

Madhabs In Context: A Study On Approaches On Nursî And Al-Sha‘rânî On Unifying Islamic Law Schools

Bediüzzaman Said Nursî Ve Abdulvehhâb-I Şa‘rânî’nin Dört Fıkıh Mezhebinin Birliğine Dair Yaklaşımları Üzerine

Yazar / Author

Dr. Fatih OKUMUŞ

Kahramanmaraş Sütçü İmam Üniversitesi – Kahramanmaraş / Türkiye

Kahramanmaraş Sütçü İmam University – Kahramanmaraş / Türkiye

fatihokumus@yahoo.com

<https://orcid.org/0000-0003-0148-2905>

<https://ror.org/03gn5cg19>

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MADHABS IN CONTEXT: A STUDY ON APPROACHES ON NURSÎ AND AL-SHA'RÂNÎ ON UNIFYING ISLAMIC LAW SCHOOLS

ABSTRACT

This study compares the perspectives of Bediüzzaman Said Nursî (d. 1960) and 'Abd al-Wahhâb al-Sha'rânî (d. 973/1565) on the unification of Islamic legal schools and their interaction with social and historical structures. It explores why Muslims adhere to different madhabs despite sharing common religious foundations and analyzes both scholars' efforts to reconcile legal diversity. Using a comparative textual analysis of Nursî's *Risale-i Nur* and Sha'rânî's *Al-Mîzân al-Kubrâ*, the study highlights how each thinker regards legal plurality as an expression of divine wisdom that preserves unity while allowing flexibility. By examining jurisprudential examples such as the degree of impurity that invalidates prayer and the timing of Fajr, it argues that both scholars interpret differences as divine concessions suited to varying social needs. Ultimately, it concludes that madhab diversity, far from fragmenting the ummah, enriches Islamic law and offers valuable insights for modern Muslim coexistence and legal tolerance.

Keywords: Islamic law, fiqh, madhabs, legal pluralism, Nursî, al-Sha'rânî, legal unity, jurisprudential diversity

BEDİÜZZAMAN SAİD NURSÎ VE ABDULVEHHÂB-I ŞA'RÂNÎ'NİN DÖRT FIKİH MEZHEBİNİN BİRLİĞİNE DAİR YAKLAŞIMLARI ÜZERİNE

ÖZ

Bu makale, Bediüzzaman Said Nursî (ö. 1960) ile Abdulvehhab-ı Şa'rânî'nin (ö. 973/1565) fıkıh mezheplerinin birleştirilmesi ve bunların toplumsal ve tarihî yapılarla etkileşimi konusundaki yaklaşımlarını mukayeseli olarak incelemektedir. Çalışma, Müslümanların ortak dinî temellere sahip olmalarına rağmen neden farklı mezheplere mensup oldukları sorusunu irdelemekte ve her iki âlimin fikhî ve hukukî ihtilafları uzlaştırma yönündeki çabalarını analiz etmektedir. Nursî'nin Risâle-i Nurları ile Şa'rânî'nin el-Mîzânü'l-Kübrâ'sı üzerine yapılan karşılaştırmalı metin analizi, her iki düşünürün de hukukî çoğulculuğu birliğin korunmasına hizmet eden, esneklik sağlayan ilahî bir hikmetin yansıması olarak gördüklerini ortaya koymaktadır. Namazı bozan necaset miktarı, sabah namazının vaktinin tespiti gibi örnekler üzerinden, her iki âlimin de farklılıkları toplumsal ihtiyaçlara uygun ilahî ruhsatlar olarak yorumladıkları gösterilmektedir. Sonuç olarak çalışma, mezhep farklılıklarının ümmeti bölmekten ziyade İslâm hukukunu zenginleştirdiğini ve modern dönemde Müslümanlar arası birlikte yaşam ve hukukî hoşgörüyü değerli katkılar sunduğunu ortaya koymaktadır.

Anahtar Kelimeler: İslam hukuku, fıkıh, mezhepler, hukukî çoğulluk, Nursî, al-Sha'rânî, hukukî birlik, içtihat farklılıkları.

Introduction

The plurality of Islamic legal schools has long been a defining feature of Islamic jurisprudence, representing both diversity and unity within the tradition. While classical Islamic law accommodated multiple legal schools without insisting on codified uniformity, modern reformist and post-classical voices have often struggled to position themselves within this inherited legal diversity. This article examines two such voices; ‘Abd al-Wahhāb al-Sha‘rānī (d. 973/1565), a classical Sufi-jurist, and Bediüzzaman Said Nursî (d. 1960), a prominent Ottoman-Kurdish theologian and thinker; both of whom propose distinctive frameworks for reconciling madhab differences in light of ethical unity and spiritual inclusivity.

The central thesis of this study is that both al-Sha‘rānī and Nursî, while separated by centuries and context, provide complementary visions of legal pluralism grounded in a shared metaphysical commitment to unity, justice, and mercy. While al-Sha‘rānī’s *Mizān al-Kubrā* offers a jurisprudential reconciliation rooted in divine wisdom and varying human capacities (taklīf), Nursî presents a more existential and socially attuned reading of legal diversity, viewing madhab pluralism as both a mercy and a means of cultivating ethical consciousness in the modern world. These perspectives, though arising from different contexts - post-Mamlūk Egypt and late-Ottoman/post-caliphate Anatolia - reveal a converging approach to reconciling difference without erasing it.

The comparative reading of these two figures aims not merely to historicize their positions but to contribute to contemporary discussions about Islamic legal pluralism, especially in contexts where Muslims live as minorities or within plural legal regimes. In doing so, this article addresses broader questions: Can pluralism be theorized as a strength rather than a liability in Islamic legal thought? What ethical or theological resources does the tradition offer to balance coherence and flexibility in the application of law?

This study is divided into three main parts. The first section introduces the theoretical foundations of madhab diversity in Islamic legal history. The second part very briefly analyzes al-Sha‘rānī’s theory of legal stratification and reconciliation of opposites in the context of social structure and his effects on Nursî. The third part explores Nursî’s approach to madhab unity in the context of post-caliphate Islamic ethics and reform. The conclusion synthesizes their contributions and considers their relevance for contemporary Muslim legal thought.

Muhammed Hamidullah¹ (d.2002) in the mature period of his life and the development of his knowledge, included the following expressions in his work titled 'Introduction to Islam,' which has been translated into many languages even during his lifetime:

"One of the names given to the Prophet Muhammad (peace be upon him) in the Islamic tradition is the Beloved of Allah (Habibullah). The Noble Qur'an (Al-Ahzab/21) clearly states that the Prophet (pbuh) is the best example² to be followed by Muslims. Therefore, Almighty Allah desires that every action of His Beloved be continued by the Islamic community. In situations of variation among practices, there is nothing more than the need for some Muslims to continue the Sunnah-lifestyle of their Prophet (pbuh), while others may continue another Sunnah. It can be said that Allah Himself has desired that each action

1 Muhammed Hamidullah is a great scholar best known for his work in translating the Quran into several languages, including French, English, and German who emerged in the field of Islamic state law in the twentieth century. He also served as the mentor to leading scholars of theology in Turkey, such as Salih Tuğ, Hayreddin Karaman, Yusuf Ziya Kavakçı, İhsan Süreyya Sırma, Suat Yıldırım, among others. Discovered at a congress organized by Prof. Dr. Zeki Velidi Togan in Istanbul, Hamidullah was invited as a visiting lecturer to Istanbul University's Faculty of Arts, and Fuad Sezgin served as his assistant.

2 “Verily in the messenger of Allah ye have a good example for him who looketh unto Allah and the Last Day, and remembereth Allah much.” The Glorious Qur’an, trans. Marmaduke Pickthall (İstanbul: Çağrı Yayınları, 2011). al-Ahzâb 33/1. Pictall’s translation.

and movement of His beloved Prophet (pbuh) continues in Islam through the various madhabs."³

Muslims are primarily composed of three main groups: Sunni, Shia, and Ibadi, according to Hamidullah, who emphasizes that these distinctions are related to the interpretation of the fundamental texts of theologians (kalam scholars).⁴ Hamidullah points out that "nothing related to worship has been invented by those after the Prophet Muhammad (pbuh)."

According to Hamidullah:

"It is obvious that the source of almost all differences lies in the Prophet Muhammad's (pbuh) different practices, which do not attach special importance to a particular formula. To determine which of these practices has been repealed or retained, the chronological order of these diverse behaviors is often unknown. For example, under these circumstances, if a Shafi'i refuses to follow a Hanafi imam in a congregational prayer, that person is essentially rejecting the Prophet (pbuh), who performed certain actions not known in the Shafi'i madhab. What a significant misunderstanding!"⁵

Why are our madhabs different when our book, our Prophet (pbuh), and our qibla are the same? is a question that almost every Muslim asks at least once in their lifetime in every era. Each person considers their own madhab to be the right one.

The question of unity and divergence among Islamic madhabs has been a subject of extensive scholarly discourse, encompassing historical, jurisprudential, and sociological dimensions. The perspectives of scholars such as Bediüzzaman Said Nursi (1877–1960) and 'Abd al-Wahhāb al-Sha'ārānī (1492–1565) provide critical insights into the tension between legal pluralism and the aspiration for unification.

Islamic jurisprudence has historically acknowledged the phenomenon of *ikhtilāf* (juridical disagreement) as an inherent characteristic of *fiqh*. Classical works, such as Ibn Khaldūn's *Muqaddimah*, explore how legal diversity emerged due to geographical, cultural, and methodological differences. Similarly, Al-Ghazālī's *Al-Mustasfā fī 'Ilm al-Usūl* and Shāh Waliyyullāh al-Dihlawī's *Hujjatullāh al-Bāligha* emphasize the role of *maṣlaḥa* (public interest) and evolving societal needs in shaping jurisprudential divergence.

Al-Sha'ārānī was a prominent advocate for reconciling *madhāhib*, arguing in his *Mizān al-Kubrā* that apparent contradictions among schools of law stem from different *ijtihād* methodologies rather than fundamental inconsistencies. His framework presents *fiqh* as a spectrum rather than a rigid classification, where reconciliation is possible by recognizing the underlying unity in methodological principles.

Said Nursi, while rooted in the Shafi'i tradition, advocated for a jurisprudence that adapts to contemporary realities without undermining the established schools. His *Risale-i Nur* corpus suggests that the division among madhabs is a historical necessity but not an immutable barrier. Scholars such as Ibrahim Abu-Rabi' and Colin Turner have examined Nursi's role in bridging traditional Islamic scholarship with modernist inclinations, highlighting his pragmatic approach to *madhab* unification in response to sociopolitical transformations in the Muslim world.

Muhammad Abduh (1849–1905), a key figure in modernist Islamic thought, also contributed to the discourse on *madhab* unification. Abduh emphasized the necessity of *ijtihād* in adapting Islamic law to modern societal conditions. His works, including *Risālat al-Tawhīd*, argue for a flexible approach to *fiqh* that transcends rigid *madhab* structures. Scholars such as Charles C. Adams and Rashid Rida have explored Abduh's legal philosophy, demonstrating its relevance to contemporary reformist debates and its alignment with broader calls for legal synthesis within Islamic jurisprudence.

3 Muhammed Hamidullah, *İslâm'a Giriş*, trans. İbrâhim Ârif Koçtak- Veysel Uysal (İstanbul: Beyan Yayınları, 1999), 295.

4 "Kalam" can be translated as Islamic Systematical Theology.

5 Hamidullah, *İslâm'a Giriş*, 294–295.

The literature on *madhab* unity and diversity underscores a dynamic interplay between jurisprudential principles and societal imperatives. Al-Sha‘rānī’s conciliatory framework and Nursī’s adaptive approach both align with historical efforts to balance legal pluralism with communal cohesion. Muhammad Abduh’s emphasis on *ijtihād* further enriches this discourse, suggesting that legal reform remains a crucial element in contemporary Islamic thought. Further research may explore their methodologies in light of contemporary legal reforms and transnational Islamic movements, particularly in the context of global *fiqh* councils and digital *fatwa* platforms.

Ferhat Gökçe, who initially wrote a master’s thesis⁶ in the field of Hadith studies evaluating al-Sha‘rānī’s *al-Mīzān* within the framework of the discipline of *Mukhtalif al-Ḥadīth*, later extracted from his thesis an article titled “The Mīzān Method in Resolving Discrepancies Among Fiqh-related Ḥadīths.”⁷ In his study, Gökçe determines that the author resolves conflicts between ḥadīths by referring them back to *mīzān* (balance). Examining approximately 180 ḥadīth narrations found in *al-Mīzān*, Gökçe establishes that al-Sha‘rānī, through his Sufi perspective, seeks to reconcile ḥadīths that contain divergent rulings on the same subject. Accordingly, al-Sha‘rānī asserts that differing ḥadīths on a given issue serve as *ḥujjah* (binding proof) within their respective contexts and are a manifestation of *rahmah* (divine mercy), contingent on the spiritual strength or weakness of the addressee. Gökçe’s study stands as the sole academic work in Turkish on the subject of ḥadīth and Sha‘rānī.

Halim Gül, drawing upon al-Sha‘rānī’s *al-Yawāqīt wa-l-Jawāhir*, formulates a defense of Ibn ‘Arabī and rightly observes that al-Sha‘rānī represents a Sufi approach that does not engage in conflict with the traditional disciplines of Islam, nor does he consider himself independent of their guidance.⁸ Just as *al-Mīzān* is founded upon an epistemological framework that views the various schools of *fiqh* as complementary rather than conflicting, *al-Yawāqīt wa-l-Jawāhir* is directed toward reconciling the theological tensions between *kalām* and *taṣawwuf*, seeking to eliminate their apparent contradictions.

Hayri Kaplan, who describes al-Sha‘rānī as a *faqīh* and a *Şūfī*, notes that he pursued a reconciliatory approach in response to the polarization between scholars and *Şūfīs* in his time. When necessary, he also defended the *Şūfīs*, as exemplified in his advocacy for Ibn ‘Arabī.⁹

Winter’s article, translated by Çınar into Turkish, is a noteworthy study both for the social background it provides and for its critical perspective.¹⁰

In this study, our endeavor is to unravel the fundamental question of why do different Islamic law schools (*fiqh* madhabs) exist, looking at it from the perspective of society. Addressing such inquiries necessitates exploring diverse viewpoints, and our focus lies in seeking insights from the vantage point of the juristic reasoning within the community. To articulate it in more technical terms, our approach involves positioning the madhabs based on the prevailing conditions or the perspective of the inquirer. This is because jurisprudence engages with matters of responsibility, and a *fatwa* takes form in response to the specific queries posed by the inquirer. Islamic law schools, essentially, represent a systematically organized compilation of these *fatwas*.

⁶ Ferhat Gökçe, *Şa‘rānī ve Hadisleri Değerlendirmede Mīzān Yöntemi*, (Yayımlanmamış Yüksek Lisans Tezi), Ankara, 2004.

⁷ Ferhat Gökçe, “Fıkhî Hadisler Arasındaki İhtilâfların Çözümünde Mīzān Yöntemi”. *Dinbilimleri Akademik Araştırma Dergisi* 13/2 (Nisan 2013), 7-36.

⁸ Hâlim Gül, “Hukukçu Bir Sûfî İbnü’l- Arabî Müdafası: İmam Şarani Örneği”. *Şarkiyat* 9 (Nisan 2013), 47.

⁹ Hayri Kaplan, “Fakih Bir Sûfî Örneği Olarak Abdulvehhâb Eş-Şa‘rânî”. *Çukurova Üniversitesi İlahiyat Fakültesi Dergisi (ÇÜİFD)* 2/2 (Haziran 2002), 119-154.

¹⁰ Michael Winter, (Çeviren: Mahmut Çınar) “Onaltıncı Yüzyılda Şa‘rânî Ve Mısır Toplumu”. *Marmara Üniversitesi İlahiyat Fakültesi Dergisi*, sy. 41 (Mart 2014): 275-96. <https://doi.org/10.15370/muifd.10714>.

The relationship between Islamic law schools and social structure has been influenced not only by differences in sources, such as methodological variations and the transmission of hadiths through different narrators but also by the social context within which Islamic law schools emerged. Social structure is a sociology term that can be briefly defined as the institutionalized internal relationship system constructed by individuals within a group.¹¹ In this research, we do not assert that Islamic law schools are determined by social structure. Rather, we posit that elements associated with social structure play a role in shaping the perspectives of scholars involved in *ijtihād* within the expansive framework outlined by the *Shari'a*. Despite the wealth of scholarly literature addressing methodological diversity, both historically and in contemporary contexts, the direct exploration of the connection between madhabs and social structure has frequently been overlooked. Nevertheless, the social and political order, institutions, and dynamics inherent in Islamic societies—comprising the social science of Islam—have consistently intersected with the field of Islamic law (*fiqh*).

Madhabs have been impacted by and, to a certain extent, have contributed to the transformation of society during their inception and spread. The emergence and development of madhabs have been significantly impacted by social, economic, and political changes. Particularly during the Abbasid period (750-1258), the restructuring of state institutions led to the necessity of establishing an official madhab. Firstly, speaking in contemporary terms, the bureaucracy, seeking to institutionalize a single jurisprudential school, could not succeed in this endeavor due to the opposition of scholars. However, with the acceptance of the position of Chief Justice (*qadi al-qudat*) by Imam Abu Yusuf (d. 183/798), they were able to achieve at least a significant unity in the field of judiciary.

1. Theoretical frame

1.1. Efforts to unify madhabs

The efforts to unite different madhabs have been proposed since the formative period, and even earlier. The idea of reconciling different jurisprudential views has been proposed by rulers and bureaucratic elites since the formative period, and even earlier. However, each time, due to the opposition of scholars and their reluctance to engage in such efforts, it has never materialized.

The renowned Persian Islamic scholar and bureaucrat Ibn al-Muḳaffa' (d. 142/759) advocated in his treatise "*Risalatü's -sahaba*"¹² the necessity of merging madhabs and adopting a single legal code for the entire Islamic state. However, this proposal was repeatedly rejected by Imam Mālik (d. 179/795) (rh), who was considered for the task by the caliph. Ibn al-Muḳaffa' highlighted the chaos caused by different rulings on the permissibility of actions in one city being deemed forbidden in another. Imam Mālik (rh), in response, emphasized the presence of scholars like al-Awzā'ī (d. 157/774) in Damascus and other cities having their own scholars. He argued against the idea of uniting people under a single book and a single legal opinion, stating that the people of Iraq, in particular, would not heed his words.¹³

Bediüzzaman Said Nursî's (d.1960) proposed that the unity of madhabs could be possible as human intellect progressed, comparing it to the unity among university students. Nonetheless, he also acknowledged that while this concept was theoretically attainable, it was not practically feasible.¹⁴

The madhabs that had formed until the fourth century of the Hijra played a regulatory and stabilizing role in the religious life of Muslims. The recognition of the fatwas and juridical

¹¹ "Social Structure Definition & Meaning- Merriam-Webster" (Accessed January 26, 2024).

¹² Ebu Muhammed Abdullah b Mukaffa' İbnü'l-Mukaffa', *Risâletü's -sahâbe*. (Beyrut: Darü'l-Muktebes, 2014).

¹³ Abu Omar Yusuf Ibn Abdilberr, *al-Intiqa fi fedâili al-eimmeti al-salasati al-fukahâ*, ed. Abd al-Fattah Abu Ghudde (Beyrut: Maktabat al-Matbû'ât al-Islâmiyya, 1996), 80–81.

¹⁴ Bediüzzaman Said Nursî, *Risale-i Nur Külliyyatından Sözlür* (İstanbul: Tenvir Neşriyat, 1990), 455.

solutions of a single madhab the entire Islamic country, which had spread over a vast geography, was both a politically challenging dream and had the potential to lead to social and economic problems.

Thanks to the madhabs, regional religious and social stability was ensured. In the Hijaz, the Maliki and Hanbali madhabs, the Hanafi madhab in Iraq, and the Shafi'i madhab in Egypt became established and prominent. As fiqh scholar Yusuf Kılıç also pointed out:

"...In the period just before the establishment of the madhabs, *ijtihad* was unfettered, scattered according to situations, desires, and interests, without being bound by any constraints or based on any method. There were valid and invalid opinions. The madhabs emerged to channel the boundless *ijtihad* anarchy, which was uncontrolled, fragmented, and guided solely by circumstances, into a systematic course with a specific classification method, all aiming at searching for the main path."¹⁵

When considering the connection between madhabs and social structure, it would be useful and functional to delve into certain theoretical discussions in order to maintain a thorough approach to the subject. Two of the most important discussions include the debate on "Does the truth tolerate multiplicity?" and the perspectives on the role of destiny in the determination of madhabs.

1.2. Does the truth tolerate multiplicity?

Is there only one correct perspective on an issue, or are there multiple valid viewpoints? Can the correct perspective be determined? Throughout the history of science, we have witnessed the prevalence of the latter option of this dilemma. While there are proponents of the former option, there are also proponents of the latter option.

According to those who argue that there can be multiple correct views on the same issue, the approach is named "musawwibah," which asserts, every mujtahid is correct; every jurisprudential school is right; the opinions and fatwas of mujtahid scholars, even if contradictory to each other, are all in accordance with the God's will.

According to those who argue that the correct view is singular, in an issue with different *ijtihad*s from mujtahids, only one has found the truth and is correct; the others have erred. They earn reward for their *ijtihad*, but their views are not correct. It is not permissible to imitate their views only out of good assumption and respect. In an issue with different madhabs, only one is in accordance with God's will, while the others are not; hence, they are invalid. This approach is named "mukhattiah" manner.

Nursî adopts the "musawwibah" manner and supports and praises the highly influential Egyptian jurist and mystic Abd al-Wahhab al-Sha'rānī (d. 973/1565), who also embraced this manner and wrote a work covering all branches of jurisprudence on this subject.¹⁶

al-Sha'rānī, relying on a weak narration, alleges that the Prophet Muhammad (pbuh) entrusted his religion to scholars as long as they are not involved with rulers,¹⁷ arguing that even if the ummah does not know the evidence in scholars' fatwas, they should follow them. According to him, a mujtahid imam reaches a ruling either through Sharia evidence, true faith and surrender, or through the path of discovery. In this case, the judgment he gives becomes the judgment of Allah and His Messenger. While some mujtahids provide fatwas based only on evidence, for some, other paths are open. In the end, anyone following any madhab will have followed the Messenger. al-Sha'rānī, in a way, implies that the fatwas scholars can give based on their "fiqh competence/notion" are also in line with the spirit of Sharia.

Referring to some words of his mentor Ali al-Havvas (d.941/1534), al-Sha'rānī believes that always adhering to the strongest and most preferred opinions may lead to missing out on rewards.

¹⁵ Yusuf Kılıç, *İslâm Fıkıh Mezheplerinin Doğuşunu Hazırlayan Sebepler* (İstanbul: Emre Matbaası, 1997), 294.

¹⁶ Nursî, *Sözler*, 456.

¹⁷ Abd al-Wahhâb Sha'rânî, *Al-Mîzân al-Kubrâ* (Cairo: al-Matba'atu'l-Âmira, 1318), 1/2.

Because opinions considered weak and less preferred are also part of Sharia; abandoning them is a lack of respect and diminishes rewards.¹⁸

According to al-Sha'rānī, when the conditions for permission are met, benefiting from this permission according to the facilitating madhab and fatwas is commendable in the eyes of Allah. However, without meeting the conditions, one does not act based on permission.

From al-Sha'rānī's words, we can understand that constantly adhering to stringent practices may lead a person to a kind of arrogance and hypocrisy. However, taking advantage of some permissions as conditions are met is both closer to humility and protects one from falling into the disease of doubts. Because in acts of worship such as ablution, prayer, fasting, and pilgrimage, those responsible inevitably do something either lacking or excessive, either early or late, and in these matters, they often succumb to doubts and ask numerous questions. Sometimes acting with permissions, for example, praying only two units instead of four when one has the strength to perform the four-unit obligatory prayers during travel, or satisfying oneself with the minimum requirements, such as washing the limbs only once when there is the opportunity to wash three times, closes the doors of doubts completely. One who occasionally uses permissions does not blame a weak person for using a permission when he sees it, even if only in his heart, thus avoiding a great danger.

On the other hand, we see Ibn Hazm (d. 456/1064), a renowned Andalusian jurist of the Zahiri madhab, which is considered one of the Sunni madhabs and still has a few followers today, is a strong advocate of the "mukhattiah" approach in a position completely opposite to the approach of al-Sha'rānī, Nursi, and Hamidullah. The fact that he maintains this position and views differences absolutely negatively helps us better understand the approach of those who view differences with a reconciling perspective, making it highly valuable. According to him, there can only be one correct answer to a matter. The twenty-fifth chapter of Ibn Hazm's master work on legal theory and methodology of Islamic law "al-Ihkam" is titled "A Criticism of Disagreement,"¹⁹ while the twenty-sixth chapter is titled "There is Only One Truth, and All Other Views Are False."²⁰

1.3. Role of destiny

In this matter, Nursī, agreeing with al-Sha'rānī, has indicated that the determination and attribution of destiny play a role in the formation of the madhabs. Taking into account Nursī's entire body of work, along with the principles and style present in it, his approach of 'considering destiny' stands out prominently. Throughout his works, he has applied the perspective of 'there is wisdom in what has happened, and at least there is some good in it' to various fields and issues, ranging from politics to law.²¹

His commentary on Wahhabis and his explanation of the wisdom behind women receiving an equal share as men in inheritance as two prominent examples of this approach. Towards the end of the commentary on Wahhabis, he states:

"However, despite the evils and damages of the Wahhabis, there is one aspect for which they deserve gratitude, and it is highly significant. Perhaps, in contrast to their destructive evils, this aspect currently makes them successful. This aspect is that they pay great attention to prayer, diligently applying the rules of Sharia, and they do not show negligence like others. It seems as

¹⁸ Sha'rānī, *Al-Mīzān*, 1/16.

¹⁹ Abu Muhammad Ali b. Ahmad b. Sa'id Ibn Hazm, *Al-Ihkām Fī Usūl al-Ahkām* (Beirut: Dār al-Āfāq al-Jadīda, no date), 2/64.

²⁰ Ibn Hazm, *Al-Ihkām*, 2/70.

²¹ Nursī, *Sözler*, 455.

though they are exceeding the limits of religious zeal. Unlike others, they do not destroy religious symbols under the pretext of the insignificance of religion."²²

He interpreted the equal inheritance share for women and men as a 'decree of destiny' for both men and daughters. Despite this practice being contrary to Sharia, he pointed to some wisdom behind it from the perspective of destiny. For instance, he stated: "As for daughters, although they may have many faults in other respects, due to their weakness and the fact that they are more in need of protective and compassionate hands, they have increased their respect for their fathers and mothers, and they temporarily allow some of their rights to be given to them by the unjust hand of humanity."²³

Nursî's understanding that there can be more than one truth in the same matter and his consideration of the role of destiny in every issue has influenced his perspective on madhabs.

While pointing out that madhabs are a determination of destiny, on the one hand, Nursî, on the other hand, suggests that the truth will manifest differently to individuals and societies, that madhabs change depending on factors such as rural or urban characteristics, and that each jurisprudential school changes as the truth. In this way, it can be said that he aims to reach a balance by taking into account each of these different variables.

2. Comparison from the perspective of social structure of madhabs

Here, we specifically propose the "social structure" perspective as a tool to understand, especially during the formation of the madhabs, which social factors the mujtahid imams considered and how they were anchored in a cultural background, in addition to the known and expounded legal principles in books while forming their opinions.

There is very little information narrated from the madhab imams on this issue. It is known that Imam Shafi'i (rh) changed or reconsidered his views on certain issues after he moved from Baghdad to Cairo. Imam Abu Yusuf, on the other hand, stated that previously, the products traded based on volume, such as wheat, known as "makîl," would now be considered as "mawzûn," traded based on weight, due to the change in custom in this regard. In contrast, he mentioned that gold could also be considered as "makîl." He stated that the hadith related to this issue is based on custom.²⁴

In examining the madhabs from the perspective of social structure, the most effective method to follow might be case and issue analysis. Just as in determining the principles of the Hanafi madhabs, one should try to reach general principles by starting from the judgments given in individual cases. Making comparisons between madhabs and interdisciplinary studies, especially careful examination of historical data, will facilitate this determination.

As we have pointed out earlier, the fundamental question here is whether the mujtahid imam, while issuing a fatwa and determining a Sharia ruling, takes into account some social factors that have not been systematically reflected in the known principles alongside the established rules we are aware of and are present in the books.

If extensively exploring the answer to this question goes beyond the scope of our study, here we will point out some fundamental aspects of the issue and attempt to clarify it with a few examples. Nursî, in the conclusion of the Twenty-Seventh Word named "Booklet of the Ijtihad" notes that those who follow the Shafi'i madhab in accordance with the harmonization (tensib) of divine wisdom" are "closer to rural life and Bedouin lifestyle" compared to those who follow the Hanafi madhab. According to Nursî, the formation and spread of madhabs are a result of fate and the "guidance of divine wisdom." Therefore, in this divine arrangement, one should seek wisdom and

²² 28th Letter, 6th Problem: Bediüzzaman Said Nursî, *Risale-i Nur Külliyyatından Mektubat* (İstanbul: Tenvir Neşriyat, 1990), 346.

²³ Nursî, *Kastamonu Lâhikası* (İstanbul: Envar Neşriyat, 1995), 264–265.

²⁴ See for details, argumentation and interpretation of this opinion: Muhammed Emin b Ömer b Abdülazîz ed-Dîmaşki İbn Abidin, *Mecmuatu resaili İbn Abidin*. (: Dâru İhyai't-Türasi'l-Arabi, no date), 118.

benefits. Islamic law addresses urban and semi-civilized communities in the name of the Hanafi madhab, and rural and semi-Bedouin communities in the name of the Shafi'i madhab. Thus, if society becomes fully civilized, and human intellect approaches maturity, there will no longer be a need for the proliferation of madhabs, according to Nursi. However, Nursi believes that "this state of the world does not permit such a situation, and the madhabs cannot become one."²⁵

After explaining the wisdom behind the changing of laws over centuries and the multiplicity of madhabs in the conclusion of the Twenty-Seventh Word, Nursi states in the conclusion:

"Here, two drops from the ocean are given as an example to you...Compare them to the ocean. If you can balance the scales of sharia with the scale of *Sha'rānī* (*Mīzān-ı Şa'rānī*), do so."²⁶

Nursi, the expression "*Mīzān-ı Şa'rānī*" here refers not only to al-*Sha'rānī*'s work but also to the method of compiling different views proposed in this work. When we examine the issue through al-*Sha'rānī*'s *Al-Mīzan al-Kubra* (The Supreme Scale), we see that he essentially says the following:

Divine rulings are ordained in a "lightened" or "intensified" manner to suit the natures of different layers of people. If there are three or more madhabs on a particular issue, they also come as "detailed" from these two. The jurisprudential school of each mujtahid imam is correct, and their differences are a mercy for the Ummah. The accountable individuals are divided into those who are strong in faith and physically, and those who are weak in these two aspects. It is not commanded for the strong to adhere strictly to the rules, and for the weak to act with rigor.²⁷

Al-*Sha'rānī*, when addressing individual issues, often specifies that the "intensified" rulings in disagreements are for the elite, nobles, and scholars, while the "lightened" rulings are for the common people.

3. Example cases

Nursi, while stating that the madhabs of all mujtahid imams are correct and that those who adhere to these madhabs are led to this path due to the wisdom of destiny, concurs with al-*Sha'rānī*. However, when explaining the different views of madhabs on the same issue, Nursi also refers to philosophical, historical, and social perspectives.

For example, in comparing the approaches of the Hanafi and Shafi'i madhabs in a few issues, Nursi points out that one is closer to urbanity and civilization, while the other is closer to rural and Bedouin life. He argues that the disagreements become meaningful and consistent when viewed from this perspective.

First, we will briefly examine the three specific issues Nursi addresses as examples, and then we will add a couple more to the discussion.

3.1. Reciting the Fatiha during prayer

According to the Shafi'i madhab, both the imam and every individual in the congregation must recite the Fatiha during prayer. According to the Hanafi madhab, the recitation of the imam is sufficient, and there is no need for the congregation to recite separately.²⁸

Nursi, considering the "social structure," approached the issue from the perspective of "urbanity" in this disagreement. He stated that those who adopt the Shafi'i madhab, with the wisdom of divine alignment, often have a social life that "considers the congregation as a single body." Due to the deficiency in their social life, each individual recites the Fatiha separately behind the imam, presenting their personal prayers and specific needs individually. In contrast, in the Hanafi madhab, which is relatively more accepted by communities closer to urban life in areas where the

²⁵ Nursi, *Sözler*, 354.

²⁶ Nursi, *Sözler*, 456.

²⁷ *Sha'rānī*, *Al-Mīzān*, 1/3.

²⁸ İbrahim Halebi, *Tam Kayıtlı Halebi-i Sağır ve Tercemesi*, trans. Hasan Ege (İstanbul: Salâh Bilici Kitabevi, 1973), 306.

Shafi'i madhab is prevalent, only the imam's recitation is suitable for the structure of these communities. This is because "a congregation becomes like an individual, and one person speaks on behalf of the public." Thus, the words of one person replace the words of the congregation.²⁹

3.2. Avoiding impurity

According to the Shafi'i Madhab, as detailed in fiqh books, if a person intending to pray has a small amount of impurity on their body or clothes, it invalidates their prayer. In contrast, according to the Hanafi School, a lenient approach is taken towards impurities, allowing for solid impurities up to one dirham (3.5 grams) and liquid impurities up to the size of the palm of the hand. It is noteworthy that Imam Shafi'i's (rh) fatwa in Iraq regarding a person with blood on their body or clothes is the same as that of the Hanafis; however, when he gave a fatwa in Egypt (in the new madhab), he required washing, even if it was a small amount.

Nursi interprets this disagreement with the same perspective: He suggests that the rural way of life forces people to be closely involved with impure things, and that is why the Shafi'i madhab, under the name of the Sharia, warns them more strongly about cleanliness. On the other hand, urban life keeps people away from many impure things found in the village, and because people in cities are more inclined towards clothing, cleanliness, the Hanafi madhab guides them with leniency and ease.³⁰

The approach of the Hanafi madhab, especially for Muslims living in Europe or in the States for example, provides great convenience. This is because it is often challenging to find the opportunity to purify with water at all times and in all places. Having a small amount of impurity remaining after cleaning with toilet paper does not invalidate the prayer.

3.3. Breaking ablution by touching women

According to Imam Shafi'i (rh), the touch of a mature man to the skin of a woman with whom he is eligible to marry, without any barrier like fabric in between, breaks his ablution (wudu). However, Imam Ahmad (rh) and Imam Mālik (rh) require that this touch must be with lust for the ablution to be invalidated. According to the Hanafi madhab, merely touching does not break the ablution.³¹

Nursi, by delving deeper into this approach, applies it to this issue as well:

"Here, we will consider a worker and a master. The worker, in terms of lifestyle, is inclined towards mingling with foreign women, physical contact, sitting by a fire, and getting involved in unclean things. Therefore, in terms of art and livelihood, since the field is empty for the onslaught of nature and his commanding self, he can trespass. For this reason, the Sharia, to prevent such trespasses, resonates a heavenly voice in his spiritual ear, saying, 'Wudu is invalidated, do not touch; it nullifies your prayer, do not get involved,' in order to block those spiritual trespasses. But as for the master, as long as he maintains decency, in terms of social norms, he is not inclined to physical contact with foreign women, nor does he immerse himself in unclean things for the sake of civil cleanliness."³²

Here, Nursi takes into account both the community to which the person belongs and his profession, social status, and life standards. We can observe a similar approach in al-Sha'rānī as well. In many of the controversial topics he addresses and weighs in his balance, he mentions that the rulings in one side of the balance are for scholars, elites, and community leaders, while those in the other side are for the common people.

²⁹ Nursi, *Sözler*, 455.

³⁰ Nursi, *Sözler*, 455.

³¹ Sha'rānī, *Al-Mîzân*, 1/111.

³² Nursi, *Sözler*, 455.

Up to now, the examples we have discussed were the points of disagreement that Nursī pointed out. Now, we will apply this method, which we can call "verification" and reminds us of the concept of "fine logic," to other examples:

3.4. Determination of crescent moons

The matter of determining crescent moons is a subject of disagreement among jurists regarding whether it can be done through sighting (observation) or calculation. There is ease in both aspects of this disagreement.

The first is easy for those living in villages, rural areas; the second is easy for those living in cities. Forcing people in today's modern cities to observe the crescent moon with the naked eye would introduce a difficulty into their lives that the Lawgiver did not command. However, establishing an observatory for them, conducting observations and calculations according to the requirements of science, and then determining the crescent moons according to the rules and principles of the divine law is much easier, precise, and heartening. Asking them to establish such institutions as is done in Bedouin societies would be burdensome for them.

3.5. Witness in marriage

According to the schools of Imam Shafi'i (rh) and Imam Ahmad (rh), it is a requirement to have two just male witnesses in marriage. Imam Abu Hanifa (rh), by analogy to financial matters, accepts the testimony of one man and two women or even two "fasiq" (someone who openly commits major sins) witnesses, based on the rationale that the purpose of marriage witnessing is to ensure publicity.

The first opinion is "mushaddad" (strict), and the second is "muhaḥḥaf" (relaxed). The first is more suitable for closed societies, while the second is more appropriate for large cities and cosmopolitan societies.

According to all three madhabs, if a Muslim man is to marry a dhimmi (non-Muslim) woman, two Muslim witnesses are required. According to Imam Abu Hanifa (rh), two dhimmi witnesses are also sufficient. The second opinion is a facilitative ruling, especially suitable for the increasingly prevalent "multicultural" cities in today's world.

3.6. Utilizing non-muslims in war and supporting them

According to Imam Mālik (rh) and Imam Ahmad (rh), it is not permissible to benefit from polytheists in war, and they cannot provide military support against their own enemies. Imam Mālik (rh) made an exception for polytheists serving as servants in the Muslim army.

According to Imam Abu Hanifa (rh), both benefiting from polytheists and assisting them are absolutely permissible. However, he considered it disliked to make such an agreement if the polytheists were powerful. Imam Shafi'i (rh) allowed such an agreement only under two conditions: Muslims being the majority, and the polytheists having positive views about Islam.³³

During periods when Islamic civilization was dominant and Muslim nations were active historical agents, it was possible to implement the views of the three schools. However, in times when history took a different direction, the way out is only through the opinion of Imam Abu Hanifa (rh). In World War I, the Ottoman Empire formed an alliance with Germany. In today's world, many Muslim countries make military cooperation agreements with non-Muslim countries. Moreover, in many non-Muslim countries, there are numerous Muslims serving in various ranks in their armies.

³³ Sha'rānī, *Al-Mîzān*, 2/185.

3.7. Early and late performance of the fajr prayer

In the Shafi'i madhab, it is considered Sunnah to perform the Fajr prayers early. According to the Hanafi madhab, waiting for the "isfar," which means a slight illumination of the sky, and performing the Fajr prayer close to its last time, is considered Sunnah.

The first approach is more suitable for the lifestyle of villages, where people are mostly engaged in farming, herding, or using tools. They wake up early, perform their prayers, and then head to the fields or follow the herd. Sometimes, they start their journey at night and perform the prayer in the field when they begin their work. If they do not perform it early, there is a risk of neglecting or delaying the prayer due to work and occupation.

In cities, it is more beneficial to perform the Fajr prayer close to sunrise. People can start their daily routines with the Fajr prayer. Shopkeepers can open their shops after the Fajr prayer. In Islamic cities, the Fajr prayer marks the time when the market opens and commercial activities begin.

"In the Prophet's (pbuh) Sunnah, there are various practices that can be used as evidence to support the views of both schools. The choice between different applications in the Sunnah and sometimes the Prophet's (pbuh) hadiths containing different rulings on the same issue can be determined by social conditions and the needs of society.

Islamic law schools provide systematical solutions to society. Many solutions based on the principle of "common hardship", "prevailing difficulty", and "necessity" have emerged through balancing the pressures of social needs.

Certainly, there are constants in religion. However, the science of "jurisprudence" (fiqh) is mostly the science of variables. It is a product of human effort, human intellect, and social needs and demands. It represents the dynamic aspect of religion.

The science of jurisprudence responds to questions by considering them from the perspective of the interlocutor's needs. It strives to provide an outlet for the interlocutor. The jurist does not present or determine this outlet according to his whims and desires. The response depends on how you approach the system with a question.

This is a situation akin to the uncertainty in Schrödinger's Cat experiment, where it cannot be predetermined whether light will propagate as particles or waves. Newton asked a question to the universe and received an answer. The answer he received is correct but not the entirety of the truth. Einstein asked another question and received an answer, which is also correct but not the complete truth.

Imam Ali (kw) said, "Ask questions to the Quran, make it speak, for the Quran does not speak on its own."³⁴

Mujtahid Imams founders of the Islamic law schools asked questions to the Quran and Sunnah, the main sources of religion, seeking answers to the questions of their societies, and they received answers. We call the sum of these answers the science of jurisprudence (fiqh).

3.8. The Prophet David and his son Solomon

In any given issue, there can be more than one correct solution. Indeed, the Quran tells us that the Prophet David and his son Solomon provided two different solutions to the same issue. Moreover, their two different solutions are not two different legal verdicts but entirely distinct judgments.

"And David and Solomon, when they gave judgment concerning the field, when people's sheep had strayed and browsed therein by night; and We were witnesses to their judgment.

³⁴ موسوعة الإمام علي بن أبي طالب (ع) في الكتاب والسنة والتاريخ - محمد الريشهري - ج ١٠ - الصفحة Al-Maktaba al-Shi'iyya "٥٤" (Accessed January 27, 2024).

And We made Solomon to understand (the case); and unto each of them We gave judgment and knowledge. And we subdued the hills and the birds to hymn (His) praise along with David. We were the doers (thereof)."³⁵

The case mentioned refers to a story from the Quran involving the Prophet David (Dawud) and his son Solomon (Sulaiman). The story is found in Surah Sad (38:21-26) and revolves around a dispute between two men regarding their sheep, which had entered and damaged the crops of a field. The Prophet David was presented with the case and provided a judgment, while the Prophet Solomon offered a different resolution.

According to the story, the Prophet David's judgment was to rule that the owner of the sheep should compensate the owner of the damaged field by giving him the sheep. This decision is seen as legally addressing the issue by compensating for the damage caused.

On the other hand, the Prophet Solomon's solution was temporary and aimed at achieving justice. He suggested swapping the ownership temporarily – giving the field to the owners of the sheep and the sheep to the owners of the field. Once the field returned to its original state, everyone would receive their property back. This approach considers the broader context and seeks a more comprehensive resolution. The first solution is based on legality, while the second solution is based on justice.

4. Evaluation

The unity of madhabs refers to unity in sources, goals, and functions. The issue is not Muslim individuals organizing under multiple madhab banners due to historical, social, and often political reasons, but rather viewing other madhabs as different and wrong. The solution lies in more tolerance and less prejudice. A Turkish proverb says, "One with a golden threshold has dealings with one with a silver threshold." A Muslim belonging to one school may, at some point, need a solution from another school.

Hamidullah sees the disputes between madhabs, especially the diversity in worship practices, as adhering to the different traditions of the Prophet Muhammad (pbuh), ultimately preserving the Sunnah collectively as a community until the Day of Judgment.

Al- Sha' rānī, starting from the assumption that the four Sunni madhabs are correct, suggests that the opinions of different schools, no matter how varied, can be categorized as intensified and alleviated. Intensified rulings are for the strong, while alleviated rulings are specific to weak Muslims. According to this approach, the views of the madhabs are to some extent determined by the needs of people, i.e., by the environment and society.

Nursi also fully agrees with al- Sha' rānī 's approach on this matter. As he expressed in various works, it is more accurate to unite on the truth rather than having disagreements on what is more correct.

"You have the right to say, 'My path is true or even more beautiful.' However, you do not have the right to say, 'Only my path is true.'"³⁶

"After finding the truth, do not create disagreements for the sake of the truth! O seeker of truth! Since there is consensus in truth, and disagreement in relative truth. Sometimes, the truth is more correct than the relative truth. Moreover, sometimes it is more beautiful from the beautiful."³⁷

Ibn Hazm, the Zahiri jurist from Andalusia, who vehemently rejects the idea that "every mujtahid has made the correct judgment", argues that there will be no mercy in disagreement and that mercy can only arise from unity. According to him, the frequently cited sayings like "My Companions are like stars; whoever you follow, you will be guided" and "The disagreement of my ummah is a mercy" are not hadiths but attributions unfitting for the Prophet Muhammad (pbuh).

³⁵ Al-Anbiya, 21/78-79.

³⁶ Nursî, *Mektubat*, 244.

³⁷ Nursî, *Sözler*, 679.

Ibn Hazm alleges that this statement, claimed to be a hadith of the Prophet (pbuh), is the most flawed (fasit) saying, as he asserts that if divergence is mercy, consensus necessitates wrath. After rejecting the text in terms of meaning, he also criticizes it from the perspective of transmission, namely the chain of narration.³⁸

In our view, disagreement is a mercy, while division is a torment. Disagreement is diversity, tolerance, and a culture of democracy. Even if this hadith is weak in terms of its chain, its meaning has been accepted by the ummah of Muhammad. Historical experiences also show that it is not possible to gather people under one opinion. Therefore, the only approach to ensure unity is to embrace differences as richness.

The heirs of the prophets, the scholars, have continuously derived the rulings of Islamic Sharia that look into their own times and societies from both primary and secondary sources. Time and society are like commentators, interpreting some aspects of the divine texts and obtaining legal opinions through interpretation.

Some partial rulings that seem contradictory are, in fact, compatible with the truth as they change with time. Each ruling has its own truth from its time, its society, and its perspective. Each ruling is independent in radiance. Some are like lanterns, illuminating the path for shepherds in the mountains. Some are like electric lamps, lighting up the homes and streets of city dwellers at night. Some are like projectors, turning the night of large stadiums into day. Some are like bicycle lights, and some are like car headlights.

The historical and social conditions led to the necessity of consolidating fatwas and systematizing jurisprudence within the Islamic law schools. This was not intended to disperse unity but rather served the purpose of ensuring unity as much as possible. At the very least, these madhabs have provided regional religious and legal stability. The ideal of uniting these madhabs, according to Nursi, could be contemplated only if the entire populace attains a high level of education, a utopia that currently seems impractical. Regarding the limited number of madhabs, considering them as obstacles to the unity of the ummah and adopting an anti-madhab attitude could lead to boundless divisions. In this context, the solution is not to oppose the madhabs but, as suggested by Sha‘rānī and Nursi, to understand that the differing views within these madhabs do not necessarily contradict each other. This is because each perspective may be valid in a specific context and time."

In fact, the formation of madhabs has been influenced by social needs and the diverse conditions of different regions., this topic has largely remained unexplored, and the necessary importance has not been given to it. There are almost no studies on this subject.

Regarding the influence of social structure on the formation of madhabs, scholars like Nursī and al-Sha‘rānī have put forward notable interpretations and evaluated certain jurisprudential issues from this perspective. Here is a brief summary of their perspectives:

Al-Sha‘rānī, starting from the premise that mujtahid imams are heirs of the Prophet (pbuh), asserted that their judgments reached the same level as the rulings of the Legislator. He claimed that the apparent contradictions among scholars' views would disappear when assessed with the criteria he proposed. Nursī also found this criterion acceptable and emphasized that the madhabs, both collectively and individually, represent the truth.

Although differences in madhabs may initially seem to be a divisive factor within society, in reality, the richness in Islamic legal doctrine provides a broad spectrum of options to address the issues of individuals and the community when needed.

Conclusion

This study has explored the ways in which ‘Abd al-Wahhāb al-Sha‘rānī and Bediüzzaman Said Nursî engage with the challenge of legal diversity in Islam. Though writing in different eras and

³⁸ Ibn Hazm, *Al-Ihkām*, 2/64.

contexts - al-Sha‘rānī in post-Mamlūk Egypt and Nursī in post-caliphate Anatolia - both thinkers articulate a vision of *ta‘addud al-madhāhib* not as a historical accident to be overcome, but as a divinely sanctioned feature of the Sharia's flexibility and mercy. Their approaches differ in methodology: al-Sha‘rānī offers a typology of juristic stratification rooted in theological anthropology, while Nursī integrates legal diversity within a broader framework of ethical reform and spiritual pedagogy; but they converge in affirming the legitimacy and necessity of pluralism in Islamic law.

Crucially, both thinkers present legal diversity as an expression of divine justice and wisdom, rather than legal relativism or fragmentation. For al-Sha‘rānī, differences among the schools correspond to varying capacities among the Muslim individuals, legitimizing plural legal outcomes within a divinely ordered hierarchy. For Nursī, madhab pluralism becomes a lived manifestation of divine mercy and wisdom, offering Muslims spiritual choice and moral responsibility in navigating modern challenges. This layered view of the Islamic law schools allows for ethical flexibility without compromising the coherence of the legal tradition.

By bringing these two figures into conversation, this article has aimed to contribute to contemporary discussions on legal pluralism in Islamic jurisprudence, particularly in a world increasingly marked by juridical centralization, cultural homogenization, and the erosion of local legal traditions. Both Nursī and al-Sha‘rānī offer resources for a renewed *fiqh*, one that is rooted in tradition but attuned to diversity, informed by scripture but responsive to context, and committed not merely to rules, but to justice, mercy, and human dignity.

In this light, their works may be seen not only as historical contributions, but as normative tools for rethinking the future of Islamic legal pluralism in modernity.

In particular, the perspectives of al-Sha‘rānī and Nursī hold significant relevance for Muslim minority contexts and transnational Muslim communities navigating fragmented authority and contested normativities. Their models invite a rethinking of *fiqh* not as a static code but as a moral-intellectual tradition that accommodates contextual discretion, local variation, and the sincere search for divine will through diverse interpretive paths. This vision stands in contrast to both legal absolutism and arbitrary eclecticism, offering instead a principled openness that affirms difference without dissolving discipline. In this way, both thinkers contribute to a contemporary Islamic legal theory that is simultaneously rooted, plural, and responsive—capable of bridging classical jurisprudence with the ethical demands of our time.

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