



# The Role Of Al-Hidaya By Burhanuddin Al-Marghinani In The Science Of Hilyaf

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**Abstract:** The article describes “Al-Hidaya” (The Guidance), authored by Burhanuddin al-Marghinani in the 12th century, which is a seminal work in Islamic jurisprudence, particularly within the Hanafi school of thought. This comprehensive legal text has significantly influenced the science of hilyaf, which studies legal disagreements among various Islamic scholars and schools of thought (mazhabs). This article explores the impact of “Al-Hidaya” on the science of hilyaf, highlighting its contributions to legal interpretation, conflict resolution, and the development of Islamic jurisprudence. Employing qualitative, historical, and comparative methodologies, the study reveals that “Al-Hidaya” systematically presents legal opinions, aids in resolving legal disputes, and has influenced later works. Its methodological contributions, including the use of qiyas (analogy), istihsan (preference), and ijma (consensus), promote flexibility and inclusivity in legal interpretation. “Al-Hidaya” remains a vital resource for scholars, offering a comprehensive framework for understanding and navigating legal differences, thereby contributing to a more cohesive and harmonious Islamic legal tradition.

**Keywords:** Hilyaf, Al-Hidaya, Burhanuddin Al-Marghinani, Islamic Jurisprudence, Hanafi School, Legal Disagreements.

## Introduction

“Al-Hidaya” (The Guidance), authored by Burhanuddin al-Marghinani in the 12th century, is one of the most influential works in Islamic jurisprudence, particularly within the Hanafi school of thought. This comprehensive legal text has played a pivotal role in the science of hilyaf, which involves the study of legal disagreements among various Islamic scholars and schools of thought (mazhabs). This article examines the impact of “Al-Hidaya” on the science of hilyaf, highlighting its contributions to legal interpretation, conflict resolution, and the development of Islamic jurisprudence.

## Methodology

This study employs a qualitative analysis of the text of “Al-Hidaya,” supplemented by historical and comparative methodologies. Primary sources include the original text of “Al-Hidaya” and secondary sources such as scholarly articles, commentaries, and historical records. Comparative analysis with other seminal works in Islamic jurisprudence, including “Al-Muwatta” by Imam Malik and “Al-Umm” by Imam Shafi’i, is also conducted to assess the unique contributions of “Al-Hidaya” to the science of hilyaf.

## Result and Discussion

Historical context and significance. “Al-Hidaya” was composed during the Islamic Golden Age, a period marked by prolific scholarly activity and the development of various legal schools. Burhanuddin al-Marghinani, a prominent Hanafi jurist, compiled this exhaustive guide to Hanafi jurisprudence, which is divided into four volumes covering a wide range of legal issues, from worship and transactions to marriage and criminal law. The systematic and detailed nature of “Al-Hidaya” has made it a cornerstone reference for scholars and practitioners of Islamic law (Kamali, 2005).

Contributions to the science of hilyaf. Systematic Presentation of Legal Opinions: “Al-Hidaya” offers a comprehensive analysis of legal rulings, systematically comparing different opinions within the Hanafi school and other schools of thought. This structured approach facilitates the study of legal differences and provides a clear framework for understanding the nuances of various legal interpretations (Hallaq, 2009).

Resolution of legal disputes: by presenting and analyzing conflicting legal opinions, “Al-Hidaya” aids in resolving disputes among scholars. The work provides a detailed explanation of the reasoning behind different rulings, promoting a more tolerant and inclusive approach to legal interpretation (Kamali, 2005).

Influence on later works: “Al-Hidaya” has significantly influenced subsequent works in Islamic jurisprudence, both within the Hanafi school and beyond. Its methodology and structure have been emulated by later scholars, contributing to the development of a more cohesive and comprehensive body of Islamic legal literature (Vogel, 2000).

Methodological contributions: the methodological approach of “Al-Hidaya” is one of its most significant contributions to the science of hilyaf. The work employs various methods of legal reasoning, including qiyas (analogy), istihsan (preference), and ijma (consensus). These methods help scholars analyze legal issues from multiple perspectives, facilitating a deeper understanding of the underlying principles and promoting flexibility in legal interpretation (Esposito, 1995).

Promotion of legal tolerance: one of the key strengths of “Al-Hidaya” is its ability to promote tolerance and inclusivity in legal interpretation. By providing a clear framework for understanding the reasoning behind different rulings, the work encourages scholars to appreciate the diversity of legal opinions within the Islamic tradition. This is particularly important in the modern context, where the global Muslim community is diverse and faces a wide range of legal and social challenges (Rahman, 1984).

A comparative analysis of “Al-Hidaya” with other foundational texts in Islamic jurisprudence, such as “Al-Muwatta” and “Al-Umm,” reveals the unique contributions of Burhanuddin al-Marghinani's work. While “Al-Muwatta” by Imam Malik and “Al-Umm” by Imam Shafi'i are foundational texts in their respective schools (Maliki and Shafi'i), “Al-Hidaya” stands out for its thorough analysis and presentation of legal rulings from multiple perspectives. This makes “Al-Hidaya” an invaluable resource for the science of hilyaf, as it provides a comprehensive and systematic framework for understanding legal differences (Calder, 1997).

## Discussion

“Al-Hidaya” by Burhanuddin al-Marghinani has had a profound impact on the science of hilyaf, contributing to the understanding and resolution of legal disagreements in Islamic jurisprudence. The work's systematic presentation of legal opinions, detailed analysis of conflicting rulings, and methodological contributions have made it a cornerstone in the study of Islamic law.

One of the key strengths of “Al-Hidaya” is its ability to promote tolerance and inclusivity in legal interpretation. By providing a clear framework for understanding the reasoning behind different rulings, the work encourages scholars to appreciate the diversity of legal opinions within the Islamic tradition. This is particularly important in the modern context, where the global Muslim community is diverse and faces a wide range of legal and social challenges (Esposito, 1995).

The influence of “Al-Hidaya” on later works in Islamic jurisprudence cannot be overstated. The methodology and structure of the work have been emulated by subsequent scholars, contributing to the development of a more cohesive and comprehensive body of Islamic legal literature. This has had a lasting impact on the science of hilyaf, as it has helped shape the way scholars approach and resolve legal disagreements (Vogel, 2000).

Furthermore, the methodological contributions of “Al-Hidaya” have enriched the science of hilyaf. The use of qiyas (analogy), istihsan (preference), and ijma (consensus) in the work provides scholars with a robust framework for analyzing legal issues from multiple perspectives. This promotes flexibility and adaptability in legal interpretation, which is essential in addressing contemporary legal and social issues (Kamali, 2005).

The ability of “Al-Hidaya” to systematically compare legal opinions and present a balanced view of different rulings makes it an invaluable resource for resolving legal disputes. This is particularly relevant in the context of the science of hilyaf, where understanding and navigating legal disagreements are crucial. The work's emphasis on reasoned argumentation and comprehensive analysis helps scholars develop a more nuanced understanding of Islamic law (Hallaq, 2009).

## Conclusion

“Al-Hidaya” by Burhanuddin al-Marghinani plays a vital role in the science of hilyaf, offering a detailed and systematic analysis of Hanafi jurisprudence. Its contributions to the understanding and resolution of legal disagreements have made it an indispensable resource for Islamic scholars. The enduring influence of “Al-Hidaya” underscores its significance in the study of Islamic law and its role in promoting legal tolerance and diversity.

As the global Muslim community continues to face new legal and social challenges, the insights provided by “Al-Hidaya” remain relevant and valuable. The work's emphasis on systematic analysis, methodological rigor, and inclusivity in legal interpretation offers a model for contemporary scholars and practitioners of Islamic law. By fostering a comprehensive understanding of different legal opinions, “Al-Hidaya” helps scholars

appreciate the richness and diversity of Islamic jurisprudence, ultimately contributing to a more cohesive and harmonious legal tradition.

In summary, “Al-Hidaya” by Burhanuddin al-Marghinani is a cornerstone in the science of hilyaf, offering valuable insights into the resolution of legal disagreements and the development of Islamic jurisprudence. Its systematic and detailed approach, coupled with its methodological contributions, has made it an enduring and influential work in the study of Islamic law. The role of “Al-Hidaya” in promoting legal tolerance, inclusivity, and adaptability ensures its continued relevance in the modern world.

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