

## THE ORIGIN OF FIQH SCHOOLS IN AL-ANDALUS: FROM QAIRAWAN TO MEDINA

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### Abstract

The development of Islam in Mashriq at the beginning of second/eighth century until third/ninth century was becoming golden age of knowledge. In al-Andalus, two centuries were used to find intellectual identity on Iberian peninsula. The scholars of al-Andalus did intellectual journey (*rihla 'ilmiyya*) to Mashriq through several intellectual cities. From Shām, Andalusian scholars followed al-Auzā'ī school, which became official school of the Umayyad dynasty in the early days of 'Abd al-Raḥmān al-Dākhil. The provocative cities and the cause of conflict for al-Andalus was Iraq region such as Baghdād. As capital city Abbasid dynasty, the rival of the Umayyad, Baghdād and other Iraq cities were not well-intentioned for learning. Some scholars who learned from Iraq and then returned to al-Andalus were forbidden to spread their ideas, schools and books that brought from Iraq. This led Andalusian scholars to seek the center of knowledge in Medina, the city that was considered supporting Umayyad dynasty in al-Andalus. This intellectual network of Medina caused many scholars in al-Andalus became followers of Mālikī school. Later Mālikī school dominated in al-Andalus by replacing al-Auzā'ī school. The scholars also took the route of knowledge from Qairawān, as agency area before going to Medina. The scholars of Mālikī school, supported by the Umayyad's government, got authority to ban and censor other schools and books that were incompatible with Mālikīyya. The society of al-Andalus under the rulers of Mālikī school only used and made the Qur'an and *Muwaṭṭa' Mālik* as the only references of knowledge. The fiqh network in al-Andalus will determine the types of scientific studies, books and also style of thought that can be studied and learned over there.

**Keywords:** al-Andalus, Mashriq, Mālikī school, fiqh, *Muwaṭṭa' Mālik*.

### 1 ISLAM AND KNOWLEDGE IN AL-ANDALUS

The development of Islam in Mashriq at the beginning of 2nd/8th and 3rd/9th century reached golden age of knowledge. While some areas of Africa and al-Andalus were still fought to find its own intellectual identity. This situation caused a very deep gap on level of knowledge and culture between Mashriq and Maghrib. The conquest of al-Andalus by Ṭāriq bin Ziyād at 93/713 indicated the distance of a century from Prophet's migration to Medina. The conquerors of al-Andalus belonged to none of companions (*ṣaḥabah*) of Prophet

PBUH, while the number of their successors (*tābi'īn*) was only 28 people. This situation was far away from the conquest of Iraq with the number of 291 companions and 596 successors, in Syria with the number of 108 companions and 35 successors, in Egypt with the number of 31 friends and 5 successors, and in Africa with a total of 25 companions and 24 successors (Ḥusain, 2007, p. 188-189).

The earliest historical codification of the early Mashriq was Iraq at 40 H and the latest was in Egypt at 128 H. The earliest historical codification in al-Andalus dated in 238/852. This suggested that the oldest distance of knowledge codification between Mashriq and al-Andalus was 118 years, whereas the shortest distance was 36 years (Ḥusain, 2007, p. 193). The comparison among conquerors and codifications on Mashriq and al-Andalus did not make a simple and detached area of knowledge development. To bridge the gap, the scholars of al-Andalus did intellectual journey (*rihla 'ilmiyya*) to Mashriq through several intellectual cities such as Baghdad, Damascus and Medina. In addition on scientific and cultural factors, the journey was ordered by the rulers of al-Andalus. Al-Maqqarī recorded two major paths of the journey, the people of al-Andalus which went to Mashriq and Mashriq people who went to al-Andalus (Al-Maqqarī, 1997). The journey further would determine reality and reflection of people's knowledge in al-Andalus.

The development of knowledge and teachings of Islam, especially hadith and jurisprudence in al-Andalus, could be seen from the role of *qāḍī* (judge). They learnt hadith and taught it to others through their mission (Öztoprak, 2013a). A person must be a *faqīh* (jurist) and *muḥaddith* so that he/she could be recommended to be *qāḍī*. They studied hadith and then developed it to the study of jurisprudence. It started since the time of 'Abd al-Malik bin Ḥabīb (d. 238/852), which spread hadith to al-Andalus (Öztoprak, 2013b). The scholars in al-Andalus had various social roles such as intellectual, religious life guards of society, lawyers, and also they became merchants and craftsmen. They functioned as mediator between the political elite, the tribe and the general public, particularly through religious and legal activity (Rozi, 1983).

The role and the function were running through several decisions and legal doctrines issued by *qāḍīs* through their developed school and opinions. This could be seen from which schools and scholars they traveled. Therefore, by knowing each local school in intellectual journey, their thinking, and the knowledge that could be studied, one will understand more comprehensively the essay of the book and also the style of thought in al-Andalus. This paper will discuss schools derived from intellectual journey by Andalusian scholars. Their journey to several cities brought various knowledge of jurisprudence and its impact on knowledge, tradition and authority. Schools of intellectual journey would begin from Shām as the first fiqh area coming in al-Andalus. Medina and Iraq became the second school of fiqh after Sham got authority and knowledge degradation, while Qairawān became a bridge connection between al-Andalus and Mashriq in the intellectual journey.

## 1.1 Shām School

Many scholars during the early Umayyad dynasty in al-Andalus came from Shām. Therefore, most of them embraced Auzā'ī school (Amīn, 2012, III, p. 491). The founder of this school was 'Abd al-Raḥmān bin 'Amr bin Yaḥmid al-Auzā'ī. He was born at 88/706 in Ba'labakk and brought by his mother to Beirut. He died in 157/773. Al-Dhahabī said that Auzā'ī became the official school in al-Andalus until c. 220/835. After that, the school was diminished from time to time until it was replaced by the Mālikī school. In Damascus, Auzā'ī school still existed at c. 340/951 (al-Dhahabī, 2003, IV, p. 120-130; 'Asākir, 1995, XXXVIII, p. 147).

The first man who spread hadith in al-Andalus, according to Ibn al-Faraḍī (d. 403/1012) was Ṣa'sa'ah bin Sallām (d. 180/796) from Syria. He learned from Imām al-Auzā'ī and gave a fatwa at the time of 'Abd al-Raḥmān I (756-788) until the time of Hishām bin 'Abd al-Raḥmān (788-796). His students included 'Abd al-Malik bin Ḥabīb, Uthmān bin Ayyūb and others (Ibn al-Faraḍī, 2008, I, p. 278). W.M. Watt said that in the early days of 'Abd al-Raḥmān I, the number of politicians more than jurists. Al-Auzā'ī, who became leader of jurists in all areas of Umayyad before its fall, should be followed by all residents, including al-Andalus as Umayyad area. Likewise, when Umayyad in Damascus fell and al-Andalus became independent regions (Watt & Cachia, 1977, p. 63-64).

Beside Ṣa'sa'ah, there was Zuhair bin Mālik al-Balwī (d. circa 250/864). Zuhair was considered as a follower of the last Auzā'ī school in al-Andalus. He had argued with 'Abd al-Malik bin Ḥabīb, one of the leaders of the Mālikī school. Because of following Auzā'ī, he was discredited from social interaction and knowledge. Zuhair lived among regions Bājah (Beja) and Faḥṣ al-Ballūṭ or Baṭrūj (Valle de los Pedroches) where he gained a special part of his grandfather there, 'Adī bin Jadhīmah, at the time of 'Abd al-Rāḥmān I (Ibn al-Faraḍī, 2008, I, p. 216). After 132/750, al-Auzā'ī received the reconciliation of the Abbasid dynasty in Beirut. This caused many scholars and politicians in al-Andalus were not interested yet in following him. The pupils were still many who came to listen to lectures of al-Auzā'ī while others went to Medina and other places (Watt & Cachia, 1977, p. 64).

## 1.2 Medina School

Abbasid in Mashriq, which replaced Umayyads, moved the central government to Baghdad and made Ḥanafī as the official school of government. As a result of the policy of Abbasid dynasty, center of Auzā'ī school in Damascus was dim and replaced by Ḥanafī school. In addition, al-Auzā'ī himself received reconciliation from the Abbasid dynasty. This political situation caused Andalusian people faced two choices of seeking knowledge, to Baghdad and Shām or to other cities like Medina. Some of them later sought knowledge to Baghdad, some went to Medina. They who did not act intellectual journey beyond al-Andalus learned from the scholars who had come from Mashriq.

This situation made the scholars of al-Andalus to seek other center of knowledge. Medina was considered more suitable because of supporting the Umayyad dynasty in al-Andalus (Al-Maqqarī, 1997, II, p 10; III, p. 230). Intellectual networks of Medina made many scholars in al-Andalus became Mālikī followers. The Mālikī school then became more dominant in al-Andalus and replaced school of Auzā'ī. The leaders of al-Andalus scholars who took from Malik, such as al-Ghāzī bin Qais, Shabṭūn and Yaḥyā bin Yaḥyā al-Laithī, later became *qāḍīs*. Many *qāḍīs* of Mālikī made Mālikī as the official school of the government by Hishām bin 'Abd al-Rahmān (171-179/788-796). Later its policy strengthened by al-Ḥakam bin Hishām (179-206/796-822) that determined the fatwa with Mālik opinion throughout Cordoba and al-Andalus region (Al-Maqqarī, 1997, III, p. 230).

There were similarities between textual styles of Mālikī and Auzā'ī schools (Watt & Cachia, 1977, p. 64). Those who came to Medina studied *Muwaṭṭa' Mālik* that contain about many of Medina people in their worship practices and interaction since the time of Prophet PBUH until the period of Mālik. There were many scholars of al-Andalus who learned from Mālik such as Yaḥyā bin Yaḥyā al-Laithī, who later became the most popular spreader of *Muwaṭṭa' Mālik* in Mashriq and Maghrib (Raisuddin, 1992). Since Mālikī was becoming official school in al-Andalus, the other schools were prohibited and not allowed to enter or learn (Hourani, 1970). In 2nd/8th and 3rd/9th century, Mālikī school made the basics of their schools and *Muwaṭṭa' Mālik* as the main reference with the various opinions produced from their predecessors. Other Mālikī legal opinions and others that did not based on *Muwaṭṭa' Mālik* were considered as illegal (Fierro, 2011, p. 75-76). This period was also a period of Mālikī introduction. It replaced Auzā'ī school that no longer matched with Umayyad dynasty in al-Andalus (Masud, 1991).

## 1.3 Iraq School

Baghdad became provocative area of intellectual journey and caused some conflicts later in al-Andalus. But it still needed and demanded by some Andalusian scholars. As capital city of Abbasid dynasty, Iraq was considered unfit to be a learning decision. In addition, textual styles (*ahl al-ḥadīth*) of Auzā'ī school in al-Andalus, which became the official school of early government, were very different from the school of rationalist (*ahl al-ra'y*) by Ḥanafī and Shāfi'ī schools. Political conflict and rivalry between both Islamic dynasties affected the intellectual conflict. Some scholars who learned from Iraq and then returned to al-Andalus were forbidden to spread their ideas and books. The knowledge and culture of Iraq was not feasible and not suitable for al-Andalus (al-Ishbīlī, 1988, I, p. 567). Among the scholars who did intellectual journey to the Iraq was Baqī bin Makhlad. He brought a lot of books that did not match with Mālikī school as *Muṣannaf Ibn Abī Shaiba*, *Tārīkh Khalīfa bin Khayyāṭ* and others from Baghdad.

Baqī bin Makhlad (d. 276/889) studied in al-Andalus for the first, and then went to Basra in searching knowledge, especially on hadith. He taught *Muṣannaf Ibn Abī Shaibah* that considered had contradiction with *Muwaṭṭa' Mālik* by jurists of al-Andalus. Conflicts between Baqī bin Makhlad and Mālikī scholars made him to be reported to Muḥammad bin 'Abd al-Rahmān (238/852-273/886). But he was allowed to spread his ideas and books in al-Andalus by Muḥammad bin 'Abd al-Rahmān (Raisuddin, 1991). Baqī rejected orthodoxy of Mālikī scholars and sole opinion of *Muwaṭṭa' Mālik*. He offered to read and consider other books in addition to *Muwaṭṭa' Mālik*, but this led to a strong reaction from Mālikī scholars. He also had conflict and enmity with Mālikī scholars such as Muḥammad bin Waḍḍāḥ and Qāsim bin Aṣḥagh. Students of Muḥammad bin Waḍḍāḥ, which was also hadith spreader in al-Andalus, were never reported from Baqī because he dan Ibn Waḍḍāḥ were in enmity and hostility (Ibn al-Faraḍī, 2008, I, p. 143-146). Aṣḥagh bin Khalīl (d. 273) had strict attitude in Mālikī opinion and did not like hadiths. He said it was better his body chest was filled with wild pig than *Musnad Ibn Abī Shaiba*, the book narrated by Baqī bin Makhlad (*la an yakūna fī tābūtī ra's khinzīr ahābb ilayya min an yakūna fīhi Musnad Ibn Abī Shaiba*). He was also at war with Baqī, even though both of them were neighbors. His son, Qāsim bin Aṣḥagh, was forbidden to hear and learn hadith from Baqī (Ibn al-Faraḍī, 2008, I, p. 129-131)

## 1.4 Qairawān School

Qairawān became intermediate areas before going to Mashriq. For example Baqī bin Makhlad and Muḥammad bin Waḍḍāḥ for the first settled in Qairawān before going to Iraq. As said by al-Ṣabbāgh (2011), they learnt from the most popular scholar there, namely Ṣaḥnūn bin Saʿīd (d. 240/854), who issued *al-Mudawwana*, a book about some questions and answers from Mālikī school. Qairawān became transit place and media of knowledge between al-Andalus and Mashriq. There were ideological relations between al-Andalus and Qairawān residents. Some scholars of al-Andalus with their students were been visit central thought of Qairawān. Both regions were interdependent each other in various thoughts. Qairawān had long history for the enrichment of academic movements for the Maghrib region, especially al-Andalus.

Ṣaḥnūn was from Ḥimṣ, Shām and he started to go to Africa in 171/787. Later he went to Egypt in 178/795 to learn and then go to Hijāz. Due to the costs and needs, Ṣaḥnūn could not go to Mālik bin Anas in order that he only learnt Mālikī school from the friends and followers of Imām Mālik. He returned to Qairawān in 191/806. Before he left to study Mālikī school, there were a number of thirty Qairawān scholars who all studied to Mālik directly about jurisprudences and fatwas. With the arrival of Ṣaḥnūn from Mashriq, he spread the idea of Mālikī school throughout Maghrib and became the most famous scholars there (Maḥfūz, 1994, III, p. 12-13). He became *qāḍī* at 234 H and died six years later (al-Ifrīqī, n.d., p. 101-104).

Book of *al-Mudawwana* as Ṣaḥnūn's work contained questions and answers on various issues of schools (Al-Ṣabbāgh, 2011, p. 180). In addition to the intellectual journey, the scholars of al-Andalus also made correspondence with Qairawān scholars on various problems. Ibn al-Faraḍī on his book, *Tārīkh 'Ulamā' al-Andalus*, also mentioned repeatedly about the biography of scholars of al-Andalus who learnt from Ṣaḥnūn (Ibn al-Faraḍī, 2008). Qairawān became one path of intellectual journey because of geographical location, where it was the closest area to al-Andalus and the most advanced and knowledgeable in the Maghrib (Al-Ṣabbāgh, 2011, p. 178-179)

## 2 CONNECTION OF INTELLECTUAL NETWORKS IN AL-ANDALUS

The intellectual networks of Shām, Iraq, Medina and Qairawān highlighted the formation of knowledge and culture in al-Andalus in 2nd/8th and 3rd/9th century. This was period of knowledge formation as well as negotiation between ideology and power of knowledge. The hegemony of Mālikī as official school of al-Andalus implemented the policy of jurists and theologians, namely Mālikī school and Sunnī theology. Scholars of Mālikī school, supported by Umayyad, gained authority to ban and censor schools and books that were inconsistent and incompatible with the Mālikī. Residents in al-Andalus under the authority of Mālikī only used the Qur'an and *Muwaṭṭa' Mālik* as the only reference of knowledge (al-Maḥdī, 1991, p. 236).

With such biased and unfair policies, Mālikī scholars, approved by the emirs, forbade the entry of books brought from Iraq and also everything that disagreed with the Mālikī school. This situation threatened non-Mālikī scholars who were studying at Mashriq or had returned to al-Andalus. The scholars had to struggle to spread their ideas and writings, even if they were forbidden. For example Baqī bin Makhlad, as Shāfi'ī followers, boycotted by the Maliki scholars such as Muḥammad bin Waḍḍāḥ and Qāsim bin Aṣbagh. For the first, Baqī still spread his ideas and book brought from Mashriq. But he was reported by Mālikī scholars to Muḥammad bin 'Abd al-Raḥman bin al-Ḥakam because of disturbing the stability of the political, social and intellectual sphere. He was accused of spreading an unofficial school and Mālikī school filed for him a detention. Emir Muḥammad did not necessarily receive objections and complaints from Mālikī scholars. He invited Baqī and Mālikī school at a forum to test Baqī's knowledge. In the end, Baqī excelled in the forum and the emir ordered that he was allowed to keep on spreading his ideas. In addition, the books of Baqī and books which he brought from Iraq were included in the library's book list. However, Baqī was still provoked and permanently incited by Mālikī scholars after that (al-Marrākishī, 1983, II. p. 109-110).

In the 2nd/8th century until the beginning of the second half 3rd/9th century, Mālikī schools in Africa were also suppressed by other school near al-Andalus (al-Marrākishī, 1983, I, p. 109). Abbasid made Ḥanafī as official school, thus Islamic region from Hijāz to Africa controlled entirely with Ḥanafī school. The main scholar of Qairawān, Ṣaḥnūn bin Saʿīd, at that time also suppressed by the Ḥanafī school ruled by Aghālība descendants. Nevertheless, he still taught knowledge and became an intermediary for the scholars of al-Andalus who want to learn Mālikī (al-Barmakī, 1900, V, p. 234-236; al-Dhahabī, 2003, X, p. 54-55). The rivalry between Mālikī in Maghrib and Ḥanafī schools in Mashriq influenced the study of Islamic knowledge, ranging from Qur'anic exegesis, hadith until jurisprudence. In the study of jurisprudence, scholars in al-Andalus had to use Mālikī school in their daily life in order to avoid similarities with their rival in Mashriq.

### 3 SCHOOL NETWORKS AND STYLES OF KNOWLEDGE IN AL-ANDALUS

The network of jurisprudence schools in al-Andalus determined the styles of knowledge study, the essay of the book and also the styles of thought. The entry of Mālikī school to al-Andalus was influenced by political, emotional, socio-cultural and intellectual factors. Political factors that determine the dominance of Maliki in al-Andalus was an opposition of Umayyad on his rivalry, Abbasid dynasty, which made Ḥanafī their official school. The emotional factor was caused by Mālik's tendency to the Umayyad and his dislike of Abbasid who hunted the descendants of the Prophet and wiped out the remnants of Umayyad family. Socio-cultural factors, as suggested by Ibn Khaldūn, were a rural community equation (*badāwah*) and the level of technology and knowledge between Ḥijāz and al-Andalus. Intellectual factor was similarity of textual thought between Ḥijāz and al-Andalus. Mālikī school in al-Andalus then affiliated with Medina and helped scholars of schools in the surrounding areas such as Qairawān (Akmaluddin, 2017).

In addition, Auzā'ī school was no longer becoming ideological and intellectual support. This school had already lost its authority and tradition when Umayyad dynasty in Mashriq collapsed and al-Auzā'ī was considered in favor of Abbasid dynasty. Although for some time had been the official school of al-Andalus, Auzā'ī school had been replaced by stronger school and legitimized authority, namely Mālikī school. Auzā'ī school in Mashriq weakened and had powerless in the obstacle championed by Ḥanafī which supported by Abbasid and descendants of Aghālība. However, Auzā'ī school was closer to Mālikī with a little more developed and sophisticated knowledge (Watt & Cachia, 1977, p. 64).

Auzā'ī school was wider and not so strong as Mālikī school by taking the opinion from unknown hadis, as well as *mursal* and *maqtū'* hadis in its book. For example planting trees inside *jāmi'* mosque which according to Auzā'ī school was allowed. But, it was not allowed by Maliki and his followers (Ibn al-Faraḍī, 2008, I, p. 278-279). Therefore, many mosques in Cordoba planted and surrounded by trees and fruits like olives, palm and orange to decorate mosques or shelter. It happened during the policy of Ṣa'sa'ah bin Sallām, as prominent scholar in Auzā'ī school. These trees were seen on other areas such as al-Muriyya (Almeria) and Gharnāṭa (Granada). Other fruits were figs (*tīn*), apple, almond and others. Such mosque conditions were not found in Mashriq (Torres Balbás, 1945, p. 22). Sights like this also were not found when Mālikī became the official school in al-Andalus (al-Maqdisī, 1991, p. 236-237). However, figs, as staple food of the population in al-Andalus, became obligatory *zakaat*. The involvement of the Mālikī as the official school of al-Andalus had a significant impact on the determination of Islamic knowledge. In regard to power relations and knowledge, Michel Foucault says that the power is not repressive, but productive (Shiner, 1982). This is evidenced by the standardization of schools for the strengthening of the basic religion of Islam and the unity of *umma* which the people of al-Andalus at that time needed the one and the whole knowledge. The societies were without religious intellectual knowledge and should be given a single and authoritative knowledge. For example scholars had their roles in dealing with various heresies that occurred in the mid-century 3rd/9th in al-Andalus such as acculturation with the local community, and other inter-religious marriages. Mālikī scholars later issued a stance on the dangers of heresy, threat, punishment and torment at the end of the day as written in the book of work of 'Abd al-Malik bin Habīb, *Kitāb al-Ta'riḥ* and *al-Ghāya wa al-Nihāya*. Muslim identity was also eroded by the Jews and the Christians who settled before. Scholars with the rulers of al-Andalus played an important role in defining identity, trust and community in social and religious dynamics (Safran, 2001).

A single and homogeneous knowledge was undertaken by al-Andalus scholars as a strategic move to base systematic and comprehensive knowledge. Thus, a time without knowledge of the community will move and become knowledgeable and civilized society. But it lasted so long that a single and authoritative knowledge became repressive and authoritarian. By this, many Mālikī scholars at the end of the 3rd/9th century were to manipulate previous scholars' opinions to reinforce fatwa and decisions that had been made (Hendrickson, 2013). They were then trapped in isolated knowledge and did not greet knowledge beyond the school. This led schools other Mālikī in al-Andalus were getting excluded and having to compete to deal with class conflict with the Mālikī scholars. They also had to compete in the fight for influence in the community, ulama and rulers.

The orthodoxy of knowledge by the Mālikī school at the end of the third/ninth century later dominated and replaced their authoritative and comprehensive school of thought in the second century. Therefore, the development of schools other than Mālikī was considered as a threat to their social status, positions and scientific authority. With the orthodoxy of Mālikī school, other Mālikī schools came and offered a new perspective of more knowledge that opened to be criticized and discussed. The emergence of scholars from Iraq such as Baqī bin Makhḥad was considered as a new milestone in history, but was considered as an obstacle by Mālikī leaders. Baqī bin Makhḥad, and who had same attitude with him, were considered to raise a critical awareness of the society of the actions of *taqlīd* and orthodoxy of Mālikī school.

According to Maribel Fierro (1998, 2016), Mālikī scholars of al-Andalus Maliki will act in different ways on various books they do not like as sensors and control knowledge. For example by destroying or burning a book, deleting its contents, controlling access and writing a rejection book on an unwelcome book. Therefore, some of the books belonging to other Mālikī scholars like Baqī bin Makhlad such as *Musnad*, *Muṣannaf* and his exegesis were not found until now. Thus, the fiqh schools in al-Andalus determined the tendentious and ideological pattern of knowledge. This trend will be countered by the class struggle and group of other schools so that they can be accepted as recognized and legitimized community (Al-Bukhtī, 2011; Kaddouri, 2012; Nūrī, 1983).

#### 4 CONCLUSION

The origins of the jurisprudence school in al-Andalus in 2nd/8th and 3rd/9th century can be traced in the intellectual journey of the scholars. This journey is not only based on the existence of knowledge itself, but political, social, geographical and ideological factors are also influential in the journey. These factors ultimately determined the path chosen by the scholars of al-Andalus and then formed knowledge there when they returned from Mashriq. The relation of conflict between the jurisprudence schools in al-Andalus influenced other schools of knowledge, such as hadith and theology. This conflict was eventually won by Mālikī which fought Auzā'ī school as beginning school in al-Andalus. Victory of Mālikī school delivered to hegemony over other schools and became license authority and single tradition. With the influence of the power, they then acted banning and censoring schools that were not in accordance with the legal doctrine Maliki. However, it should be noted that initially the power was productive and unrepressive. By the time, the power of the Mālikī school was repressif, tendentious and authoritarian. They emphasized on reproduction and imitation of opinion to Mālikī school.

These circumstances led to conflicts with other schools, censorship and banning of the teaching, and also books and their knowledge. The opposition of Mālikī later protested against the hegemony of intellectual and class struggle to keep reviewing their schools and spreading the books and the knowledge. This situation led to the arbitration of knowledge by the Umayyad emirs which eventually led to peace and agreement between the parties in conflict. However, the process of hegemony and counter-hegemony was ongoing process to the next centuries until the fall of Granada in 1429 which marked the end of the Islamic dynasty in al-Andalus.

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#### REFERENCE LIST

- Akmaluddin, M. (2017). Developments of Hadith Riwayā in Al-Andalus (2nd–3rd Centuries of Hijriyya). *Ulumuna*, 21(2), In Press.
- al-Barmakī, A. bin M. I. K. (1900). *Wafayāt al-A'yān Anbā' Abnā' al-Zamān*. (I. 'Abbās, Ed.). Beirut: Dār Ṣādir.
- al-Ifrīqī, M. bin A. (n.d.). *Ṭabaqāt 'Ulamā' Ifrīqiyyah*. Beirut: Dār al-Kitāb.
- al-Ishbīlī, 'Abd al-Raḥmān bin Muḥammad Ibn Khaldūn. (1988). *Dīwān al-Mubatada' wa al-Khabar fī Tārīkh al-'Arab wa al-Barbar wa man 'Āṣarahum min Dhawī al-Sha'n al-Akbar*. (K. Shaḥāda, Ed.). Beirut: Dār al-Fikr.
- al-Maqdisī, M. bin A. (1991). *Aḥsan al-Taqāsīm fī Ma'rifa al-Aqālīm*. Kairo: Maṭba'ah al-Madbūlī.
- al-Marrākishī, M. bin M. I. 'Idhārī. (1983). *al-Bayān al-Mughrib fī Akhār al-Andalus wa al-Maghrib*. (G. S. Colin & E. L. Provencal, Eds.). Beirut: Dār al-Thaqāfah.
- al-Dhabābī, M. bin A. (2003). *Tārīkh al-Islām wa Wafayāt al-Mashāhīr wa al-A'lām*. (B. 'Awwād Ma'rūf, Ed.). Tunis: Dār al-Gharb al-Islāmī.
- Al-Bukhtī, J. 'Ilāl. (2011). *al-Madrassa al-'Aqdiyya al-Ūlā bi al-Andalus baina Ahl al-Fiqh wa Ahl al-Ḥadīth* (pp.

161–205). Presented at the Buḥūth al-Nadwa al-‘Ilmiyya al-Ūlā al-Madrasa al-Ḥadīthiyya bi al-Maghrib wa al-Andalus: al-Imām Ibn al-Qaṭṭān Namūdhan, Markaz Ibn al-Qaṭṭān li al-Dirāsāt wa al-Abḥāth fi al-Ḥadīth al-Sharīf wa al-Sīrah al-‘Itrah, Maroko: al-Rābiṭa al-Muḥammadiyya li al-‘Ulamā.’

- Al-Maqqarī, A. bin M. (1997). *Nafh al-Ṭib min Ghush al-Andalus al-Raṭīb wa Dhikr Wazīrīhā Lisān al-Dīn bin al-Khaṭīb*. (I. ‘Abbās, Ed.). Beirut: Dār Ṣādir.
- Al-Ṣabbāgh, L. ‘Izz al-Dīn. (2011). al-Qairawān Multaqā al-Andalusīyyīn. *Majalla Al-Tarbiya Wa Al-‘Ilm*, 18(4), 172–1193.
- Amīn, A. (2012). *Zuhr al-Islām*. Kairo: Mu’assasa Hindāwī li al-Ta’līm wa al-Thaqāfa.
- ‘Asākir, ‘Alī bin al-Ḥasan Ibn. (1995). *Tārīkh Dimashq*. (‘Amr bin Gharāmah al-‘Amrawī, Ed.). Beirut: Dār al-Fikr.
- Dutton, Y. (2000). *The Origins of Islamic Law: The Qur’an, the Muwaṭṭa’ and Madinan ‘Amal*. New Delhi: Lawman.
- Fierro, M. (1998). Manuscritos en Al-Andalus: El proyecto HATA (Historia de los Autores y Transmisores Andalusíes). *Al-Qanṭara*, 19(2), 473–501.
- Fierro, M. (2011). Local and Global in Ḥadīth Literature: The Case of Al-Andalus. In N. B. der Voort, K. Versteegh, & J. Wagemakers (Eds.), *The Transmission and Dynamics of the Textual Sources of Islam: Essays in Honour of Harald Motzki* (pp. 63–88). London: Brill.
- Fierro, M. (2016). How Do We Know about the Circulation of Books in al-Andalus? The Case of al-Bakrī’s Kitāb al-Anwār. *Intellectual History of the Islamicate World*, 4(1–2), 152–169.  
<https://doi.org/10.1163/2212943X-00401009>
- Hendrickson, J. (2013). Is al-Andalus Different? Continuity as Contested, Constructed, and Performed across Three Mālikī Fatwās. *Islamic Law and Society*, 20(4), 371–424.  
<https://doi.org/10.1163/15685195-0204P0002>
- Hourani, G. F. (1970). The Early Growth of the Secular Sciences in Andalusia. *Studia Islamica*, (32), 143–156.
- Ḥusain, K. ‘Ajīl. (2007). al-Tamhīd li al-Tadwīn al-Tārīkhī fī al-Andalus ḥattā Nihāya al-Qarn al-Thānī al-Hijrī. *Majalla Jāmi’a Tikrīt Li Al-‘Ulūm Al-Insāniyya*, 14(11), 185–226.
- Ibn al-Faraḍī, ‘Abd Allāh bin Muḥammad. (2008). *Tārīkh ‘Ulamā’ al-Andalus*. (B. ‘Awwād Ma’rūf, Ed.). Tunis: Dār al-Gharb al-Islāmī.
- Kaddouri, S. (2012). Refutations of Ibn Ḥazm by Mālikī Authors from al-Andalus and North-Africa, 539–599.  
[https://doi.org/10.1163/9789004243101\\_021](https://doi.org/10.1163/9789004243101_021)
- Maḥfūz, M. (1994). *Tarājum al-Mu’allifīn al-Tūnisīyyīn*. Beirut: Dār al-Gharb al-Islāmī.
- Masud, M. K. (1991). A History of Islamic Law in Spain: An Overview. *Islamic Studies*, 30(1/2), 7–35.
- Nūrī, M. (1983). *Muḥammad bin Waḍḍāḥ al-Qurṭubī Mu’assis Madrasa al-Ḥadīth bi al-Andalus ma’a Baqī bin Makhḥad*. Ribāṭ: Al-Maktaba al-Ma’ārif.
- Öztoprak, M. (2013a). Endülüs hadisçiliğinde kadılarının yeri. *Şırnak Üniversitesi İlahiyat Fakültesi Dergisi*, 1(7). Retrieved from <http://dergipark.ulakbim.gov.tr/sirnakifd/article/view/5000109747>
- Öztoprak, M. (2013b). Hadis İlminin Endülüs’e Girişi. *Şırnak Üniversitesi İlahiyat Fakültesi Dergisi*, 2, 143–163.
- Raisuddin, A. N. M. (1991). Baqī Ibn Makhḥad Al-Qurṭubī (201-276/816-889) and His Contribution to the Study of Ḥadīth Literature in Muslim Spain. *Islamic Studies*, 31(1), 263–270.
- Raisuddin, A. N. M. (1992). Yaḥyā Ibn Yaḥyā al-Maṣmūdī (152—234/769—851): His Contribution to the Study of Ḥadīth Literature in Spain. *Islamic Studies*, 30(2), 213–217.
- Rozi, A. I. (1983). *The Social Role of Scholars (‘Ulama’) in Islamic Spain: A Study of Medieval Biographical Dictionaries (Trājim)* (Ph.D). Boston University Graduate School, Boston.
- Safran, J. M. (2001). Identity and Differentiation in Ninth-Century al-Andalus. *Speculum*, 76(3), 573–598.
- Shiner, L. (1982). Reading Foucault: Anti-Method and the Genealogy of Power-Knowledge. *History and Theory*, 21(3), 382–398.

Torres Balbás, L. (1945). Notas sobre Sevilla en la época musulmana. *Al-Andalus*, X, 177–196.

Watt, W. M., & Cachia, P. (1977). *A History of Islamic Spain*. Edinburgh: Edinburgh University Press.