and lived most of his life in Damascus and died in Beirut. His scientific status may be measured by the fact that Imam Malik bin Anas (d. 179 AH / 796 AD) even favored the legal judgment of al-Awza'i over his own saying, Awza'i is right².

In a work of his, Al-Jarh wa-al-Taqdil, Imam Ibn Abi Hatim (d. 327 AH / 939 AD) quoted several of the letters that Imam al-Awza'i had sent to the Caliphs, where he attracted their attention to the welfare of Muslims. He was also known to speak the truth in presence of rulers without fear or shyness. Ibn Abi Hatim has also documented that once the Abbasid Governor of Syria Abdullah bin Ali al-Abbasi (d. 147 AH / 764 AD) asked the Imam about the decision regarding the killing of the Umayyads; the Imam responded, "It is unlawful". When the same

Governor said that the Caliphate belonged to the Banu Hashim, the Imam answered: That, had the Caliphate belonged to the descendants of the Messenger of Allah ﷺ, Hazrat Ali would not have consented to arbitration. By this, he implied that Ali would not have had two arbiters to adjudicate two between him and Hazrat Muawiyah in case the right was entirely hereditary³.

Imam Ibn Abi Hatim emphasized a particular part of the life of the Imam where he at various times played a crucial role in ensuring justice by rulers to the non-Muslim population in Lebanon, the Ahl al-Dhimma. Accordingly, when the noble Imam died, and the bier was being carried to his grave by the Muslims, they were surrounded by the great majority of the Christians on this side, by Jews on the other, and a body of Copts by the other side of the procession⁴.

According to Hafiz Ibn Asakir (d. 571 AH / 1176 AD), Imam al-Awza'i started to issue fatawa in 113 AH / 732 AD. He was a prolific writer but his books were burned down in an earthquake. Al-Awza'i Asnaft Although he did not write a book in jurisprudence, Imam al-Dhahabi (d. 748 AH / 1347 AD), in his *Siyar A'lam al-Nubala*, wrote about al-Awza'i having numerous invaluable opinions in jurisprudence which he had never seen. He had an independent school (Madhhab) of jurisprudence long obeyed by the jurists of Syria and Andalusia, before finally disappearing. Abu Zur al-Dimashqi reported that the student of Imam who is Haql bin Ziyad al-Dimashqi (d. 179 AH / 796 AD) said that Imam al-Awza'i issued over seventy thousand fatawa.

The first flourishing of the Awzai school was in Syria and came to Andalusia before the second half of the second century AH. Imam al-Dhahabi wrote in *Tarikh al-Islam* that the school of Awza'i stayed in Andalusia until around 220 AH, when it became weak and was replaced by the Maliki school. The school was common in Damascus up to approximately 340 AH. His Madhhab was currency of law at Syria and at Beirut during this time; and throughout the years it had died away, leaving nothing behind it but the recollection of his funeral and of his services to inter-faith justice and relations⁵. The school was founded in Andalusia even earlier than the Umayyad ascendancy to power (138 AH / 755 AD) and was still powerful until the rule of Hisham bin Abd al-Rahman which ruled between 172 AH / 788 AD and 180 AH / 796 AD⁶.

According to Qadi Iyad al-Malik, the adherence to the Maliki school was made compulsory by Emir Hisham bin Abd al-Rahman and that the judiciary and granting of fatawa was obligated to adhere to the Maliki school⁷. The school was transported to Andalusia by the student of al-Awza'i, Sa'sa'a bin Salam (d. 192 AH / 808 AD) although it continued longer in Syria until as late as the second half of the fourth century AH. According to Ibn Taymiyyah, in *majmu al-fatawa*, al-Awza'i was the Imam of the people of Syria, to whom they followed his school up until the fourth century AH. Qadi Ahmad bin Sulayman bin Hadlam (d. 347 AH / 959 AD) was the last jurist to teach the Awza'i school whom, according to Ibn Asakir, taught the Awza'i school in his circle at the Umayyad Mosque in Damascus⁸.

Jurisprudential School of Imam Sufyan al-Thawri and Its Extinction.

Imam Sufyan al-Thawri was a great jurist and an outstanding scholar of Hadith. Imam Sufyan bin Uyaynah (d. 198 AH / 814 AD) said, I have not witnessed a jurist more learned than Sufyan al-Thawri⁹. Imam al-Ajli (d. 261 AH / 875 AD) wrote in *Al-Thiqat* that the Imam was a great Muhaddith and a jurist who adhered to the Sunnah to a level that he had a special class of honor in the face of rulers and in speaking the truth¹⁰.

Imam al-Thawri was offered a position of a judge, but the Abbasid Caliph al-Mansur (d. 158 AH / 775 AD) offered it to him, and the Imam refused. To evade this treatise, he quitted Kufa

in late 155 AH /772 AD and spent the rest of his life traveling to other cities of Iraq and the Hijaz where he would not be noticed by the government until his death in Basra. A number of his books had been listed by Ibn al-Nadim (d. 384 AH / 1047 AD), in *Al-Fihrist*, and Imam al-Dhahabi had recorded, in *Siyar A'lam al-Nubala'*, that the Imam wished his books to be burnt after his death.

The school of Thawri originated in Kufa and was transmitted to the capital, Baghdad where his disciple Ubaydullah bin Abd al-Rahman al-Ashja'i (d. 182 AH / 799 AD) lived. According to *Tarikh Baghdad* by Khatib al-Baghdadi (d. 463 AH / 1072 AD), it was the students who requested that al-Ashja'i succeed the Imam as head of the teaching circle but he refused. In relation to the Imam, Sufyan al-Thawri (d. 774 AH / 1372 AD), Ibn Kathir wrote in *Al-Ba'ith al-Hathith* that over a number of centuries he was recognized as an Imam of one of the five major schools followed¹¹. But by the onset of the fifth century AH his school ceased to be in Baghdad.

According to Ibn al-Jawzi of *Al-Muntazam*, the last one to issue fatawa under the Thawri school in Baghdad was Abd al-Ghaffar bin Abd al-Rahman al-Daynuri (d. 405 AH / 1015 AD). The school found its way to Isfahan by his great pupil Numan bin Abd al-Salam al-Bakri (d. 183 AH / 800 AD)¹², an excellent ascetic and jurist; it also was flourishing in Shiraz and Jirjan (both in modern Iran). Believers were located in Khorasan, especially in Nishapur and Daynur. As with the Awza'i school, it was also successful in Syria as many students of Thawri, such as the great Sufi Bishr al-Hafi (d. 227 AH / 842 AD) and the great Sufi Mu'afa bin Imran al-Azdi (d. 184 AH / 801 AD) lived there. The Imam called the latter a Gem without parallels, and this was what Imam Ibn Hibban (d. 354 AH / 965 AD) said in *Al-Thiqat*.¹³

Qadi Hafiz Makki bin Jabar al-Daynuri (d. 468 AH / 1076 AD) was one of the most notable jurists of this school in Syria according to Ibn Asakir. Followers were present many centuries long; as Shams al-Din al-Gharbi (d. 1167 AH / 1754 AD) wrote in *Diwan al-Islam*, there were followers until about 500 AH. Nevertheless, this school probably continued longer still, since Abu Tahir al-Salafi has said that the Iraqi scholar Abd al-Rahman bin Muhammad al-Sufi (d. 501 AH / 1106 AD) followed this school and Ibn Taymiyyah even recorded followers of his own day in Khorasan. The death of this school was much due to the ascetic spirit of its carriers, the repressive disposition of the government which diminished the number of pupils, and the neglect of codifying and preserving the treasury of its jurisprudence¹⁴.

The Imam Layth bin Saad School of Jurisprudence and its demise.

Imam Layth bin Saad (d. 175 AH/ 792 AD): Imam Layth was a great Imam and prolific memorizer of Hadith and historical reports and his scholarly status was extremely high. His stature can be seen by the fact that, according to one of the students of Imam Malik, Abd Allah ibn Wahb (d. 197 AH / 813 AD), whenever Imam Malik wrote to him in his books, he meant by this that Layth bin Saad. In addition, Imam al-Shafi (d. 204 AH / 820 AD) said, Imam Layth was a superior jurist than Malik ibn Anas, yet his pupils squandered him¹⁵.

Even though the Imam was a prolific author, there are few records that are left of his original works even though, as observed by Imam al-Dhahabi, he had written voluminously. There remains only a little treatise, published together with the work of Ibn Mandah (d. 475 AH / 1082 AD) *Al-Fawa'id*, and a short volum of his dictations called *Majlis min Fawa'id al-Layth bin Sa'd*. Some of his notable pupils included his son, Shuayb (d. 199 AH / 815 AD) and his grandson, a jurist Abd al-Malik ibn Shuayb (d. 248 AH / 863 AD)¹⁶. Other prominent students were Abd Allah ibn Salih al-Juhani (d. 222 AH / 838 AD) and Hammad ibn Safwan al-Ghafiqi,

who was said by al-Sam'ani to have maintained the school of Layth. Nevertheless, in spite of this intellectual group the school finally disappeared as an official institution, but his intellectual and social work can be found under the law of legal history.

Jurisprudential School of Imam Abu Thawr and Its Extinction.

Imam Abu Thawr (d. 240 AH / 855 AD), whose real name was Ibrahim ibn Khalid al-Kalbi was mentioned by Khatib al-Baghdadi as a very reliable Muhaddith and a great Imam. He wrote a number of references about legal decisions which combined Hadith and Fiqh. Imam Ahmad ibn Hanbal (d. 241 AH / 856 AD) admired him; and once, when he was asked a question that concerned law, Ahmad said, May Allah keep you well; ask someone else, ask the jurists, ask Abu Thawr.

In his early years, Abu Thawr used to be a follower of the Hanafi school (Ahl al-Ra'y), however after studying under Imam al-Shafi'i in his stay in Iraq, he changed and took the direction of the Muhaddithin. He, however, shortly started his own school. According to Ibn al-Nadim, he established a new Madhhab based on and choosing between the different decisions of Imam al-Shafi'i, and united his Old School (Qadim) and New School (Jadid) decisions. Hafiz Ibn Abd al-Barr (d. 463 AH / 1071 AD) commented that the works of Abu Thawr frequently referenced a variety of views and then proceeded to justify the opinion he believed to be correct, often those of Shafi¹⁷.

This closeness to the Shafi'i school also resulted in a mixing up of the Hanafi, Shafi'i, and independent legal colors in his work which made Imam al-Nawawi (d. 676 AH / 1277 AD) clarify in his work Tahdhib al-Asma' wa-al-Lughat that Abu Thawr was the founder of an independent school and not a follower of al-Shafi'i. His notable pupils were Ubayd Allah ibn Muhammad al-Bazzar (d. 293 AH / 906 AD), and the Sufi saint Junayd al-Baghdadi (d. 298 AH), who said that he started to give fatawa in the school of Abu Thawr when he was twenty years old. The school was not too long in becoming distributed widely but Imam al-Dhahabi documented that the followers of Abu Thawr ceased to exist after 300 AH. His sphere of influence was confined in Azerbaijan and Armenia, where he was influential mainly.

The making of the school of Imam Abu Thawr, according to Ibn al-Nadim, was simply a compilation of the chosen views based on the Old (Qadim) and New (Jadid) rulings of Imam al-Shafi. In his work Al-Intiqā' fi Fada'il al-Thalathat al-Fuqaha, Hafiz Ibn Abd al-Barr al-Andalusi (d. 463 AH / 1071 AD) states that Abu Thawr wrote a number of works where he stated various opinions and then proceeded to give evidence of the opinion that he considered to be the most correct. He is commonly known to be one of the great jurists and Ibn Abd al-Barr also noted that his overall intellectual inclination throughout his works was of Shafiite tradition¹⁸.

Owing to this closeness, the approach of Abu Thawr tended to exhibit a combination of Hanafi, Shafite and independent law features. This made Imam al-Nawawi (d. 676 AH / 1277 AD) explain in Tahdhib al-Asma' wa-al-Lughat that although Abu Thawr is a student and a transmitter of Imam al-Shafi'i, he should be known as the founder of an independent school¹⁹. Al-Nawawi, also says that writers who gather various scholarly discussion hold this opinion, and in most cases, he believed that the legal arguments of Abu Thawr were even more powerful than the legal arguments of the Imam al-Shafi bi Allah.

Some of his most notable followers were:

1) Ubayd Allah ibn Muhammad ibn Khalaf al-Bazzar (d. 293 AH / 906 AD), whom, according to Ibn al-Jawzi, Ibn Thawr, Ibn al-Tabli ad-Darazali, and others, carried the jurisprudence of Abu Thawr.

2) The great Sufi master and jurist Junayd al-Baghdadi (d. 298 AH), who said that he initiated fatawah issuance in the teaching circle of Abu Thawr at twenty years old.

3) Hasan bin Sufyan al-Nasai (d. 303 AH / 910 AD), who according to Ibn Asakir was a great man of letters and jurist, who studied the literature under Nadr ibn Shumayl and jurisprudence in the presence of Abu Thawr.

Since the work of Abu Thawr was an amalgamation of Imam Abu Hanifa's and Imam al-Shafi'i's opinions, it may be regarded as the intersection area of two different sources of jurisprudence: the school of opinion (Ahl al-Ra'y), and the school of tradition (Ahl al-Hadith). Alas! this did not long remain popular in schools. Imam al-Dhahabi documents in *Siyar A'lam al-Nubala* that the Imams of Abu Thawr became extinct after 300 AH. Geographically, he was still confined in a small region out of his own country, Ibn al-Nadim saw that most of his followers were found in Azerbaijan and Armenia²⁰.

The Zahiri School in the Maghreb and Andalusia

Imam Dawud ibn Ali al-Isfahani (d. 270 AH / 884 AD) was the founder of this school. Followers of this school are highly conservative to the literal meaning (zahir) of the religious text and strongly stand against application of analogical reasoning (qiyas) in the Sharia ruling. Dawud al-Isfahani was the first follower of this literalist trend according to Khatib al-Baghdadi. This unique strategy made it stand out of the crowd of schools and provided it with a complicated intellectual framework.

Al-Dhahabi in his *Siyar A'lam al-Nubala* defines Dawud al-Isfahani as a deep sea of knowledge, an expert in Hadith and the head of the literalists (Ahl al-Zahir). He was a student of Imam Ishaq ibn Rahwayh and Imam Abu Thawr and it is said that four hundred students attended his teach-back sessions and made him the greatest scholar in Baghdad during his reign. Dawud wrote various books that were divided into jurisprudential chapters and left behind brilliant students²¹.

The most notable of them was his son, Imam Abu Bakr Muhammad ibn Dawud (d. 297 AH 910 AD) who authored *Al-Intisar min Abi Ja'far* to respond to criticisms of the views of his father. Khatib al-Baghdadi credited another student²², Abd Allah, ibn Mughallis al-Zahiri, with the expansion of the school to other regions. Whereas in the eastern Islamic world the school had disciples, in the west it thrived greatly on reaching Andalusia.

The Maghreb and Andalusian Zahiri School.

Zahiri school had immense momentum in Maghreb and Andalusia specifically in the reign of Almohad Caliphate. The Almohad ruler Mansur Yaqub (d. 595 AH / 1199 AD) was also a great admirer of the Zahiri jurist Ibn Hazm, and this ruler found a potent patron in the school. It is stated by al-Maqqari in *Nafh al-Tib*, that once Mansur stood at the grave of Ibn Hazm and said that all the scholars owed him a debt. The Maliki jurists who were against the Zahiri school were also dealt with by Mansur Yaqub who even burnt Maliki legal books in 591 AH 1195 AD because of this devotion.

In spite of these bursts of eminence, the school was never made a popular custom. Nevertheless, it lasted quite long; in the middle of the eighth century AH, Ibn Taymiyyah wrote that the school was still extant. In *Siyar A'lam al-Nubala'* al-Dhahabi also documented that the Zahiri school (referred to as the Dawudis) was among the five major schools of his era, but

their number was very small²³. Finally, Ibn Khaldun (d. 808 AH / 1406 AD) noted that the Zahiri school later disappeared with the death of the main Imams.

The Jurisprudential School of Imam Ibn Jarir al-Tabari.

Imam Muhammad ibn Jarir al-Tabari was the last major Imam chronologically to have his own jurisprudential school. He wrote about his legal legacy in his unfinished work *Tahdhib al-Athar*, which Khatib al-Baghdadi called an unmatched masterpiece of the time. Tabari was put through a serious ordeal when he was living in Baghdad that was changed under the Mihna (Inquisition about the createdness of the Quran)²⁴. He was accused by Abu Bakr Muhammad ibn Dawud al-Zahiri, and it was rumoured among people that he had allowed wiping the feet (instead of washing them) during ablution, and therefore he was falsely accused of being a Shiite.

As a matter of fact, al-Dhahabi defends Tabari, but he says that his renowned commentary (Tafsir) is full of the opinions of righteous predecessors (Salaf) about the attributes of Allah, giving worth to affirmation rather than negation. Although some of the Hanbali groups in Baghdad have criticized and antagonized Tabari, such great scholars as Ibn Khuzaymah (d. 311 AH 924 AD) have praised Tabari as the greatest of scholars on earth and lamented the injustice which befell him. Although his school was at one point widely spread with such scholars as Mu'afa ibn Zakariya al-Nahrawani (d. 390 AH / 1000 AD) representing it, it did not make it long beyond the fourth century AH because of the extreme sectarianism it inculcated.

Necessary Components of a Jurisprudential School.

A change of a legal methodology to a sustainable Madhhab (school) needs a number of necessary institutional and scholarly factors:

- 1) Structure: A school needs a founder Imam and a special group of pupils (Talamidha).
- 2) Documented Principles: It should have a plausible and genuine assigning of the Imams principles and narrations.
- 3) Codification: The jurisprudential rules of the Imam have to be taken out of his collected works, systematized, and compiled into foundational books.
- 4) Pedagogical Framework: A school must have techniques of teaching, derivation of new rulings (Takhrij) and the rules of balancing contradictory views (Tarjih).

The Imam al-Zarkashi (d. 794 AH / 1392 AD) had explained that imitation (Taqlid) can only be undertaken on codified schools that are widely recognized so that the particular circumstances and requirements of their decisions can be discerned. Without such codification, in which case it had been the case of the legal schools of the Companions, one cannot tell the whole truth of a methodology. These missing institutional components meant that a great number of early schools were not able to continue their existence after several centuries.

Psychological Reasons: Asceticism and Seclusion.

The Imams had a strong psychological attitude that contributed to the codification and passing of their schools of laws to the next generations. Not all the Imams accorded their writings and their knowledge the institutional weight that they warranted and this led them to lose their intellectual heritage. As an example, Imam al-Awza did not focus on rebuilding the original manuscripts of his works after they were burned down. According to Ibn Asakir, books by al-Awzai comprising thirteen big registers were burnt in an earthquake. The Imam did not attend to the manuscripts in his lifetime although a person later gave him copies of his works to make corrections.

This was an earthquake that took place in 130 AH (748 AD) at the coasts of Syria. It seems that at a specific stage of his life, al-Awzai became engulfed by zuhd (asceticism). It was during this

period that he was a murabit (frontier guard) in one of the border areas of Syria. The pupil of his, Walid bin Mazid al-Bayruti, described being present when the Imam said that he had come to the defense of the borders of Beirut. It was not until this period of asceticism had passed that he permitted his books to be restated. The students of Imams are bound to inherit the same kind of mindset of staying casual to their own spiritual beings as opposed to institutionalizing the school once the Imams themselves are controlled by such states of seclusion. This is the reason Imam Ibn al-Aqeel al-Hanbali (d. 513 AH / 1119 AD) cited in regard to the weakening of some of the Hanbali sub-traditions, namely the tendency towards seclusion.

Student negligence and Lack of Diligence.

The Imam al-Awza school had the peculiar difficulty of possessing but very few students who did not possess the strong determination necessary to defend and advance the Madhhab. Ibn Asakir, in his turn, states that there were only ten pupils who had a thorough knowledge of the fatawa of Imam and that they were the ones who compiled less than one out of every ten of his jurisprudential decisions. They did not even make it their business to codify or comment upon systematically (mudhakara) his verdicts, much less to derive (tafri') or infer laws (istinbat) abiding by his principles.

Ibn Asakir, therefore, documents that one of the jurists of the time Imam Sa'id bin Abd al-Aziz al-Tanukhi (d. 167 AH), would chide the students of al-Awza'i, inquiring why they had not amassed and discussed the Imam fatawa. As the Awzai school arrived in Andalusia, it too had no committed intellectuals capable of giving the school the concentration it needs to survive. Ibn al-Faradi, in a compilation of Ansar Allah, referred to as Tarikh Ulama al-Andalus, reported the views of other scholars in Syria and Madina who did not follow any one school of thought and made rulings according to their wishes. The same became true of the school of Imam Layth bin Sa'd, whom Imam al-Shafi'i referred to as a better jurist than Malik bin Anas, but who, according to Imam al-Shafi'i, is squandered by his disciples. In addition, the disappearance of many schools owed to the fact that the number of followers was geographically spread in different cities and not in a single intellectual centre where the school could be fortified and developed²⁵. The best example is the school of Imam al-Thawri, whose pupils had been dispersed to Kufa, Baghdad, Mosul, Daynur, Ray (modern Tehran), Khorasan, and Egypt.

Modern Importance and Applications.

When studying the schools of the Islamic jurisprudence, it is always imperative to take into account the modern meaning and usage of the non-existing traditions. Even though these schools faded into institutions, their tenets and their autonomous legal arguments (ijtihadat) continue to play a crucial role in contemporary Islamic jurisprudence and the real world.

Historical tradition and Philosophical sources.

Major portion of Islamic history is made up of the extinct schools, including al-Awza'i, al-Thawri, Layth bin Saad, Abu Thawr, Zahiris, and al-Tabari. Their rules and laws remain parts of the foundations of the Islamic jurisprudence.

The study of these schools is also an invaluable insight into the history of the Islamic law and it can serve as a basis to solve current problems.

Ijtihad doctrines (Independent Reasoning)

The study of such approaches of jurists as al-Awza'i and Sufyan al-Thawri can help in the procedure of solving contemporary problems using the legal reasoning. Their rules that have been set assist scholars to know how solutions to new challenges can be sought considering the classical principles.

Ijtihad Principles (Independent Legal Reasoning)

The interpretative principles (usul) of these dead schools are still applied in modern day ijthad. The examination of the methodological premises of such jurists like Imam al-Awza'i and Imam Sufyan al-Thawri is an important source of guidance to contemporary researchers during the handling of novel legal cases. Their rules and regulations give them a foundation through which solutions to contemporary problems may be arrived at through the classical values. The analysis of these lost traditions enables a better understanding of the diversity and broad scope of the Islamic jurisprudence. It shows how different legal issues were resolved with the help of different approaches in different epochs, providing an instruction on how the given principles can be applied to present-day problems.

Modern Systems Applications.**Modern Legal Systems**

The doctrines and rules of long-gone-by schools can be successfully transferred to the contemporary jurisprudence. Applying such conventional rules, it is possible to find the solutions to modern legal problems. As an example, the principles of ijthad used by Imam al-Awza'i and Imam Layth ibn Sa'd are especially applicable in the case of the regulation of the contemporary financial transactions and the trade laws.

Educational Curricula

The teaching about these extinct schools may be included in the contemporary school curricula. Learning about their approaches and jurisprudence teaches the students to value the historical depth and intricacy of Islamic Fiqh. This will give the students a base knowledge of the ijthad principles, which will allow them to engage in the academic task of solving contemporary problems.

Inter-School Dialogue

The study of these customs can play a significant role in helping to unite the inter-school communication and solve intraregional Islamic conflicts. This can be achieved through the analysis of their rules and this will make different existing schools to be in harmony and understand each other. With such various ijthad views in mind, historical and current legal disputes can be better mediated. The rules of lost schools also apply in the issues of social justice. By employing their theories, it is possible to find solutions to social issues and guarantee fair delivery of justice.

Conclusion

In a nutshell, the rules, regulations and independent legal justifications of the extinct jurisprudential schools are still of immense weight in the modern Islamic Fiqh and the practical life. Their principles are studied and practiced, and this is a critical basis of solving contemporary problems. The education about such schools and the usage of their methodologies can be treated as a necessary support of the process of ijthad which is very important in discussing the problems of the modern world.

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