

The Method of Jurisprudential Ijtihad of Imam Al-Rabi' ibn Habib Al-Farahidi thru the Al-Mudawwana Al-Kubra of Abu Ghanim Al-Khurasani

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Abstract:

Imam Al-Rabi' bin Habib Al-Farahidi is considered an important link in the chain of religious transmission among the Ibadi jurists. Those who examine what Abu Ghanem Al-Khorasani recorded in his major compendium of jurisprudential opinions for the students of Imam Abu Ubaidah Muslim bin Abu Karima will find that Imam Al-Rabi' bin Habib was not merely a transmitter of jurisprudence and hadith, but rather had independent opinions based on evidence and foundational principles. In order to highlight Imam Al-Rabi' bin Habib's methodology in deriving jurisprudential branches, this study came to address the question: What is Imam Al-Rabi' bin Habib's methodology in his jurisprudential ijtihads as gathered by Abu Ghanem Al-Khorasani in the Al-Mudawwana Al-Kubra? According to a research plan that included two main sections and a preliminary section, the preliminary section was dedicated to a brief biography of Imam Al-Rabi' bin Habib and an introduction to the book "Al-Mudawwana Al-Kubra." The first main section of the study addressed the principles of reasoning according to Imam Al-Rabi' bin Habib, concluding with a second and final section dedicated to presenting Imam Al-Rabi' bin Habib's methodology in deriving jurisprudential rulings based on principles and rules.

Keywords: Al-Rabi' ibn Habib, Al-Mudawwana Al-Kubra, Ijtihad, Fiqh.

Introduction:

The history of the Islamic nation has been adorned over the ages with a constellation of divine, renewing scholars who exerted their utmost efforts, rolled up their sleeves, and undertook the collective duty of the entire nation to renew what had faded from the landmarks of Islamic law, especially with the passage of time. They immersed themselves in the texts of revelation, deriving from them the principles and foundations that served as evidence and lamps for them and those who came after them, illuminating their path in understanding and interpreting the texts, and deriving legal rulings for the issues and events that arose in their time. Thus, Islamic law acquired the characteristic of eternity and ensured its continuity and suitability for different times and eras.

Among these prominent figures is Imam Al-Rabi' ibn Habib Al-Farahidi, who is considered an important link in the chain of religious transmission among the Ibadi jurists. A look at what Abu Ghanim Al-Khurasani recorded in his great compendium of jurisprudential opinions for the students of Imam Abu Ubaidah Muslim ibn Abu Karima reveals that Imam Al-Rabi' ibn Habib was not merely a transmitter of jurisprudence and hadith, but rather had independent opinions based on evidence and foundational principles.

In order to understand the methodology of Imam Al-Rabi' bin Habib in ijtihad, this scientific paper aims to shed light on how he exercised ijtihad in jurisprudential rulings and the principles he relied upon in his deductions.

Importance of the topic:

The importance of this research lies in the fact that Imam Al-Rabi' bin Habib is one of the renowned imams of the Ibadhi school who laid its foundations and rules of ijtiḥad. This is clearly evident in the ijtiḥad opinions recorded by Imam Abu Ghanim Al-Khurasani about him, which indicate the breadth of his knowledge and his mastery of jurisprudence.

Reasons for choosing the topic:

In addition to the importance of the topic, there are several reasons that led me to choose this subject, the most prominent of which are:

- The scientific status that Imam Al-Rabi' bin Habib holds among scholars and students of Ibadhi thought, as he is considered the third link in the chain of Ibadhi imams, following the two imams Jabir bin Zayd and Abu Ubaidah Muslim. His jurisprudential opinions are regarded as the reference for Ibadhi jurists after him, and studying his opinions enables one to accurately envision the output of the Ibadhi school.
- The scarcity of studies that focus on deriving branches from the foundations and principles in Ibadism in general, which motivates the effort to highlight an aspect of the methodology of the scholars of the sect in this field, thru one of the renowned figures of the sect.
- The importance of studies that focus on linking branches to their roots; as juristic reasoning is considered the practical aspect of the principles of jurisprudence, it also develops the juristic ability in the researcher and trains the jurist in deduction.

Study Problem:

This study will attempt to answer the question: What is Imam Al-Rabi' bin Habib's methodology in his jurisprudential ijtiḥads? And that is thru what Abu Ghanem Al-Khorasani compiled in the Great Codex.

Study objectives:

- Introducing one of the prominent figures of the Ibadhi school who contributed to enriching Islamic thought, and examining his most important views and methodology in reasoning.
- Highlighting the methodology of Imam Al-Rabi' bin Habib in deriving jurisprudential branches, so that researchers in Ibadhi heritage can understand the features of juristic ijtiḥad of the early Ibadhi scholars.

Study plan:

And to answer the previous question, the research will follow the following plan:

- Introduction: which contains the elements of the introduction commonly found in academic research.
- Preliminary requirement: A brief introduction to Imam Al-Rabi' bin Habib and the book "Al-Mudawwana Al-Kubra"
- The first requirement: The rules of inference according to Imam Al-Rabi' bin Habib
- The second requirement: The methodology of Imam Al-Rabi' bin Habib in deriving jurisprudential rulings based on principles and rules
- Conclusion: Contains the most important study results and recommendations.

The methodology followed:

The study will follow the following methodologies in addressing the details of the subject:

- The historical approach: to present the most important aspects of the life of Imam Al-Rabi' bin Habib.

- The inductive method: to trace the jurisprudential opinions of Imam Al-Rabi' bin Habib and the principles he relied on in the book "Al-Mudawwana Al-Kubra."
- The descriptive method: to introduce the book "Al-Mudawwana Al-Kubra," and the methodology of Abu Ghanim Al-Khurasani and Qutb Al-A'imma in organizing its topics, as well as to present the method of reasoning used by Imam Al-Rabi' bin Habib.
- The analytical method: to analyze and scrutinize the opinions of Imam Al-Rabi' bin Habib, and to study his methodology in deriving branches from the roots, and to identify his most important characteristics.

Previous studies:

It is worth noting that the study has not been preceded by an academic research on its specific issue. However, there are some studies that have addressed the foundational and jurisprudential aspects of Imam Al-Rabi' bin Habib, the most important of which is the study by researcher Khnifer bin Salem Al-Saifi, which was about Imam Al-Rabi' bin Habib and his jurisprudential opinions. This study was presented to fulfill the requirements of advanced studies at the University of Ez-Zitouna in Tunisia for the academic year 2001-2002.

Preliminary Requirement: A Brief Introduction to Imam Al-Rabi' ibn Habib and the Book of Al-Mudawwana Al-Kubra

First: Introduction to Imam Al-Rabi' ibn Habib:

1- His birth, lineage, and death:

He is the Imam and Hadith scholar Al-Rabi' ibn Habib ibn Amr Al-Azdi Al-Farahidi, born in Oman and residing in Basra, nicknamed Abu Amr. Imam Al-Rabi' was born in the year 75 AH in Oman (Nasser, Al-Shaibani, 2006, p. 153), and there is a disagreement about the town where he was born; some say it was in the Batinah region, others say it was in Wadi Dam, and others say it was in Ghadfan. (Al-Abd al-Salam, 2014, p. 8).

He began his education in his hometown under his father Habib bin Amr and some of the sheiks of Oman. He traveled to Basra around the year 90 AH, where he studied under the prominent Tabi'un. He stayed there for a long period until he returned to Oman in the later part of his life, and he passed away in the town of Ghadfan on the coast of Oman around the year 170 AH. (Nasser, Al-Shaibani, 2006, p. 153).

2- His Teachers and Students:

Anyone who examines the Musnad of Al-Rabi' ibn Habib or the Abu Ghanem Codex will come across the names of great scholars and an innumerable number of scientists from whom Al-Rabi' transmitted knowledge. Among the most famous of these scholars from whom Al-Rabi' learned, he said: "I only memorized jurisprudence from three: Abu Ubaidah, Dhamam, and Abu Nuh," (Al-Darajini, n.d., 2/276), referring to:

- Imam Abu Ubaidah Muslim ibn Abu Karima al-Tamimi (d. 145 AH).
- Imam Abu Nuh Saleh bin Nuh al-Dahhan (d. 150 AH).
- Imam Abu Abdullah Dhamam bin Al-Sa'ib Al-Azdi Al-Nadabi Al-Omani (died in: 100 AH).

As for his students who narrated from him and transmitted his jurisprudence, they are numerous, the most famous of whom are (Al-Siyabi, 2016, p. 11):

- Abu Sufyan Mahbub bin Al-Ruhail Al-Qurashi (died: late 2nd century AH).
- Abu Al-Mundhir Bashir ibn Al-Mundhir Al-Nazwani (died: 178 AH).
- Musa ibn Abi Jaber al-Azkawi (d. 181 AH).
- Abu Ayyub Wail ibn Ayyub al-Hadrami (died: 192 AH).

- Abu Safra Abdul Malik bin Safra (d. early 3rd century AH).
- Abu Ghanem Bishr ibn Ghanem al-Khurasani (d. early 3rd century AH).

3- His Status and Scientific Contributions:

Imam Al-Rabi' bin Habib holds a prestigious scholarly status, especially among the Ibadis; his teacher, Abu Ubaidah Muslim, said about him: "Our pious, our trustworthy, our reliable" (Al-Shamakhi, 1987, 1/95). The leadership of the school passed to him after the death of his teacher, Abu Ubaidah, due to his possessing the qualities of wise leadership, including knowledge, piety, and good management. Al-Badr Al-Shamakhi described him as "the towering figure of the school, the vast sea of knowledge, who accompanied Abu Ubaidah and succeeded, and after him led the virtuous and succeeded" (Al-Shamakhi, 1987, 1/95).

Imam Al-Rabi' ibn Habib is considered a jurist, memorizer, and hadith scholar. Several hadith scholars mentioned him; Yahya ibn Ma'in said he was trustworthy, and Al-Daraqutni said, "As for Al-Rabi' ibn Habib Al-Basri, he should not be abandoned." Both Ibn Hibban mentioned him in Al-Thiqat and Al-Bukhari in Al-Tarikh Al-Kabir, without mentioning any criticism or praise. (Al-Busaidi, 2000, pp. 57-58).

Imam Al-Rabi' bin Habib left behind valuable works, including (Nasser, Al-Shaibani, 2006, 153) (Al-Busaidi, 2000, 56):

- The Musnad: which consists of narrations, most of them from his teacher Abu Ubaidah from Jabir ibn Zayd from the Companions (may Allah be pleased with them). The Musnad contains approximately 743 hadiths, and Abu Ya'qub Yusuf ibn Ibrahim al-Warjilani arranged it in a book he called Al-Jami' Al-Sahih.
- The Book of Creed: which constitutes the third part of the aforementioned arrangement by Al-Warjilani, and includes approximately 140 hadiths and narrations.
- The narrations of Imam Mahbub ibn al-Rahil from Imam al-Rabi' ibn Habib: which constitute part of the fourth section of the Sahih al-Jami' arranged by al-Warjilani.
- The Works of Al-Rabi: It is a book authored by his student Abu Safra Abdul Malik bin Safra; in which he collected the narrations of Imam Al-Rabi from Dhamar bin Al-Saib.
- The opinions of Imam Al-Rabi' and his jurisprudential answers: These are scattered in the books of his students and those who came after them, such as Abu Ghanem Bishr bin Ghanem Al-Khurasani in his book "Al-Mudawwana."

Secondly: Introduction to the Book of Al-Mudawwana Al-Kubra:

The book "Al-Mudawwana Al-Kubra" is considered one of the most esteemed and valuable works in Ibadhi jurisprudence, holding a prestigious position due to its early date and its chronological advancement among sources of Islamic heritage. It is attributed to the 2nd century AH, the era of the establishment of Islamic sciences, and the beginning of authorship in the most important Islamic legal sciences, such as jurisprudence, principles, exegesis, and hadith. (Al-Khurasani, 2007, 1/11).

The book was authored by Abu Ghanem Bishr ibn Ghanem al-Khurasani (d. early 3rd century AH) in the style of the early scholars. He combined narration and jurisprudence in the form of questions and answers between him and the students of Imam Abu Ubaida Muslim ibn Abu Karima, scholars of the 2nd century AH, among whom were three prominent figures: Imam al-Rabi' ibn Habib, Abu Sa'id Abdullah ibn Abdul Aziz, and Abu al-Mu'rij Umar ibn Muhammad al-Qudami. Additionally, there are narrations from Abu Ghassan Mukhlid ibn al-'Amr al-Ghassani, Abu Ayyub Wail ibn Ayyub al-Hadrami, Abu Sufyan Mahbub ibn al-Rahil, Hatim ibn Mansur al-Khurasani, and others. (Al-Nami, 2001, p. 134).

Abu Ghanem collected the material for his book from these prominent figures, either by narrating directly from them or thru intermediaries, as he states after mentioning the names of those he transmitted from: "Some of them I asked directly, and some I was informed about by those who asked them directly." (Abu Ghanem, 2007, 1/139).

Researchers in the field of heritage have disagreed on the authenticity of the manuscript attributed to Abu Ghanem al-Khorasani. Some call it the "Great Manuscript," which was published under this title in 1974 in two volumes by Dar Al-Yaqza in Lebanon, and then in 1984 by the Ministry of National Heritage and Culture in Oman, with annotations by the eminent scholar Sheik Muhammad bin Yusuf Al-Tafish. Others call it the Minor Compilation, which is devoid of the pole's commentaries. It was published by the Ministry of National Heritage and Culture in 1984. And upon examining the content of the two codices, we find a significant similarity between them, especially in the chapters and sections. Dr. Saleh Al-Busaidi says: "Although some differences may be due to the scholar relying on a different version of the codex." (Al-Busaidi, 2000, p. 100).

Some sources indicate that the naming of the "Al-Mudawwana" as "Al-Kubra" (the Greater) and "Al-Sughra" (the Lesser) is attributed to the pole of the imams, who designated the original "Al-Mudawwana" as "Al-Sughra," while the one he arranged and added his comments to was named "Al-Mudawwana Al-Kubra" (the Greater). However, Dr. Mustafa Bajou, in the introduction to his investigation, presented something that complicates this proposition. (Abu Ghanem, 2007, 1/54).

The Qutub provided valuable scientific comments on the "Muwatta"; as warnings, clarifications, corrections, or responses to incorrect sayings or opinions. Dr. Mustafa Bajou edited it, supplementing it with the Qutub's comments, and preferred to publish it under the title chosen by the Qutub, which is "The Great Muwatta."

The book is organized according to the chapters of jurisprudence, but it does not adhere to a single method of organization. Sometimes, it refers to the heads of issues as "the book," such as fasting, sales, marriage, and pre-emption, and sometimes it refers to them as "the chapter," such as the chapters on purification, prayer, and pilgrimage.

The book, in addition to the jurisprudential material, includes many foundational terms and rules of deduction. Dr. Mustafa Bajou describes the book: "In the embrace of the compilation, we find the foundational terms and their concepts among the early Ibadhi imams, their definition of the term 'Sunnah' and its authority, how to arrange the evidence, and the method of resolving conflicts between them if they occur, in addition to analogy, opinion, consensus of the companions, and differences..." (Abu Ghanem, 2007, 1/62).

The First Requirement: The Rules of Deduction According to Imam Al-Rabi' bin Habib

The Ibadhi school is distinguished by the multiplicity and diversity of its sources of legislation, and its methodology in *ijtihad* (independent juristic reasoning) encompasses the two prevailing juristic trends of the first and second centuries: the Hadith school in Hijaz and the Ra'y school in Iraq, which are the roots of juristic *ijtihad* in all the well-known Islamic sects.

And the student of Ibadhi heritage will reach the conclusion that the sources of legislation among the Ibadis do not differ from others. The Imam of the school, Jabir ibn Zayd, was a traditionalist who did not deviate from the text to opinion except in the absence of the text; (Bikush, 1986, 70); acting on the advice of his teacher Abdullah ibn Umar, when he said to him upon his arrival in Medina: "I have heard, O Abu Sha'tha, that you are among the jurists of Basra, and that you will be asked for legal opinions, so do not issue a fatwa except based on a clear Quranic verse or an established Sunnah, for if you do otherwise, you will be doomed and you will doom others." (Abu Naim, 1985, 3/86). Imam

Jabir ibn Zayd was also influenced by the school of opinion, considering his upbringing in Basra, to the extent that he was attributed to the people of opinion.

Then came the students of Jabir ibn Zayd, who followed their Imam's method of reasoning and did not take opinions lightly; rather, some of them were strict in adhering to the tradition and did not permit taking opinions except in necessity. It was reported that Abu Ubaidah said when he heard the people of Oman using opinion: "They have not been spared from deviations and bloodshed." (Al-Nami, 2001, p. 98).

Imam Abu Ubaidah, in turn, laid down the methodology of *ijtihad* for his students, the bearers of knowledge, in the East and West. Imam Al-Rabi' ibn Habib was one of those whose methodology was characterized by the combination of transmission and reason in reasoning. The close association of Imam Al-Rabi' ibn Habib with his teacher Abu Ubaidah made him one of the prominent figures of the Ibadhi school who established its foundations and solidified its principles. His methodology in reasoning became the reference for the scholars of the school in the subsequent centuries, especially with the presence of those among Abu Ubaidah's students who were influenced by the school of opinion and inclined to prioritize analogy, such as Abu Al-Mu'arriq and Ibn Abdul Aziz.

And anyone who follows the *ijtihadat* (juridical efforts) of Imam Al-Rabi' bin Habib in the book "Al-Mudawwana," or other Ibadhi jurisprudential encyclopedias, will find that he combined both textual and rational evidence in his reasoning.

First: The textual evidence:

The Holy Quran is considered the primary source of legislation for Imam Al-Rabi' bin Habib, and he does not resort to other sources of evidence unless there is no text in it to rule on the matter.

As for the evidence from the Sunnah, it is in the second rank after the Holy Quran. Imam Al-Rabi' bin Habib is considered the first to pay attention to the Sunnah among the Ibadis, after he collected the hadiths in a collection known as the Musnad of Al-Rabi' bin Habib. The number of companions from whom Al-Rabi' bin Habib narrated reached forty-five, and most of his narrations were distinguished by being triple in chain (Isnad) (Al-Busaidi, 2000, 61, 71). Then, Abu Ya'qub Yusuf bin Ibrahim Al-Warjilani rearranged it and named it the Sahih Al-Jami' in the order of the Musnad of Al-Rabi' bin Habib.

Imam Al-Rabi' bin Habib followed his teacher's method of strict adherence to the tradition, a method that the Ibadis accepted after him. Ibn Salam advised the followers of the school to adhere to this method, saying: "Indeed, those who have passed from the righteous predecessors are more knowledgeable about religious matters than you are today among them, so do not speak by analogy or neglect." (Ibn Salam, 1986, p. 116).

The Sunnah according to Imam Al-Rabi' bin Habib - as it is according to the majority of the early Ibadis - is not limited to what is transmitted thru an unbroken chain of narration to the Messenger of Allah (peace be upon him) in terms of speech, action, or approval. Rather, it includes everything that Al-Rabi' memorized from his teacher Abu Ubaidah, what was transmitted from the Companions (may Allah be pleased with them) in matters where there is no room for opinion and *ijtihad*, and what was practiced among them. (Al-Sayfi, 2002, p. 81).

The interest of Al-Rabi' ibn Habib in hadith and isnad is evident in his book "Al-Musnad," which is no less valuable in terms of hadith authenticity than the well-known Sunnah books. Three-quarters of his hadiths have a connected chain of narration, and the remaining portion consists of the *mursal* narrations of Jabir ibn Zayd, the trustworthy Tabi'i who only narrates from a companion. (Al-Busaidi, 2000, p. 257).

The accepted consensus according to Al-Rabi' ibn Habib—similar to the Ibadi scholars—is the consensus of the scholars of the Islamic Ummah, and by Ummah, it means everyone who believes in God and belongs to the group of monotheists. He did not limit it to a specific person or group. (Al-Kadami, 1985, 1/15-17), and although Al-Rabi' bin Habib did not explicitly state his reliance on consensus in his jurisprudential efforts, a follower of his interpretations would find no contradiction with what the Ummah has agreed upon in matters of jurisprudence. He may also use some phrases indicating this, such as: "The Muslims have followed this, and there is no disagreement among them on it." (Al-Sayfi, 2002, p. 86).

Since the predominant method of reasoning for Al-Rabi' ibn Habib was to rely on the transmitted traditions, he often took the sayings of the companions and would prioritize them over analogy. Frequently, his evidence in a matter was the saying of a companion, and he would stop there without seeking further evidence. (Al-Sayfi, 2002, p. 96).

Imam Al-Rabi' ibn Habib also paid attention to custom in many of his fatwas, and although he did not explicitly define it as a specific term, he considered it a source of guidance in the absence of textual evidence, especially in the fields of marriage, divorce, and some contracts (Atfeesh, 1973, 10/115).

Secondly: Rational Evidence:

The adherence of Imam Al-Rabi' bin Habib to the Sunnah and the traditions did not prevent him from using analogy and deriving rulings from it, considering it a fundamental principle of legislation, but without prioritizing it over authentic texts. There is no place for opinion when a text exists, as his opinions scattered in Ibadhi sources—similar to Al-Mudawwana—attest to this. Moreover, his use of analogy and reasoning was not limited to the chapters of customs and transactions, but extended to the chapters of worship, such as his analogy of voluntary prayer to voluntary fasting and pilgrimage. (Abu Ghanem, 2007, 1/312).

As for the other derivative rational sources, which the scholars of the nation have differed on their authority, we find Imam Al-Rabi' bin Habib legislating according to them without expanding on them. Al-Istihsan, which is considered one of the proofs that has caused disagreement among the usuliyyin due to its deviation from the established rules and principles, was relied upon by Imam Al-Rabi' ibn Habib. It became one of his sources of ijtihad, and its reliance was evident in many of his jurisprudential applications. (Al-Sayfi, 2002, pp. 92-93).

It has also been established that Al-Rabi' ibn Habib relied on the concept of *masalih mursalah* (unrestricted public interest) and based his fatwas and answers on it. For example, he permitted Imam Abdul Wahab not to go for Hajj and to appoint someone else in his place, despite the condition of ability being met, due to the importance of the Muslims' interests being tied to him. He said to him: "One like you, who is burdened with the affairs of the Muslims and carries their trust, and fears for himself from the blackness, is allowed to send someone to perform Hajj on his behalf while he is still alive." (Al-Shamakhi, 1987, 1/140) (Al-Sayfi, 2002, 91-92).

Imam Al-Rabi' bin Habib also followed the methodology of his Ibadhi imams in their jurisprudence by focusing on the *maqasid* (objectives of Sharia) and considering the outcomes (Bajo, 2005, 343-344). This was evident in many jurisprudential branches derived in the chapters of the *Mudawwana*, which he deduced based on the principle of *'Iyla* and the blocking of means.

And if the evidence is not established in a matter, Al-Rabi' bin Habib relied on the principles of presumption of continuity, which he considered the final resort for issuing a fatwa, regardless of

whether it is an independent foundational evidence or a principle from the foundational principles. (Al-Sayfi, 2002, p. 90).

The second requirement: The methodology of Imam Al-Rabi' bin Habib in deriving jurisprudential rulings based on principles and rules.

The predominant approach of Imam Al-Rabi' bin Habib in the book "Al-Mudawwana" is the scarcity of narrating opinions and the lack of citing sources for what Abu Ghanim narrates from him. This is a prevailing characteristic of the book, as most of its chapters lack substantiation of issues; this is similar to the books of the early centuries, where there was no need to highlight the principles and rules. (Al-Zuhaili, 2006, 1/50-51), so often his answer to the issue is limited to the phrase: "Yes," or "No," or he might say: "That action is more beloved to me," or "I do not like that," or "I dislike that." (Abu Ghanem, 2007, 1/434, 2/18)

The juristic efforts of Imam Al-Rabi' ibn Habib were characterized by adherence to the tradition, relying on what he narrated from his teachers, with a keen focus on understanding the text and delving into its depths, and not merely stopping at its apparent meanings. He was very concerned with the aspect of objectives and the consideration of the consequences of actions, even if it contradicted what was practiced in his school of thought.

First: His adherence to the Sunnah and what was reported from the Companions and the narrations of the Imams of his school:

His inclination toward the narration and his keenness to prioritize the narration over opinion is evident in the transmissions of Al-Rabi' ibn Habib. He believes that there is no place for reasoning when the narration is present, and this is demonstrated in the following:

1- His adherence to the Sunnah: For him, legislation is everything that conforms to the Sunnah, and it takes precedence over ijthad and opinion. Examples of this include:

- He disagreed with his teacher Abu Ubaidah and those who followed his opinion, such as Ibn Abdul Aziz, who permitted not following the order of the ablution parts if the doer did not intend to oppose the Sunnah. When Al-Rabi' bin Habib was asked by Abu Ghanem whether it was permissible to precede the parts of ablution, he replied: "No; unless he follows the ablution as it came in the Sunnah." (Abu Ghanem, 2007, 1/141-142).

- In the matter of the ruling on the leadership of a slave, the child of adultery, and others; Al-Rabi' ibn Habib permitted their leadership, thus differing from his teacher Abu Ubaidah who disapproved of their leadership. When Abu Ghanem asked him about their leadership, he replied: "Yes; if they can recite the Quran, there is no problem with that." (Abu Ghanem, 2007, 1/349). And his basis for that is that nothing has been reported from the Prophet (peace be upon him) excluding these from leadership; (Al-Sayfi, 2002, p. 83); for Al-Rabi' narrated from Abu Ubaidah from Jabir from Ibn Abbas (may Allah be pleased with them) from the Prophet (peace be upon him) that he said: "The one who should lead the people in prayer is the one who knows the most of the Book of Allah. If they are equal in recitation, then the one who knows the most of the Sunnah. If they are equal in Sunnah, then the one who has emigrated first. If they are equal in emigration, then the oldest in age." (Al-Rabi, n.d., p. 57).

2- Adopting the Companion's Opinion: Imam Al-Rabi' ibn Habib considers the opinion of the Companion a proof that takes precedence over analogy in matters where there is no room for opinion and no text has been revealed. Often, his evidence in a matter is the saying of the Companion, and he suffices with it without seeking another proof. Among the jurisprudential branches that Al-Rabi' bin Habib derived from the saying of the companion:

- He mandated that the imam and the followers behind him must repeat the prayer if the imam laughed during his prayer, and he mandated that the imam, in this case, must perform ablution again, but the followers do not have to if they did not laugh with him. He argued for the necessity of the followers repeating the prayer based on a narration he received about Umar ibn al-Khattab (may Allah be pleased with him) who led the people in the Maghrib prayer without reciting anything until he finished. When the people informed him about it... He said: "And no one's prayer is accepted without recitation," then he resumed his prayer, stood up, and the people stood behind him and prayed with him. (Abu Ghanem, 2007, 1/420-421). He inferred from Umar's action the obligation of repeating the prayer for those who missed it with the imam.

- When Imam Al-Rabi' bin Habib was asked about the ruling on fasting Ramadan before sighting the crescent moon, he sufficed in his answer with the text of the hadith narrated from his teacher Abu Ubaidah, attributed to Umar ibn Al-Khattab (may Allah be pleased with him): "The crescent moons are time markers; so fast when you see it and break your fast when you see it. If clouds prevent you from seeing it, then complete the count of thirty days." (Abu Ghanem, 2007, 2/17). And this statement is beyond any opinion, so it was subject to being raised to the Prophet (peace be upon him).

- Conversely, Imam Al-Rabi' bin Habib does not follow the saying of a companion if it contradicts what is preserved with him, or if it contradicts general principles; he was asked about the ablution of a man who kissed his slave girl or wife, or touched her, or had sexual intercourse with her, and he answered that there is no need to repeat the ablution unless he ejaculates. Abu Ghanem said: "I said that these people say and narrate from Ibn Mas'ud that a man should repeat his ablution if he touches or kisses his slave girl or wife, and he said: 'There is nothing in what they say, and Allah knows best about Ibn Mas'ud's saying in this matter.'" (Abu Ghanem, 2007, 1/133).

Imam Al-Rabi' bin Habib believes that the basis for the ruling on the nullification of a man's ablution is the discharge of pre-seminal fluid, which is considered an event due to its exit from one of the two passages. The obligation of ablution requires a credible evidence, and what was narrated from Ibn Mas'ud by the opposing narrator is not considered credible by him.

3- Relying on a saying or action narrated by the imams of the school: The prominent aspect of Imam Al-Rabi' bin Habib's methodology in deriving rulings on some issues is his reliance on what he memorized from his teachers and the imams of his school, especially Abu Ubaidah, presenting them without commentary. For example:

- Abu Ghanem asked about the ruling on exaggerating the wiping of the head in ablution, saying: "Should he exaggerate in wiping it until the water touches all the hair on his head?" Al-Rabi' answered him by saying: "I asked Abu Ubaidah about that, and he said: No, but it is sufficient for him to wipe his head with his hand..." (Abu Ghanem, 2007, 1/139).

- Among those things is that when he was asked about how to greet after finishing the prayer, he answered by quoting his teacher Abu Ubaidah; he said: "I asked Abu Ubaidah about that, and he said: 'If he wants to conclude his prayer, he should say to his right: Peace be upon you and God's mercy and blessings, one greeting...'" (Abu Ghanem, 2007, 1/300).

- He also relied on the actions of his teacher Abu Ubaidah. When Abu Ghanem asked Abu Al-Mu'rij and Al-Rabi' about how a sick person should pray, he was answered based on what was observed from Abu Ubaidah, who said: "I saw Abu Ubaidah fall seriously ill, so he prayed sitting down, nodding with his head, and his prostration was lower than his bowing." (Abu Ghanem, 2007, 1/469).

Secondly: Deriving rulings based on the principles of abrogation among the Sharia evidences:

Abrogation is the lifting of a legal ruling after its establishment by another legal ruling (Al-Salimi, n.d., 1/269). The jurists have agreed on its permissibility both rationally and textually, but they differed on the preference between abrogation and reconciliation; that is, which of the two approaches to adopt when there is a conflict between the evidences. The majority of the Ibadis preferred abrogation, while Al-Badr Al-Shamakhi disagreed with them and followed the majority's approach of preferring reconciliation over abrogation. (Al-Shamakhi, n.d., p. 86) (Bajo, 2005, p. 639).

Imam Al-Rabi' ibn Habib relied on abrogation in his response to some of the opposing arguments, including:

- When Imam Al-Rabi' was asked about responding to the greeting of someone who is in prayer, he answered with a prohibition (Abu Ghanem, 2007, 1/302). Abu Ubaidah narrated from Jabir ibn Zayd from the Prophet (peace be upon him) that he did not respond to the greeting of a man who greeted him while he was in prayer, even tho he used to greet everyone who greeted him. The Prophet (peace be upon him) said: "Prayer is a distraction." (Bukhari, 1422 AH, 2/65) (Muslim, n.d., 1/382). His statement abrogated the previous practice of responding to greetings; Al-Qutub said: "Speaking during prayer was permissible, including responding to greetings, but it was abrogated. The man coincided with the abrogation time and did not respond to the greeting." (Abu Ghanem, 2007, 1/302).
- Based on the same principle, Al-Rabi' ibn Habib ruled that the prayer should be repeated by anyone who spoke during their prayer. He rejected the argument based on the hadith narrated by Hatim ibn Mansur and reported by the two Shaykhs from Alqamah, which states that the Prophet (peace be upon him) spoke during his prayer, then completed it and performed the two prostrations of forgetfulness (Bukhari, 1422 AH, 1/89) (Muslim, n.d., 1/400), by claiming that the hadith is abrogated (Abu Ghanem, 2007, 1/306-307), and the abrogation was by the hadiths that prohibited speaking during prayer.

Thirdly: Working with analogy unless it contradicts a text or there is a difference between the two issues that prevents the analogy from being applied:

The adherence of Imam Al-Rabi' ibn Habib to the Sunnah and the narrations did not prevent him from using analogy and deriving rulings from it, but without giving it precedence over the Sunnah, as there is no place for opinion when there is a text.

1- Working with analogy if it does not contradict the text: Among the issues that Al-Rabi' bin Habib derived thru analogy, we mention:

- Al-Rabi' ibn Habib agreed with the opinion of the scholars of his school regarding the obligation of two prostrations of forgetfulness when forgetting in prayer, whether it is obligatory or voluntary. Abu Ghanem derived the obligation of these prostrations in voluntary prayers by analogy, that is, by analogy to Hajj and fasting, where the obligatory and voluntary are treated equally in what is required of those who neglect some of their duties.

However, Al-Qutub commented on this deduction: "In it, the prostration of forgetfulness was brought by the hadith in both obligatory and voluntary prayers." (Abu Ghanem, 2007, 1/312).

- The statement of Imam Al-Rabi' bin Habib agreed with Ibn Abdul Aziz and Abu Al-Mu'arij regarding the injuries of a woman; they believed that they are half of the injuries of a man. This was because when they were asked, "What about a man injuring a woman's eye, tooth, finger, or nose, or something that men injure each other with?" they all said, "The injuries of a woman are half of the injuries of a man, whether little or much." (Abu Ghanem, 2007, 3/235). It is certain that they

compared it to the blood money of a woman, which is established by the text from the Prophet (peace be upon him) to be half of the blood money of a man. (Al-Rabi, D.T.N., 175).

- Al-Rabi' ibn Habib compared the distribution of the closest relative's will to the distribution of inheritance; it is divided among relatives on the father's side like the distribution of inheritance among the 'Asaba, meaning the male receives the same share as two females, and it is divided among those on the mother's side equally like the inheritance of maternal siblings. (Abu Ghanem, 2007, 3/85) (Al-Sayfi, 2002, 88)

2- Rejection of analogy and differentiation in ruling between similar cases due to the existence of a difference:

- Imam Al-Rabi' bin Habib and Abu Al-Mu'arij distinguished between the fasting person forced to eat or drink and the fasting person forced to engage in intercourse. They required expiation for the one who engaged in intercourse but not for the one who ate or drank. Abu Al-Mu'arij mentioned the difference between the two cases by saying: "Because the eater and drinker eat and drink whether they are reluctant or not, whereas the one who engages in intercourse does so only when there is a desire for it and a wish to engage in it. As for engaging in intercourse while being reluctant, this is not permissible and not possible." (Abu Ghanem, 2007, 2/24)

- Al-Rabi' ibn Habib was asked about the ruling on blood that a man finds on his garment while he is in prayer, and he did not see it before the prayer. He answered by saying: "If it is a large amount of blood, enough that if it were to gather it would flow, his prayer is invalidated, then he should leave and be instructed to wash his garment and repeat his prayer, ... And if it is a small amount of blood, enough that if it were gathered it would not flow, then he should complete his prayer and not leave. (Abu Ghanem, 2007, 1/262). Imam Al-Rabi' ibn Habib distinguished between the two cases; considering that the first is akin to spilled blood, which is deemed impure, while the second is not considered impure due to its small quantity, and thus cannot be classified as spilled blood. This distinction is made to alleviate hardship and facilitate the worshiper. This is contrary to what Al-Qutb preferred, who considers that a small amount of impurity is nullifying, whether it is blood or something else. He said, "It is more cautious, and it is the practice except in cases of necessity and hardship." (Abu Ghanem, 2007, 1/262).

Fourth: Acting by blocking means and considering the outcome and taking the safer option:

Imam Al-Rabi' ibn Habib relied on blocking the means (Sadd al-Dhara'i) in his jurisprudential rulings, deeming permissible actions disliked or even prohibiting them to prevent the resulting harm from those actions. He also adhered to the more cautious approach, following the narration attributed to Umar ibn al-Khattab (may Allah be pleased with him) who said: "We used to leave aside seventy permissible things for fear of falling into the forbidden" (Qawaam al-Sunnah, 1993, 1/454). Moreover, taking the more cautious approach in jurisprudence and fatwas is the methodology of the majority of Ibadi jurists. (Bajo, 2005, p. 769) Among the issues that Imam Al-Rabi' bin Habib derived regarding blocking the means and taking the more cautious approach, we mention the following:

- That when he was asked about someone who confessed in front of the judge, and there was no witness to the confession except the judge, should he rule based on his knowledge? Al-Rabi' answered that it is not permissible to judge based on one's knowledge, but rather he should appoint someone else to adjudicate the case and be a witness. (Abu Ghanem, 2007, 3/142).

Imam Al-Rabi' prohibited the judge's ruling in this case, contrary to Ibn Aban Al-Aziz, so that it would not be used as an excuse for judges to rule unjustly against people. (Al-Sayfi, 2002, p. 95)

- When Al-Rabi' bin Habib was asked about a parent's testimony for their child, he answered in the negative, which is also the opinion of Abu Al-Mu'arriq and Ibn Abdul Aziz, justifying it by saying: "Because he is more entitled to what his child needs in terms of money." (Abu Ghanem, 2007, 3/102). It indicated that they prohibited it to prevent the excuse of a parent's inclination toward their child. (Al-Sayfi, 2002, p. 95)

- Regarding the issue of a fasting person tasting food, Abu Ghanem asked Imam Al-Rabi' bin Habib about a man who tastes honey, ghee, and similar things while fasting. He answered, saying: "It is disliked for a fasting person to expose himself to any of this." In contrast, Ibn Abdul Aziz and Abu Al-Mu'arri allowed the fasting person to do so, provided he places it on his tongue and spits it out without swallowing. (Abu Ghanem, 2007, 2/18).

It seems that Al-Rabi' ibn Habib believed that the safer option was to avoid that, acting with caution; for it is not guarantyd that something from the food would not pass into the stomach and invalidate the fast.

Fifth: Taking concessions without exceeding them:

License is the rulings that God has legislated based on the excuses of the servants, in consideration of their needs, while the reason for the original ruling, which is prohibition, remains. (Zuhaili, 1986, 1/110). The majority of usul scholars have argued that analogy (qiyas) does not apply to concessions (rukhas), and they expressed this with the principle that a concession does not extend beyond its place, or a concession does not extend beyond its location or source. (Al-Subki, 1995, 3/30) (Al-Zarkashi, 2000, 4/52-53).

Al-Rabi' ibn Habib based some of his rulings on leniency (al-Sayfi, 2002, pp. 119-120), but he did not permit exceeding the limits of leniency because leniency is restricted and cannot be exceeded. When he was asked about the ruling on the prayer of someone who was unsure whether he prayed two or one units, Imam al-Rabi' distinguished in his answer between whether the worshiper was aware of it at the beginning or the end of the prayer. He required a repetition if it was at the beginning of the prayer, but if it was at the end, he permitted completing it (Abu Ghanem, 2007, pp. 307-308). (Abu Ghanem, 2007, 1/307-308). He did not grant a concession to those who were at the beginning of the prayer and adhered to the strict opinion, which is to repeat it; because a concession is not exceeded.

Sixth: Ijtihad contrary to the principles of the school:

The idea of closing the door of ijti had was not known among the jurists of the Ibadis. In fact, ijti had was open in all historical periods, and the mujtahid among them would not find it difficult to disagree with their imams on a matter if he found a stronger evidence. This approach was clearly evident in the ijti hads of Al-Rabi' bin Habib, who would only accept the opinions of his teachers if they were supported by evidence. He even derived a legal ruling contrary to a strong principle among the scholars of the school, as he did with the principle: "What is permissible in supererogatory prayers is not permissible in obligatory prayers." According to this principle, he allowed performing supererogatory prayers on an animal, even if it was not facing the Qibla, while obligatory prayers could only be performed on the ground facing the Qibla. (Abu Ghanem, 2007, 1/467-468). However, on the other hand, he contradicted this rule in some matters, including:

- He emphasized reading a surah after Al-Fatiha in voluntary prayers; when he was asked about the ruling on sufficing with Al-Fatiha in voluntary prayers, he replied: "No; except with a surah from the Quran." (Abu Ghanem, 2007, 1/264). And it contradicts the well-known principle among jurists: what is permissible in voluntary prayers is not permissible in obligatory prayers. However, Al-Qutub Al-

Rabi' disagreed and permitted it, drawing an analogy to reciting Al-Fatiha without a surah in the Dhuhr and Asr prayers. (Abu Ghanem, 2007, 1/264).

- Al-Rabi' ibn Habib also said that it is disliked to intentionally recite the surah that contains the prostration in prayer and to leave others, and he did not differentiate in this ruling between obligatory and voluntary prayers, unlike Abu Al-Mu'arriq, who disliked it in obligatory prayers but not in voluntary ones; he said, "As for the voluntary prayer, there is no harm." (Abu Ghanem, 2007, 1/265).

Conclusion:

After this brief tour of the jurisprudence of Imam Al-Rabi' bin Habib, thru the book "Al-Mudawwana Al-Kubra" by Abu Ghanim Al-Khurasani, and uncovering the most important features of his legal reasoning, it was necessary to briefly point out the most important results and recommendations reached; to make them accessible to those who wish to review them, which can be summarized as follows:

- The predominant approach in the sayings of Imam Al-Rabi' ibn Habib in the book "Al-Mudawwana" is the scarcity of deriving opinions, which is the prevailing characteristic of the book. Most of the book's chapters lack reasoning in their issues, as Al-Rabi' ibn Habib's response to a question is often limited to the phrase "yes" or "no," or he might say that he prefers or dislikes that action.
- The derivation of jurisprudential branches by Imam Al-Rabi' bin Habib was characterized by adherence to the tradition and reliance on what he narrated from his teachers, with a keen focus on understanding the text and delving into its depths, rather than merely stopping at its apparent meanings.
- The adherence of Imam Al-Rabi' bin Habib to the Sunnah and the narrations did not prevent him from using analogy and deriving rulings from it, as long as it did not contradict a text or find a difference that would prevent the transfer of the ruling from the branch to the root. He was very concerned with the objectives of the Sharia, considering the consequences of actions, and opting for the more cautious approach.
- It appears from the ijtihads of Al-Rabi' ibn Habib that he was an independent mujtahid and not a follower of others, as he did not hesitate to disagree with the opinions of his teachers or the prevailing view in the school, which is a characteristic of ijtihad in the Ibadhi school where the door of ijtihad has not been closed.
- In conclusion, we recommend guiding students in their research to highlight the ijtihad methodology of Al-Rabi' ibn Habib, which will delineate the contours of juristic ijtihad for the advanced Ibadhi scholars.

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