

The Importance of Qaul Shahabi in Legal Interpretation

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ABSTRACT

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The objective of this study is to analyze the contribution of *qaul shahabi* (the sayings or opinions of the Companions) in the context of Islamic legal interpretation, as well as how *qaul shahabi* serves as a source of understanding and application of Islamic law. As the direct followers of Prophet Muhammad (peace be upon him), the Companions hold a significant role in the deep understanding of Islamic teachings. The research employs a qualitative approach, utilizing library research methods. The data sources consist of books and various other written materials. This research was conducted through a detailed process of compiling, reading, reviewing, analyzing, and evaluating diverse literature, including the Qur'an, the Sunnah, classical Islamic works, and findings from previous studies. The results of this study show that *qaul shahabi* not only supports Islamic tradition but also plays a strategic role in establishing the foundations of Islamic law. Their interpretations carry authority because they lived alongside the Prophet Muhammad (peace be upon him) and directly observed his daily practices and teachings. As a result of these observations, it is essential to understand and respect the contributions of the Companions in the context of Islamic law, recognizing that their interpretations were shaped by specific social and historical contexts. Thus, this article enhances a comprehensive understanding of *qaul shahabi* in the context of Islamic legal interpretation, making it a foundational reference for a more holistic and contextual understanding of Islamic law in the modern era.

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1. Introduction

Islam is a religion revealed by Allah SWT to the prophets. It is the final *samawi* (heavenly) religion, serving as a culmination and perfection of previous religions. Therefore, Islamic teachings and laws must adapt and align with the progress of time. Islam employs a wise approach to address emerging issues in society[1].

Several sources of Islamic law are universally accepted by scholars, while others remain debated[2]. The Qur'an, *as-Sunnah*, *ijma'* (scholarly consensus), and *qiyas* (analogical reasoning) are widely agreed upon as primary sources of Islamic law. However, some sources remain contested, such as *istihsan* (juridical preference), *maslahah mursalah* (public interest), *istishab* (presumption of continuity), *'urf* (custom), *madhhab as-shahabi* (sayings of the Companions), and *shar'u man qablana* (laws of previous nations). While some scholars accept these as valid legal proofs (*dalil*), others debate their status as sources of law[3].

To this day, many legal cases refer to *qaul shahabi* (sayings of the Companions) as a source of law, despite ongoing debates among scholars regarding its validity as a *shar'i dalil* (legal proof). Therefore, this study seeks to explore the significance of *qaul shahabi*, analyzing and discussing its role in Islamic legal interpretation[4].

2. Method

This study uses a qualitative research approach, which is widely applied in social sciences, including educational studies[5]. A literature-based method (*library research*) was adopted for data collection, involving the study and analysis of theories from various related sources[6].

The primary sources of data for this research include books and other written materials. The process involved reading, reviewing, and analyzing various types of literature, including the Qur'an, Hadith, classical Islamic texts, and findings from prior research[7].

For data analysis, the study involved a detailed examination of written or printed documents, followed by the formulation of conclusions based on the collected data and subsequent analysis[8].

3. Results and Discussion

3.1. The Definition of Qaul Shahabi in Relation to Law

Qaul Shahabi is considered one of the more controversial sources of Islamic law due to debates surrounding its validity as evidence (*hujjah*)[9]. Etymological Meaning, the term *qaul* derives from the Arabic verb *qaala-yaquulu-qaulan*, which means "words" or "speech." Its plural form is *aqwal*[10].

The term *sahabi* originates from the Arabic root *sahiba*, meaning "close companion" or "friend." Its plural forms are *ashab* or *sahb*. Terminological Definition There are various definitions of a Companion (*sahabi*) proposed by different scholars[11]:

- a. Ibn Taymiyyah defines a *sahabi* as anyone who spent time with the Prophet Muhammad, whether for a long or short period[12].
- b. Imam Ahmad bin Hanbal states that a *sahabi* is anyone who lived with the Prophet for a year, a month, a day, or even saw him once[13].
- c. Ibn Hajar al-Asqalani defines a *sahabi* as someone who met the Prophet while believing in him and died in a state of faith[14].
- d. Sa'id bin al-Musayyib suggests that a *sahabi* is someone who spent one or two years with the Prophet and participated in one or two battles with him[15].
- e. Imam Bukhari holds that a *sahabi* is anyone who followed or saw the Prophet among the Muslims[16].
- f. Ibn Hazm defines a *sahabi* as anyone who sat with the Prophet, even briefly, heard his sayings, or observed him, and did not become a hypocrite until their death[17].
- g. Hadith Scholars (Muhaddithin) define a *sahabi* as someone who spent considerable time with the Prophet and frequently attended his gatherings to learn and gain knowledge.
- h. Ushuliyyin Scholars (experts in Islamic legal theory) similarly define a *sahabi* as someone who had close and prolonged interaction with the Prophet and frequently attended his gatherings to gain knowledge[18].

Although various definitions exist, these perspectives collectively reflect the diverse understandings of who qualifies as a *sahabi* in the context of Islamic teachings.

3.2. The Role of Qaul Shahabi in Legal Rulings

Every problem faced by humanity has a solution, whether it pertains to economic, educational, social, political, or religious issues. According to Sheikh Uthaymin, *ijtihad* is one of the ways to resolve various problems. However, mastering *usul al-fiqh* (principles of Islamic jurisprudence) is a requirement for a *mujtahid*, along with proficiency in other sciences such as Arabic, Qur'anic sciences (*ulum al-Qur'an*), and Hadith[19].

The Companions played a crucial role in the formulation of Islamic law. As individuals who lived alongside the Prophet Muhammad and directly learned from him, they held key positions in transmitting Islamic teachings and deriving rulings based on the revelations received by the Prophet[20].

During the Prophet's lifetime, the Companions often asked questions about various matters, and the Prophet provided answers or guidelines. In situations where issues were not explicitly addressed in the Qur'an or Hadith, the opinions of the Companions were often used as a basis for determining Islamic rulings. In many cases, what the Companions said or practiced became a secondary source of law after the Qur'an and Hadith[21].

The Companions also played a vital role in spreading knowledge of Islam to various regions after the Prophet's death. They were instrumental in transmitting Hadith, preserving Islamic teachings, and ensuring the continuation of the Prophet's legacy[22].

However, it is important to note that not all opinions or actions of the Companions are considered equally authoritative in the context of legal rulings. Differences of opinion among the Companions led Islamic scholars to develop methodologies to determine the reliability and authority of *qaul shahabi* in legal interpretation[23].

3.3. Analysis of the Validity and Authority of Qaul Shahabi

When Muslims consider the Companions as a primary foundation in seeking certainty in Islamic law, the emergence of *qaul shahabi*, or the *madhhab* of the Companions, can be attributed to factors such as the expansion of Islamic territories, new issues arising, and the limited number of textual sources. There are at least two reasons that prompted the emergence of *qaul shahabi*.

Islam spread to Persia, Egypt, Iraq, and Syria after the Prophet Muhammad (peace be upon him) passed away. This expansion increased the likelihood of assimilation and acculturation between various local traditions and Islamic traditions, which encouraged the emergence of *ijtihad*. The fatwas of the Companions addressed new cases during this time.

Initially, it was still possible for several Companions to reach an agreement on a particular matter. However, as the Islamic rule expanded and the Companions became scattered across different territories, they each performed *ijtihad* based on the challenges they faced. This is where *qaul shahabi* developed rapidly.

Some of the Famous Opinions of the Companions:

1. Aisha's opinion regarding the maximum duration of pregnancy being two years.
2. Anas' opinion, adopted by Imam Abu Hanifah, that the minimum duration for menstruation is three days.
3. Umar Ibn Khattab's rulings, including; a person who damages the eye of an animal must pay one-quarter of its value, the annulment of a marriage that occurs during the waiting period (*iddah*), and a waiting period of four years for a pregnant woman whose husband is absent[24].

Types of Qaul Shahabi include:

1. Statements from the Khulafa al-Rashidun (Rightly-Guided Caliphs) regarding a certain issue. The majority of scholars agree to consider these as *hujjah* (valid evidence). This is based on the guidance of the Hadith: "*Follow my Sunnah and the Sunnah of the Rightly-Guided Caliphs after me.*"
2. Statements expressed by a Companion based on their personal opinion, which may be disputed by other Companions. Some scholars, including *usuliyyin* (scholars of Islamic legal theory) and *fuqaha* (jurists), argue that the statements of Companions cannot be regarded as *hujjah*[25].

All scholars agree that the statements of Companions, whose validity as *hujjah* is debated, can be summarized as follows:

1. The statements of Companions originate from their personal views and beliefs.
2. The statements of Companions address issues that can be resolved through *ijtihad* (independent reasoning).
3. The statements of Companions are conveyed to other Companions, and none of them objected to these statements[26].

Allah SWT states in Surah Al-Hasyr:

وَأَيُّدِي الْمُؤْمِنِينَ فَاعْتَبِرُوا يَا أُولِيَ الْأَبْصَارِ

"So take lessons, O people of insight." (QS. Al - Hasyr, 59:2)

Allah commands His servants to seek knowledge, and this is what *ijtihad* represents. *Ijtihad* differs from *taqlid* because *ijtihad* utilizes evidence (*hujjah*) to find solutions to problems, while *taqlid* simply adopts someone else's opinion without providing justification. Therefore, *qaul shahabi* falls into the category of *taqlid*.

If a Companion provides an opinion on a relevant matter, it is considered a ruling derived through *ijtihad*. Since the Companions are not infallible and are not free from the possibility of error, their fatwas may contain mistakes. As the majority of the Companions were narrators of Hadith, they would derive rulings (*istinbat*) solely based on the Qur'an and Sunnah. They also performed *ijtihad* guided by existing textual evidence when addressing new issues that were not explicitly mentioned in the Qur'an or Sunnah. However, in cases of disagreement or the absence of a clear ruling on a particular matter, they would resort to *ijma'* (consensus) as a method of *ijtihad*.

Any statement made by a Companion, outside of the above-mentioned context, can be used as a basis for adopting Islamic law. Violating such rulings is considered as sinful as violating the Prophet's commands[27].

Wahbah Zuhaili, citing Imam Al-Shawkani, states that *qaul shahabi* is not a *hujjah syar'iyah* (legal proof) because it clearly does not originate from the Prophet or the Companions of the Prophet. Allah SWT only sent one human being, namely Muhammad (peace be upon him), as a Messenger with a book, the Qur'an al-Karim. He argued that there is no difference between a Companion and a non-Companion; all mature individuals are equally responsible. The Qur'an and the Sunnah of the Prophet Muhammad must be adhered to by everyone.

The theory that *qaul shahabi* is a *hujjah* is not supported by strong evidence. Therefore, using *qaul shahabi* as legal proof would diminish the dignity and status of Islamic law and would not be

accepted by Allah. Allah will not be pleased with such practices because they are actions reserved for a Messenger, not for anyone else[28].

In the book "Min Ushul Al-Fiqh Ala Manhaj Ahl Al-Hadits," Zakariya bin Ghulam Al-Bakistani summarizes the main principles regarding the opinions of the Companions of the Prophet:

1. An opinion that does not contradict other Companions' opinions can be considered *hujjah*.
2. If the Companions' opinion is well-known (*mashur*) and does not conflict with any other opinion, it becomes a consensus (*ijma'*) and *hujjah*.
3. When Companions have differing opinions, they return to the original sources (the Qur'an and Sunnah), and the opinion of one Companion does not override that of another.
4. If the Companions differ on an issue and their opinions are split into two views, the opinion of the Khulafa al-Rashidun carries more weight than the others.
5. Compared to others, the Companions have a better understanding of Hadith.
6. If the Companions have differing opinions about a story, the story itself is prioritized over their individual opinions.

3.4. Controversy in Using Qaul Shahabi and Rukyatun Nabi in Fiqh

Islamic law cannot be separated from the discipline of *fiqh* as its methodology and source in performing *ijtihad*. Among the methods employed by *mujtahidin* in deriving legal rulings is *qaul shahabi*—the opinions expressed by the Companions of the Prophet, which were spread among other Companions. However, there are differing views on the validity of this method[29].

Scholars of *usul al-fiqh* have three main opinions regarding *qaul shahabi*:

1. Qaul Shahabi as Hujjah, this view is supported by Imam Abu Hanifah and Imam Ahmad bin Hanbal, considering it as *hujjah*[30]. It is supported by Qur'anic verses such as Surah Ali Imran (3:110): "You are the best nation brought forth for mankind: You enjoin what is right and forbid what is wrong."

Also cited are Hadith such as: "My Companions are like stars; whichever of them you follow, you will be guided" (narrated by Abd bin Humaid) and: "The best of times is the time in which I live, then the second generation, and then the third." (narrated by Aisha, in Muslim)[31].

Al-Syarkasiy states that *qaul shahabi* can be considered *hujjah* because the Companions lived with the Prophet, followed his commands, and were obligated to refer disputes to Allah and His Messenger, as mentioned in the Qur'an:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

"If you disagree over anything, refer it to Allah and the Messenger."

Abu Said al-Barda'iy, as cited by al-Nasafiy, argues that the *qaul* of the Companions should take precedence over *qiyas* because the *ijtihad* and opinions of the Companions are not influenced by those of others. Their reasoning is considered stronger as they directly heard from the Prophet and understood the secrets of *shari'ah*[32].

2. Qaul Shahabi as Invalid Hujjah. This view is held by the majority of Ash'ariyyah scholars, the Mu'tazilah, and Abu Hasan al-Kharba from the Hanafi school[33], They argue that *qaul shahabi* cannot serve as a definitive basis for Islamic law, citing the Qur'an:

فَاعْتَبِرُوا يَا أُولِيَ الْأَبْصَارِ

"Take lessons, O people of insight." (Surah Al-Hasyr, 59:2)[34].

3. Imam Shafi'i adopts a nuanced (*tafshili*) approach to *qaul shahabi*. He does not categorize *qaul shahabi* as universally *hujjah*. If all the Companions agree on an issue and it is supported by evidence from the Qur'an or Sunnah, it becomes *hujjah*. However, in cases of disagreement among the Companions, Imam Shafi'i prioritizes *qiyas* over *qaul shahabi*[35].

There is no clear literature on Imam Malik's stance regarding *qaul shahabi*. Among the Maliki scholars, two opposing views exist on its validity. Muhammad Abu Zahrah notes that the fatwas of the Companions form a significant portion of the legal rulings in Imam Malik's *Al-Muwatta*[36].

In discussing the opinions of *usul al-fiqh* scholars regarding *qaul shahabi*, two points of agreement emerge. *Qaul shahabi* cannot serve as *hujjah* for other Companions when it involves *ijtihad* and *Qaul shahabi* on issues that are not subject to *ijtihad* is considered *marfu'* (elevated), meaning its ruling originates from the Prophet[37].

Scholars suggest two types of Companions' opinions that can be used as legal foundations:

1. The opinion of a Companion that is likely derived from the Prophet but whose reasoning is not fully understood.
2. The opinion of a Companion that is not opposed by any other Companion, such as Abu Bakr's opinion that a grandmother is entitled to one-sixth of the inheritance, which was not challenged by any other Companion.

3.5. Solutions in Understanding and Applying Qaul Shahabi and Rukyatun Nabi

Islamic law relies heavily on the discipline of *fiqh* as a methodology and source for *ijtihad*. Among the approaches employed by *mujtahidin* is *qaul shahabi*, which refers to the opinions of the Prophet's Companions that spread among them. However, differences in opinion exist regarding its validity[38].

Scholars of *usul al-fiqh* hold three views:

1. Imam Abu Hanifah, Imam Shafi'i (in his early *madhhab*), and Imam Ahmad bin Hanbal (in one narration) state that *qaul shahabi* can be used as *hujjah*[39].
2. Some scholars argue that the validity of *qaul shahabi* as a legal proof is limited to certain Companions only[40].
3. The majority of Ash'ariyyah scholars, the Mu'tazilah, and Abu Hasan al-Kharba from the Hanafi school argue that the *madhhab* of the Companions cannot serve as an absolute legal basis.

Before addressing disagreements about *qaul shahabi*, scholars note two points of consensus: First, *Qaul shahabi* cannot serve as *hujjah* for other Companions in matters of *ijtihad*. Second, *Qaul shahabi* concerning non-*ijtihadi* issues is considered *marfu'* (elevated), meaning it originates from the Prophet.

4. Conclusion

Qaul Shahabi is one of the sources of Islamic law whose validity (*hujjiyyah*) is disputed. *Ijtihad* differs from *taqlid* because *ijtihad* uses evidence (*hujjah*) to find solutions to problems, while *taqlid* simply adopts another's opinion without justification. Thus, *qaul shahabi* falls under the category of *taqlid*.

If a Companion issues a fatwa on a relevant issue, it is considered a ruling derived through *ijtihad*. However, as the Companions are not infallible, their fatwas may contain errors. Since most Companions were Hadith narrators, they would derive rulings based solely on the Qur'an and Sunnah.

The validity of *qaul shahabi* as a legal proof is divided into three opinions: it can be *hujjah*, it cannot be *hujjah*, or it is context-dependent. Its application in Islamic law depends on the specific legal issue and the relevance of the Companion's opinion to that matter.

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