



Arařtırma Notu / Research Note

## Did al-Albānī know *uřūl al-fiqh*? The Use of Legal Maxims (*qawā'id*) in the Works of Muḥammad Nāşir al-Dīn al-Albānī

Jonathan AC Brown\*

One of the longest running criticisms directed against the Ahl al-Ḥadith/Salafī strain in Islamic thought is that its practitioners simply clumsily act on Hadiths and lack the understanding of how to weigh different types of scriptural evidence against one another or apply the hermeneutical and rational methods used to properly understand, delimit or extend their application. In the recent past, no paragon of Salafism has been tarred more frequently with this criticism than the late Albanian/Syrian Hadith scholar Muḥammad Nāşir al-Dīn al-Albānī (d. 1999). Fierce opponents of Salafism like 'Abdallāh b. al-Şiddīq al-Ghumārī (d. 1993) accused him of an ignorance of *uřūl al-fiqh* that left him unable to process and reconcile contrasting evidence (*adilla*), leading him to catastrophic misunderstandings that broke with scholarly consensus. "When he takes up rulings and their derivation, he stumbles like a night-blind camel, wandering in blind misguidance," wrote al-Ghumārī. Even the late Yūsuf al-Qarađāwī, less severe a critic of Salafism who praises al-Albānī as a Hadith scholar, nonetheless offered that, in al-Albānī's legal writings (*fiqh*), he had a *Zāhiri* inclination, since he acts more on particular scriptural proof texts (*juz'ī*) without heeding the Shariah's general objectives (*al-maqāşid al-kulliyya*).<sup>1</sup>

Criticism of al-Albānī and Salafism for an alleged monstrous ignorance

\* Prof. Dr., Georgetown University, brownj2@georgetown.edu.

1 'Abdallāh b. al-Şiddīq al-Ghumārī, *Itqān al-şan'a fī taḥqīq ma'nā al-bid'a* (Cairo: Maktabat al-Qāhira, 1426/2005), 55; Yūsuf al-Qarađāwī, *al-Fatāwā al-şādhda* (Cairo: Dār al-Shurūq, 2010), 62-3.

of, in effect, *uṣūl al-fiqh* is linked to accusations of autodidacticism. Learning the Islamic sciences from books alone without the guidance of trained scholars and their tradition of living instruction (*talaqqī*) is often pointed to as a cause of religious extremism.<sup>2</sup> GF Haddad, a vociferous critic of al-Albānī, claims that the Hadith scholar had “no known teacher in any of the Islamic sciences.”<sup>3</sup> I am not in a position to confirm or deny these claims, but al-Albānī’s students and proponents have contended that he had, in fact, studied at the hands of both jurists and Hadith scholars (though it seems impossible to deny that he studied under far fewer teachers than contemporaneous scholars).<sup>4</sup> He studied Ḥanafī *fiqh* with his father and attended the intellectual salons of the famous Muḥammad Bahjat Bayṭār (d. 1976). In addition, he attended the Hadith lessons of the Syrian *muḥaddith* and historian Muḥammad Rāghib al-Ṭabbākh (d. 1370/1951).<sup>5</sup>

Al-Albānī actually regularly refers to and employs well-known interpretive and substantive legal maxims in his writings and recorded lectures. He refers to and employs principles of Ḥanafī *uṣūl al-fiqh* productively.<sup>6</sup> In fact, he echoes critics above, stating that those who engage in rampant *takfīr* lack knowledge of jurisprudence and an understanding of *al-qawāʾid al-sharʿiyya*.<sup>7</sup>

The following is a list of maxims that I have come across:

*Al-muthbit muqaddam ʿalā al-nāfi and man ʿalima ḥujja ʿalā man lam ya ʿlam*<sup>8</sup>  
*Lā yajūzu taʿkhīr al-bayān ʿan waqt al-ḥāja*<sup>9</sup>  
*Al-ḍarūriyyāt tuqaddaru bi-qadrihā*<sup>10</sup>

2 Usāma Ibrāhīm Ḥāfiz, ʿĀṣim ʿAbd al-Mājid Muḥammad, Karam Zuhdī et al., *Ḥurmat al-ghuluww fī al-dīn wa takfīr al-muslimīn* (Riyadh: Maktabat al-ʿUbaykān, 1425/2004), 64.

3 GF Haddad, *Albānī and his Friends: A Concise Guide to the Salafī Movement* ([London]: Aqsa Publications, 2004), 3.

4 See Stéphane Lacroix, “Between Revolution and Apoliticism: Nasir al-Din al-Albani and his Impact on the Shaping of Contemporary Salafism,” in *Global Salafism*, ed. Roel Meijer (New York: Columbia University Press, 2009), 63.

5 Abū Nāsir Ibrāhīm Abdul Rauf and Abū Mayram Muslim Ameen, *The Biography of the Great Muḥaddith Sheikh Muhammad Nāsiruddīn al-Albānī* (sic) (Riyadh: Darussalam, 2007), 26, 29; Muḥammad Ḥāmid ʿAbd al-Wahhāb and Muḥammad Ṣāliḥ al-Munajjid, *Aḥdāth muthīra fī ḥayāt al-shaykh al-ʿallāma al-Albānī* (Alexandria: Dār al-ʿImān, 2000), 17.

6 Al-Albānī, *Adab al-zafāf* (Beirut: al-Maktab al-Islāmī, 1409/1989), 178, 182.

7 Al-Albānī, *Fatāwā al-Shaykh al-Albānī*, ed. ʿUkāsha ʿAbd al-Mannān al-Ṭayyibī (Cairo: Maktabat al-Turāth al-Islāmī, 1994), 239.

8 Al-Albānī, *Fatāwā*, 168.

9 Al-Albānī, *Fatāwā*, 114.

10 Al-Albānī, *Fatāwā*, 73, 455 (this appears in al-Shaʿrānī’s *Mizān al-kubrā*, 2:67).

Kull jumla ‘arabiyya an tuḥmala ‘alā al-ḥaqīqa wa laysa ‘alā al-majāz fa-idhā  
ta ‘adhdharat al-ḥaqīqa ḥina ‘idhin yaqūlūn naṣīru ilā al-majāz.<sup>11</sup>

Man ista ‘jala al-shay’ qabla awānihi ubtuliya bi-ḥurmānihi<sup>12</sup>

Al-‘ibra bi-‘umūm al-laḥz lā bi-khuṣūṣ al-sabab<sup>13</sup>

Man ubtuliya bi-shay’ min al-ma ‘āṣī fa’l-yastatir.<sup>14</sup>

Al-khāṣṣ muqaddam ‘alā al-‘āmm.<sup>15</sup>

Al-Albānī states in his lecture on marriage that “mā kāna ‘alā khilāf al-qiyās  
fa-‘alayhi ghayruhu lā yuqās.”<sup>16</sup>

Al-nashk lā yulja’u ilā al-qawl bihi mā dāma al-tawfiq bayn al-aḥādīth  
mumkinan bi-ḥayth lā yuraddu shay’ min al-adilla.<sup>17</sup>

11 Al-Albānī, *Fatāwā*, 510 (see, among many appearances, al-Haytamī, *al-Fatāwā al-ḥadīthiyya*, ed. Muḥammad ‘Abd al-Raḥmān al-Mar‘ashli (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, 1419/1998), 240.

12 Al-Albānī, *Fatāwā*, 255, 365 (see al-Suyūṭī, *al-Ashbāh wa’l-nazā’ir*, ed. Muḥammad al-Mu‘taṣim al-Baghdādī (Beirut: Dār al-Kitāb al-‘Arabī, 1414/1993), 283-85.

13 Al-Albānī, *Fatāwā*, 356-7.

14 Al-Albānī, *Fatāwā*, 268

15 Al-Albānī, *Adab al-zafāf*, 177.

16 I heard this in a recorded lecture entitled *al-Zawājfi al-Islām* on www.islamway.com in 2004. Apparently the contents have been made available in transcript and this citation can be found at <https://shamela.ws/book/7682/424>. Compare with the Ḥanafī principle cited in Shihāb al-Dīn Maḥmūd b. Aḥmad al-Zanjānī, *Takhrīj al-furū’ ‘alā al-uṣūl*, ed. Muḥammad Adīb Ṣāliḥ (Beirut: Maktabat al-‘Ubaykān, 1420/1999), 164-5; and, in the Mālikī school, al-Qurṭubī, *al-Jāmi’ li-aḥkām al-Qur’ān*, ed. Muḥammad Ibrāhīm al-Ḥifnāwī and Maḥmūd Ḥamid ‘Uthmān. 20 vols. in 10. Cairo: Dār al-Ḥadīth, 1994), 4:578 (*al-ḥāja wa’l-rukḥa lā yuqāsu ‘alayhā*).

17 Al-Albānī, *Adab al-zafāf*, 178, 182.