The Methodology of Mas'ud Samarkandi in Solving Jurisprudential Issues

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Abstract: This article discusses the scientific and theoretical sources and methods used by Mas'ud ibn Mahmud ibn Yusuf Samarkandi, who lived at the end of the 13th century and the beginning of the 14th century, in writing his work "Saloti Mas'udi". The article provides a detailed analysis, supported with examples, of his approach to resolving jurisprudential issues.

Keywords: Jurisprudence, Madhhabs, Hanafi Madhhab, Mas'ud Samarkandi, "Saloti Mas'udi", Legal Problems, Issues, Methodology, Scientific-theoretical Foundation.

Introduction

Mas'ud Samarkandi (late 13th – early 14th century) authored the work *Saloti Mas'udi*, the scientific and theoretical foundation of which relies on Quranic verses, hadiths, narrations from the four rightly guided caliphs, companions, and tabi'un (followers of the companions). Additionally, it draws upon the works of the four main founders of the Sunni madhhabs: Abu Hanifa Nu'man ibn Thabit, Muhammad ibn Idris al-Shafi'i, Malik ibn Anas, and Ahmad ibn Hanbal ("Transcendental Philosophy and Ecology: For a Jurisprudential Approach to Environmental Issues," 2021). Primarily, the work presents the views of Abu Hanifa and al-Shafi'i, as these two madhhabs were dominant in Mavarounnahr and Khorasan during that period. The works of prominent scholars such as Imam Abu Yusuf, Imam Muhammad, Imam Zufar, Burhanuddin Marghinani, Najmuddin Umar Nasafi, Imam al-Sarakhsi, and Abu Hafs al-Kabir al-Bukhari, along with more than 80 other authoritative sources, are also utilized in *Saloti Mas'udi (Mahrouk, 2022)*. Additionally, Samarkandi includes a critique of various heretical sects and provides his perspective on their ideas in his work (Almirón, 2020).

Methodology

The significance and value of *Saloti Mas'udi* lie in the fact that it was written according to the Hanafi madhhab and is entirely dedicated to legal rulings and real-life issues. The work is composed in a unique scholarly style. The author has strived to write the work in a simple and comprehensible manner (Kesiman, 2021). The manuscript and text have been fully studied, and through analysis, the following unique methods were identified:

First Method: Mas'udi supports each ruling with transmitted evidence (Quran and Hadith) as well as rational evidence (the opinions of mujtahids). To further solidify his argument, he presents important and controversial issues and resolves them based on the views and narrations of great jurists from the Ahl al-Sunnah wal-Jama'ah and renowned companions and hadith scholars (Auschra, 2020). To provide a broader and clearer explanation of a legal issue, he compares the different opinions of scholars and offers his own conclusions and reasoning (Sang, 2024).

Second Method: When discussing particularly important and controversial matters, he respectfully cites the names of the companions, tabi'un, and the founders of the main madhhabs (mainly Abu Hanifa and Imam al-Shafi'i) as well as prominent jurists, bringing forth their views (Souibgui, 2023). Most of the scholars he refers to were from Mavarounnahr and represented the Hanafi madhhab, being some of the most prominent scholars of their time.

Third Method: Samarkandi does not criticize other madhhabs. Instead, when presenting a legal issue, if there is consensus among the scholars, he includes it. If there is disagreement, he examines the issue according to the different madhhabs. Among the four Sunni madhhabs, Imam al-Shafi'i's view is given attention first, followed by the opinion of Hanafi scholars (Singh, 2021). The benefit of the disagreement is noted, and evidence is provided to support the views of Hanafi scholars (Shaw, 2022). If further questions arise, additional evidence is presented to clarify the disagreement. For example, "Imam A'zam and Abu Yusuf say..., Imam Muhammad says... The benefit of this disagreement is that if it is like this, then it will be like that" (Samarqandiy. Et all, 1904)

For example: "If a minor is not of sound mind, their words and actions are not considered, and this is a consensus. However, if the minor is of sound mind, should their words and actions be considered or not? According to Imam al-Shafi'i (r.a.), the words and actions of a rational child are not considered (Giannaccare, 2021). However, according to our scholars, they are (Camps, 2022). The benefit of this disagreement becomes apparent when considering whether the Islam of a rational non-Muslim minor who converts to Islam is accepted or not. According to Imam al-Shafi'i, their Islam is not accepted, nor is their disbelief considered disbelief. However, according to our scholars, their Islam is valid, as evidenced by Hazrat Ali, who embraced Islam at the age of seven (Baranov, 2023). Regarding whether their disbelief counts as disbelief, Imam A'zam and Abu Yusuf (r.a.) say, 'Their disbelief is indeed disbelief because their Islam is valid.' Imam Muhammad adds, 'Their Islam is valid, but their disbelief does not count because Islam benefits the individual, while disbelief harms them. We should acknowledge the benefit for the minor, but not the harm.' The benefit of this disagreement is that if the child dies in this state, they will be

considered Muslim on the Day of Judgment because their disbelief is not taken into account" [2:26-27].

Fourth Method: In *Saloti Mas'udi*, the resolution of legal issues begins with a detailed explanation of the opinions of prominent scholars of Islamic jurisprudence. Then, the objections or agreements of other scholars are presented (Polomac, 2023). Based on the opinions of these authoritative jurists, the most appropriate solution to the legal issue is chosen.

For example: "Is the greeting of peace (salam) part of the prayer or not? Imam Bakr Khawharzoda (r.a.) states that the greeting is not part of the prayer, arguing that no intention is required for any of the prayer's other pillars, while a specific intention is required for the greeting. Therefore, it is probably not part of the prayer. However, Imam al-Sarakhsi (r.a.) argues that the greeting is indeed part of the prayer, supporting this with the fact that delaying the greeting necessitates the compensatory prostration (sajda al-sahw)" [1:47].

The vast theoretical sources referenced in *Saloti Mas'udi* illustrate the breadth of Mas'ud Samarkandi's knowledge and intellectual capability. Naturally, through the methods mentioned above, *Saloti Mas'udi* has become richer in content, more accessible for study, and a precise scientific guide (Camps, 2021).

Fifth Method: Mas'ud Samarkandi thoroughly reviewed the works and opinions of numerous authors on various fields of Islamic law to compile *Saloti Mas'udi*. To provide a more in-depth and clearer explanation of legal matters, he compared the scholars' opinions and presented his own conclusions and views (Levine, 2024).

Result and Discussion

In the introduction to the 1904 Turkish translation of *Saloti Mas'udi* by Rahimkhoja Alikhoja Eshon oglu, it is noted that the author collected issues from 84 reputable books, transmitted hadiths from 125 famous companions, and cited the opinions of 129 imams and mujtahids [1:2]. For example, hadiths were narrated from companions such as Abdullah ibn Mas'ud (r.a.), Jabir ibn Abdullah (r.a.), Umar ibn Khattab (r.a.), Ali ibn Abu Talib (r.a.), Abdullah ibn Umar (r.a.), Aisha (r.a.), Abu Hurairah (r.a.), Zayd ibn Thabit, and others. From among the jurists, imams, and mujtahids, Abu Yusuf Ya'qub, Muhammad ibn al-Hasan al-Shaybani, Imam Zufar, Hasan ibn Ziyad, Burhanuddin Marghinani, Najmuddin Umar Nasafi, Abu Hafs al-Kabir al-Bukhari, Imam al-Sarakhsi, and others are cited.

During research, it was discovered that in the manuscript of *Saloti Mas'udi* copied in 1650-1651, the number of theoretical sources referenced was 88, not 84, and that 149 opinions of revered mujtahids, not 129, were cited [3:344-346].

For example, hadiths were narrated from companions such as Abdullah ibn Mas'ud (r.a.), Jabir ibn Abdullah (r.a.), Umar ibn Khattab (r.a.), Ali ibn Abu Talib (r.a.), Abdullah ibn Umar (r.a.), Aisha (r.a.), Abu Hurairah (r.a.), and Zayd ibn Thabit. Jurists, imams, and mujtahids referenced include Abu Yusuf Ya'qub, Muhammad ibn al-Hasan al-Shaybani, Imam Zufar, Hasan ibn Ziyad, Burhanuddin Marghinani, Najmuddin Umar Nasafi, Abu

Hafs al-Kabir al-Bukhari, Imam al-Sarakhsi, Imam Sharaf an-Nawajizi, Imam Zuhayr al-Uzjandi, Imam Zahid Fakhri, Abdullah al-Jurjani, and others.

The opinions of the great jurists, imams, and mujtahids such as Abu Yusuf Ya'qub, Muhammad ibn al-Hasan al-Shaybani, Imam Zufar, Hasan ibn Ziyad, Burhanuddin al-Marghinani, Najmuddin Umar an-Nasafi, Abu Hafs Kabir al-Bukhari, Imam al-Sarakhsi, Imam Sharaf an-Nawajizi, Imam Zuhayr al-Uzjandi, Imam Zahid Fakhr, Abdullah al-Jurjani, Abu al-Hasan al-Karkhi, and Abu al-Qasim al-Hakim (may Allah have mercy on them) are cited in *Saloti Mas'udi*.

The work references renowned texts such as Muhammad al-Shaybani's *Al-Mabsut*, *Al-Jami' al-Kabir*, *Al-Jami' al-Saghir*, Quduri's *Mukhtasar*, Shams al-A'imma al-Halwani's *Al-Mabsut* and *Kitab al-Nawadir*, Shaykh al-Islam Ali al-Isfahani's *Al-Mabsut*, Alauddin al-Samarkandi's *Tuhfat al-Fuqaha'*, and Sadru'sh-Shahid Hisamuddin's *Al-Fatawa al-Sughra* and *Al-Fatawa al-Kubra*. Furthermore, the work makes use of the renowned *Al-Mabsut* of Shams al-A'imma al-Sarakhsi, Shaykh al-Islam Burhanuddin al-Marghinani's *Hidaya*, and Abu al-Layth al-Samarkandi's *Khizanat al-Fiqh*, along with various commentaries.

Conclusion

In conclusion, the vast range of theoretical sources in *Saloti Mas'udi* clearly demonstrates Mas'ud Samarkandi's scholarly rigor and multifaceted talent. Through the methods employed by the author, *Saloti Mas'udi* has become rich in content, accessible for study, and a precise scientific manual (Ghodrati, 2020).

"The study of the legacy of jurists active in Mavarounnahr is of great importance to global scholarship" [4:88-91]. The rich legal experience and heritage of our ancestors serve as a strong foundation for the development of the independent Uzbek state.

The study of the teachings of the Hanafi madhhab and scholarly investigation of related works remains one of the key tasks in proving the incorrectness of various extremist ideologies and maintaining religious stability in our time

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