3rd International Conference on Social Sciences and Humanities Research
https://mijournals.com/index.php/Human_Studies/index

THE STYLE AND SOURCES USED BY JALAL AL-DIN AL-GURLANI IN WRITING THE WORK "AL-SHAFI FI-L-USUL"

https://doi.org/10.57033/mijournals-2026-3-0349

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Abstract. *This article is devoted to the analysis of al-Shafi fi al-Usul, a commentary written by the fourteenth-century Hanafi jurist Jalal al-Din ibn Shams al-Din al-Khwarizmi al-Gurlani (d. 767/1365) on Fakhr al-Islam al-Bazdawi's (d. 482/1089) classical work on legal theory (usul al-fiqh) titled Kanz al-Wusul ila Ma'rifat al-Usul, famously known as Usul al-Bazdawi. The article examines the author's methodology and terminology; presents a systematized inventory of the author's sources categorized by fields of knowledge (Qur'anic exegesis, hadith, legal theory, substantive jurisprudence, and Arabic philology); and evaluates the scholarly significance of the work. The work serves as an important primary source on the history of Hanafi jurisprudential thought in fourteenth-century Khwarazm and Transoxiana.*

Keywords: *Jalal al-Din al-Gurlani; al-Shafi fi al-Usul; Usul al-Bazdawi; Fakhr al-Islam al-Bazdawi; Hanafi school; usul al-fiqh; source studies; manuscript; Tankiziyya madrasa; Khwarazm.*

INTRODUCTION

Islamic legal theory (usul al-fiqh) played a significant role in the development of the Hanafi scholarly tradition, particularly in Khwarazm and Transoxiana. Among the important contributions to this tradition is Jalal al-Din al-Gurlani's al-Shafi fi al-Usul, a commentary on Fakhr al-Islam al-Pazdawi's Usul al-Pazdawi. The work is distinguished by its systematic structure, concise explanations, and integration of transmitted and rational evidence. Drawing upon sources from Qur'anic exegesis, hadith, jurisprudence, and Arabic linguistics, al-Gurlani demonstrates an interdisciplinary approach to legal scholarship. This study examines the methodological characteristics, source base, and scholarly significance of al-Shafi fi al-Usul through historical-textual and comparative analysis, highlighting its contribution to the development of medieval Hanafi legal thought.

MAIN PART

The most important methodological features of the style employed by Jalal al-Din al-Gurlani in his work al-Shafi are as follows:

- Al-Gurlani generally quotes al-Pazdawi's (al-Bazdawi's) expressions verbatim according to his own manuscript copy and departs from them only when necessary; weaving his commentary into the base text, he frequently introduces passages with the phrase «his statement» (qawluhu).

- He does not make it a strict condition to quote al-Pazdawi's text in full; rather, he takes a brief excerpt from it and then proceeds to explain it by citing the views of past and contemporary scholars.

- In most instances, he adopts a method of conciseness and avoids unnecessary digressions from one topic to another, while simultaneously citing examples and quotations from various sources—the majority of which are from Hanafi works.

- In his commentary, he remains faithful to the order and structural arrangement of al-Pazdawi's original work.

- In legal and theoretical issues, he typically presents transmitted proofs (al-adilla al-naqliyya) from the Qur'an and Sunnah first, followed by rational proofs (al-adilla al-aqliyya), and usually does not provide formal chains of transmission or source extraction (takhrij) for hadiths and Qur'anic verses.

- He quotes extensively from certain earlier commentaries on Usul al-Pazdawi without explicitly naming their authors, though at times he does indicate the source.

- He pays special attention to transmitting the views of early Hanafi authorities such as al-Jassas, al-Tahawi, al-Karkhi, and Zufar.

- He frequently mentions possible objections and provides responses to them—an approach that demonstrates his capacity for independent scholarly reasoning.

- When he uses the term 'indana («according to us»), he refers to the Hanafis; by 'ammat al-'ulama' («the generality of scholars»), he means the majority of Hanafi scholars; by ashabuna («our companions»), he likewise refers to the Hanafis; and by mashayikhuna («our shaykhs»), he denotes the earlier Hanafi masters.

- In many cases, he mentions disagreements with the Shafi'is, and less frequently with the Malikis, presenting the evidence of each school before analyzing it and usually giving preference to the Hanafi position.

- When he refers to «some commentaries» (ba'd al-shuruh), he typically means one of the two commentaries titled Kashf al-Asrar—either that of Abd al-Aziz al-Bukhari or that of Abdullah ibn Ahmad al-Nasafi.

- He introduces explanatory remarks on the text with clarifying terms such as ya'ni («meaning»), ma'nahu («its meaning is»), and i'lam («know that»), among which the word ya'ni is the most frequently employed.

- He strives to quote passages accurately from their original sources, and consequently his errors are relatively few.

- When he mentions al-Mabsut unconditionally, he usually refers to the al-Mabsut of Shams al-A'imma al-Sarakhsi, and occasionally to the work of Muhammad ibn al-Hasan al-Shaybani; by al-Muhit, he means al-Muhit al-Burhani; by al-Kashshaf, the Qur'anic commentary of al-Zamakhshari; by al-Asrar, Abu Zayd al-Dabusi's al-Asrar fi al-Usul wa al-Furu'; and by al-Ziyadat, Muhammad ibn al-Hasan al-Shaybani's Ziyadat al-Ziyadat.

This combination of methodological features demonstrates al-Gurlani's distinctive approach within the Hanafi commentary tradition—harmonizing fidelity to the base text, conciseness, the use of an extensive source base, and the ability to offer independent scholarly evaluation.

In writing his work, al-Gurlani did not limit himself solely to literature in the field of usul al-fiqh, but also drew extensively upon sources across various disciplines such as Qur'anic exegesis (tafsir), hadith, substantive jurisprudence (fiqh), and the Arabic language—some of which are in print (matbu'), some in manuscript form (makhtut), and some currently considered lost (Islamic University of Madinah, n.d.:40). Specifically, these include:

Books of Qur'anic Exegesis (Tafsir):

1. Abu Ja'far al-Tabari (d. 310 AH) – Jami' al-bayan fi tafsir al-Qur'an.
2. Abu Bakr al-Jassas (d. 370 AH) – Ahkam al-Qur'an.
3. Najm al-Din Umar ibn Muhammad al-Nasafi (d. 537 AH) – al-Taysir fi al-tafsir.
4. Abu al-Qasim Mahmud ibn Umar al-Zamakhshari al-Khwarizmi (d. 538 AH) – al-Kashshaf 'an haqa'iq al-tanzil.
5. Ala' al-Din al-Samarqandi (d. 540 AH) – Commentary on Abu Mansur al-Maturidi's Ta'wilat Ahl al-Sunnah.

6. Abu Bakr ibn al-Arabi (d. 543 AH) – Ahkam al-Qur'an al-Karim.

7. Muhammad ibn Tayfur al-Sajawandi (d. 600 AH) – 'Ayn al-ma'ani fi tafsir al-Qur'an wa al-sab' al-mathani.

8. Abu Abdullah al-Qurtubi (d. 671 AH) – al-Jami' li-ahkam al-Qur'an (Islamic University of Madinah, n.d.:40).

Books of Hadith and Their Commentaries:

1. Abdullah al-Darimi (d. 255 AH) – Sunan al-Darimi.

2. Muhammad ibn Isma'il al-Bukhari (d. 256 AH) – Sahih al-Bukhari.

3. Muslim ibn al-Hajjaj al-Qushayri (d. 261 AH) – Sahih Muslim.

4. Muhammad ibn Yazid al-Qazwini (d. 275 AH) – Sunan Ibn Majah.

5. Muhammad ibn Isa al-Tirmidhi (d. 279 AH) – Sunan al-Tirmidhi.

6. Ahmad ibn Shu'ayb al-Nasa'i (d. 303 AH) – Sunan al-Nasa'i.

7. Muhammad ibn Hibban al-Busti (d. 354 AH) – Sahih Ibn Hibban.

8. Sulayman ibn Ahmad al-Tabarani (d. 360 AH) – al-Mu'jam al-awsat.

9. Ahmad ibn al-Husayn al-Bayhaqi (d. 458 AH) – Sunan al-Bayhaqi.

10. Abu al-Qasim Mahmud al-Zamakhshari (d. 538 AH) – al-Fa'iq fi gharib al-hadith.

11. Mubarak ibn al-Athir al-Jazari (d. 606 AH) – al-Nihaya fi gharib al-hadith wa al-athar.

12. Yahya ibn Sharaf al-Nawawi (d. 676 AH) – Sharh Sahih Muslim.

13. Ali ibn Umar (Abdullah ibn Yahya) al-Daraqutni (d. 385/682 AH) – Sunan al-Daraqutni (al-Gurlani, 743 AH:ff. 1–200; Islamic University of Madinah, n.d.:41).

Books of Legal Theory (Usul al-Fiqh):

1. Abu Zayd al-Dabusi (d. 430 AH) – Taqwim al-adilla fi al-usul.

2. Fakhr al-Islam al-Pazdawi (d. 482 AH) – Sharh Taqwim al-adilla li-l-Dabusi (as well as his base text being commented upon, Usul al-Pazdawi).

3. Shams al-A'imma Muhammad ibn Ahmad al-Sarakhsi (d. 483 AH) – Usul al-Sarakhsi.

4. Abu al-Yusr Muhammad ibn Muhammad al-Pazdawi (d. 493 AH) – Usul al-fiqh.

5. Ala' al-Din al-Samarqandi (d. 540 AH) – Mizan al-usul fi nata'ij al-'uqul.

6. Umar ibn Muhammad al-Khabbazi (d. 691 AH) – al-Mughni fi usul al-fiqh.

7. Abu al-Barakat al-Nasafi (d. 710 AH) – Kashf al-asrar sharh al-Musannaf 'ala al-Manar.

8. Husam al-Din al-Sighnaqi (d. 714 AH) – al-Kafi sharh al-Pazdawi.

9. Abd al-Aziz al-Bukhari (d. 730 AH) – Kashf al-asrar ‘an Usul Fakhr al-Islam al-Pazdawi (Islamic University of Madinah, n.d.:40–42).

Books of Substantive Jurisprudence (Fiqh):

1. Muhammad ibn al-Hasan al-Shaybani (d. 189 AH) – al-Amali, al-Siyar al-kabir, Kitab al-athar, al-Jami’ al-kabir, al-Jami’ al-saghir, and al-Asl (known as al-Mabsut).

2. Ahmad ibn Muhammad al-Tahawi (d. 321 AH) – Mukhtasar Ikhtilaf al-fuqaha’.

3. Abu Zayd al-Dabusi (d. 430 AH) – al-Asrar fi al-usul wa al-furu’.

4. Abu Bakr al-Bukhari, known as «Bakr Khwaharzada» (d. 483 AH) – al-Mabsut fi al-furu’.

5. Shams al-A’imma al-Sarakhsi (d. 483 AH) – al-Mabsut.

6. Ali ibn Muhammad al-Isbijabi (d. 535 AH) – al-Mabsut and Sharh Mukhtasar al-Tahawi.

7. Umar ibn Abd al-Aziz ibn Maza, «al-Sadr al-Shahid» (d. 536 AH) – Sharh al-Jami’ al-saghir.

8. Abu Bakr al-Kasani (d. 587 AH) – Bada’i’ al-sana’i’ fi tartib al-shara’i’.

9. Qadi Khan al-Farghani (d. 592 AH) – al-Fatawa al-Khaniyya and Sharh al-Jami’ al-saghir.

10. Burhan al-Din al-Marghinani (d. 593 AH) – al-Hidaya ‘ala Bidayat al-mubtadi.

11. Burhan al-Din Mahmud ibn Ahmad al-Marghinani (d. 616 AH) – al-Muhit al-Burhani fi al-fiqh al-Nu’mani.

12. Qadi Zahir al-Din Abu Bakr al-Bukhari (d. 619 AH) – al-Fatawa al-Zahiriyya and al-Fawa’id al-Zahiriyya.

13. Al-Kardari’s abridgment (ikhtisar) of Husam al-Din al-Akhsikathi’s commentary (d. 642 AH) (Islamic University of Madinah, n.d.:42–43).

Books of the Arabic Language:

1. Abu Bishr Amr ibn Uthman Sibawayh (d. 180 AH) – al-Kitab.

2. Abu Bakr Muhammad ibn al-Sari, Ibn al-Sarraj (d. 316 AH) – al-Usul fi al-nahw.

3. Ibn Durayd al-Azdi (d. 321 AH) – Jamharat al-lugha.

4. Isma’il ibn Hammad al-Jawhari (d. 393 AH) – al-Sihah fi al-lugha.

5. Abu al-Qasim Mahmud al-Zamakhshari (d. 538 AH) – al-Mufassal fi ‘ilm al-’Arabiyya.

6. Nasir ibn Abd al-Sayyid al-Mutarrizi (d. 610 AH) – al-Mughrib fi tartib al-mu'rib.

7. al-Hasan ibn Qasim al-Muradi (d. 749 AH) – al-Jana al-dani fi huruf al-ma'ani.

8. Ibn Malik al-Ta'i (d. 672 AH) – Sharh al-Kafiya al-Shafiya (al-Gurlani, 743 AH:ff. 1–200; Islamic University of Madinah, n.d.:43–44).

As we can see, the scope of al-Gurlani's sources encompasses not only Hanafi substantive law and legal theory literature, but also the sciences of Qur'anic exegesis, hadith, and the Arabic language. This attests to his comprehensive, multidisciplinary scholarly training and establishes al-Shafi as a valuable source reflecting the intellectual milieu of its era.

The scholarly value of al-Shafi fi al-Usul can be substantiated through several key aspects:

- Usul al-Pazdawi represents the system of ijtihadic thought within the Hanafi school and became the focal point of composition, commentary, and glosses for subsequent generations of legal theorists; consequently, this commentary written upon it constitutes an important link in that tradition.

- The overall fluency of the commentator's style, particularly his adherence to the principle of conciseness and avoidance of unnecessary prolixity when discussing issues, attributing opinions to their holders, and presenting proofs.

- Although the table of contents of the book consists of the standard topics of usul al-fiqh, numerous substantive legal examples (furu' fiqhiyya) are cited throughout. This demonstrates that the author possessed deep knowledge in substantive jurisprudence as well, was well-informed about the views of various legal schools, and was thoroughly acquainted with the preferred positions (tarjihat) of the leading imams of jurisprudence.

- The author paid special attention to explaining theoretical issues and illustrating them with examples, mentioning substantive legal cases across the majority of the book.

- Theoretical expressions are explained in a simple and fluent style, with the author presenting diverse viewpoints alongside their precise proofs and discussing them in an objective and scholarly manner.

- The work preserves quotations from certain scholars whose statements are exceedingly difficult to find elsewhere; in this way, the book has preserved a portion of their scholarly legacy for us.

- The author's awareness and utilization of earlier commentaries on Usul al-Pazdawi, regarding which he writes in his introduction: «It was suggested to me that I draw upon

the earlier commentators of this work and take from their benefits according to need—for these are reliable and trustworthy sources» (al-Gurlani, 743 AH:f. 2a; Islamic University of Madinah, n.d.:35).

- The reliance of the work not only on usul al-fiqh, but also on sources from diverse disciplines such as Qur'anic exegesis, hadith, jurisprudence, and linguistics, which demonstrates its scholarly richness and the author's broad erudition.

- The author's debates with other scholars are conducted in an objective and scholarly manner, far removed from extremism or harshness; he treated opposing scholars with respect and offered prayers for them.

- Certain difficulties that a reader might encounter in these topics stem from the inherent complexity of the subject matter itself rather than from the style of the commentary.

Taken together, the aforementioned aspects provide a solid basis for evaluating al-Shafi fi al-Usul not only as a monument of al-Gurlani's own scholarship, but more broadly as a rare and valuable monument of the fourteenth-century Khwarazmian and Transoxianan Hanafi school of jurisprudence.

CONCLUSION

The analysis demonstrates that Jalal al-Din al-Gurlani's al-Shafi fi al-Usul represents a valuable contribution to the Hanafi tradition of Islamic legal theory. The author combines fidelity to al-Pazdawi's original text with concise explanations, rational argumentation, and comparative jurisprudential analysis. His extensive use of sources from tafsir, hadith, fiqh, and Arabic linguistics reflects the interdisciplinary character of medieval Islamic scholarship. Furthermore, his engagement with earlier Hanafi authorities and other legal schools demonstrates a systematic and analytical approach to jurisprudential disagreements. The work also preserves important scholarly opinions and interpretations, enhancing its historical significance. Overall, al-Shafi fi al-Usul constitutes an important source for understanding the development of Hanafi legal methodology and the intellectual heritage of fourteenth-century Khwarazm and Transoxiana.

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