

## Analysis of The Evolution of The Qawl Muktamad (Definitive Qawl) Term and The Kitab Muktamad (Definite Book) in The Syafie School

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### Abstract

Particularly regarding the formulation of official fatwas in Malaysia, it is essential to consider the final verdict. However, through the organization of books, less consideration is paid to the references utilized, particularly those employed in fatwas. This study aims to explain the evolution of the term qawl muktamad and its association with the muktamad book in the Syafie school. This study employs a qualitative approach to examine the evolution of the final word compiled by the Shafiiyyah jurist after several lengthy processes. Before issuing a law, it is necessary to assess the procedure for obtaining the final law and to consult the required primary source. According to this study's findings, the book's authors did not avoid choosing (ikhtiyarat) for themselves and incorporated weak viewpoints. Before providing a citation, this study discusses the opinions and objections of a few scholars regarding the definitive book as a guide for legal scholars.

**Keywords:** Qawl Muktamad, Kitab Muktamad, Shafiiyyah, Evolution

### Introduction

Legal experts are no strangers to using the term "qawl muktamad" (definitive qawl) When addressing the law or the issue of fatwas, the phrase definitive is accorded a prominent position. This subject is also certified in the enacting state fatwas throughout Malaysia, making the qawl muktamad (definitive qawl) the primary legal reference. In the first section, the researcher will discuss the origin of the term muktamad (definitive) according to Islamic historians, followed by the Syafie school's use of the phrase. Next, the researcher will describe the formation phase of the definite qawl, which consists of four phases, followed by the considerations that must be made in applying this qawl muktamad (definitive qawl), particularly in the references of the books consulted. At the end of the conclusion, the

researcher stated several perspectives that should be debated for the more significant benefit.

### **Definitive Term Development**

According to a study by Umar (2010); Umar (2010), the use of the term definitive is new with the emergence of *usul fiqh*. The zenith of its use by scholars began with the earliest appearance of the final *qawl*, which occurred during the period of sectarian stability (*istiqrar*). According to Islamic historians, the term “*qawl muktamad*” (definitive *qawl*) occurred between the fall of Abbasiyyah in 656 Hijrah and the appearance of *majallah al-ahkam adliyyah* in 1268 Hijrah. Some researchers stated that it was the period of the spread of *taqlid* because in the fourth century of Hijrah, the door of *ijtihad* was closed. According to Abdullah and Ali (2008); Abdullah & Ali (2008), religious experts are increasingly eager to contribute to preserving their distinct schools of thought, mainly through translating the numerous *qawls* of these schools.

### **The Final Definition in Syafie's Book of Fiqh**

Even the *mutaqaddimin* of the Syafie school did not use the term definitive *qawl* in their writings. Around the 10th century of the Hijrah, Shaykh Islam Zakariyya al-Ansari was the first jurist to adopt the phrase definitive (Ismon et al., 2020). This is a passage from his book, *Fat al-Wahab Sharah al-Minhaj al-Tullab*. In the introduction to the book *Tufah al-Muhtaj li Shar al-Minhaj*, his disciple, Imam Ibn ajr al-Haytam (d. 973H), assigned a specific meaning to the term definitive.

According to him, the *qawl muktamad* (definitive *qawl*) on the *Syafiyyah* side is the view obtained from the *ijtihad* of Imam Syafie (204H) from all of his views or the views that emerge from the proper techniques and proposals based on his school of thought and general rule, follow, and issue fatwas with his views (Ismon et al., 2020). From the source's perspective, the *qawl muktamad* (definitive *qawl*) of the Syafi'i School can be divided into two groups: those sourced from Imam Syafie (204H) and those sourced from Syafie's Companions.

Imam Syafie's *qawl muktamad* (definitive *qawl*) has two forms: *al-azhar* and *al-masyhur*. The book of *al-Umm* is utilised as a reference to determine Imam Syafie's viewpoints. Similarly, the *qawl muktamad* (definitive *qawl*) derived from Syafie's Companions contains two forms: *al-asah* and *al-sahih* (Ismon et al., 2020). According to *mutaakhhirin* scholars, the *qawl muktamad* (definitive *qawl*) of the Shafie school of law is the opinion translated by al-Nawawi (676H) and al-Rafie' (623H) among the *mutaqaddimin* (Ismon et al., 2020). In addition, what Ibn Hajar (973H) and al-Ramli (1004H) agreed upon in regards to a subject that had never been considered before was also counted as the *qawl muktamad* (definitive *qawl*), i.e., they were among the *Fuqaha'* of the Syafi'i *mutaakhhirin* Madhab (Ismon et al., 2020).

### **Phases and Stages in the Formation of a Qawl Muktamad (Definitive Qawl)**

Differences of opinion within the Syafie sect need the most persuasive viewpoint, which might be tied to many phases (Ali, 1978). Among these is the phase of the sect's formation (*ta'sis*), the phase of its transmission (*naql*), the phase of its editing (*tahrir*), and the phase of its stability (*istiqrar*). From the sect's inception phase to sect stability, the enumerated phases take a considerable amount of time (Ben-Agil & Mahaiyadin, 2019).

The Sect's Founding Phase (Ta'sis).

In the 1st and 2nd centuries of the Hijrah, the Islamic world witnessed the birth of several schools of jurisprudence that significantly spread knowledge regarding hakam law. The school of Imam Abu Hanifah and the school of Imam Malik bin Anas stand out among the schools. The school of jurisprudence created by Imam Muhammad bin Idris al-Shafie subsequently appeared, and its development was comparable to that of this school.

According to al-Qawasimiy (2003), the formation of Imam Syafie's thinking was influenced not only by the thinking methods of Imam Malik and the students of Imam Abu Hanifah, but also by his study of the jurisprudence of the schools of Imam al-Awza'i and Imam al-Layth bin Sa'ad, highlighting his critical thinking to the extent that Syafie's sect is known as a sect that (Nahravi, 1988).

### ***Imam Syafie's Qawl***

*Qawl* Imam Syafie refers to his fatwas on a fiqh issue, which comprise his words (Al-Thaqafi, 2014). This *Qawl* is the foundation upon which this cult was founded. Nevertheless, because of the coordinating component of fatwas, opinions, and fatwas can fluctuate from time to time (Ali, 1978). As a result, Imam Syafie's old opinion (*qawl qadim*) and new opinion (*qawl jadid*) were born. The book *al-Hujjah*, authored by Imam Syafie in Iraq, contains fatwas based on *qawl qadim*, while the book *al-Umm* contains *qawl jadid*. However, *qawl qadim* has been abolished with *qawl jadid*.

In Iraq and Egypt, any objection to Imam Syafie's fatwa that must be implemented as a *qawl muktamad* (definitive *qawl*) is *qawl jadid* (Al-Kurdi, 2011). This is because he has discarded the previous viewpoint. Therefore, Imam Syafie's opinion is no longer a fatwa before entering and migrating to Egypt. According to the examination of *Minhaj Talibin's* work, the change of fatwa from *qawl qadim* to *qawl jadid* has occurred in at least 66 instances (Kasdi, 2013). However, there is an old opinion of Imam Syafie that al-Syafiiyyah jurists of the *Ashab al-Wujuh* have rejected.

According to Ibn al-Salah (2002), the translation of *Ashab al-Wujuh* is their *ijtihad*, not an official interpretation. Imam Nawawi said, however, that some ancient fatwas interpreted by Syafiiyyah jurists are recognized if they are supported by genuine hadith and deemed to be the school of Imam Syafie due to the weight of their arguments, so forming the *qawl muktamad* (definitive *qawl*) of the Syafie school. This comment is compatible with what Imam Syafie said. (Al-Saqqaf, 2004; Al-Saqqaf, 2004)

*“This is my school of thought if a hadith is authentic.”*

Companions of *Ashabul Wujuh* and sectarian investigators determine the sect's *qawl muktamad* (definitive *qawl*) after this step, which involves the selection and selection of Imam Syafie's opinion.

The Madhhab Phase of Narration (al-Naql)

This period began following Imam Syafie's death. Through writing and narration, his pupils such as al-Buwayti (D: 231H), al-Muzani (D: 264H), and al-Rabi' al-Muradi (D: 270H) acquired Imam Syafie's teachings and *ijtihad* (Ali, 1978). The responsibility of Imam Syafie's students is not limited to narrating the opinions and books of their teacher, but also to aid in the development of Syafie's sect through *usul* (fundamental principles) and the method of legal *istinbat*, which is Imam Syafie's fundamental doctrine (Ali, 1978). Consequently, there are

students from all over the world.

This sect's process of narration lasted until the Iraqi (*Iraqiyyun*) and Khurasan (*Khurasaniyyun*) *Shafiyyah* streams emerged. These two streams play a significant role in bolstering Syafie's madhhab, resolving numerous fiqh issues, and developing jurisprudence based on Imam Syafie's ideas and ijtihad techniques (Maghribiyyah, 2015). However, this phrase also reveals the existence of historical distinctions among his classmates. In the fourth and fifth centuries of the Hijrah, Syafie scholars adhered to the qawl narrated by his students in Egypt, specifically al-Muzani, al-Buwayti, and al-Rabi'bin Sulayman, as opposed to his other disciples (Jughaym, n.nd).

### ***The Phase of Sectarian Editing (al-Tahrir)***

This phase is the third stream's sequence, which merges the *Iraqiyyun* and *Khurasaniyyun* streams. It combines and revises, filters, and interprets the history of the school's fatwa, which comprises Imam Syafie's qawl or the views of the early *Shafiyyah* scholars (Ali, 1978). Rafii (624 H) and Yahya bin Sharf al-Nawawi (676 H) (Al-Qawasimiy, 2003) al-Rafie (D: 624H) and al-Nawawi (D: 676H) (Al-Qawasimiy, 2003). These two leaders gave greater clarity and realism to the Syafie sect's doctrine. This is because, prior to the introduction of *al-Shaykhan*, there were numerous *qawl* conflicts, variations in mazhab narrations, and *khilaf furu'* fiqh in the works of the Companions of *Ashabul Wujuh*, as well as several obscure terminology that require review, filtering, and coordination (Al-Qawasimiy, 2003; Abdullah & Ali, 2016; Al-Qawasimiy, 2003; Abdullah, 2016).

These two notable individuals are regarded as the founders of the second Syafie sect (Ali, 1978). The insistence that the previous *Shafiyyah* book before al-Rafie and al-Nawawi cannot be used as a reference without going through the process of editing and research until it is believed that the opinion is rajih on the side of the Syafie school resulted in recognition of the most recent *Shafiyyah* (Al-Saqqaf, 2004) (al-Saqqaf, 2004). Thus, the authoritative qawl muktamad (definitive qawl) is that which al-Rafie and al-Nawawi.

### **The Phase of Sect Stability (Istiqrar)**

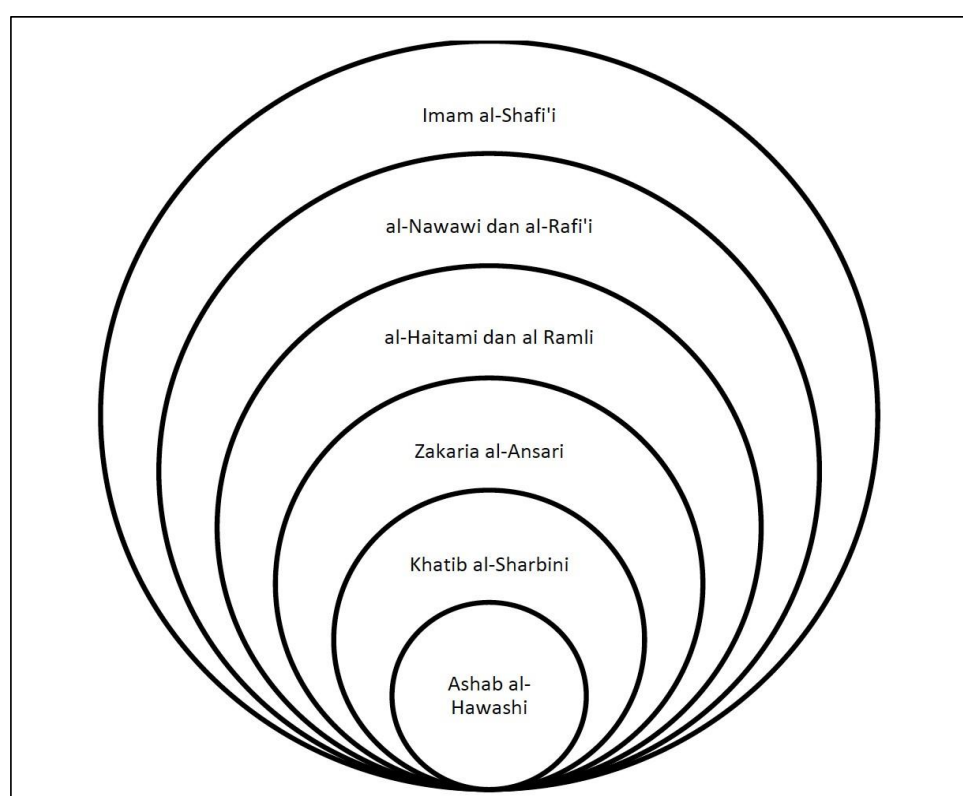
The maintenance of the qawl muktamad (definitive qawl) of Imam Rafie and Imam Nawawi continued after their times with the emergence of a group of scholars regarded as *pentahkik* (muhaqqiqun) in schools, including Sheikh al-Islam Zakariyya al-Ansari (926 H), al-Khatib al-Shirbini (977 H), Shihab al-Din al-Ramli al-Kabir (957H) (Ali, 1978) al-Ansari (D: 926H), al-Shirbini (D: 977H), al-Ramli (D957H) (Ali, 1978).

In this phase, the *Shafiyyah* jurists were tasked with bolstering the fatwas made by al-Rafie and al-Nawawi by explicating the facts clearly and in detail, as well as raising fiqh questions and proposing answers to difficulties that had not been handled by these two personalities (Ali, 1978). Ibn Hajar al-Haytami and Shams al-Din al-Ramli, also known by the title of *Shaykhan*, are the most prominent *Shafiyyah* scholars at this time.

In theory, their opinions merely confirmed the qawl muktamad (definitive qawl) of *Shaikhan*. However, they also performed ijtihad on fiqh issues that Imam Rafie and Imam Nawawi did not address in their writings (Al-Qawasimi, 2003). Compared to other *muhaqqiq* and *shurrah* (lecturers), Shaykhan's writings have become the authoritative opinion reference because of their grasp of the madhhab and the extensive *furu'* fiqh argument (Al-Maqqaf, 2004; Al-Maqqaf, 2004). Al-Kurdi (2011) claimed that although there are numerous disparities in fiqh problems, both perspectives are authoritative inside the madhhab.

In addition to Ibn Hajar and Imam Ramli, Zakariyya al-Ansari and Khatib al-Sharbini

participated in the second purification of the sect. According to al-Kaf (2008), the Shafiiyyah scholars who participated in this second process have their own opinions that contradict those of Imam Rafie and Imam Nawawi. After the second round of purifying the school, Khatib al-Syarbini's views were also regarded qawl muktamad (definitive qawl) to be employed if they were not affected by the fiqh works of Imam Ibn Hajar, Imam Ramli, and Zakariyya al-Ansari (al-'Al, 1992; al-S. 'Alawi bin A. Al-Aqqaf, 1994; al-Z Regarding the jurisprudence of Zakariyya al-Ansari, it is regarded rajih and final to issue a fatwa if a fiqh question is not addressed in the writings of Ibn Hajar al-Haytami and Shams al-Din al-Ramli (Al-Saqqaf, 1994). The hierarchy of the ultimate qawl of the Syafie sect is depicted in Figure 1 (Aris and Khairuldin, 2017; Aris & Khairuldin, 2017):



The Syafie School's Qawl Muktamad (Definitive Qawl) position.

The figure above describes the Syafie school's qawl muktamad (definitive qawl) position's hierarchical structure. Beginning with Imam Syafie, whose opinion should be heeded by adhering to the proposed technique he outlines, one should employ the provided method. Next is the opinion of Imam Nawawi and Imam Rafie, who preserve the sect's validity after an error in using *Ashabul Wujuh's* opinion. In addition, Imam Ibn Hajar and Imam Ramli's opinions supported the Imam's final opinions before Imam Zakariya al-Ansari, Khatib al-Syarbini, and Ashab al-Hawasyi, were included.

### **The technique by which the Syafie sect determines the definitive law**

The Syafie sect has its scholars who are responsible for issuing fatwas. There is no disputing, however, that occasionally the fatwas issued are inconsistent and generate difficulty, particularly for legal academics who subscribe to the mujtahid's opinion. For instance, when there is an ikhtilaf *Shaikh* in the ruling, and each of the Imams gives priority to their different views, or when the scholars believe that their views have the same status, then the

scholars believe that one should adhere to Imam Nawawi's perspective.

This is because he was a pioneer in cleansing the sect when there was uncertainty and dissension among the *Ashabul Wujuh*. He was also an experienced scholar and jurisprudence expert, and succeeding scholars appreciated and acknowledged his excellence. The constructive mentality he emphasizes is also evident in the fact that he occasionally publishes books so that his thoughts and interpretations vary according to the circumstances (Abdul Qadir, 2004).

However, based on the preceding comment regarding the production of books that varies depending on the situation, there are several changes in his opinion to prioritize his opinion. Therefore, scholars have organized the sequence of Imam Nawawi's book if his differences of opinion contain *ta'arudh* the fatwa (Abdul Qadir, 2004). This is the configuration (Abdul Qadir, 2004):

1. At-Tahqiq
2. Al-Majmu (Al-Majmu' Sharh Al-Muhazzab)
- At-Tanqih (although Imam Nawawi has not yet completed the first three books)
4. Ar-Raudhah (Raudhah at-Talibih fi Al-Fiqh)
5. Al-Minhaj (Minhaj At-Talibhin fi Al-Fiqh- Mukhtashar Al-Muharrar fi Al-Fiqh)
6. Al-Fatawa (Al-Mansurat - Al Masa'il Al-Mantsurah)
7. Sharh Muslim (Al-Minhaj Sharh Sahih Muslim bin Al-Hajjaj)
8. Tashih At Tanbih (At-Tanbih 'ala maa fi at-Tanbih - Tashih at-Tanbih fi-Fiqh Ash-Syafi'i),

#### **Transference between Ibn Hajar and al-Ramli**

In their respective books, *Tuhfah al-Muhtaj* and *Nihayah al-Muhtaj*, Ibn Hajar's and al-Ramli's were also proclaimed as the final opinion, so that some believe that it is not permissible to issue a fatwa unless it is based on a book that is acknowledged as the definitive qawl by various scholars of fiqh. The *muhaqqiqun* also believe they belong to the *umdah* Syafie sect (Abdul Qadir, 2004). Imam al-Kurdi mentioned (Abdul Qadir, 2004):

*"Each of these Imams is an umdah of scholars who have a profound understanding of people, who carry the banner of the Syafie school on their shoulders, who dispel all doubts and unveil ambiguity to elevate them to the pinnacle of their religion."*

Suppose there is a conflict between Imam Ibn Hajar and Imam Ramli. In that case, Shafi'iyyah scholars in Hadramawt (South Yemen), Sham, Kurdistan, Daghistan, and the majority of Yemen (North Yemen) and Hijaz tend to choose Ibn Hajar al-Haythami opinion, notably in *Tuhfah al-Muhtaj bi Sharh al-Minhaj* (Ben-Agil & Mahaiyadin, 2019). Following is the arrangement of Ibn Hajar's book references in the fatwa (Abdul Qadir, 2004):

1. Tuhfah al-Muhtaj
2. Fathul Jawad 'ala Irsyad
3. Al-Imdad
4. Al-'Iy'ab Syarah al-'Ibab
5. Fatawa (According to Al-Dumyati, the position of Fatwa and Syarah al-'Ibab is identical, but Syarah al-'Ibab takes priority)

While the majority of *Shafi'iyyah* scholars in Egypt prefer to agree with Imam Ramli, especially in his book *Nihayah al-Muhtaj Ila Sharh al-Minhaj*, this is not universal. The Egyptian government proclaimed Imam Ramli's opinion of the final qawl after its validity was validated

by 400 scholars and reached the *tawatir* stage. The book *Nihayah al-Muhtaj*, a reference for scholars to this day, took the author ten years to complete due to his discipline that, frequently caused *muraja'ah* in his writing (Darik, 2015; Darik, 2015). There is debate regarding the prioritization of the books *Nihayah al-Muhtaj* and *Syarah al-Iydoh* on several issues. Therefore, Sheikh Kurdi argued that the inaccuracy in *Syarah al-Iydoh* must pertain to the first book, *Nihayah al-Muhtaj* since it is more definitive than later works.

The *Shafi'iyah* scholars in Haramayn (Mecca and Medina) first gave precedence to the jurisprudential ideas of Imam Ibn Hajar above those of Imam Ramli, but this changed when more *Shafi'iyah* scholars from Egypt began to appear in the two Harams. In their studies, they have disseminated the jurisprudential opinions of Imam Ramli to the point where they have become widespread in both Holy Lands. Those (*Shafi'iyah* scholars in Haramayn) who thoroughly understand the jurisprudential positions of Imam Ibn Hajar Ramli and Imam Ramli can embrace both jurisprudential views without rejecting one.

### The Syafie School's Definitive Book

The fiqh book of the Syafie school of law, which was authored by Syafi academics from one century to the next, is evidence that the continuity of the book of the Syafie school of thinking is maintained and serves as a legacy of knowledge for its readers. Additionally, it is necessary to research the books of Syafiiyyah, as some of them contain the author's distinctive

No.	Book Title	Aurthor's
1	Al-Mukhtasar	Al-Muzani (264 H)
2	Al-Tanbih	Al-Syirazi (476 H)
3	Al-Muhazzab	Al-Syirazi(476H)
4	Al-Wasit	Al-Ghazali (505H)
5	Al-Wajiz	Al-Ghazali (505H)

terminology, while others contradict the Syafie sect's official position. This is a definitive book that readers and legal academics can reference. The earliest book before the emergence of Imam Nawawi and Imam Rafie, known as *Ashabul Wujuh* is before the 7th century Hijrah: (Abdul Qadir, 2004; Jamaludin, 2017):

Imam Nawawi mentioned (Abdul Qadir, 2004)

*"These five novels are well-known and frequently read by Syaf'iyah."*

Regarding the publication of the book by Imam Nawawi (676 H) and Imam Rafie (623 H) (Jamaludin, 2017)

No.	Book Title	Aurthor's
1	Al-Muharrar	Al-Rafie
2	Minhaj Talibin (ringkasan al-Muharrar)	Al-Nawawi

While in the book's introduction, *I'arah al-Talibin* discusses the hierarchy of references of *Syafiiyyah* jurists other than the *Shaykhan* that can be used as references, it can also refer to the books of other schools of muhaqqiq (Al-Bakri, 1997; Jalaluddin, 2013; Jamaludin, 2017):

No.	Book Title	Author's
1	al-Bahjah al-Saghir	Syeikh Islam Zakariyya al-Ansari Al-Ansari
2	Manhaj al-Tullab	Syeikh Islam Zakariyya al-Ansari Al-Ansari
3	Fath al-Wahhab	Syeikh Islam Zakariyya al-Ansari (926 H) Al-Ansari
4	Kanzu Raghabin	Jalaluddin al-Mahalli (864 H) al-Mahalli
5	Tuhfah al-Muhtaj	Ibn Hajar al-Haithami (974 H) al-Haithami
6	Mughni al-Muhtaj	Al-Khatib al-Syirbini (977 H) al-Syirbini
7	Nihayah al-Muhtaj	Al-Ramli (1004 H) al-Ramli
8	Al-Gharar al-Bahiyyah	Syeikh Islam Zakariyya al-Ansari
9	Mughni al-Muhtaj	Khatib al-Syirbini al-Syirbini
10	Al-Iqna'	Khatib al-Syirbini al-Syirbini

The following is the order of Ashab al-works Hawasyi's that can be used as a definitive reference (Al-Kurdi, 2011, Al-Saqqaf, 2004):

No.	Book Title	Author's
1	Hasyiyah al-Ziyadi	Sheikh Nur al-Din Ali (102 H) Nur al-Din Ali, Sheikh
2	Sharh Ala al-Muharrar	Sheikh Nur al-Din Ali (102 H) Nur al-Din Ali, Sheikh
3	Hashiyah Ibn Qasim 'Ala Sharh al-Manhaj	Sheikh Abu al-Abbas Ahmad (994 H) Abu al-Abbas Ahmad, Sheikh
4	Hashiyah 'Ala al-Tuhfah	Sheikh Abu al-Abbas Ahmad (994 H) Abu al-Abbas Ahmad, Sheikh
5	Hashiyah 'Amirah Ala Kanz al-Raghabin	Sheikh Shihab al-Din Ahmad al-Burullisiy (957H) Shihab al-Din Ahmad al-Burullisiy, Sheikh
6	Hashiyah Ala Tuhfah al-Muhtaj	Sheikh Shihab al-Din Ahmad al-Burullisiy (957H) Shihab al-Din Ahmad al-Burullisiy, Sheikh
7	Hashiyah al-Shabramallisiy Ala Nihayah al-Muhtaj	Sheikh Abu al-Diya' Ali bin Ali al-Shabramallisiy (1087H) Ali al-Shabramallisiy, Sheikh
8	Hashiyah alHalabi Ala Sharh al-Manhaj	Sheikh Abu al-Farj Nur al-Din Ali (1044H) Abu al-Farj Nur al-Din Ali, Sheikh
9	Hashiyah Ala Manhaj al-Tullab	Sheikh Abu al-Farj Nur al-Din Ali (1044H) Abu al-Farj Nur al-Din Ali, Sheikh
10	Hashiyah al-Shawbari Ala Sharh al-Manhaj	Sheikh Shams al-Din Muhammad (1069H) Shams al-Din, Sheikh
11	Hasyiyah 'Ala Umdah al-Rabih Fi Ma'rifah al-Tariq al-Wadih	Sheikh Muhammad bin Dawud bin Sulayman al-Misri (1098H) Sulayman al-Misri, Sheikh



The Companions of al-Hawashi, according to Al-Saqqaf (2004), are a collection of figures (imams) who also contribute to the sect's development, particularly in knowledge and fatwas. Consequently, their opinions must be included in acts of charity, fatwas, and judicial judgments (qada') (Al-Makki et al., 2004; Al-Saqqaf, 2004).

The evolution of this reference-worthy work continues with the seriousness demonstrated by later experts. The present revisions make the academics' ijtihad more forward-looking till they produce a modern book while retaining the source, which is a reference to the final qawl. The following contemporary fiqh books can be utilized as a guide:

No.	Book Title	Author's
1	Al-Fiqh al-Islami wa Adillatuh	Wahbah Zuhaili
2	Al-Syarh al-Muqnie 'Ala Zadul Mustaqni	Muhammad bin Saleh
3	Al-Mu'tamad fi Fiqh Syafie	Muhamad Zuhaili
4	Fiqh Syafie al-Muyassar	Wahbah Zuhaili

The production of books that honor Malay intellectuals, such as Jawi books, which serve as a vehicle for advancing knowledge, does not exclude works centered in Malaysia. Kitab jawi is regarded as one of the traditional Malay community's contributions capable of producing concepts that are still in use today (Puad & Abd Rahim, 2018; Shamsuddin et al., 2020; Puad & Rahim, 2018; Syamsuddin et al., 2020)

Number	Book Title	Author's
1	Al-Sirat al-Mustaqim	Syeikh Nuruddin al-Raniri
2	Sabil al-Muhtadin li al-Tafaquh fi Amr al-Din	Syeikh Muhammad Arsyad al-banjari
3	Furu' al-Masa'il wa Usul al-Wasa'il	Syeikh Daud bin Abdullah al-Fatani

### Scholarly Perspective and Evaluation of the Definitive Books

A reference to the definitive text is the gold standard in studying, researching, and exploring the law. The efforts made by the Imam in the past offered an alternative to legal specialists, particularly in addressing matters of law. However, the author's beliefs must be reconsidered and reexamined because they contain certain inconsistencies.

The respected mutaa'khirin *Syafiiyah* jurists forbid reading the books of *Ashabul Wujuh* like the books of *Al-Umm* or *al-Majmuk* (Al-Kurdi, 2011). In general, *al-Mukhtasar* by Imam al-Muzani, *al-Muhazzab* and *al-Tanbih* by Imam al-Shirazi, and *al-Wasit* and *al-Wajiz* by Imam al-Ghazali are the books of the sect that are crucial to legal reference and fiqh debates within the Syafie sect. However, as stated by Imam Nawawi in the introduction to *al-Majmu'*, in the book of the madhhab (authored by *Ashab al-Wujuh*) there are several discrepancies and differences amongst al-Ashab, making it impossible to determine the madhhab and qawl al-mu'tamad (Shamsuddin et al., 2020; Shamsuddin et al., 2020). Also supporting the claim as mentioned earlier, Abdul Qadir's (2004) book mentions:

*"Problems that were not provided by Syaikh al-Nawawi were not regarded final by the earlier books, but there was a process of review and analysis by specialists or competent individuals, so that it was considered in a strong sense that it was a greedy viewpoint on the side of the Syafie sect"*

Even subsequent works, such as Zakariyya al-Fath Ansari's *al-Wahab*, are not exempt from the author's flimsy arguments, such as *Ashabul Wujuh*. According to Syu'aib (2017), his fiqh book contains one of the Syafie school's guiding principles (*mu'tamad*). As you are aware, the method for issuing laws must follow a consistent sequence, but in the book *Fath al-Wahhab*, some opinions refer directly to the hadith without first being guided by the arguments of the Qur'an; there are even arguments presented without the support of *aqli* or *naqli* arguments (Syu'aib, 2017).

According to the research of Shamsuddin et al (2020); Shamsuddin et al (2020), we are aware that Imam Nawawi's writings are frequently cited and that he is a *'umdah* and *muharrir* of the Syafie school. However, according to the level of mujtahid, Imam Nawawi is a fourth-level mujtahid, one of the lowest levels among the several types of mujtahids. He is the mujtahid of fatwa and *tarjih*. He still needed to attain the status of mujtahid prior to him. Even though he had learned the school of his Imam and knew the evidence and *ta'lilat* of his Imam and *Ashabul Wujuh*, he could unravel all problems and explain the distinction between the weak and the strong. However, he remains constrained by sectarian practices.

In addition, Imam Nawawi composed his works during various periods. As a result, there will be conflicts and discrepancies when *Syafiiyyah* scholars voice their opinions (Abdul Qadir, 2004; Qadir, 2004). Therefore, when issuing fatwas, if there is a discrepancy between the text or viewpoint of Imam Nawawi discovered in his works, the experts need to include the importance of considering the location and order of the books, as previously indicated.

The book *Sirat al-Mustaqim*, which is the primary reference for pondok students, contains an issue of jurisprudence that, according to the Syafie school, is not definitive (Hashim, 2011). In contrast to Ra'uf Singkel's and Jalal ad-Din al-works, Tursani's this book does not address societal and national issues; hence it is viewed as relatively retrograde (Majid, 2007; Majid, 2007). *Mughni al-Muhtaj* is one of the references for arguing *Sabil Muhtadin's* book, which is highly popular in comprehensive fiqh debates, although some academics contest its application.

### Conclusion

Respecting the stability of the Syafie sect, the development of the definitive qawl has passed through a lengthy era. Syafie's jurisprudence is of a higher calibre and is more organized in opinions that should be followed due to the sacrifices and dedication of his predecessors. The researcher came to the results listed below:

Importance of the research	<ul style="list-style-type: none"> <li>i. Understanding the stage of evolution of the term "definitive" and the procedure for adopting the final law</li> <li>ii. Analyzing the Syafie sect's allusions to the most important book</li> </ul>	
The significance of the research	Community	<ul style="list-style-type: none"> <li>i. Understand the origins of the term "definitive" and its significance.</li> <li>ii. Understanding the primary text that should be utilised as a reference and a guide</li> </ul>
	Fatwa Institution	<ul style="list-style-type: none"> <li>i. Reexamining sources that are under the purview of book writing, particularly those that deal with law</li> <li>ii. When selecting more fiqh literature, legal scholars and fiqh researchers might utilise the order of the works indicated by the researcher as their primary reference.</li> </ul>
Advice for improvement	Community	<ul style="list-style-type: none"> <li>i. Giving rise to a constant layering of energy in the study of lodges or religious institutions to master the legal trial via the reading of the definitive book of the traditional</li> <li>ii. Promoting book reading at the appropriate level for society's needs without undermining the significance of the original, definitive book's references</li> </ul>
	Fatwa Institution	<ul style="list-style-type: none"> <li>i. Enhancing the standard of book references utilised by balancing the use of classic and modern literature in the creation of legislation</li> <li>ii. By balancing old and new books in legal production, one can raise the standard of book references utilised. By adding additional legal researchers, the research department may maximise its potential for balancing the viewpoints of mutaquaddimin and mutaakhirin academics and putting a premium on using qawl muktamad (definitive qawl) as a venue for discussion.</li> </ul>

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