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THE ROLE OF UMAR IBN ABDULAZIZ IN THE DEVELOPMENT OF ISLAMIC LAW

Abstract. *This article analyzes the jurisprudential school of Umar ibn Abdulaziz ibn Marwan ibn Hakam (61–101 AH / 681–720 CE), his method of ijihad, his connection with the scholarly heritage of the Companions and Followers (tabi'un), his experience in the practical application of Islamic jurisprudence, and his place in the history of Islamic law. Known not only as a just ruler but also as an ascetic scholar and one of the mujtahid scholars, his jurisprudential views formed under the decisive influence of the school of the scholars of Medina exercised a profound impact on subsequent Hijazi and Sunni legal thought, particularly the Maliki madhhab. The article examines his principal reforms in state administration the restoration of unjustly seized property, the abolition of unfair taxation, judicial independence, and the formal initiation of hadith collection and situates each within the framework of Islamic jurisprudential principles. It further analyzes his relationship with the four principal Sunni madhhabs and his ascetic spiritual legacy.*

Keywords: *Umar ibn Abdulaziz; ijihad; madhhab; tabi'un; history of jurisprudence; Sunnah; justice; hadith collection; Maliki school; Islamic law.*

INTRODUCTION

Islamic law is associated with the activities of mujtahids who emerged from among the Companions, the Followers (tabi'un), and the followers of the Followers. One of the most remarkable of these individuals is Umar ibn Abdulaziz (may Allah be pleased with him), who occupies a singular place in Islamic history not only as a statesman but also as a great jurist and protector of the Sunnah. Umar ibn Abdulaziz was born in Egypt in 61 AH (681 CE). Although he belonged to the Umayyad dynasty, he was sharply distinguished from other Umayyad rulers by his justice, piety, and

commitment to reform. His reign 99–101 AH (717–719 CE) is considered one of the most enlightened periods in Islamic history (Ibn Kathir, 1988, vol. 9:195–205).

Ibn Sa‘d described Umar ibn Abdulaziz as “a scholar, jurist, pious, and memorizer.” Among his teachers were distinguished Followers including Anas ibn Malik, Sa‘id ibn al-Musayyab, ‘Urwah ibn al-Zubayr, Qasim ibn Muhammad ibn Abi Bakr, and Salim ibn ‘Abdullah ibn ‘Umar (Ibn Sa‘d, 1968, vol. 5:325–345). This article examines his life, jurisprudential legacy, the foundations of his school of thought, his reforms in state administration, and his influence on the formation of subsequent schools of thought.

METHODS

This study employs historical-analytical and source-critical methods, drawing on the principal primary sources of classical Islamic biographical, historical, and jurisprudential literature. These include the biographical works of Ibn Sa‘d (1968) and Ibn Abdulkham (1984), the historical chronicles of al-Tabari (1967) and al-Ya‘qubi (1960), the hadith criticism of al-Bukhari (2002) and al-Dhahabi (1985), the jurisprudential and legal-theoretical works of Ibn Abdalbarr (1994), al-Mawardi (1978), Malik ibn Anas (1985), and al-Shafi‘i (1990), and the biographical and hagiographical studies of Ibn al-Jawzi (1984) and al-Suyuti (1986). The analysis proceeds thematically, examining in succession: biographical and educational background; jurisprudential methodology; political and legal reforms; relationship to the four Sunni madhhabs; and ascetic spiritual legacy.

RESULTS

Biographical background and educational formation. Abu Hafs Umar ibn Abdulaziz ibn Marwan ibn Hakam ibn Abul-‘As al-Umawi was born in Egypt in 61 AH (680 CE). His mother was Umm ‘Asim bint ‘Asim ibn Umar, who traced her lineage to the Caliph ‘Umar ibn al-Khattab (may Allah be pleased with him) a genealogical connection that scholars regard as a decisive factor in the inheritance of his grandfather’s spirit of justice and piety. He spent his formative years in Medina, the center of Islamic knowledge in that period, in close proximity to the seven great jurists known collectively as the “Fuqaha’ Sab‘ah.” This scholarly environment played a decisive role in the formation of his jurisprudential thinking (Ibn Abdalbarr, 1994:108–120).

Umar ibn Abdulaziz first served as governor of Medina, during which time he was in close contact with experts in Islamic law and deepened his experience in the practical application of jurisprudence. He subsequently held positions close to the central government of the Umayyad state. Following the death of Sulayman ibn Abd al-Malik, he came to power in 99 AH, earning despite a reign of only two years the honorable designation of “the fifth just caliph” in Islamic history (al-Tabari, 1967:120–135).

State reforms and the application of jurisprudential principles. The first act of Umar ibn Abdulaziz upon assuming power was to return to their rightful owners all lands and properties that had been unjustly seized the most vivid practical application of the principle of radd al-mazalim (the restitution of injustices) in Islamic law. The surplus wealth of the Umayyad court was transferred to the state treasury. Ibn Abdulkham describes these reforms in detail in his “Sirat Umar ibn Abdulaziz” (Ibn Abdulkham, 1984:45–78). Taxes and duties unfairly imposed on the oppressed were abolished, representing the application of the principle of equality under Islamic law at the level of state governance.

He also abolished the collection of jizya from newly converted Muslims a reform grounded in the scriptural principle that jizya is not levied on Muslims. This decision generated major social changes in the Umayyad state. Al-Baladhuri, in his work “Futuh al-Buldan,” analyzes Umar ibn Abdulaziz’s policy toward the mawali as a practical expression of the Islamic principle of equality, and it was later used as a model in subsequent Islamic governance (al-Baladhuri, 1988:205–220).

The formal initiation of hadith collection. One of the greatest contributions of Umar ibn Abdulaziz to the history of Islamic scholarship was his initiation of the formal written collection of hadith. He issued a letter to Abu Bakr ibn Hazm, the governor of Medina, commanding him to “write down the Sunnah and Hadith of the Messenger of Allah (peace and blessings of Allah be upon him).” Al-Bukhari cites this order in his “al-Sahih” as a major turning point in the formalization of hadith scholarship; before this directive, hadiths were primarily transmitted orally or preserved in private writings (al-Bukhari, 2002, Kitab al-Ilm:1/35–45).

The implementation of this order was entrusted to Muhammad ibn Shihab al-Zuhri, one of the greatest hadith scholars of the period. Al-Dhahabi describes Zuhri’s pivotal role in this process in his “Siyar ‘Alam al-Nubala.” The movement to collect hadiths continued after Umar ibn Abdulaziz and eventually resulted in the six major hadith collections known as the Kutub al-Sitta (al-Dhahabi, 1985:128–140).

Jurisprudential methodology and the foundations of his madhhab. The madhhab of Umar ibn Abdulaziz rests on four principal pillars: the Qur'an, the Sunnah, the practice of the people of Medina ('amal ahl al-Madina), and the sayings of the Companions. Ibn Abdulbarr states: "Umar ibn Abdulaziz was the caliph most steadfast in following the Sunnah," identifying this as the principal characteristic that distinguished him from other Umayyad rulers. Ibn Abdulbarr, in his "Jami' Bayan al-Ilm," analyzes his textual approach as close to the Maliki school, since both schools accept the practice and Sunnah of the people of Medina as primary sources (Ibn Abdulbarr, 1994:108).

Umar ibn Abdulaziz did not reject qiyas (analogical reasoning) but did not employ it in ways that contradicted the Sunnah, restricting its use to cases of necessity. This principle had a significant impact on the formation of later Sunni usul al-fiqh. Al-Mawardi, in his "al-Ahkam al-Sultaniyya," characterizes Umar ibn Abdulaziz's approach to qiyas as "moderate ijihad" a methodology that places the scriptural text first and subordinates opinion to it (al-Mawardi, 1978:88–102).

Judicial independence. Among Umar ibn Abdulaziz's most important institutional reforms was the formal prohibition of political pressure on judges. In his letters to the judges, he defined them as servants of God rather than of the ruler, calling upon them to obey divine commands rather than political authority a landmark development in the history of the Islamic judicial system. Ibn al-Jawzi, in his "Sirat wa Manaqib Umar ibn Abdulaziz," cites these letters to judges in full, noting that they have been widely quoted in subsequent jurisprudential literature as the most lucid expression of the principle of judicial independence in Islam (Ibn al-Jawzi, 1984:60–90).

Relationship to the four Sunni madhhabs. Umar ibn Abdulaziz exerted a strong influence on the school of Malik ibn Anas through his appreciation of the Madinan practice and his reliance on the Sunnah. Malik ibn Anas glorified Umar ibn Abdulaziz with the title "imam" on five occasions. His fatwas are widely used throughout "al-Muwatta." Ibn Khallikan, in his "Wafayat al-A'yan," emphasizes Imam Malik's deep respect for Umar ibn Abdulaziz (Ibn Khallikan, 1971:448–462).

In the application of the principle of maslahat mursala the promotion of the general public interest in state affairs, there is a notable proximity between his approach and that of Abu Hanifa. Ahmad ibn Hanbal made extensive use of hadiths and fatwas narrated from Umar ibn Abdulaziz in his "Musnad;" in terms of prioritizing the Sunnah

and opposing innovation (*bid'ah*), the school of Ahmad ibn Hanbal is closely aligned with the methodology of Umar ibn Abdulaziz (Ahmad ibn Hanbal, 2001:210–230).

Umar ibn Abdulaziz's jurisprudential thinking was largely inherited from the tradition of his ancestor 'Umar ibn al-Khattab (may Allah be pleased with him). He continued his forefather's policies in matters of state justice, social equality, and the proper distribution of tax revenues. Ibn Qutayba, in his "al-Ma'arif," describes in detail his genealogical connection with the legacy of 'Umar ibn al-Khattab, a connection that led historians to designate him "the perfect successor of 'Umar ibn al-Khattab" (Ibn Qutayba, 1969). The influence of 'Abdullah ibn 'Umar's tradition of Sunnah observance was transmitted to him through the students of 'Abdullah ibn 'Umar Nafi' and Salim ibn 'Abdullah. The jurisprudential and hadith legacy of 'Aisha bint Abi Bakr (may Allah be pleased with her) also shaped his thinking. Al-Khatib al-Baghdadi records in his "Tarikh Baghdad" that Umar ibn Abdulaziz drew on all three of these sources in equal measure (al-Khatib al-Baghdadi, 2001:11).

Asceticism and spiritual life. Umar ibn Abdulaziz lived a life of considerable personal wealth before assuming the caliphate. Upon ascending to power, however, he transferred all his personal wealth to the state treasury, renounced his house, servants, and luxurious clothing. Al-Shafi'i, in his "al-Umm," narrates accounts of his asceticism and records that he did not even perform his personal correspondence near the state lamp but kept a private lamp for personal use a vivid expression of his scrupulous respect for state property (al-Shafi'i, 1990:280–295). Ibn al-Jawzi, in his "Sirat wa Manaqib Umar ibn Abdulaziz," compiled numerous narrations about his spiritual life and devotional practices (Ibn al-Jawzi, 1984:60–90). Al-Suyuti, in his "Tarikh al-Khulafa," describes him as "unique in his time in worship and piety" (al-Suyuti, 1986:230–255).

DISCUSSION

The analysis confirms that Umar ibn Abdulaziz occupies a genuinely exceptional position in the history of Islamic law. The combination of political authority, jurisprudential learning, ascetic spirituality, and practical reform that he embodied during his brief caliphate generated a legacy that continued to shape Islamic legal thought long after his death. His contributions can be evaluated at three levels: the practical, the methodological, and the institutional.

At the practical level, his reforms the restoration of unjustly seized property, the abolition of unfair taxation, the equalization of mawali status, and the return of excess court wealth to the public treasury constitute some of the most comprehensive applications of jurisprudential principles to state governance in the history of the Umayyad period (Ibn Abdulkhakam, 1984:45–78; al-Baladhuri, 1988:205–220). At the methodological level, his “moderate ijihad” text-first, with qiyas restricted to cases of necessity directly anticipated the methodological framework of the Maliki school and influenced the formation of Hanbali and Shafi‘i *usul al-fiqh* (al-Mawardi, 1978:88–102; Ibn Abdalbarr, 1994:108). At the institutional level, his order to collect hadiths represents the single most consequential act of scientific policy in the early development of Islamic scholarly tradition, establishing the formal basis for the hadith sciences that would culminate in the *Kutub al-Sitta* (al-Bukhari, 2002; al-Dhahabi, 1985:128–140).

CONCLUSION

Umar ibn Abdulaziz (may Allah be pleased with him) is one of the most singular figures in the history of Islam simultaneously a head of state, a great jurist, a muhaddith, and an ascetic. His two years of governance left a deep mark in the fields of Islamic law, the justice system, and social reform. Although his school did not continue independently as a fully institutionalized madhhab, it was absorbed into the composition of the four subsequent Sunni schools. The Maliki madhhab, in particular, inherited his Madinan practices and principles of Sunnah adherence. The order of Umar ibn Abdulaziz to formally collect hadiths stands as one of the most consequential events in the history of Islamic scholarship. In terms of upholding justice, following the Sunnah, restoring the rights of the oppressed, and protecting knowledge, Umar ibn Abdulaziz became an exemplar for all generations (Ibn al-Jawzi, 1984; al-Suyuti, 1986; Ibn Kathir, 1988).

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