

Methodological Analysis of the Istidlāl of Madhhab al-Zāhiriyyah and al-Syāfi‘iyyah in the Issue of Breaking the Fast: A Comparative Analysis of Uṣūliyyah

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Abstract

The issue of acts that invalidate fasting is a significant topic in Islamic jurisprudence, reflecting notable differences among schools of thought. This study focuses on the methodological approach (*istidlāl*) of the Zāhirī and Shāfi‘ī schools in determining rulings related to factors that nullify fasting. Employing a qualitative library-based methodology, the research analyses data from both classical (*turāth*) and contemporary sources representing the two schools. Through a comparative *uṣūliyyah* analysis, the study identifies the foundational differences in reasoning that lead to divergent rulings on issues such as eating and drinking unintentionally, cupping, and the use of medication. The findings reveal that the contrast between the two schools stems from their differing *uṣūliyyah* approaches. The Zāhirī school adheres strictly to the literal meaning of textual evidence without interpretation, while the Shāfi‘ī school applies broader analogical reasoning (*qiyās*) and inference. This study highlights the importance of understanding juristic disagreement (*khilāf fiqhī*) through methodological analysis and encourages the practice of tolerance (*tasāmuḥ*) in responding to legal differences within Islamic jurisprudence.

Keywords: Zāhirī; Shafi‘i; madhhab; Usul al-Fiqh; *istidlāl*; Fasting

Introduction

Methodology-related debates *istidlāl* in the motion of fiqh is one of the most important aspects in understanding the diversity of laws in Islam. In general, *istidlāl* means the process of taking or determining the law based on the postulates of *syarak*, either through the agreed postulates (*Muttafaq ‘Alayh*) such as the Qur'an, al-Sunnah, *‘ijmā‘* And *Qiyās*, or through disputed evidence (*mukhtalaf fih*) such as *Madhhab al-Sahabi*, *al-'Urf*, *Syar'u Man Qablanā*, *Istiḥsān*, *Istislah (Maṣlahah Mursalah)* and *Sadd al-Dharī'ah*. (Muhaimin, 2018).

However, each madhhab has its own method in assessing the strength and priority of the evidence. Depending on the epistemological principles and philosophy of law they hold. Because of this, differences in methodology *istidlāl* is often the main cause of its occurrence *ikhtilāf* law among the scholars. (Putra, R.E., et al, 2022), Ramadan fasting is a mandatory worship that needs to be fulfilled by Muslims around the world. In accordance with the words of Allah SWT in the Quran surah Al-Baqarah verse 183 which:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ

"O you who have believed, it is obligatory on you to fast as it was obligatory on those before you so that you may be righteous."

Fasting is the third pillar of Islam that must be demanded by all Muslims. Cahyono and Fathan (2023) explained that fasting can also have a significant impact on the health of the human body, including physical and mental aspects. In addition, fasting serves as a medium of spiritual education that shapes individuals to always fear Allah SWT in every situation, whether in front of the public or alone. Through this spiritual practice, a person who fasts will gain strength of faith and steadfastness of soul, thus being able to resist the temptation and influence of the world's temporary luxuries (Amalia & Jannah, 2022).

During Ramadan fasting, there are several mandatory things that every Muslim needs to do. Among them are suppressing hunger and thirst from dawn to sunset, staying away from doing immoral things that can break the fast and so on. In this article, the focus is on a comparison of views on breaking the fast between the Zāhirī school and the Shafi'ī school.

Background Of the Study

Usul Fiqh is a basic methodology that plays a role in the process of interacting with the postulates of sharia for the purpose of establishing Islamic laws, including current laws and taking into account local realities and needs. A deep understanding of the methodology of usul fiqh is very important because without proper mastery of its principles and methods, the texts of *syarak* are difficult to understand correctly and have the potential to cause errors in the process of *istinbāṭ al-ahkām* (excavation of the law) (Hasanuddin & Muda, 2024).

Age and Man (2024) also explained that the schools of fiqh in Islam have their own methods and approaches in formulating laws and issuing fatwas based on the principles and manhaj *istidlāl* outlined by their respective scholars. The study of the *istidlāl* methodology (the use of arguments and postulates) allows the researcher to understand the rationale behind each method of fiqh developed by scholars.

Literature Highlights

Previous studies have shown that the difference in *istidlāl* methodology between Madhhab al-Zāhiriyyah and al-Syāfi'iyah has a direct impact on the resulting fiqh rulings. A study of the work of scholars in this field shows that the basis of the difference stems from the different *uṣūliyyah* approaches, particularly in the aspects of the use of *qiyās*, 'illah and the evaluation of *naṣṣ*. In this regard, the researchers brought several past studies that examined the *istidlāl* approach of the two madhhabs in various *fiqhiyyah* issues to identify the epistemological patterns and frameworks that shape their respective legal methodologies.

A study by Manaf and Hamdanah (2016) examines the difference of views between Madhhab al-Syāfi'iyah and al-Zāhiriyyah regarding the ruling of menstruating women staying silent in mosques based on their respective *istidlāl* approaches. This study found that al-Syāfi'iyah forbade it on the basis of the principle of *tahārah* and respect for the mosque through the use of *qiyās*, while al-Zāhiriyyah allowed it because of the absence of a clear *naṣṣ* and the rejection of *qiyās*. The difference stems from the different epistemological framework and methodology of *uṣūliyyah* between the two sects. This study also asserts that the diversity of fiqh laws is born from fundamental differences in *uṣūliyyah*, which is relevant for understanding the pattern of *istidlāl* of the two sects in other issues such as breaking the fast.

Romli (2014) According to the study of Ibn Ḥazm's thoughts, he is known as a fiqh figure who adheres to the *zāhirī* approach in *istinbāt* law. This approach emphasizes *naṣṣ*-based understanding and the literal meaning of the text, without relying on rational reasoning outside of the *naṣṣ*. Despite having basic similarities with the methods of other scholars of his time, Ibn Ḥazm differed in terms of legal justification and *istidlāl* methodology which was absolute textual in nature. This pattern of thinking reflects the *bayānī* school that is the main basis of madhhab al-Zāhiriyyah, thus explaining their literalistic orientation in interpreting the law, including in fiqh issues such as breaking the fast.

The study conducted by Syadzili (2021) also explored Ibn Hazm's thoughts on Islamic law and his *istidlāl* as well as his stance on *qiyās*. Studies show that Ibn Hazm stated that the decrease in *naṣṣ* is *maslahah*. However, he still denied the existence of 'illah which can be applied in matters outside of *naṣṣ*. He is of the view that revelation has covered all problems so that there is no desire for any *istidlāl* with *qiyās*. In other words, revelation is sufficient to answer all the questions that arise.

A study by Jamal (2024) examines the relationship between *ijtihād* and *qiyās* according to Imam al-Syāfi'ī, who asserts that both carry the same meaning as explained in *al-Risālah*. Through a comparative analysis of classical and modern *uṣūliyyūn* works, this study proves that *qiyās* is the main basis in the *istidlāl* al-Syāfi'iyah methodology, which is the main differentiator between this sect and al-Zāhiriyyah which rejects the absolute use of *qiyās*.

Previous studies by Manaf and Hamdanah (2016), Romli (2014), Jamal (2024) and Syadzili (2021) examined the *istidlāl* methodology of Madhhab al-Zāhiriyyah and al-Syāfi'iyah in general, but still faced some constraints in the application of in-depth analysis.

These studies do not focus on the issue of breaking the fast, are descriptive without in-depth epistemological analysis, and rely heavily on secondary sources without direct reference to primary works such as *al-Umm* and *al-Muḥallā*. Therefore, there is a research gap in comprehensively understanding the methodology of *istidlāl* of the two sects in the context of the law of breaking the fast.

Therefore, there is a need to examine in depth the *istidlāl* methodology of Madhhab al-Zāhiriyyah and al-Syāfi'iyah in the issue of breaking the fast from the comparative perspective of *uṣūliyyah*. A study entitled "*A Methodological Analysis of the Istidlāl of Madhhab al-Zāhiriyyah and al-Syāfi'iyah in the Issue of Breaking the Fast: A Comparative Analysis of Uṣūliyyah*" was carried out to fill the gap in the previous study through the analysis of primary sources such as *al-Muḥallā*, *al-Risālah* and *al-Umm*. This study aims to detail the epistemological basis as well as the principle of *uṣūliyyah* that underlies the difference in *istidlāl* between the two sects, thus strengthening a more systematic, critical and evidence-based scientific understanding in the debate on fasting fiqh.

Methods

This study is qualitative with a literature approach. This investigation is applied through reading, research and analysis of classical sources (*turath*) in addition to contemporary sources that contain discussions of fasting fiqh and fiqh proposals.

In the data collection process, this study used a documentation method by examining various primary and secondary sources related to breaking the fast. These sources are obtained from academic journal articles, websites, scholarly theses, as well as digital libraries such as the *al-Maktabah al-Shāmilah* application. This study also involves a comparative analysis of *uṣūliyyah* as understood by fiqh scholars, to ensure that the results of this research are comprehensive, and based on authentic evidence.

Results

Throughout the history of Islam, the development of fiqh among Muslims has shown the growth and spread of fiqh schools that are fertile and influential in the formation of Islamic scholarly traditions. Among the madhhabs of fiqh that have spread is the fourth madhhab of fiqh (*al-mazāhib al-arba'ah*) that has been accepted by Muslims throughout the ages (Waḥdah al-Bath al-'Ilmī, 2015). This *al-mazāhib al-arba'ah* refers to the madhhab al-Syāfi'i, al-Māliki, al-Ḥanbali and al-Ḥanafī. These sects are still practiced to this day. (Basha, 1990). The other sects did not receive the same reception and fate as that happened to *al-mazāhib al-arba'ah*.

Madhhab al-Zāhiriyyah

It was founded by Imam Dawud Ibn Ali al-Asfihani who was initially a follower of madhhab al-Shafi'iyyah while in Baghdad. This school was first developed by a figure named Ibn Hazm al-Andalusi in his essays such as *al-Muḥallā* in the chapter on fiqh and *al-Iḥkām fī Uṣūl al-Aḥkām* in the proposal of fiqh (al-Zuhaili, 2011). Madhhab al-Zāhiriyyah invites to hold on to the literal meaning (*ẓāhir al-naṣ*) without accepting any form of reasoning such as *qiyās*, *istiḥsān* and *maṣlaḥah mursalah* (Romli & S. A., 2014)

However, there are contemporary scholars of al-Zāhirī such as al-Harbi who consider it permissible to *istidlāl* with *qiyās* if there is '*illah mansusah*' (*'illah* mentioned in the *naṣ*) or also referred to as *qiyās jaliy*, but he sees *afdal* not naming it *qiyās* (al-Harbi, 2023) because '*illah mansusah*' it can be clearly known through the recitation of *ẓāhir al-naṣ*. In addition, the followers of Dawud al-Zāhirī do not recognize '*ijmā'*' but '*ijmā' sahabi*' (agreement on a sharia law among the companions) (Syadzili, 2021).

Madhhab al-Shafi'iyyah

It was founded by Muhammad Ibn Idris al-Shafi'i who was the first individual to write in the field of fiqh proposal called *al-Risālah*. The madhhab al-Shafi'iyyah makes four main sources in judging, namely the Quran, al-Sunnah, '*ijmā'*' and *qiyās* (al-Zuhaili, 2011).

In reality, Imam al-Syāfi'i did not have only one sect and he even founded two sects, namely al-mazhab *al-qadīm* (in Baghdad) and al-mazhab *al-jadīd* (in Egypt). Later, he died in Egypt, on *al-madhhab al-jadīd*. His sect spread to remote parts of the Arab world such as Syria, Yemen and others such as Khurasan (al-Bulqīni, 2012).

Differences in the Principles of Istidlāl between Madhhab al-Zāhiriyyah and al-Syāfi'iyyah

Madhhab al-Zāhiriyyah and madhhab al-Syafi'iyyah differ in principle in the *istidlāl* approach to Islamic law. al-Andalusi (2010) declares that it is not permissible to express views using the method of *qiyās* and *ra'yi* (the opinion of reason) because Allah swt has commanded to return to the Quran and His Messenger in case of disagreement. He also pointed out that whoever refers to *qiyās* and *ra'yi* then he has violated the commandment of Allah swt. In madhhab al-Shafi'iyyah, *qiyās* is used to determine the law for new problems that are not found in the evidence of *qat'i*. However, the Quran and al-Sunnah are still used as original sources to determine '*illah*' in the determination of new problem laws (Dewi et al., 2023). In fact, it is obligatory to do deeds with *qiyās* if there is no law for a problem in the *sharia* and '*ijmā'*' texts.

Comparison of the Methodology of Istidlāl Madhhab al-Zāhiriyyah and al-Syāfi'īyyah in the Issue of Breaking the Fast

Cupping During Fasting

According to al-Andalusi (2010) cupping cancels the fast for the cupping person and the person who is cupped, based on a hadith narrated by Syaddad Ibn Auw from the Prophet PBUH who said:

أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ

"The person who cupping and the person who is cupping has broken the fast (breaking the fast.)"

This hadith is proof that the cupping and the cupping can break the fast, even though there is a hadith from the narration of Ibn al-Abbas about the Prophet PBUH cupping while fasting. However, the narration cannot confirm the previous hadith for several reasons. One, there is a possibility that the process of cupping occurred when the traveler and the Prophet (peace and blessings of Allah be upon him) broke the fast, this is permissible *syarak*. Second, it may be that at that time he fasted and then canceled his fast to cupping it, this is also permissible by *syarak*. This is also the view of famous companions such as Ali Ibn Abi Talib, Abu Musa al-Asya'ri, Abdullah Ibn Umar and others.

al-Syafi'i (1983) argues that cupping does not invalidate the fast of either the cupping or the cupping based on a hadith narrated by Ibn al-Abbas:

أَنَّ رَسُولَ اللَّهِ أَحْتَجَمَ مُحْرِمًا صَائِمًا

"Indeed, the Messenger of Allah (peace and blessings of Allaah be upon him) was cupping while he was doing ihram and fasting."

The *sanad* of the hadith of Ibn al-Abbas is considered better than the *sanad* narrated by Syaddad Ibn Auw, even the act of cupping the Prophet came after him. This makes the hadith of Ibn al-Abbas *nāsikh* to the hadith narrated by Syaddad Ibn Auw, whereas in the narration of Syaddad Ibn Auw he has not yet done ihram and fasting. However, the act of leaving cupping while fasting is better. This hadith of Ibn al-Abbas is used as *qiyās* to the invalidity of fasting due to something that comes out of the body except to remove what is in the stomach intentionally. Included in this method is semen that comes out without orgasm, sweating, discharge, urination, bathing and shaving does not invalidate the fast (al-Shafi'i., 1990).

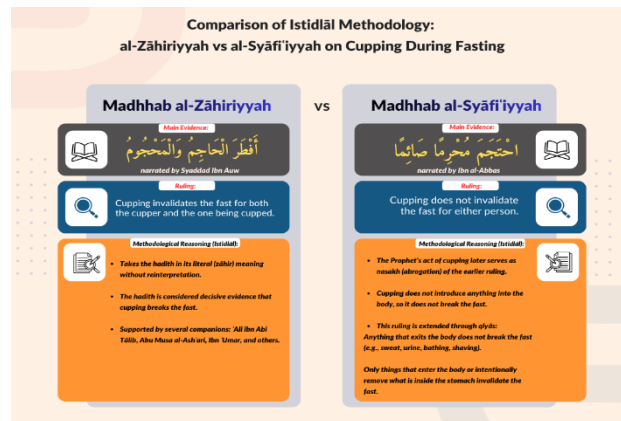


Figure 1. Summary of the Istitdāl Methodologies of the Zāhiriyyah and al-Syāfi'iyyah on Cupping During Fasting

Vomiting Intentionally

Madhhab al-Zāhiriyyah and madhhab al-Shafi'iyyah agree that the deliberate vomiting of a fasting person cancels his fast, but differs in the *istidlāl* of the ruling. Madhhab al-Zāhiriyyah is *istidlāl* using a hadith narrated by Abu Hurairah from the Prophet PBUH who said:

مَنْ ذَرَعَهُ الْقَيْءُ وَهُوَ صَائِمٌ فَلَيْسَ عَلَيْهِ قَضَاءٌ وَمَنْ اسْتَقَاءَ فَلْيَقْضِ

"Whoever is forced to vomit while fasting, then there is no qada' (replacement of fasting) on him. And whoever vomits deliberately, then he should do qada' (replace fasting)."

This evidence is clear evidence for the cancellation of fasting due to deliberate vomiting without looking at the quantity of vomiting and the fast needs to be replaced, this view is expressed as an agreed view and its validity is believed. There is a view that intentional vomiting that is less than a full mouth does not cancel the fast, this has no evidence in determining the limits of the mouth and is contrary to the hadith of Abu Hurairah (al-Andalusi., 2010).

Madhhab al-Shafi'iyyah uses the same evidence as madhhab al-Zāhiriyyah for the ruling of canceling the fast of a person who vomits deliberately. However, al-Mawardi (1999) expressed the view of the majority of scholars of madhhab al-Syafi'iyyah *qiyās* intentional eating and drinking with deliberate vomiting, as both are the causes of breaking the fast and it is obligatory to replace the fast without the need for *kaffarah*. From the hadith of Abu Hurairah, it is evident that other things such as eating because forgetting to fast is not necessary to *qada'* fasting and *kaffārah*, also the person who is forced to break the fast is not for *qada'* because the law is the same as that of a person who is forced to vomit.

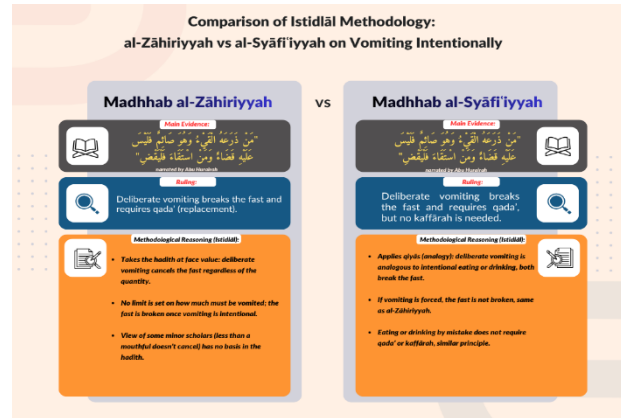


Figure 2. Summary of the Istidlāl Methodologies of the Zāhiriyyah and al-Syāfi'iyyah on Vomiting Intentionally

Inserting something into the body cavity without eating and drinking

Madhhab al-Zāhiriyyah is of the view that anything that enters the body cavity by dripping water into the ears, medicine that is put into the nose, wearing eyeliner, treating wounds that reach the brain and the like does not invalidate the fast. The acts that are forbidden by Allah swt for fasting people are only eating, drinking, having intercourse during the day when fasting, vomiting intentionally and committing vices while fasting. Cavities such as the anus, urinary tract, eyes, ears and nose are not recognized as places where food and drink enter (al-Andalusi., 2010).

According to al-Zuhaili (2011) madhhab al-Syafi'iyyah is of the opinion that inserting something into the cavity such as the mouth, nose, ears, urinary tract, anus and treating wounds that reach the brain deliberately is a form of breaking the fast. Because fasting is essentially refraining from putting everything into the body, whereas putting something in the cavity intentionally is an act of non-restraint. Inserting something into a cavity *qiyās* by eating and drinking that reaches the throat through the oral cavity. However, there are some things that are forgiven if you enter through these cavities:

1. Entering mosquitoes, flies or road dust does not invalidate the fast.
2. Deliberately open the mouth so that dust or dust from the flour filter enters the cavity.
3. The entry of a smell to the brain through the nose.

These things are forgiven due to the difficulty of avoiding completely, since they are elements that always exist in the human environment either during fasting or outside fasting hours.

There is a strong criticism from madhhab al-Zāhiriyyah about the use of *qiyās* used in the issue of inserting something into the cavity, but the use of eyeliner is not included in breaking the fast. al-Andalusi (2010) pointed out that there is a defect in the use of *qiyās* of eating and drinking with something foreign entering the cavity such as dripping water into the

ears, whereas eyeliner is easier to get into the throat and food ducts. If someone stirs the eyeliner with dust or flour filtering dust, then it is not the same because the dust and powdery dust is something that is not intentional while the eyeliner is intentional. He further stressed that the use of *qiyās* in this matter is considered not in accordance with *syarak* and inconsistent with basic principles.

Madhhab al-Syafi'iyah allows the use of eyeliner during fasting because something that is felt through the throat due to the use of eyeliner is not through an open channel, but is felt through the pores in the skin (al-Zuhaili, 2011). In addition, there is a hadith about the Prophet PBUH once interspersed during fasting:

أَنَّهُ كَانَ يَكْتَحِلُ وَهُوَ صَائِمٌ

"The Prophet (peace and blessings of Allaah be upon him) was wearing eyeliner and he (the Prophet PBUH) was fasting."

This hadith is used as evidence by madhhab al-Shafi'iyah about eyeliner not being a break of the fast for those who fast.

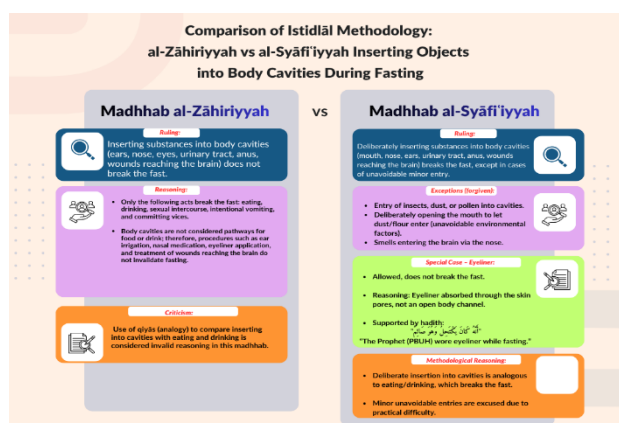


Figure 3. Summary of the Istitlāl Methodologies of the Zāhiriyyah and al-Syāfi'iyah on Inserting Something into the Body Cavity Without Eating or Drinking

Conclusion

This study examines the methodology of the *istidlāl* of Mazhab al-Zāhiriyyah and al-Syāfi'iyah in the issue of breaking the fast and explains the basic differences in Usul al-Fiqh which is the cause of *khilaf* fiqh between the two. The findings show that al-Zāhiriyyah adheres to the literal meaning (*zāhir al-naṣ*) and rejects the use of *qiyās* and *ra'yi*, while al-Syāfi'iyah accepts *qiyās* as a source of law by emphasizing aspects of '*illah* and *maqāṣid al-syarī'ah*. This epistemological difference has implications for the law of *furū' fiqh*iyah, especially on the issue of cupping and inserting something into the body cavity, which shows the difference between the textual approach of al-Zāhiriyyah and the rational approach of al-Syāfi'iyah. This

study contributes to strengthening the understanding of the diversity of Islamic legal methodologies and emphasizes that legal differences are the result of valid and recognized *istidlāl* methods. In this regard, it is suggested that the methodologies of *zāhirī* and *qiyāsī* continue to be studied in the context of *fiqh al-nawāzil* to assess their relevance and ability to address contemporary issues.

Overall, the comparison of *istidlāl* methodology between madhhab al-Zāhiriyyah and madhhab al-Syāfi‘iyyah shows two different approaches to *fiqh* epistemology from the point of view of the basic acquisition of law. The madhhab al-Zāhiriyyah adheres to the *zahir* lafaz *naṣṣ* without accepting any form of *qiyās*, *istiḥsān* or *maṣlaḥah mursalah*, except in situations where there is a clear *‘illah mansūṣah* in the *naṣṣ*. This approach portrays their commitment to literal textualism as a form of absolute submission to the postulates of *naqlī*. On the other hand, madhhab al-Syāfi‘iyyah adopts an integrative and systematic approach to *istidlāl* by combining the Quran, al-Sunnah, *‘ijmā‘* and *qiyās* as sources of law. *Qiyās* in madhhab al-Syāfi‘iyyah serve as a rational bridge to expand the understanding of the law on new issues without deviating from the framework of the *qat’i naṣṣ*.

From the point of view of the application of the law, this difference is evident in issues of fasting *fiqh* such as cupping, vomiting and inserting something into the body cavity. Madhhab al-Zāhiriyyah affirms the law based on the utterance of *zahir* hadith without associating it with *illah* or additional analogies, while madhhab al-Syāfi‘iyyah evaluates the law through the analysis of sanad, the context of the Prophet's deeds and the expansion of meaning through *qiyās*. This proves that al-Zāhiriyyah is more *ta‘abbudī* and literalistic, while al-Syāfi‘iyyah is more *ta‘aqqulī* and responsive to the current situation and *maslahat*. In the contemporary context, this comparison gives significant academic value to *fiqh* scholars in understanding the diversity of *istidlāl* methodologies and their implications for the laws of worship, as well as opening up a more balanced *ijtihād* space between text and reality.

Main Summary:

- The madhhab al-Zāhiriyyah rejects *qiyās* and only adheres to the *zahir* of the *naṣṣ*.
- The madhhab al-Shafi‘iyyah accepted *qiyās* as an instrument of *istinbāt* of the new law.
- On the issue of cupping, al-Zāhiriyyah sees it as invalidating the fast; al-Syāfi‘iyyah on the other hand evaluates the *nāsikh* hadith and rejects the cancellation.
- On the issue of vomiting, both agree that vomiting intentionally breaks the fast, but differs from the point of view of *istidlāl*'s justification.
- On the issue of inserting something into a cavity, al-Zāhiriyyah rejects *qiyās* while al-Syāfi‘iyyah uses it to determine the similarity of the law.

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