

Reconstructing al-Shāfi'ī's Qiyās: Consistency and Legal Reasoning in Tayammum, Raḍā'ah, and Trade Zakat

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Abstract: This study aims to reconstruct Imam al-Shāfi'ī's qiyās by examining its methodological consistency and legal reasoning across three domains of Islamic law: 'ibādāt (worship), munākahāt (marriage and family law), and mu'āmalāt (transactions). Although al-Shāfi'ī's theory of qiyās has been widely discussed in uṣūl al-fiqh scholarship, studies systematically examining its methodological coherence across these domains remain limited. This study employs normative legal research using uṣūl al-fiqh, conceptual, and comparative approaches, with *al-Umm* as the primary source for analyzing al-Shāfi'ī's legal reasoning. The analysis focuses on three representative cases: tayammum as an analogy with wuḍū' in worship, the prohibition of marriage based on raḍā'ah (breastfeeding kinship) as an analogy with blood lineage in marriage law, and zakāt on trade assets as an analogy with zakāt on gold and silver in transactions. The findings indicate that these cases demonstrate a consistent methodological structure of qiyās based on four essential elements: *aṣl*, *far'*, *'illah*, and *ḥukm*. The consistency is reflected not only in the formal structure of analogy but also in the function of *'illah* as the basis for extending a legal ruling from the *aṣl* to the *far'*. The principle *al-ḥukmu yadūru ma'a 'illatibi* provides an analytical framework for explaining this continuity across different legal domains. The study concludes that qiyās in al-Shāfi'ī's legal thought constitutes not merely an analogical instrument but a structured and methodologically coherent mode of legal reasoning applicable across diverse areas of Islamic law.

Keywords: Qiyās; al-Shāfi'ī, Uṣūl al-Fiqh, Islamic Legal Reasoning.

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INTRODUCTION

Within the epistemological tradition of Islamic law, *qiyās* occupies a highly strategic position. It is not merely a technical instrument for deriving legal rulings but also represents the intellectual capacity of Islamic jurisprudence to respond to contemporary issues that are not



explicitly addressed in the *naṣṣ*.¹ As one of the four agreed-upon sources of Islamic law namely, the Qur'ān, Sunnah, *Ijmā'*, and *Qiyās*. This method serves as a bridge between the limited textual sources and continually evolving social realities.² Its significance has become increasingly evident in the context of globalization and socio-economic transformation, which have generated new *fiqh* issues for which no direct precedent exists in classical legal literature.³

Among the founders of the major schools of Islamic jurisprudence, Imam Muḥammad ibn Idrīs al-Shāfi'ī (150–204 AH / 767–820 CE) was one of the most systematic scholars in formulating the theory of *qiyās*.⁴ Through his monumental work, *al-Risālah*, widely regarded as the earliest systematic treatise on *uṣūl al-fiqh* in Islamic intellectual history, al-Shāfi'ī not only defined *qiyās* but also elaborated the requirements of the *'illah*, established its methodological legitimacy, and rejected the use of *istiḥsān*, which he considered to lack a sufficiently rigorous methodological foundation.⁵ The position of *qiyās* within al-Shāfi'ī's legal thought therefore extends beyond its function as a deductive instrument, it constitutes an expression of rigorous intellectual discipline in which legal rulings must be established on clear, measurable, and epistemologically defensible grounds.⁶

Various studies on the epistemology of Imam al-Shāfi'ī have demonstrated that his methodological orientation is strongly characterized by the *bayānī* paradigm, which emphasizes textual authority, language, and the linguistic structures of the *naṣṣ*.⁷ Nevertheless, this approach does not preclude the use of legal rationality, as al-Shāfi'ī continued to accommodate *qiyās* as an analogical instrument that is methodologically structured and grounded in a clearly identifiable *'illah*. Thus, within al-Shāfi'ī's epistemological framework, *qiyās* does not constitute an unrestricted exercise of reason but rather a rational mechanism that remains subject to the supremacy of the *naṣṣ*. Studies examining the relationship between *naṣṣ* and *qiyās* have likewise demonstrated a consistent methodological pattern within the Shāfi'ī school. These studies

¹ Ayaz Azatovich Kamalov, "QIYAS AS A METHOD OF ANALOGIC LAWMAKING IN ISLAMIC LAW," *Bulletin of the Institute of Law of the Bashkir State University* 9, no. 1(29) (March 2026): 25–36, <https://doi.org/10.33184/vest-law-bsu-2026.29.2>.

² Fifi Hakimi and Wahidin Musta'in Billah, "QIYAS DALAM TINJAUAN HUKUM ISLAM," *DIRHAM Jurnal Ekonomi Islam* 3, no. 2 (February 2023): 83–89, <https://doi.org/10.53990/djei.v3i2.234>.

³ Agung Pratama et al., "Nazhir, Cash Waqf, and Digitalization: Assessing Sharia Compliance and Governance at Laznas Yakesma Kepri," *Az-Zarqa: Jurnal Hukum Bisnis Islam* 17, no. 1 (June 2025): 40–61, <https://doi.org/10.14421/az-zarqa.v17.i1.3841>.

⁴ Mugni Muhit, Jajang Herawan, and Muhammad Yunus, "Basic Construction of Sharia Economic Law Based on Ushul Fiqh Asy-Syafi'i (Critical Analysis of the Book of Ar-Risalah)," *Journal of Social Research* 2, no. 3 (February 2023): 632–39, <https://doi.org/10.55324/josr.v2i3.706>.

⁵ Wan Zulkifli Wan Hassan, Jamsari Alias, and Nazri Muslim, "Imam Al-Shafi'i's Standing On The Use Of Reason Through Al-Qiyas And Al-Istihsan In The Determination Of Law," *International Journal of Academic Research in Business and Social Sciences* 13, no. 11 (November 2023): Pages 534-545, <https://doi.org/10.6007/IJARBS/v13-i11/19290>.

⁶ Zayyanu Musa Dogon Daji, "An Analytical Reawakening of Some Integral Organs of Usul Al-Fiqh," *Direct Research Journal of Social Science and Educational Studies (DRJSSES)* 10, no. 7 (August 2022): 108–12, <https://doi.org/10.26765/DRJSSES9017375264>.

⁷ Ismail Jalili, "Qiyās in Islamic Law: A Comparative Study of the Shāfi'ī School and the Ṣāḥirī School in Contemporary Legal Reasoning: Qiyās Dalam Hukum Islam: Studi Komparatif Mazhab Syāfi'ī Dan Mazhab Ṣāḥirī Dalam Penalaran Hukum Kontemporer," *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 5, no. 4 (July 2026): 569–82, <https://doi.org/10.36701/qiblah.v5i4.3521>. Lutfi Zarkasi and Achmad Raffi, "Analisis Metode Qiyas Imam Syafi'i," *Pelita: Jurnal Studi Islam Mahasiswa UII Dahwa* 1, no. 1 (November 2023): 1–11, <https://doi.org/10.38073/pelita.v1i1.1162>.

emphasize that when *qiyās* conflicts with a definitive (*qaṭʿi*) *naṣṣ*, the *qiyās* is automatically invalidated because the authority of certain textual evidence cannot be overridden by rational analogy. However, when a probabilistic (*ẓanni*) *naṣṣ* is confronted with *qiyās* whose *ʿillah* is explicitly established by the *naṣṣ*, some jurists allow for the possibility of giving precedence to *qiyās*.⁸ Nevertheless, existing studies have not yet examined whether al-Shāfiʿi's application of *qiyās* remains genuinely methodologically consistent when applied across different areas of Islamic law, ranging from *ʿibādāt* to *munākabāt* and *muʿāmalāt*.⁹

The question of cross-domain consistency is significant both theoretically and practically. Theoretically, it addresses a fundamental problem in legal epistemology: can a jurist maintain methodological coherence when dealing with different legal contexts? Building upon this scholarly gap, this study aims to analyze the methodological consistency of Imam al-Shāfiʿi's *qiyās* across three distinct domains of Islamic law: (1) *ʿibādāt*, through the case of *tayammum* as an analogy with *wuḍūʿ*; (2) *munākabāt*, through the prohibition of marriage on the basis of *raḍāʿ* as an analogy with blood lineage; and (3) *muʿāmalāt*, through the obligation of *ṣakāt* on trade assets as an analogy with *ṣakāt* on gold and silver. These three cases were selected because each represents a distinct legal domain, thereby enabling a cross-contextual examination of methodological consistency through a uniform analytical framework.¹⁰

METHOD

This study constitutes normative Islamic legal research, namely research that focuses on examining legal doctrines, principles, and rules contained in written sources. Normative legal research does not test empirical hypotheses; rather, it analyzes the internal coherence, consistency, and normative foundations of a legal system.¹¹ Three approaches are employed complementarily. First, the *uṣūl al-fiqh* approach is used to examine and analyze primary sources within the epistemological framework of classical Islamic law, including technical concepts such as *ʿillah*, *aṣl*, *farʿ*, and *ḥukm*. Second, the conceptual approach is employed to reconstruct the theoretical framework of al-Shāfiʿi's *qiyās* as articulated in *al-Risalah* and to establish it as the analytical parameter of this study. Third, the comparative approach is used to compare the application of *qiyās* across three distinct areas of Islamic law in order to identify patterns of methodological consistency as well as deviations.¹²

⁸ Emad Faz'a, "The Conflict of Proofs between Text and Analogical Reasoning (Qiyās): An Applied Study," *Arab German Journal of Sharia and Law Sciences* 3, no. 1 (2025): 1–32, <https://doi.org/10.51344/agjslv3i11>. Muhammad Baharudin Syah and Muhajirin Muhajirin, "Legality of Qiyas in Legal Terms: The Implementation in Islamic Economics and Finance," *Al-Ammal: Jurnal Ekonomi Dan Perbankan Syariah* 15, no. 2 (December 2023): 273, <https://doi.org/10.24235/amwal.v15i2.14364>.

⁹ Rizki Amar, Jamilatuz Zahrah, and Lisa Hertiana, "Perceraian Dan Penguatan Hak-Hak Perempuan: Reformasi Hukum Keluarga Di Mesir, Indonesia Dan Pakistan," *BUSTANUL FUQAH: Jurnal Bidang Hukum Islam* 5, no. 1 (April 2024): 1, <https://doi.org/10.36701/bustanul.v5i1.1388>.

¹⁰ Ainol Yaqin, "Desain Kontruksi Ijtihad Ushuliyah Imam Al-Syafi'i," *Istinbath: Jurnal Hukum* 17, no. 2 (March 2021): 243–68, <https://doi.org/10.32332/istinbath.v17i2.2155>.

¹¹ Soerjono Soekanto and Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Cet.19 (Depok: Rajawali Pers, 2019), hlm.3.

¹² Hasan Bisri, *Pilar-Pilar Penelitian Hukum Islam Dan Pranata Sosial*, Cet. 1 (Jakarta: Divisi Buku Perguruan Tinggi, RajaGrafindo Persada, 2004).

RESULTS AND DISCUSSION

The Theoretical Construction of Imam al-Shāfi'ī's Qiyās

In formulating and deriving Islamic legal rulings, *mujtahids* require a systematic and logical methodology. Every human action must be governed by the rules of Islamic law, which are explicitly established in the Qur'ān or the Sunnah. However, when the Qur'ān and Sunnah do not provide a specific legal ruling for a particular issue, the applicable ruling must be determined through *ijtihad*. In essence, *ijtihad* involves *qiyās*, namely a method of analogical legal reasoning.¹³

Imam al-Shāfi'ī, as the founder of the systematic discipline of *uṣūl al-fiqh*, made a significant contribution to the development of the methodology of *qiyās*. He was a prominent scholar who sought to reconcile two distinct approaches to *ijtihad*: the *manhaj ahl al-ra'y* (rationalist approach) and the *manhaj ahl al-hadith* (textualist approach), thereby developing a moderate and systematic framework of legal reasoning. Through his intellectual initiative and profound legal thought, al-Shāfi'ī formulated *uṣūl al-fiqh* in a logical, critical, and systematic manner through his monumental work, *al-Risālah*.¹⁴

Al-Shāfi'ī's ideas concerning *qiyās* and *ijtihad* are significant not only within the historical development of Islamic law but also for understanding contemporary Islamic legal thought. In al-Shāfi'ī's view, *qiyās* is not merely an auxiliary instrument for determining legal rulings; rather, it constitutes a structured method subject to stringent requirements and grounded in a profound epistemological dimension. Understanding the construction of *qiyās* according to al-Shāfi'ī provides insight into how a *mujtahid* should engage in legal reasoning in a prudent and responsible manner.¹⁵

Within Islamic legal methodology, *qiyās* refers to a process of analogy or legal reasoning used to determine the ruling of an issue for which no explicit ruling is found in the Qur'ān or Sunnah by comparing it with an established case whose legal ruling is known. According to al-Shāfi'ī, *qiyās* constitutes a distinctive method of *ijtihad* within the hierarchy of Islamic legal proofs. Al-Shāfi'ī emphasizes that the Qur'ān may sometimes establish a legal ruling explicitly (*ṣarih*) or through general provisions that encompass various legal problems. However, when neither the Qur'ān nor the Sunnah provides a specific ruling for an issue, its legal determination must be sought through *ijtihad*, which, in this context, is manifested through *qiyās*.¹⁶ In this framework, al-Shāfi'ī places *qiyās* fourth in the hierarchy of Islamic legal proofs, following the Qur'ān, the authentic Sunnah, and *Ijmā'*. Accordingly, *qiyās* may be employed only when the three higher sources do not provide a definitive ruling concerning a particular issue.¹⁷

According to al-Shāfi'ī's legal methodology, as further elaborated by scholars of *uṣūl al-fiqh*, *qiyās* consists of four essential elements (*arkān*) that must be fulfilled. Understanding these four elements is crucial to ensuring that analogical legal reasoning meets rigorous

¹³ H. Firdaus, *Ushul Fiqh Metode Mengkaji dan Memahami Hukum Islam Secara Komprehensif* (Depok: Rajawali Pers, 2017), hlm.34.

¹⁴ Fathullah Asni, Muhammad Shahrul Ifwat Ishak, and Afiffudin Mohammed Noor, "THE APPLICATION OF QIYAS METHOD IN CONTEMPORARY ISLAMIC FINANCE," *International Journal of Law, Government and Communication* 9, no. 36 (June 2024): 408–19, <https://doi.org/10.35631/IJLGC.936031>.

¹⁵ Hafidz Abdurrahman, *Ushul Fiqh Membangun Paradigma Berpikir Tasyri'i*, trans. Muhammad Maghur Wahid (Bogor: Al-Azhar Press, 2012), hlm.45.

¹⁶ Muhammad bin Idris asy-Syafi'i, *Ar-Risalah* (Beirut: Dar al-Fikr, 1309), hlm.477.

¹⁷ Rachmat Syafe'i, *Ilmu Ushul Fiqh*, Cet.4 (Bandung: CV Pustaka Setia, 2010).

methodological standards.¹⁸ The first is the *aṣl* (original case), namely an established case whose legal ruling has been determined by the *naṣṣ* (the Qur'ān or Sunnah) or by *Ijmā'*. The *aṣl* serves as the foundation of *qiyās*, since the ruling to be extended must be grounded in a case whose legal status has already been established by an authoritative source. For example, in determining the prohibition of intoxicating substances, the prohibition of *ḵhamr* established in the Qur'ān constitutes the *aṣl* for extending the same ruling to beer, whisky, or other intoxicating substances.¹⁹

The second element is the *far'* (new or subsidiary case), namely an issue for which no explicit ruling has been established by the *naṣṣ* or *Ijmā'*. The *far'* represents a new case that requires analogical reasoning to determine its legal status. In the foregoing example, beer, whisky, and other intoxicating substances constitute the *far'* to which the ruling concerning *ḵhamr* is extended. The third element is the *'illah* (effective cause), understood as a clear, identifiable, and legally relevant attribute that constitutes the basis for the ruling of the *aṣl*. The *'illah* must be objective and ascertainable rather than based on subjective assumptions. In the case of *ḵhamr*, intoxication (*al-sukr*) constitutes the *'illah* underlying its prohibition. Consequently, any substance possessing the same legally relevant characteristic may be subject to the same ruling. The fourth element is the *ḥukm al-aṣl* (ruling of the original case), namely the *sharī'ah* ruling established by the *naṣṣ* that is subsequently extended to the *far'*. This ruling must be clearly established and legally authoritative. In the case of *ḵhamr*, the *ḥukm al-aṣl* is its prohibition (*tahrim*), which may then be extended to other cases sharing the same *'illah*.²⁰

An important contribution of al-Shāfi'ī to the methodology of *qiyās* lies in his formulation of stringent qualifications for those who undertake analogical reasoning. He emphasizes that *qiyās* cannot be performed by just anyone but only by individuals who possess the requisite intellectual, scholarly, and moral qualifications. Al-Shāfi'ī explicitly maintains that a person may not undertake *qiyās* without first satisfying specific requirements. These requirements encompass both scholarly competence and personal character. In terms of scholarly qualifications, a *mujtahid* must possess comprehensive knowledge of the Book of Allah and its legal implications, including an understanding of *nāsikh-mansūkh*, *'am-ḵbāṣṣ*, and *ta'wīl*. He must also possess profound knowledge of the Sunnah of the Prophet and be capable of distinguishing authentic reports from weak ones, understand *Ijmā'* as well as areas of juristic disagreement, possess comprehensive mastery of the Arabic language, and be familiar with established precedents and earlier Sunnah. These requirements demonstrate that *qiyās* in al-Shāfi'ī's methodology is not an unrestricted exercise of individual reasoning but a disciplined form of legal interpretation grounded in extensive textual and linguistic competence.²¹

Beyond intellectual qualifications, al-Shāfi'ī also emphasizes personal and moral qualities as integral to the legitimacy of *qiyās*. A person undertaking *qiyās* must possess sound judgment,

¹⁸ Kazim Yusufoglu, "The Relationship Between Justification and Judgement in Usul Al-Fiqh," *Journal Of The Near East University Islamic Research Center* 8, no. 2 (December 2022): 167–81, <https://doi.org/10.32955/neu.istem.2022.8.2.04>.

¹⁹ Abd Rahman Dahlan, *Ushul Fiqih* (Jakarta: Amzah, 2014), hlm 70.

²⁰ Dahlan, *Ushul Fiqih*.

²¹ A. Djazuli, *Ilmu Ushul Fiqh : Penggalan, Perkembangan, dan Penerapan Hukum Islam*, Cet.6 (Jakarta: Kencana, 2006).

be capable of distinguishing between clear and ambiguous matters, and avoid hastily reaching a legal conclusion before attaining sufficient intellectual certainty. Such a jurist must also remain open to criticism and alternative arguments, demonstrate diligence and intellectual seriousness in conducting *qiyās*, and possess a firm theological commitment and strong dedication to the religious principles underlying Islamic law. The combination of scholarly competence and moral integrity illustrates that, for al-Shāfi'ī, *qiyās* is not merely a technical procedure for deriving legal rulings but a rigorous intellectual practice that requires both epistemic discipline and ethical responsibility.²²

Consistency of Qiyās in the Field of Worship: Tayammum as an Analogy with Wuḍū'

The case of *tayammum* represents one of the most significant applications of *qiyās* in the field of worship. *Tayammum*, namely ritual purification using clean earth (*al-ṣa'īd al-ṭayyib*) as a substitute for *wuḍū'* and ritual bathing when water is unavailable, has a clear textual basis in Qur'ān 5:6 and various Prophetic traditions. However, the manner in which Imam al-Shāfi'ī constructs the *qiyās* framework surrounding *tayammum* and derives its legal consequences provides a more compelling subject for analysis.

Imam al-Shāfi'ī's position in *al-Umm* demonstrates that he does not merely regard *tayammum* as a substitute for *wuḍū'* but identifies a specific '*illah*' underlying the legal rulings governing *tayammum*: ritual purification (*ṭahārah*) as an essential prerequisite for the validity of worship. This can be observed in his statement that Allah has prescribed specific times for prayer and likewise established the command concerning *tayammum* when one intends to perform prayer and no water is available. This formulation indicates that the '*illah*' is not simply the substitution of earth for water or a response to a state of necessity, but rather ritual purification as a condition of worship itself. By identifying the '*illah*' with such precision, Imam al-Shāfi'ī establishes the basis for methodological consistency throughout the legal rulings concerning *tayammum*. The implications of this '*illah*' are extensive: *tayammum* applies to all acts of worship that require ritual purification, not merely obligatory prayer, but also voluntary prayer, handling or reciting from the muṣḥaf, prostration of recitation (*sujūd al-tilāwah*), prostration of gratitude (*sujūd al-shukr*), and funeral prayer. The nullifiers of *tayammum* likewise correspond to those of *wuḍū'*, because both share the same underlying '*illah*'.²³

Al-Shāfi'ī's understanding of the '*illah*' is also reflected in his firm position concerning the obligation of intention (*niyyah*) in *tayammum*. The text of *al-Umm* establishes that *tayammum* is not valid unless a person has first sought water and failed to find it, at which point the intention to perform *tayammum* is formulated. This statement is not merely a technical procedural requirement but a logical consequence of his *qiyās*. If *wuḍū'* requires intention because it constitutes an act of worship rather than merely a physical act of cleansing, and if *tayammum* shares the same '*illah*', namely ritual purification for the performance of worship, then intention must likewise be required for *tayammum*. Accordingly, Imam al-Shāfi'ī implicitly rejects the argument that *tayammum*, as a concession necessitated by an exceptional circumstance, should not require intention, or that the reduced availability of the means of

²² Moh Baharuddin, *Ilmu Ushul Fiqh* (Bandar Lampung: Aura CV. Anugrah Utama Raharja, 2019).

²³ Imam Asy-Syafi'i, *Al Umm*, Jilid 1, trans. Misbah (Jakarta: Pustaka Azzam, 2014), hlm.871.

purification should entail a reduction in the fundamental requirements of worship. This position is significant because it demonstrates his commitment to the principle *al-ḥukmu yadūru ma'a illatihi*, according to which a legal ruling revolves around its effective cause. No room is therefore given to the assumption that a state of necessity can alter the fundamental structure of worship, even though such necessity permits *tayammum* as an alternative means of purification.²⁴

The discussion in *al-Umm* concerning a person who performs *tayammum* and subsequently encounters water demonstrates the same methodological consistency. If a person has performed *tayammum* and commenced a voluntary or funeral prayer before subsequently finding water, he may complete the prayer he has already begun and is required only afterward to perform *wuḍū'* for a subsequent obligatory prayer or perform *tayammum* again. If, however, a person has performed *tayammum*, commenced an obligatory prayer, and then encounters water, he is not required to interrupt the prayer but may complete it. After completing that prayer, however, he may not rely on the previous *tayammum* for another obligatory prayer; he must perform *wuḍū'* using water. Once again, this demonstrates the centrality of the *'illah* in al-Shāfi'ī's legal reasoning. When a person has commenced worship under an exceptional circumstance that legally justifies *tayammum*, he may complete that act because interrupting an ongoing act of worship would constitute a greater harm. Once the act of worship has been completed and a new act is to be undertaken, however, the exceptional circumstance must be reassessed. If water has become available, the previous *tayammum* can no longer be relied upon; the person must begin the subsequent act of worship under the newly established circumstances.²⁵

Table 1. The Structure of Qiyās in Tayammum

Element of Qiyās	Substance in the Case of Tayammum
Aṣl	<i>Wuḍū'</i> with water as the form of ritual purification established by the <i>naṣṣ</i>
Far'	<i>Tayammum</i> using clean earth (<i>al-ṣa'id al-ṭayyib</i>) when water is unavailable
'Illah	Ritual purification (<i>ṭahārah</i>) as a prerequisite for the legal validity of prayer
Ḥukm	A requirement for the validity of prayer; intention (<i>niyyah</i>) is obligatory; and its nullifiers correspond to those of <i>wuḍū'</i>

Based on the table above, the *'illah* underlying the obligation of *wuḍū'* can be identified as ritual purification (*ṭahārah*) as a condition that must be fulfilled for the legal validity of prayer. This *'illah* is characterized as *ẓāhir* (apparent and identifiable in the *naṣṣ*), *munḍabīṭ* (consistently measurable, since every person intending to perform prayer is required to attain ritual purification), *munāsib* (legally relevant, given the direct logical relationship between ritual purity

²⁴ Muhammad Jawad Mughniyah, *Fiqh Lima Mazhab*, trans. Masyakur A.B (Jakarta: Lentera, 2011).

²⁵ . Meirison .., Fadhilah Insani .. Insani, and Zahara Andini, "Epistemology of Basic Concepts of Spiritual and Physical Taharah: Analysis of The Benefits of Ablution Spiritually and Physically," *Al-Insyiroh: Jurnal Studi Keislaman* 7, no. 1 (March 2021): 26–43, <https://doi.org/10.35309/alinsyiroh.v7i1.4080>.

and the validity of worship), and not in conflict with any *naṣṣ*. Since *tayammum* likewise functions as a form of ritual purification, although through a different medium, the same ‘*illah*’ is present in *tayammum*, and the corresponding legal ruling can therefore be extended to it.²⁶

The most striking manifestation of methodological consistency in the *qiyās* of *tayammum* lies in the application of all legal consequences that follow from the same ‘*illah*’. First, the requirement of intention (*niyyah*) follows from the fact that *wuḍū’* requires intention because it constitutes an act of worship rather than merely a mechanical act of physical cleansing. Since *tayammum* shares the same ‘*illah*’, namely ritual purification for the performance of worship, intention is likewise required for *tayammum*. Second, the nullifiers of *tayammum* correspond to those of *wuḍū’*. All conditions that invalidate *wuḍū’*, including minor ritual impurity, major ritual impurity, and the availability of water, likewise invalidate *tayammum*. This constitutes a direct application of the principle *al-ḥukmu yadūru ma’a ‘illatibi*: because the ‘*illah*’ of *tayammum* is its function as a substitute for the ritual purification achieved through *wuḍū’*, the occurrence of conditions that terminate the validity of *wuḍū’* likewise terminates the validity of *tayammum*. There is therefore no methodological basis for al-Shāfi’ī to argue that “*tayammum* is more lenient and therefore has fewer nullifiers,” because such reasoning would amount to a disguised form of *istiḥsān*.²⁷

Consistency of Qiyās in the Field of Munākahāt: Raḍā’ah as an Analogy with Blood Lineage

Imam al-Shāfi’ī’s position on raḍā’ah, or breastfeeding kinship, as articulated in *al-Umm*, demonstrates a particularly radical application of *qiyās* in connecting two distinct domains: blood lineage (*nasab*) and breastfeeding kinship (*raḍā’ah*). The textual basis provided by Imam al-Shāfi’ī is relatively limited in the Qur’ānic naṣṣ, consisting primarily of the mention of foster mothers and foster sisters in Q. al-Nisā’ [4]:23. From this foundation, however, he constructs an analogical structure that encompasses the entire extension of kinship relations. The ḥadīth he cites, “What is prohibited because of breastfeeding is what is prohibited because of birth,” serves as the principal premise for this extension. In his view, this ḥadīth does not merely establish the prohibition of marriage to a foster mother and foster sister; rather, it articulates a universal principle: whatever is prohibited on the basis of blood lineage is likewise prohibited on the basis of breastfeeding kinship. This explains his statement: “Since Allah mentioned the prohibition of foster mothers and foster sisters, Allah placed them, with respect to prohibition, in the same position as mothers and sisters through lineage, whereby all breastfeeding kinship occupies the position of lineage.” This statement is highly significant because it demonstrates that the ‘*illah*’ underlying the prohibition of marriage in blood lineage—namely, the *mahramiyyah* or kinship relationship that establishes a legally recognized *mahram*—is identically present in *raḍā’ah*.²⁸

The requirement of five complete breastfeeding sessions (*khams raḍa’āt mushbi’āt*) established by Imam al-Shāfi’ī is a crucial point for understanding the consistency of his *qiyās*.

²⁶ Suwarjin, *Ushul Fiqih* (Yogyakarta: Teras, 2012), hlm.55.

²⁷ Imam Asy-Syafi’i, *Al Umm*, Jilid 1, hlm.875.

²⁸ Imam Asy-Syafi’i, *Al Umm*, Jilid.9, trans. Misabah (Jakarta: Pustaka Azzam, 2014), hlm.131-133.

In *al-Umm*, he explains in detail what constitutes a single breastfeeding session and why five sessions constitute the minimum threshold at which *radāʿah* produces *mahramiyyah*. He relates that the Qurʾān initially established ten breastfeeding sessions, which was subsequently abrogated and replaced by five breastfeeding sessions.²⁹ This point is particularly important: the requirement of five sessions is not an exception to the analogy but rather a specification of the *farʿ*, whereby the particular case must satisfy a defined threshold before the ʿillah can be regarded as fully present. In other words, Imam al-Shāfiʿī maintains methodological consistency: he does not argue that “breastfeeding produces the same prohibition as lineage, except that there is a limitation on the number of breastfeeding sessions.” Rather, his position is that “breastfeeding that satisfies the minimum requirement of five sessions produces the same prohibition as lineage.” This distinction is subtle yet fundamental. If breastfeeding occurs fewer than five times, the *farʿ* has not yet been fulfilled; consequently, the ʿillah is not deemed to be present, and no prohibition arises. Once five breastfeeding sessions have been established, however, the ʿillah is fully present, and all legal consequences following from that ʿillah apply throughout the analogical structure.³⁰

Furthermore, Imam al-Shāfiʿī’s description of what constitutes a single breastfeeding session demonstrates the same methodological precision observed in his treatment of tayammum. A single breastfeeding session occurs when a child breastfeeds and then stops, after which the child breastfeeds again; each complete cycle of breastfeeding is counted as one session. If a child takes one nipple and then the other within a single uninterrupted breastfeeding session, this is still counted as one session rather than two. This method of calculation demonstrates that Imam al-Shāfiʿī seeks to ensure that the requirement of five breastfeeding sessions constitutes an objective and verifiable threshold rather than something ambiguous or susceptible to arbitrary interpretation. By establishing consistency in the method of calculation, he safeguards the ʿillah against ambiguity.³¹

Another dimension demonstrating Imam al-Shāfiʿī’s methodological consistency is his treatment of marginal cases that appear to constitute exceptions to the analogy but, upon closer examination, do not. For example, he states: “If a woman breastfeeds a newborn child, there is no prohibition preventing the woman who breastfed the child from marrying the child’s father.” At first glance, this may appear to be an exception: why would the child’s foster mother not be prohibited from marrying the child’s father? The reason, however, follows clearly from his understanding of the ʿillah. The woman who breastfeeds the child is a foster mother to the child, but not to the child’s father; the father himself was not breastfed by that woman, and therefore no *radāʿah* relationship exists between them. Consequently, no prohibition arises. This is not an exception to the ʿillah but rather a precise application of it: the prohibition arises

²⁹ Yusuf Anom Jayadimuda and Rizki Amar, “SYAR’U MAN QABLANA SEBAGAI METODE HUKUM ISLAM DAN APLIKASINYA DALAM HUKUM PERKAWINAN,” *YUSTISI* 11, no. 3 (October 2024): 3, <https://doi.org/10.32832/yustisi.v11i3.17887>.

³⁰ Imam Asy-Syafi’i, *Al Umm*, Jilid.9.

³¹ Muji Muji and Rizal Ilhamsyah, “Hukum Ar-Radha’ah Dalam Islam: Teks Al-Qur’an, Hadits, Dan Ijtihad Sahabat,” *Pelita: Jurnal Studi Islam Mahasiswa UII Dahwa* 2, no. 1 (November 2024): 67–78, <https://doi.org/10.38073/pelita.v2i1.1903>.

from an actual *raḍā'ah* relationship, not merely from contact or association between two parties.³²

Interestingly, Imam al-Shāfi'ī concludes his discussion of *raḍā'ah* by emphasizing that, with respect to breastfeeding kinship, there is no distinction between a free woman, an enslaved woman, or a *dhimmī* woman. “They are all considered mothers, and they are all prohibited in marriage just as free women are prohibited in marriage; there is no difference. There is likewise no distinction between whether an enslaved woman is sexually accessed through ownership or through marriage. All of these circumstances result in prohibition.” This statement is highly significant because it demonstrates that the ‘illah of kinship established through breastfeeding is an abstract legal relationship that does not depend upon the social status of the woman who breastfeeds.³³ It thus provides a profound illustration of how the principle *al-ḥukmu yadūru ma'a 'illatibi* operates without compromise: wherever the ‘illah is present, the legal ruling follows, irrespective of other social variables.

Table 2. The Structure of Qiyās in Raḍā'ah

Element of Qiyās	Substance in the Case of Raḍā'ah
Aṣl	Blood lineage (<i>nasab</i>) that establishes <i>maḥramiyyah</i> and prohibition of marriage
Far'	<i>Raḍā'ah</i> (breastfeeding kinship) that establishes an analogous kinship relationship
'Illah	Kinship-based <i>maḥramiyyah</i> (<i>qarābah al-maḥramiyyah</i>)
Ḥukm	Prohibition of marriage (<i>tahrim al-nikāḥ</i>) as applicable to blood lineage

Here, the ‘illah underlying the prohibition of marriage in blood lineage can be identified as *qarābah al-maḥramiyyah*, namely a kinship relationship that establishes the legal status of *maḥram*. This ‘illah is likewise present in *raḍā'ah*, as breastfeeding creates a relationship analogous to blood lineage with respect to *maḥramiyyah*. The Prophetic ḥadīth, “*yuḥarrimu min al-raḍā'ah mā yuḥarrimu min al-nasab*” (breastfeeding renders prohibited what is prohibited by blood lineage), further reinforces the legitimacy of this analogy.

Consistency of Qiyās in the Field of Mu'āmalah: Zakāt on Trade Assets

Imam al-Shāfi'ī's position on zakāt on trade assets in *al-Umm* represents one of the most significant applications of qiyās in the field of *mu'āmalah*, as he establishes the obligation of zakāt on merchandise entirely through analogy, without an explicit naṣṣ from the Qur'ān or Sunnah directly mandating it. Unlike zakāt on gold and silver, which is grounded in clear textual evidence, or agricultural zakāt, which is addressed in Q. al-An'ām [6]:141, zakāt on

³² Imam Asy-Syafi'i, *Al Umm*, Jilid.9.

³³ Imam Asy-Syafi'i, Jilid.9, hlm.161-164.

trade assets is derived primarily through a rigorously structured process of *qiyās*. Imam al-Shāfi‘ī begins by identifying the ‘illah underlying the obligation of zakāt on gold and silver, namely *namā’*, the potential for growth and appreciation in economic value. Gold and silver are not merely inanimate objects arbitrarily selected as taxable assets; rather, Allah and His Messenger designated them as universal mediums of exchange and standards of value in economic transactions precisely because of their intrinsic capacity to generate and preserve economic value through trade and investment. By identifying *namā’* as the ‘illah, Imam al-Shāfi‘ī does not argue that “gold and silver are precious metals, and therefore zakāt is obligatory on them,” but rather that “gold and silver possess the economic potential for growth, and this is why zakāt is imposed upon them.”³⁴

Table 3. The Structure of Qiyās in Zakat on Trade Assets

Element of Qiyās	Substance in the Case of Zakat on Trade Assets
Aṣl	Gold and silver (<i>nuqūd</i>) subject to zakāt on the basis of Qur’ānic naṣṣ
Far’	<i>Raḍā’ah</i> (breastfeeding kinship) that establishes an analogous kinship relationship
‘Illah	Kinship-based <i>maḥramiyyah</i> (<i>qarābah al-maḥramiyyah</i>)
Ḥukm	Obligation of zakāt at a rate of 2.5% upon reaching the <i>niṣāb</i> and completion of the <i>ḥawl</i>

This precise identification of the ‘illah is crucial for understanding how Imam al-Shāfi‘ī extends the obligation of zakāt to trade assets. Trade assets whether merchandise, investment property, or shares likewise possess the same ‘illah, namely *namā’*. Traded commodities are not held for personal consumption or for producing other goods, such as livestock or production machinery, but are held specifically for the purpose of generating profit through buying and selling. This economic rationale is identical to the rationale underlying the obligation of zakāt on gold and silver both constitute forms of wealth that “work” economically to generate additional value.³⁵ Accordingly, the ruling applicable to gold and silver the obligation of zakāt must likewise apply to trade assets. This represents an application of the principle *al-ḥukmu yadūru ma‘a ‘illatibi* within the context of *mu‘āmalah*: wherever the ‘illah of *namā’* is present and manifested in wealth capable of growth and appreciation, the obligation of zakāt follows.³⁶

The text of *al-Umm* demonstrates that Imam al-Shāfi‘ī addresses various questions concerning how zakāt on trade assets should be calculated, particularly in complex situations where the owner converts wealth from one form into another. Throughout these cases, the principle he consistently upholds is that zakāt on trade assets is calculated according to the value

³⁴ Imam Asy-Syafi‘i, *Al Umm*, Jilid.3, trans. Misbah (Jakarta: Pustaka Azzam, 2014), hlm.711-715.

³⁵ Sulthan Wahidy and Rizki Amar, “AKIBAT HUKUM ATAS KONTRAK (AKAD) YANG CACAT (PERSPEKTIF HUKUM ISLAM DAN HUKUM POSITIF),” *YUSTISI* 11, no. 3 (October 2024): 194–204, <https://doi.org/10.32832/yustisi.v11i3.17886>.

³⁶ Ervina Hasibuan, “Kewajiban Zakat Pada Perusahaan Dalam Perspektif Hukum Islam,” *Jurnal Relasi Publik* 1, no. 4 (November 2023): 159–73, <https://doi.org/10.59581/jrp-widyakarya.v1i4.1842>.

of the commodities on the date when the *ḥawl* becomes due, rather than according to their value on the date of acquisition. He states: “When the *ḥawl* has elapsed from the day of ownership and the commodity remains in his possession for the purpose of trade, he must value the commodity in the currency predominantly used in his country, whether dinars or dirhams, and then pay its zakāt in the currency used for valuation.” This principle is highly significant because it demonstrates that what is subject to zakāt is not the initial investment, whose value may differ over time, but the actual economic value of the commodity when the zakāt obligation becomes due. This follows directly from the ‘illah: if the ‘illah is *namā*, namely the growth of realized economic value, then what is subject to zakāt is the value that has grown, rather than its initial value.³⁷

The logic underlying this principle is that the ‘illah of *namā* remains continuous as long as the intention to engage in trade remains unchanged. The transformation of the form of wealth from money into commodities, or from one commodity into another does not alter the essence of the zakāt obligation, because the ‘illah does not lie in the material substance of the wealth itself but in its economic potential to generate growth through trade. Accordingly, when an owner converts money into commodities with the intention of trading them, he does not “restart” the zakāt period from the beginning; rather, the zakāt period continues uninterrupted. However, and this is crucial, Imam al-Shāfi‘ī distinguishes assets that are intrinsically subject to zakāt because of their substantive nature, such as gold and silver. He states: “If a person purchases a commodity with dirhams and then sells it for dinars before the *ḥawl* has elapsed from the day he possessed the dirhams that he used for trade, then when the commodity is sold in exchange for dinars, those dinars are subject to zakāt based on the value of the dirhams.”³⁸

In the context of agriculture and land held for trade, Imam al-Shāfi‘ī demonstrates the same degree of methodological precision. He states: “If a person purchases a date-palm orchard or land for trade, he pays its zakāt according to the zakāt applicable to the date-palm orchard and crops. If a person purchases land containing crops other than date palms, grapes, or wheat for the purpose of trade, he pays its zakāt according to the zakāt applicable to trade assets.” This distinction demonstrates that wealth intrinsically subject to zakāt because of its substantive nature, such as date palms or wheat crops, cannot be “converted” into trade zakāt merely because it was acquired with a commercial intention. Rather, the applicable zakāt remains that which is attached to its substantive nature. By contrast, vacant land purchased for speculation or as investment property is subject to zakāt as a trade asset rather than as agricultural wealth. This represents a highly nuanced form of consistency: each type of wealth retains its own ‘illah, and zakāt follows that ‘illah rather than merely the owner’s intention.³⁹

Accordingly, Imam al-Shāfi‘ī’s consistency in applying qiyās to zakāt on trade assets can be understood through four mechanisms analogous to those identified in the cases of tayammum and *radā‘ah*. First, he establishes a single and precise ‘illah, namely *namā*, or the

³⁷ Syamsuri Syamsuri and Nizar Ramadhan Al Muzakki, “KONSEP ZAKAT MENURUT IMAM SYAFI TERHADAP DISTRIBUSI DANA BANTUAN SOSIAL,” *NATUJA: Jurnal Ekonomi Syariah* 4, no. 2 (July 2025): 090, <https://doi.org/10.69552/natuja.v4i2.2963>.

³⁸ Imam Asy-Syafi‘i, *Al Umm*, Jilid.3.

³⁹ Abdulahanaa Abdulahanaa, “CARA MENGHITUNG ZAKAT PERDAGANGAN EMAS DAN PENERAPANNYA OLEH PEDAGANG EMAS DI PASAR SENTRAL WATAMPONE,” *AL-IQTISHAD* 13, no. 2 (March 2022): 73–87, <https://doi.org/10.30863/aliqtishad.v13i2.2541>.

potential for economic growth, as the basis for the obligation of zakāt on gold and silver, and identifies the same ‘illah in trade assets. Second, he extends all the essential conditions of zakāt *niṣāb*, *ḥawl*, and the applicable rate from the *aṣl* to the *far* without modification on grounds of convenience or practicality, including the continuous calculation of the *ḥawl* even when the form of the wealth changes. Third, he consistently rejects *istiḥsān* insofar as it would interrupt the *ḥawl* period for rapidly circulating assets or grant trade assets preferential treatment compared with gold and silver. Fourth, he maintains a strict distinction between a substantive ‘illah inherent in the nature of the wealth itself and a functional ‘illah arising from intention and use, such that wealth possessing both types of ‘illah remains subject to both. Through these four mechanisms, Imam al-Shāfi‘ī ensures that his qiyās concerning zakāt on trade assets is not only logically valid but also systematic and applicable to the diverse economic circumstances that Muslims may encounter.⁴⁰

After analyzing the three cases individually, the central research question can now be addressed: is al-Shāfi‘ī consistent in applying his methodology of qiyās across different fields of Islamic law? The following table summarizes the comparative findings from the three cases:

Table 4. Comparative Consistency of Imam al-Shāfi‘ī’s Qiyās across Different Fields of Islamic Law

Aspect	Field of Worship (Tayammum)	Field of Munākahāt (Raḍā‘ah)	Field of Mu‘āmalah (Trade Zakat)
Aṣl	Wuḍū'	Blood lineage (<i>nasab</i>)	Gold and silver (<i>nuqūd</i>)
Far'	Tayammum (ritual purification using clean earth)	Raḍā‘ah (breastfeeding kinship)	Trade assets (<i>‘urūd al-tijārah</i>)
'Illah	Ritual purification (<i>ṭahārah</i>) as a prerequisite for the validity of prayer	Kinship-based <i>mahramiyyah</i>	<i>Namā'</i> (potential for growth) and economic value
Ḥukm	A condition for the validity of prayer	Prohibition of marriage (<i>tahrim al-nikāḥ</i>)	Obligation of zakāt (2.5%)

⁴⁰ Haddad Ulum Harahap et al., “The Study of Analysis Toward Zakat of Honey on Mazhab Imam Syafi‘i Perspective,” *Media Syari‘ah: Wahana Kajian Hukum Islam Dan Pranata Sosial* 25, no. 2 (December 2023): 312, <https://doi.org/10.22373/jms.v25i2.17357>.

CONCLUSION

This study examines the methodological consistency of Imam al-Shāfiʿī's qiyās across three distinct fields of Islamic law: ʿibādāt (tayammum), munākahāt (raḍāʿah), and muʿāmalāt (zakāt on trade assets). Based on a comparative analysis of the theory of qiyās in *al-Risālah* and al-Shāfiʿī's legal reasoning in *al-Umm*, the study finds that al-Shāfiʿī applies a structurally identical framework of qiyās across all three fields: four essential elements (*aṣl*, *farʿ*, *ʿillah*, and *ḥukm*), four conditions for a valid *ʿillah* (*ẓāhir*, *muḍābiḥ*, *munāsib*, and *ghayr muʿarīḍ li-l-naṣṣ*), and the principle *al-ḥukmu yadūru maʿa ʿillatihi*. These findings have significant theoretical implications. They demonstrate that *al-Risālah* is not merely a rhetorical manifesto of legal methodology but rather an operational blueprint that is genuinely implemented in al-Shāfiʿī's juristic practice.

The practical implications of these findings are relevant to the development of contemporary Islamic law. If al-Shāfiʿī's methodology is demonstrated to be consistent across different fields of law, his framework may serve as a valid methodological precedent for developing ijtihād in response to emerging issues, including digital finance, Islamic fintech, Islamic bioethics, and environmental jurisprudence. This study nevertheless has several limitations. It examines only three cases drawn from three distinct fields; a more comprehensive examination involving a larger number of cases within each field would provide a richer account of the scope and consistency of al-Shāfiʿī's qiyās. Furthermore, comparison with the methodological consistency of other major schools of Islamic jurisprudence, particularly the Ḥanafī, Mālikī, and Ḥanbalī schools, would provide a broader comparative context. Both avenues constitute promising directions for future research.

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