The Four Sunni Schools of Islamic Jurisprudence

The death of the Prophet Muhammad in 632 BCE constituted a major crisis for the fledgling umma (Muslim community). The question of succession divided the umma into two distinct religio-political communities of interpretation, designated subsequently as Sunnism and Shiism. Although this schism was initially the result of political factionalism, it gradually gained theological characteristics as well. Even so, there is no clear distinction between Shia and Sunni Islam. In addition, both of these denominations can be divided into subcategories of interpretation: there are different branches of Shia Islam just as there are different branches in Sunni Islam.

Given the political instability and socio-religious factionalism among the early Muslims, various madhab (schools) of thought within Islamic jurisprudence emerged in the first 150 years of Islam. Most of them were short-lived, either becoming extinct or merging with other schools. Today, Hanafi, Maliki, Shafi'i, Hanbali (Sunni), Jafari, Zaydi (Shiite), Zahiri and Ibadi are considered the main schools of Islamic jurisprudence, and all have major constituencies within both the Shia and Sunni communities. This article looks briefly at the four major schools in Sunni Islam. Although these schools offer different legal interpretations about issues that are not addressed in the Koran and Hadith.
(traditions concerning the life and utterances of the Prophet Muhammad), in terms of the fundamental principles of Islam, they share common ground.

Hanafi

The Hanafi school was founded by Abu Hanifa an-Numan (d. 767), a merchant who studied and taught in Kufa, Iraq and is reported to have left behind one major work, *al-Fiqh al-Akbar*. He was one of the earliest Muslim scholars to seek new ways of applying Islamic tenets to everyday life.

Hanafi doctrine is considered among the most flexible and liberal in Islamic jurisprudence, including in the areas of criminal law, treatment of non-Muslims, individual freedoms, marriage and use of property. Officially adopted by the Ottoman Turks in the 16th century, Hanafi jurisprudence remains the most influential school in the world. It is used in Jordan, Lebanon, Pakistan, Syria, Turkey and Afghanistan and by significant minority Muslim groups in countries such as Iran and Malaysia.

Like the other schools, the Hanafi school derives its interpretation from the Koran and Hadith. When these sources are ambiguous on an issue, the consensus of the Prophet Muhammad’s companions is relied upon. Then the individual opinion of the prophet’s companions is sought, and finally local customs. Abu Hanifa is regarded by modern scholars as the first to formally adopt and use qiyas (analogical reasoning) when the Koran and Hadith are silent or ambiguous in their guidance.

Maliki

One of the giants of Islamic jurisprudence was Malik ibn Anas, an 8th-century scholar from Medina and the founder of the Maliki school. Maliki is the second-largest of the four schools of Sunni Islam, followed by approximately 25 per cent of Muslims. The Maliki school is predominantly practised in North Africa (excluding northern and eastern Egypt), West Africa, Chad, Sudan, Kuwait, Bahrain, Dubai (United Arab Emirates) and north-eastern parts of Saudi Arabia. In the medieval period, the Maliki school was also used in parts of Muslim-dominated territories in Europe such as Sicily and Spain.

The Maliki school differs slightly from the three other schools of jurisprudence in Sunni Islam, most notably in the sources it uses to derive rulings. Although it follows other schools in its use of the Koran as a primary source, it relies less on the hadith. Additionally, the practice of the people of Medina (amal ahl al-medina) is used as a source, which is different from other schools. This source sometimes takes precedence over the Hadith, since the practice of the people of Medina was considered a ‘living Sunnah’ (the body of traditional social and legal custom and practice), because the Prophet Muhammad lived in Medina, formed a government there and died there. Furthermore, most of his companions lived there during his life and after his death.

In addition to the above jurisprudential differences, there are slight differences in the preferred way to pray. According to the majority of ulama (Muslim scholars) in the Maliki school, during prayer the hands should be placed at the sides, which is similar to how Shiites pray. However, the more common Sunni practice of joining the hands beneath the chest, right hand over left, does not invalidate the prayer.

Shafii

The Shafii school is named after its founder, Imam Shafii (767-820). From 804 to 810, he was taught by Malik ibn Anas, the founder of the Maliki school. Shafii’s most important books are ar-Risalah (‘the message’) and al-Umm (‘the mother’). One of the most notable followers of the Shafii School was the Persian scholar Imam al-Ghazali (1058-1111), the influential philosopher and theologian.
The Shafii school predominates in Kurdistan, Egypt, Yemen, Indonesia, Thailand, Singapore, the Philippines, Sri Lanka, Palestine, Syria, Brunei and Malaysia. Although the school is considered to be one of the more conservative, many of its followers uphold liberal views in interpreting Islam.

The school recognizes five sources of jurisprudence as having the necessary authority: the Koran, Hadith, ijma (the consensus of scholars or of the community), the individual opinions of Prophet Muhammad’s close companions and, finally, qiyas. Imam Shafii significantly limited the scope for using qiyas in deriving Islamic law.

Hanbali

The Hanbali school is named after the Iraqi scholar Ahmad ibn Hanbal (d. 855), who was a disciple of Imam Shafii. Until the emergence of the House of Saud in the Arabian Peninsula, the school did not enjoy any patronage or support from a serious political force. Indeed, its legitimacy was not always accepted. Today, it is regarded as the smallest of all the Sunni schools of jurisprudence, found mainly in Saudi Arabia and Qatar. Although Hanbali is the most conservative of the Sunni schools, it is considered liberal in most commercial matters. ‘Conservative’ here refers to adherence to a strict interpretation of Islam through a literal understanding of the Koran and Hadith. Wahhabism, which is one of the strictest and most influential movements within Sunni Islam, is rooted in the Hanbali school. After Mohamad ibn Abdul Wahhab (d. 1791), Ibn Taymiyyah (d. 1328) was one of the most notable and controversial Hanbali scholars. His strict beliefs are thought to have had a considerable influence on contemporary Wahhabism and Jihadism.

The Hanbali school recognizes as sources of law the Koran, Hadith, fatwas (decrees) issued by the prophet’s companions, the opinions of individual companions, traditions with weaker chains of transmission or lacking the name of a transmitter in the chain, and qiyas when absolutely necessary. The school encourages independent reasoning (ijtihad) through the study of the Koran and Hadith. It also rejects taqlid, or blind adherence to the opinions of other scholars, and advocates a literal interpretation of textual sources.