Analysis of Qaul Qadim Imam Syafi'i in the Social History of Islamic Law

Aulia Fadhilah Fawwaz¹*

¹ UIN Sunan Gunung Djati Bandung; auliafadhilahfawwaz@gmail.com

Abstract: This research analyzes how qaul qadim and how ijtihad are viewed by Imam Syafi'i which is studied from several aspects, namely from historical, social and Islamic legal aspects. This research has the main aim of examining how qaul qadim is from a historical perspective, namely how history was formed and the birth of qaul qadim and then how social changes and Islamic law have affected qaul qadim which was mandated by one of the fiqh scholars, namely Imam Syafi'i, in establishing Islamic law. This research is research with a normative theological approach, namely a theological-normative approach, namely by looking at the texts of the Koran and al-Hadith which are the main sources in determining Islamic law and this type of research. The sociological approach is research whose object of study is seen in terms of different fatwa factors. different to accommodate legal problems that arise at this time and require ijtihad, then Islamic law will do it. This research shows that qaul qadim and ijtihad carried out by Imam Syafi'i are influenced by various factors in their determination, including social, political, cultural, geographical and scientific factors which influence the dynamics of legal determinations carried out by mujtahids like Imam Syafi'i.

Keywords: Imam Syafi'i, Islamic law, social historical, qaul qadim

Introduction

The determination of Islamic law is influenced by various life factors, one of the factors that influence the determination of Islamic law is the social life factor in Islamic society itself so that it cannot be avoided that there will be updates in the determination of Islamic law due to changes in times, situations and conditions (Fahmy, 2018; Febriandika et al., 2022; Hamour, 2019; Kasim, 2020; Khalilieh, 2019; Nakissa, 2020; Nurdin, 2021; Padela, 2020; Quadri, 2021; Saeed, 2018; Syaripuddin, 2020; Yilmaz, 2019).

Islamic law is a universal truth that is inherent in Islamic law and is the starting point for its development. Principles form Islamic law and each of its branches (Crone, 2019; Helie-Lucas, 2019; Imamah, 2019; Jones, 2019; Moors, 2018; Ra, 2020; Rosen, 2018; Tarmizi, 2020; Warman, 2018). There is a universal nature which is intended for all humans at all times. Islamic law here is Islamic Fiqh which is relative in nature and has opportunities to be updated and is flexible. Islamic law lives in the midst of society, while society is always dynamic and experiencing change.(Fikri, 2019) Changes in society can take the form of changes in the social, political, cultural, geographical or scientific order. Islamic law which is relative and flexible is Islamic Fiqh where in its development there have been reforms carried out based on the ijitihad of the ulama by providing explanations and practices that are easy for the people. Islam is a form of actualizing the commands of Allah Subhanahu wa Ta'ala. Ijtihad ulama is a way to find out the law of something through religious propositions, namely the Qur'an, al-hadith by means of istinbat. (Has, 2013) In the book I'lam al-Mawaqqiin written by Ibnu Qayyim al-Jauziyah states that

"Changes in ideas or legal thinking and differences according to changes in time, space, circumstances, intentions and needs). He even went so far as to say that not understanding or considering change is a big mistake in the Shari'a."(Al-Mizan, 2015)

Based on the above, the main purpose of the existing law in every shari'a is for the benefit of the people themselves and Islamic law plays a real and functional role if ijtihad is placed proportionally so that it can anticipate the dynamics and complex social changes. (Al-Mizan, 2015) One of the scholars who made ijtihad was Imam Syafi'i where the results of Imam Syafi'i's ijtihad were contained in a book called Al-Hujjah which he wrote while in Baghdad. H. Abdul Ghoni Ad-Dakir said that Imam Syafi'i's ijtihad as a review of the opinions of Baghdad scholars before him, could determine a law. H. Abdul Ghoni Ad-dakir criticized Imam Syafi'i as follows: (Ahyar, 2015)

"In 184 A.H. Imam Syafi'i was forced to come to Iraq, Imam Hammadi al-Barbari established Imam Syafi'i's steadfastness when he was still in Makkah and Yemen.... .... then when he arrived in Baghdad it was said to him: hold their principles. Imam Syafi'i replied: when it becomes necessary for me to disagree with them (i.e. Muhammad ibn Hasan is the greatest of them all) then I will disagree with him. Imam Syafi'im said: Actually, his way of judging is the same as mine (so I settled on him) and I wrote his book, and I studied his

opinions. So when Mohammed ibn Hasan opined, I looked at the opinions of his companions."

In conducting ijtihad Imam Syafi'i gave birth to various thoughts that led to the provisions of an ijtihad known as qaul qadim. The birth of this thought proves that a thought will not be born from a vacuum but rather appears as a reflection of social changes in society. This proves that social influence has a big role in the thoughts that arise in his day. The history of Imam Syafi'i in conducting his ijtihad is divided into various regions including Mecca, Yemen, Iraq and Egypt. Regional differences affect the flow and thinking in applying the legal products produced by Imam Syafi'i.(Anwar Khairul, 2015)

Imam Syafi'i received fiqh and hadith from many teachers where each teacher has a different method because of the background of different places far apart from each other. Imam Syafi'i has the real name Muhammad bin Idris with the title Abu Abdillah was born in South Gaza of Palestine in 150 Hijri.(Abbas Sirajuddin, 1995) Imam Syafi'i lived in an age of conflict between Ahlu Hadith who adhered to the text of the hadith and Ahlur Ra;yi who adhered to reason or ijtihad. Imam Syafi'i studied with Imam Malik as a figure of Ahlu Hadith and Imam Muhammad bin Hasan al-Syaibani as a figure of Ahlu Ra'yi who became a student of Imam Abu Hanifah. In the Shafi'i school of thought, the birth of Qaul Qadim was because the community with its various dynamics demanded social change, and every social change generally required a change in the value system and law. It appears as a reflection of the social setting that surrounds it. So great is the influence of social conditions on thought that it is fair to say that a person's opinion or thought is the fruit of his time.

This research has the main objective to examine how qaul qadim from a historical perspective, namely how the history of the formation and birth of qaul qadim then how social changes and Islamic law on qaul qadim which was ijtihadized by one of the fiqh scholars, Imam Syafi'i in determining Islamic law.

Methodology

This type of research is called normative theological approach is theological-normative approach is observing texts al-Quran and al-Hadith are the main sources for determining Islamic law and this type of research The sociological approach is research where the object of study is seen from in terms of different fatwa factors to accommodate legal problems that arise at this time and require ijtihad, so Islamic law will do it. Contribute significantly and functionally in anticipating social dynamics with different complexities of the problems they cause.

The data sources in this research are Library research (Library Research). Library research is research on secondary data carried out by inventorying data in the form of primary legal materials, secondary legal materials and tertiary legal materials.(Soemitri

Ronny Hanitijo, 1990) The data collection techniques used in obtaining necessary information related to the problem being researched, such as two things, first direct quotation, namely the researcher quotes someone's opinion or writing directly in accordance with the original without change and indirect quotation, namely quoting someone else's opinion in a way to formulate a new editorial structure.

Result and Discussion

A.   Definition and History of Qaul Qadim

Qaul Qadim has a terminological meaning, namely qaul means words, opinions or views while qadim means previous, past. So it can be concluded that qaul qadim is Imam Syafi'i's previous fiqh views.(Ramadhani Febrianti Andi Dian, 2019) Qaul Qadim was first issued when Imam Syafi'i lived and settled in Baghdad, Iraq in 195 AH after Imam Syafi'i was allowed by Sheikh Muslim bin Kholid, a scholar and hadith expert from Mecca and Imam Malik, a scholar and hadith expert from Medina, both of whom became teachers of Imam Syafi'i, to state that Imam Syafi'i was eligible to issue a ruling or conduct ijtihad at that time. Qaul Qadim is a set of fatwas where the word qaul means jama', which is not only one or two fatwas, but in its implementation, the scholars continue to call it qaul only. The term Qaul Qadim is found in Imam Syafi'i's ijtihad because in practice Imam Syafi'i pioneered the legal product on a case. Qaul Qadim was issued when Imam Syafi'i was in Baghdad Iraq for a long time from 195 to 199 H. In practice Imam Syafi'i while in Baghdad Iraq wrote a lot of al-Risālah al-Qadimah and al-Ḥujjah, which is popularly known as al-Kitab al-Qadim which was narrated by a number of his students and friends, including (Yaqin Ainol, 2016):

Table 1. Qaul Qadim Narrator

No	Narrator	Year of History
1	Ḥasan ibn Ibrahim ibn Muh ammad alShabbah al-Za'farani	170-260 H
2	Husain ibn Ali al-Karabisi	240 H
3	Imam Ahmad ibn Hanba	164-241 H
4	Sulaiman ibn Daud al-Hashimi	220 H
5	Abu Thur Ibrahim ibn Khalid Yamani al-Kalabi	170-240 H

Furthermore, the background of Imam Syafi'i, whose full name is Al-Imam Abu Abdullah Muhammad bin Idrir Al-Qurasyi Al-Hasyimi Al-Muthalib Ibnul Abbas Bin Ustman bin Shafi'i, is known as a scholar of fiqh and hadith and more deeply as an Islamic mujtihad in the 2nd century Hijriyah. Imam Syafi'i's lineage goes back to the Prophet Muhammad, Abu Manaf, where he was born in 150 AH in Gaza, Palestine. Imam Syafi'I absorbed various influences and schools of thought in applying a law because Imam Syafi'i studied with different teachers so that the thoughts he got were diverse. Imam Syafi'i received fiqh and hadith from many teachers who each had their own methods and lived in

places far from each other. Imam Syafi'i received knowledge from the scholars of Makkah, the scholars of Madinah, the scholars of Iraq and the scholars of Yemen.(Ahyar, 2015)

The Medina scholars who became his teachers were Malik ibnAnnas, Ibrahim ibn Saad al-Anshari, Abdul Aziz ibn Muhammad al-Dahrawardi, Ibrahim ibn Abi Yahya al-Asami, Muhammad ibn Said ibn Abi Fudaik, Abdullah ibn Nafi" friend ibn Abi Zuwaib.The Yemeni scholars who became his teachers were Mutharraf ibn Mazim, Hisham Ibn Yusuf, Umar Ibn abi Salamah, friend of Auza "in and Yahya Ibn Hasan friend of Al-Laits. Iraqi scholars who became his teachers were Waki" ibn Jarrah, Abu Usamah, Hammad ibn Usamah, two Kuffah scholars Ismail ibn Ulaiyah and Abdul Wahab ibn Abdul Majid, two Basrah scholars. Imam Syafi'i also received knowledge from Muhammad ibn al-Hasan by studying his books which he heard directly from him. Imam Syafi'i visited various countries to learn and understand Islam for the benefit of the people.

The history of the emergence of Qaul Qadim Imam Syafi'i is based on social, political, economic and cultural conditions as well as science. The following explanation of what factors influence the determination of the qaul qadim law of Imam Syafi'i is as follows:

a.   Social Factors

Social factors have a considerable influence in changing the dynamics of society, especially in this qaul qadim phenomenon. Imam Syafi'i in the early days of the Abbasiyah dynasty, which at that time was an Islamic Daulah that united other Islamic kingdoms, hoped that there would be various interactions of jasadiyah, ruhiyah, aqliyah and fikriyah. At that time Imam Syafi'i who lived in Baghdad wrote a book entitled ar-risalah which became one of the characteristics of the rise of science at that time.(Salabi A, 1993)Social factors in its application to the determination of this law made Imam Syafi'i actulalize, namely the efforts made to make Islamic law a law that regulates relations between individuals from and by the Islamic community which in practice is to empower Islamic law in dealing with contemporary problems amid the onslaught of the influence of changing times.

b.   Political Factors

Politics is one of the factors that influence the birth of qaul qadim, we can divide two things, namely internal politics and external politics. In the internal politics of the Abbasiyah government at that time showed a character that upheld scholars and science where the political conditions were favorable for Imam Syafi'i as one of the fiqh scholars who was formulating and wanting to determine a law. Then, the external politics of the Abbasiyah government at that time did not experience significant development or progress. This can be seen from the distance between the center of government and the center of power at that time so that various rebellions arose. The above rebellions were caused by various things ranging from the Abbasiyah government's lack of attention to risky and dangerous issues, then the increasingly strong role of Persia in taking over the region, the carelessness committed by some Caliphs which resulted in a lack of attention to external issues of the Abbasiyah government and the existence of social inequality which resulted in social inequality from the nations living under the auspices of the Abbasiyah government.(Roibin,

2008) The political factors mentioned above made it difficult for knowledge to spread throughout the government which was also influenced by Imam Syafi'i's background, which was a person of Quraish descent from Arabia which made the atmosphere at that time and massive accusations against Imam Syafi'i that he was a shia who spread it in the Abbasiyah Daulah so that the challenges and obstacles at that time made Imam Shafi'i unable to speak and do much.

c.   Cultural Factors

The complexity and plurality of cultures, whether directly or indirectly, had a lot of influence on the maturity of Imam Syafi'i thinking power. The maturity of his reasoning power that had long been built by the experience of wandering during his life, coupled with the various cultures that had interacted, made him more critical and dynamic. And the legal changes that occurred when Imam Shafi'i was in Iraq and Egypt are evidence of the perfection of his knowledge and experience. Because in Egypt he found a more definite proof, which was the result of the diverse culture of thought that developed in Egypt.(Soleh Soleman, n.d.)

d.   Geographical Factors

The geographical factors that are very decisive are the climate and the development of the region itself. As is well known, for example, the climate between Hijaz and Iraq is different from the climate in Egypt, so that the fatwa of Imam Syafii will also be different.The existence of qaul qadim proves the difference in climate and geography. The scholars of ahlu ra'yi and ahlu hadith developed in two different geographical areas. The scholars of ahlu ra'yi with its pioneer Imam Abu Hanifah developed in the metropolitan cities of Kufa and Bagdad, so they had to face rationally a number of new problems that arose due to the complexity of city life.

e.   Science Factor

The Science factor can affect the results of the ijtihad of the mujtahid imams in exploring the law and determining the law. Imam Syafii is a hadith expert, he studied hadith with Imam Malik bin Anas in Medina, Imam Syafii is also an expert in seduction, because he studied with Imam Abu Yusuf and Imam Muhamamd bin Hasan students of Imam Abu Hanifah in Iraq. Imam Shafi'i combined the two opinions of his teachers into his own fatwa.

B.   Imam Syafi'i view on Ijtihad in the context of Qaul Qadim

Imam Shafi'i stated that every event that occurs in the life of every Muslim, there must be legal provisions or indications that refer to the existence of legal provisions. If the legal provision is mentioned, then it must be followed. If not, then it must be sought indications that refer to the legal provision by making ijtihad efforts. Ijtihad referred to in this context is al-Qiyas.(Tarigan Azhari Akmal, 2013) Based on the statement above, Imam Syafi'i understands and realizes that not all events that occur in this world are explicitly mentioned in the Qur'an. Because the Qur'an is a source of law that speaks universally, Imam Syafi'i believes that all events that arise can be sought for legal answers through the Qur'an For

him, this is very important to emphasize that God's shari'a is very perfect.He offers ijtihad which he identifies with al-Qiyas. In al-Risalah al-Shafi'i states which means:

"Ijtihad, then, can only be practiced in search of something (the ruling of an event). The search for something can only be found by using al-Qiyas".(Tarigan Azhari Akmal, 2013)

Imam Syafi'i not only emphasized the importance of ijtihad to resolve legal issues that are not explicitly mentioned in the Qur'an, but he also formulated the steps of ijtihad that must be taken by a mujtahid alGazali summarized the steps of operationalizing al-Syafi'i ijtihad as follows: First, Nass-nass al-Kitab. Second, Nass-nasskhabar mutawatir. Third, Ijma' previous scholars. Fourth, Nass-nass khabar ahad. Fifth, Show zahir al-Qur'an and al-Sunnah. Sixth, Qiyas by paying attention to the order, Kulliyah rules, Coverage of nass or ijma', Qiyas mukhil, and Qiyas al-Syabah. Al-Gazali also added that in dealing with problems, a mujtahid must first pay attention to al-nafyu al-asali. 20Before looking for sam'i arguments that change it. In searching for arguments he must prioritize ijma' over the Book and Sunnah. Especially for issues where there is ijma', the search for the Book and Sunnah is no longer necessary. Some observers consider that al-Syafi'i has made a major contribution to the construction of Islamic legal methodology In addition to formulating the theoretical framework, al-Syafi'i also prepared operational steps that a mujtahid must go through. This is where the author sees a far-sighted vision from al-Shafi'i, that the problems faced by the generation after him are much more complex. With the motivation of ijtihad and the formulated methodological framework, these problems can be overcome.(Coulson Noel J, 1964)

Basically what al-Syafi'i did was just want to accommodate the differences that arose at that time. Al-Syafi'i saw that each approach taken by ahl al-hadis and ahl al-ra'yi had advantages and disadvantages. Those advantages were mixed by al-Syafi'i into a new legal methodology. In other words, al-Syafi'i only offers new alternatives in the approach to resolving legal cases. In the author's opinion, indications of an attack can only arise if previously there was a very sharp conflict (conflict) between the various schools at that time, and apparently historical evidence does not show such circumstances. Strictly speaking, al-Syafi'i wanted to bring the two schools together.

Conclusion

Qaul Qadim Imam Syafi'i previous fiqh views. Imam Syafi'i where the results of Imam Syafi'i's ijtihad are contained in a book called Al-Hujjah which he wrote while in Baghdad In conducting ijtihad Imam Syafi'i gave birth to various thoughts that led to the provisions of an ijtihad known as qaul qadim. The birth of this thought proves that a thought will not be born from a vacuum but rather appears as a reflection of social changes in society. The history of the emergence of Qaul Qadim Imam Syafi'i is based on social, political, economic and cultural conditions as well as science.

Imam Syafi'i stated that every event that occurs in the life of every Muslim, there must be legal provisions or indications that refer to the existence of legal provisions. If the legal provisions are mentioned, then it must be followed. If not, then it must be sought indications

that refer to the legal provisions by making ijtihad efforts. Ijtihad referred to in this context is al-Qiyas Basically what al-Syafi'i did was just want to accommodate the differences that arose at that time. Imam Syafi'i saw that each approach taken by ahl al-hadis and ahl al-ra'y had advantages and methodology.

References

Abbas Sirajuddin. (1995). *Sejarah dan Keagungan Mazhab al- Syafi'i* (7th ed.). Pustaka Tarniyah.

Ahyar, K. (2015). QAUL QODIM WA QAUL JADID IMAM SYAFI'I (KEMUNCULAN & REFLEKSINYA DI INDONESIA). *NIZHAM*, *4*(1), 3.

Al-Mizan. (2015). Qaul Qadim dan Qaul Jadid Imam Syafi'i, Telaah Faktor Sosiologisnya. *IAIN Gorontalo*, *11*(1), 120.

Anwar Khairul. (2015). Qaul Qadim Wa Qaul Jadid Imam Syafi'i, Kemunculan dan Refleksinya di Indonesia. *E-Journal Metrouniv*, *4*(1), 122.

Coulson Noel J. (1964). A History of Islamic Law. *Edinburgh: Edinburgh University Press*, 61.

Crone, P. (2019). Weber, islamic law, and the rise of capitalism. *Max Weber and Islam*, 247–272. https://doi.org/10.4324/9781351289849-10

Fahmy, K. (2018). In quest of justice: Islamic law and forensic medicine in modern Egypt. *In Quest of Justice: Islamic Law and Forensic Medicine in Modern Egypt*, 1–378.

Febriandika, N. R., Nurzaman, J., & Arkiang, M. R. A. (2022). Potential fraud on online auction business via Instagram: Overview of Islamic law and Indonesian statutory law. *Varia Justicia*. https://journal.unimma.ac.id/index.php/variajusticia/article/view/6640

Fikri, A. (2019). FLEKSIBILITAS HUKUM ISLAM DALAM PERUBAHAN SOSIAL. *ASAS : Jurnal Hukum Ekonomi Syariah*, *11*(2).

Hamour, M. (2019). Contemporary issues of form and substance: an Islamic law perspective. *ISRA International Journal of Islamic Finance*, *11*(1), 124–136. https://doi.org/10.1108/IJIF-01-2018-0006

Has, A. W. (2013). IJTIHAD SEBAGAI ALAT PEMECAHAN MASALAH UMAT ISLAM. *E-Journal UIN SATU Tulungagung*, *8*(1).

Helie-Lucas, M. A. (2019). The preferential symbol for Islamic identity: Women in Muslim personal laws. *Identity Politics and Women: Cultural Reassertions and Feminisms in International Perspective*, 391–407. https://doi.org/10.4324/9780429041051-19

Imamah, N. (2019). Islamic law, corporate governance, growth opportunities and dividend policy in Indonesia stock market. *Pacific Basin Finance Journal*, *55*, 110–126. https://doi.org/10.1016/j.pacfin.2019.03.008

Jones, J. (2019). "Where Only Women May Judge": Developing Gender-Just Islamic Laws in India's All-Female "Shari'ah Courts." *Islamic Law and Society*, *26*(4), 437–466. https://doi.org/10.1163/15685195-00264P04

Kasim, F. M. (2020). Study of sociological law on conflict resolution through Adat in Aceh community according to Islamic law. *Samarah*, *4*(2), 375–397. https://doi.org/10.22373/sjhk.v4i2.8231

Khalilieh, H. S. (2019). Islamic law of the sea: Freedom of navigation and passage rights in islamic thought. *Islamic Law of the Sea: Freedom of Navigation and Passage Rights in Islamic Thought*, 1–283. https://doi.org/10.1017/9781108630702

Moors, A. (2018). Debating islamic family law: Legal texts and social practices. *A Social History of Women and Gender in the Modern Middle East*, 141–175. https://doi.org/10.4324/9780429502606

Nakissa, A. (2020). Cognitive science of religion and the study of islam: Rethinking islamic theology, law, education, and mysticism using the works of al-ghazālī. *Method and Theory in the Study of Religion*, *32*(3), 205–232. https://doi.org/10.1163/15700682-12341474

Nurdin, R. (2021). The gayonese culture of marriage system: The islamic law perspective. *Samarah*, *5*(1), 108–126. https://doi.org/10.22373/sjhk.v5i1.9257

Padela, A. I. (2020). The Moral Status of Organ Donation and Transplantation Within Islamic Law: The Fiqh Council of North America's Position. *Transplantation Direct*, *6*(3). https://doi.org/10.1097/TXD.0000000000000980

Quadri, J. (2021). Transformations of tradition: Islamic law in colonial modernity. *Transformations of Tradition: Islamic Law in Colonial Modernity*, 1–250. https://doi.org/10.1093/oso/9780190077044.001.0001

Ra, M. S. (2020). The Impact of COVID-19 Through the Lens of Islamic Law: An Indonesian Case. *Lentera Hukum*, *7*(3), 267–278. https://doi.org/10.19184/ejlh.v7i3.18983

Ramadhani Febrianti Andi Dian. (2019). Analisis Sosiologi Hukum Islam Terhadap Qaul Qadim Dan Qaul Jadid (Studi Pemikiran Imam Syafi'i). *UIN Alauddin Makassar*, 25.

Roibin. (2008). osiologi Hukum Islam: Tela'ah Sosio-Historis Pemikiran Imam Syafi'i. *UIN Maliki Press*, 181–182.

Rosen, L. (2018). Islamic "Case Law" and the logic of consequence. *History and Power in the Study of Law: New Directions in Legal Anthropology*, 302–319.

Saeed, A. (2018). Human rights and islam: An introduction to key debates between islamic law and international human rights law. *Human Rights and Islam: An Introduction to Key Debates between Islamic Law and International Human Rights Law*, 1–275. https://doi.org/10.4337/9781784716585

Salabi A. (1993). *Sejarah Kebudayaan Islam*. Pustaka al-Husna.

Soemitri Ronny Hanitijo. (1990). *Metodologi Penelitian Hukum dan Jurumetri*. Ghalia Indonesia.

Soleh Soleman. (n.d.). *Imam Syafei'i: Orang Pertama Sebagai Mujahid Kotemporer*.

Syaripuddin, S. (2020). Maslahat as considerations of islamic law in view Imam Malik. *Samarah*, *4*(1), 85–106. https://doi.org/10.22373/sjhk.v4i1.6754

Tarigan Azhari Akmal. (2013). *Sejarah Sosial Hukum Islam (Dinamika Fikih Pada Abad Pertengahan)*. Citapustaka.

Tarmizi. (2020). Inheritance system of Bugis community in district Tellu Siattinge, Bone, South Sulawesi (Perspective of Islamic law). *Samarah*, *4*(1), 179–208. https://doi.org/10.22373/sjhk.v4i1.6784

Warman, K. (2018). Enhancing legal pluralism: The role of adat and Islamic laws within the Indonesian legal system. *Journal of Legal, Ethical and Regulatory Issues*, *21*(3).

Yaqin Ainol. (2016). Evolusi Ijtihad Imam Syafi'i: Dari Qawl Qadim Ke Qawl Jadid. *Jurnal AL-AHKAM*, *26*, 147–148.

Yilmaz, I. (2019). Nation Building, Islamic Law and Unofficial Legal Pluralism: The Cases of Turkey and Pakistan. *Studies in Islamic Law and Society*, *49*, 109–138. https://doi.org/10.1163/9789004398269_007