

Journal of legal and social studies

Issn: 2507-7333

Eissn: 2676-1742

**The Concept of Innovation (Bid'ah) and its Conditions According to Imam Ibn
Lubb al-Gharnati (d. 782 AH)**

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Date of send: 04/03/2026	date of acceptance: 01/05/2026	Date of Publication: 01/06/2026
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Abstract :

The term "bid'ah" is considered in Islamic jurisprudence is widely debated among jurists, both in terms of its definition and the criteria that determine its boundaries, This study aims to clarify the view of Imam Ibn Lubb al-Gharnāṭī regarding innovation, examining both its conceptual meaning and its governing principles, as well as how he approached this term from a juristic and legal-theoretical perspective. This is done through an analysis of his legal responses and case rulings, with the objective of identifying his method in distinguishing between what is lawful and what is prohibited in human actions, and understanding his foundational and maqāṣid-oriented reasoning, The study also reveals Imam Ibn Lubb's balanced perspective on innovation, as he combined the preservation of Shar'i principles with consideration of practical reality.

Keywords: innovation, concept, criteria, Imam Ibn Lubb

Introduction:

The term "Bid'ah" is considered in Islamic jurisprudence is one of the most contested terms among scholars, with considerable disagreement over its definition, limits, and boundaries. This controversy has sparked extensive discussions among scholars to determine its exact meaning, as it directly relates to the legal status of actions—whether they are permissible or prohibited. This debate has led to the development of various legal methodologies based on differences in understanding the texts, doctrinal disputes, and the application of legal objectives (maqasid). Imam Ibn Lubb al-Gharnati, one of the prominent jurists and fatwa scholars of his time, engaged with the term "Bid'ah" both legally and methodologically, offering a distinctive understanding and precise conditions. His contributions enriched the scientific discourse on this term. This research aims to clarify the concept of Bid'ah, its boundaries, and its conditions according to this Imam, who is considered a cornerstone of the Andalusian legal school.

Problem Statement

The central issue of this research revolves: around understanding how Imam Ibn Lubb comprehended the concept of Bid'ah, his legal perspective on it, and the criteria he established to define its reprehensible form.

Research Methodology:

This research employs a descriptive methodology to translate and explain Imam Ibn Lubb's approach, along with presenting relevant definitions. It also relies on an inductive and analytical approach, examining Ibn Lubb's fatwas and responses concerning the issue of Bid'ah from various sources that cover his legal cases (nawazil). The content of these responses is analyzed to extract the concept of Bid'ah and its conditions.

Research Objectives:

This research aims to:

- Clarify Imam Ibn Lubb's position on Bid'ah as one of the leading Andalusian jurists.
- Highlight Imam Ibn Lubb's doctrinal foundation in defining the concept of Bid'ah.
- Identify the conditions Imam Ibn Lubb set for determining the reprehensible nature of innovation.
- Showcase the legal reasoning and original thought of the Maliki jurists.

Research Outline:

- **Chapter 1:** Conceptual Introduction: Defining Bid'ah and its Conditions
- **Chapter 2:** Biography of Imam Ibn Lubb al-Gharnati and his Efforts in Combating Innovations
- **Chapter 3:** The Concept of Bid'ah and its Conditions According to Imam Ibn Lubb

The first TOPIC: A conceptual introduction to defining the terms heresy and rule

In this section, we discuss defining the research terms and explaining their concepts, starting with the linguistic and legal definition of the term heresy, explaining the paths of scholars in defining its legal meaning, explaining the subject of the dispute in the issue, then defining the meaning of the norm in the language and terminology of the jurists.

Section One: The Definition of Bid‘ah

First Branch: Linguistically

The root (b-d-‘) (bā’, dāl, and ‘ayn) has two fundamental meanings:

1. The initiation of something and bringing it into existence without a prior example.
2. Cessation and fatigue.

Regarding the first meaning, it is said: “I innovated (abda‘tu) something in word or deed”—that is, I initiated it without any previous model.

As for the second meaning, it is said: “The riding beast was exhausted (ubdi‘at al-rāḥilah)” —meaning it became fatigued and incapacitated.¹

The expression “he declared him an innovator (badda‘ahu)” means he attributed innovation to him; “he deemed it innovative (istabda‘ahu)” means he considered it something novel; “al-badī’” refers to something newly originated and remarkable. Al-Badī’ is also one of the Names of Allah, due to His originating and bringing things into existence without prior example.²

Thus, the linguistic meanings of bid‘ah converge on the idea of something newly invented or introduced without precedent.

Second Branch: Terminologically

Scholars have differed in defining bid‘ah (innovation) from a technical perspective into two main approaches: a restrictive approach and an expansive one. This difference has led to divergent rulings on many legal issues.

A. The First Group:

This group confined the concept of blameworthy innovation to a narrow scope, setting specific boundaries for it and avoiding broad application. Among their definitions:

Imam al-Shafi'i defined innovation as follows:

“Newly introduced matters are of two types: one that contradicts the Book, the Sunnah, or consensus—this is an innovation and misguidance; and another that introduces something good—this is not blameworthy. ‘Umar said regarding the night prayer in Ramadan: ‘What an excellent innovation this is,’ meaning that it was newly introduced and had not previously existed.”³

Thus, he restricted blameworthy innovation to what does not conform to a text or consensus; whatever accords with them does not fall under the concept of misguiding innovation.

Similarly, **‘Izz al-Din ibn ‘Abd al-Salam** defined innovation as:

“Doing something that was not known during the time of the Messenger of Allah ﷺ. It is divided into obligatory, prohibited, recommended, disliked, and permissible innovations. The way to determine this is to examine the innovation in light of the principles of the Shari‘ah: if it falls under the principles of obligation, it is obligatory; if under prohibition, it is prohibited...”⁴

This definition begins with a broad generalization—innovation as anything not known during the Prophetic era—then qualifies it through classification. Not everything newly introduced is considered blameworthy or misguidance; rather, it is assessed according to its underlying legal principle (obligatory, prohibited, disliked, recommended, or permissible).

It is also notable that this group divides innovation and distinguishes between its praiseworthy and blameworthy forms, thereby limiting the scope of what is considered blameworthy in the legal sense to that which has no basis in the Shari‘ah.

B. The Second Group:

This group regarded all newly introduced matters not known during the Prophetic era as misguidance and reprehensible, interpreting innovation as inherently blameworthy without division.

Among them is **Imam al-Shatibi**, who defined innovation as:

“A newly invented way in religion that resembles the Shari‘ah, by which one intends to exaggerate in worshipping Allah.”⁵

He reinforced his position when asked whether innovations can be divided into praiseworthy and blameworthy types. Responding to those who made such a division, he stated:

“The statement of the Prophet ﷺ, ‘Every innovation is misguidance,’ is understood by scholars in its general sense without any exception. There is no

innovation that is inherently good. What some people mention regarding dividing innovations is not valid in its apparent meaning; whoever takes it at face value has erred.”⁶

This definition reflects concern for preserving the intent of the Lawgiver in preventing the introduction of anything not part of religion and forbidding attributing to Allah what He did not legislate. Thus, innovation is viewed as a means of legislating in Allah’s religion what does not belong to it. Moreover, this definition confines innovation to the sphere of acts of worship.

Clarifying the Point of Dispute Regarding the Concept of Innovation

All scholars agree that innovation pertains to matters of creed and worship, not to customs or worldly affairs. However, they differ significantly in defining innovation from a legal standpoint.

The disagreement stems from whether every newly introduced matter associated with religion—unknown during the Prophetic era but not contradicting textual evidence or legal principles—should be classified as misguiding innovation. Does it fall under blameworthy innovation or not?

Scholarly approaches on this issue can be summarized into two main schools:

First School: New matters in religion may be praiseworthy and permissible, or blameworthy and to be avoided. The criterion is to examine the textual indications and principles of the Shari‘ah concerning these matters. If they resemble permissible acts, they are treated as such; if they resemble prohibited acts, they are deemed prohibited. According to this view, blameworthy innovation is limited to what has no basis and cannot be analogically connected to a valid principle.

Second School: All newly introduced religious matters not known during the Prophet’s time ﷺ are blameworthy and misguidance, and their ruling is uniformly prohibition.

The disagreement between the two schools is substantial. The first school does not classify an act as innovation until after examination, reasoning, and analogy, with the ruling depending on the outcome of ijtihad. The second school, however, labels every such act as innovation and misguidance outright, without requiring further analysis.⁷

Section Two: The Definition of a Criterion (Ḍābiṭ)

First Branch: Linguistically

The term Ḍābiṭ is derived from Ḍabt, meaning adherence to something and restraining it. Al-Layth said: Ḍabt signifies adhering to something without letting it slip away in any respect. To control (Ḍabaṭa) something means to preserve it firmly and decisively. A man described as Ḍābiṭ is resolute, strong, and firm⁸.

Second Branch: Terminologically

first: They believe that the control is in the sense of the rule, and that they are united in meaning, and among those who say so is Imam Al-Fayoumi⁹ in Al-Misbah: “The rule in terminology means the rule; It is: the general matter that applies to all its parts”¹⁰.

Second: They differentiate between the officer and the base; The rule according to them is that: “It is predominant in what is specific to a chapter, and what is meant by it is the arrangement of similar images.”¹¹

The jurisprudential rule is defined as: “The issue of the majority of the drafting court covers a number of branches of jurisprudence in one chapter.”¹²

Some of them saw that the criterion is more general than the rule. For them, it is: a comprehensive picture from which the rulings of all its details can be recognized.

However, most of the later scholars and contemporary scholars saw a distinction between them, and favored this direction, and the basis of the difference is: the specialty of the officer is to collect branches in one chapter, while collecting them from various chapters in the rule is widespread.¹³

The Second Section: Imam Ibn Lubb al-Gharnāṭī and His Efforts in Combating Innovations

This section presents a brief biography of Imam Ibn Lubb, outlining his birth, upbringing, teachers, students, scholarly status, death, major works, and his efforts in opposing innovations that spread in his society, as reflected in his legal responses and rulings.

THE SECOND TOPIC : Biography of Imam Ibn Lubb

He is Abū Sa‘īd Faraj ibn Qāsim ibn Aḥmad ibn Lubb al-Taghlibī al-Gharnāṭī al-Andalusī, a renowned Mālikī scholar and one of the most prominent jurists of Spain Muslim.

The imam Ibn Lubb was born in Granada in the year 701 AH, and grew up there under the rule of the Nasrid dynasty. He studied under its scholars and teachers, who had flocked to Granada after fleeing their cities that had fallen into the hands of the Christians, making Granada their refuge and permanent residence.

His early scholarly life did not differ from that of his contemporaries and peers; it is likely that he memorized the Qur’an and some foundational texts of knowledge at an early age. He then attended the circles of various teachers, learning from them and drawing from their most valuable knowledge until his intellectual capacity strengthened and his understanding broadened. There is no record of him traveling outside al-Andalus, which suggests that he limited his studies to the teachers of his homeland. Among his most notable teachers were: Abū Ishāq Ibrāhīm ibn Muḥammad ibn Abī al-‘Āṣī al-Tanūkhī (d. 727 AH)¹⁴,

Abū Ja‘far Aḥmad ibn al-Ḥusayn al-Kalā‘ī, known as Ibn al-Zayyāt (d. 728 AH)¹⁵, Abū al-Ḥasan ‘Alī ibn ‘Umar ibn Ibrāhīm al-Kinānī al-Qayjātī (d. 730 AH)¹⁶, and Abū ‘Abd Allāh Muḥammad ibn ‘Alī al-Fakhkhār al-Bīrī (d. 754 AH)¹⁷.

After mastering the sciences of his time, he began teaching in the Great Mosque of Granada and the Nasrid Madrasa. He became a leading authority in legal opinion, attracting numerous students, including Ibn al-Khatib and Al-Shatibi.

Then Imam Ibn Lab devoted himself to teaching and imparting knowledge at the Great Mosque of Granada and the Nasrid Madrasa, after having absorbed the wisdom of the leading scholars of his time. He was prolific in his contributions, deeply committed to knowledge, fully aware of its rights, and dedicated his life to benefiting the Muslim community. His scholarly stature among his contemporaries made him a center of attraction for students, who eagerly attended his study circles and competed to sit in his lectures. Among his notable students were: Abu ‘Abdullah Muḥammad ibn, Abdullah ibn al-Khaṭīb al-Silmānī al-Gharnāṭī (d. 776 AH)¹⁸, Abu Ishāq Ibrāhīm ibn Mūsā al-Lakhmī al-Shāṭibī al-Gharnāṭī (d. 790 AH)¹⁹, Abu Muḥammad ‘Abdullah ibn Muḥammad ibn Aḥmad ibn Juzayy al-Kalbī²⁰, Abu Bakr Muḥammad ibn Muḥammad ibn ‘Āṣim al-Qaysī al-Gharnāṭī (d.829 AH)²¹, and Abu al-Qāsim Muḥammad ibn Muḥammad ibn Sirāj al-Gharnāṭī (d. 848 AH)²².

Imam Ibn Lub occupied a high scholarly position among the scholars of his time, and he possessed a distinguished intellectual personality that had a clear influence on both his contemporaries and those who came after them. He is regarded as one of the great mujtahids, and as a leading authority in issuing fatwas and legal reasoning, as is evident from the testimonies of scholars praising his virtue and elevated scholarly status.

Imam Ibn Lub combined extensive memorization with deep engagement in jurisprudence, mastery of legal issues, and proficiency in the Arabic language. He excelled in Qur’anic exegesis and the study of recitations, participated in the disciplines of al-usul (principles of jurisprudence) and al-fara’id (obligatory acts), and was skilled in literature, both in prose and poetry. His contributions to issuing fatwas were abundant; he was well-versed in the rules of legal reasoning, adept in its methodology, and during his era, he was considered the leading authority in this field. People relied on him for guidance in complex legal matters and new cases of jurisprudence.

He – may Allah have mercy on him – passed away on the night of Saturday, seventeen nights into Dhu al-Hijjah in the year (782 AH), and was buried in Granada. Thus, he lived eighty-one years entirely devoted to the service of knowledge and religion, leaving behind numerous beneficial scholarly works,

including: The Eight Answers in Grammar, Rulings on Purification and Prayer, Bringing Near the Distant Hope in the Legal Questions of Master Abu Sa'id, The Abundant Spring in the Analysis of the Issue of Paid Imamate, The Inscribed Pearls on the Marked Garments²³.

Second Subsection: His Efforts in Combating Innovations

Although Imam Ibn Lub is counted among the ranks of jurists and muftis, he is also regarded among the reformers and those engaged in hisbah (religious oversight and moral accountability). He combined jurisprudence with reform, actively engaging with the issues of his time and interacting closely with the realities of his society. He sought to promote reform within his community, striving to purify the religious atmosphere from the impurities of innovation and to cleanse social life from newly introduced practices.

He made use of his distinguished scholarly position as a jurist and mufti—responding to people's questions and addressing their concerns—to guide, direct, and advise them toward adherence to the authentic teachings of the religion.

His nawāzil (legal responsa) contain numerous answers in which he called for abandoning religious innovations. He did so by correcting practices, condemning newly introduced customs, and seeking to direct religious and social life in accordance with the principles and regulations of the Sharia. This suggests that the religious climate in Granada had become clouded with various innovations, most of them related to acts of worship.

Among the examples of his responses in which he denounced innovative practices, confronted them, and sought to resist them are the following:

- He was asked about an imam who, during the ashfā' (paired units of prayer) in Ramadan, upon reaching Sūrat al-Ḍuḥā, began to pronounce the takbīr at the end of every sūrah. When this was objected to, he responded with obstinacy, Imam Ibn Lub answered as follows: "The remembrance of God is good, and it brings reward and recompense; but it must be done in the manner of following and emulating (the Prophetic example), not according to personal whims and innovation"²⁴, At the end of his response regarding this matter, Imam Ibn Lub ruled that such an innovator should be rebuked and prevented from this practice until he desists. If he does not refrain, he should be removed from leading the prayer and boycotted²⁵.

It appears that through his response, Imam Ibn Lab disapproved of the imam's act of adding extra takbirs during the night prayer, considering it to fall within the scope of innovation (bid'ah).

- He was asked about a group of people who, when someone died, would climb the mosque's minaret during the afternoon, recite some Qur'anic verses, then circle the minaret while announcing: "So-and-so has died, and his funeral is

such-and-such”, He replied: “This is the most excessive form of mourning, which the Prophet ﷺ forbade in the hadith. It is obligatory to prevent and forbid such practices because of their ugliness, especially in minarets, which were intended only for announcing the times of prayers and religious observances”²⁶, He also considered the recitation of poetry in the minarets after the adhkar (remembrances) an innovation (bid‘ah) and condemned this practice, adding that the original purpose of the minaret is solely for the call to prayer (adhan)²⁷.

The criticism of Imam Ibn Labb regarding this practice stems from its origin in pre-Islamic customs; as the ḥadīth states: “Beware of lamentation, for lamentation is from the deeds of Jahiliyya”²⁸, and it also contradicts the function of the mosque, which was prescribed only for announcing prayer times.

- He was also asked about people who, when carrying a funeral, chant the tahlīl and taslīya aloud in unison. He replied as follows: “The Sunnah in following funerals is silence, reflection, and contemplation. Ibn al-Mubārak reported: that the Prophet ﷺ, when following a funeral, maintained much silence and mostly spoke to himself”²⁹.

He answered regarding the ruling on building over graves: the proper course is to limit oneself to what is permissible in the Sharī‘ah, emphasizing what the law has prescribed for construction over a grave—either by marking it with a small barrier (tasnīm) or enclosing it with a low wall, without any roofing³⁰.

Despite Imam Ibn Labb’s inclination toward Sufism, he disapproved of actions by some who claimed the Sufi path but engaged in practices contrary to Sharia, embodying instead the proper Sufism based on following divine revelation and purifying the soul. He was asked about a group that had built a zawīya (Sufi lodge) to host strangers, entertaining them, gathering for dhikr (remembrance of God), chanting, and eating together, but who also engaged in prohibited acts involving women and children. He censured these behaviors, stating regarding this lodge:

"As for it being a means to what is not permissible, as you have described and observed about these people, there is no debate in forbidding acts of this kind, while leaving aside acts of voluntary goodness and closeness to God that are intended for rightful purposes"³¹.

He also reproached a group among them for raising their voices during supplication, considering it a form of transgression as mentioned in the Qur’an: **“Call upon your Lord with humility and in private; indeed, He does not like the aggressors”**³², clarifying that the proper practice is to keep the supplication hidden and secret³³.

In addition to his efforts in confronting innovations (bid‘ah) that are religiously reprehensible, Ibn Labb also corrected misconceptions held by some

who wrongly labeled certain acts as innovations. He distinguished between introducing a new practice in religion and wrongly considering something that is actually legitimate as a bid'ah. For instance, he was asked about those who criticized performing the night prayer (qiyām) in congregation during the last part of Ramadan. He ruled that performing the night prayer in congregation at the end of the night is indeed preferable, supporting his position with multiple proofs from the Sunnah and transmitted reports³⁴. Similarly, he refuted those who considered feeding the deceased on the seventh day after death as a bid'ah, providing evidence for its permissibility³⁵.

THE THIRD TOPIC: The Concept of Bid'ah and Its Guidelines According to Imam Ibn Lubb

Views and definitions regarding the term “bid'ah” have varied among scholars, and so have the principles and limits clarifying its true nature. Imam Ibn Lubb is among the scholars who articulated a clear stance on this matter.

In this section, we aim to elucidate Ibn Lubb's understanding of bid'ah and to highlight the guidelines he established for distinguishing Blameworthy innovations from legitimate and permissible acts within the Sharia.

First Subsection: The Concept of Innovation Bid'ah According to Imam Ibn Lubb

Ibn Lubb is considered one of the scholars who say that reprehensible innovation is limited to that which is not based on a legal basis. This is evident through his division of innovation into good and bad. He does not believe that every innovation is misguidance and must be abandoned. A question came to him regarding adding remembrances after reading the Qur'an after the dawn prayer, so he issued a fatwa: This action has a basis in the Sharia by being included in all the verses and hadiths that indicate frequent remembrance. Then he saw that it was based on his heresy because it was a deception. Prayers and in congregation; However, it is a good innovation³⁶. He said in another place: “Innovations have two aspects: one of them is that the innovation competes with what is lawful and coincides with what is forbidden, so it is permissible to flee from it and stay away from it, such as gathering to discuss the honor of Muslims, and to talk about the world in a way that is not appropriate, and the other aspect is an innovation that does not contradict the law; Because it was not practiced in the time of the predecessors, and it has some entry into the legitimacy.”³⁷

We also conclude from his answers that he says it is permissible to work with the additional innovation, which is: “Every statement or action is based, on the one hand, on evidence, and on the other hand, is not based on anything legitimate, while it needs evidence on the second hand”³⁸, Al-Shatibi mentioned that it has two defects: “One of them: It has some related evidence, so it is not an innovation

from that point of view, and the other: It has no connection except something similar to what is true heresy,”³⁹, so the additional innovation has its occurrence from the point of origin, not from the point of view of the description, so it is not reported.

Additional innovations are a matter of disagreement among scholars. Some of them said that it was permissible and that it was included among the praiseworthy innovations. According to them, it is a type of linguistic innovations, and they are the majority of scholars. Among them were those who ruled that it was forbidden and that it was included in the heresy of misguidance, such as Ibn Taymiyyah⁴⁰, Ibn Daqiq al-Eid⁴¹, and al-Shatibi⁴².

Among the answers that indicate Imam Ibn Lubb's work with additional innovation is his statement that it is permissible to recite specific remembrances after the prayers, when he was asked about an imam reciting part of the Qur'an after the morning prayer, and adding remembrances and praises to it⁴³ This commitment to this form and description was considered by Al-Shatibi to be a form of additional heresy; Because it restricts absolute acts of worship⁴⁴.

The concept of heresy according to Imam Ibn Lubb is that it is: every innovation in religion that has no basis in the Sharia and does not fall under a legal origin or rule, neither in terms of origin nor in terms of description.

Section Subsection: The Criteria for Innovation According to Imam Ibn Lubb

From the issues and questions that Imam Ibn Lubb addressed in his legal rulings, we can deduce the criteria he set to define the condemned innovation (bid'ah). These criteria can be summarized as follows:

A – The Criterion of Specification (Timing): Ibn Lub holds that the Sacred Law has designated specific times for certain remembrances and acts of worship, assigning particular functions to defined occasions. Accordingly, any remembrance performed outside the time assigned to it by the Sharī'ah falls into the realm of innovation.

He was asked about proclaiming tahlīl (saying “lā ilāha illa Allāh”) and raising the voice in sending prayers upon the Prophet while carrying funerals. He issued the fatwa that the Sunnah when accompanying funerals is silence that prompts reflection and contemplation. He justified this by stating that: “The remembrance of God and sending prayers and peace upon the Messenger of God ﷺ are righteous deeds that are generally encouraged. However, the Sacred Law assigns specific times and determinations to the functions of acts, and particularizations that vary according to circumstances”⁴⁵, Ibn Lub employed analogical reasoning (qiyās) in this matter. He analogized the prohibition of performing dhikr while carrying funerals—since the Sacred Law did not designate it at that time—to the

prohibition or dislike of performing prayer at certain specific times, due to the legal texts that forbid it either strictly or reprehensively. He stated:

“Prayer, although it is intimate discourse with the Lord and a source of comfort for the servant, nevertheless falls into times that come under the category of prohibition or dislike”⁴⁶.

B – The Criterion of Alteration and Substitution of Prescribed Functions:

Imam Ibn Lubb considers that changing the legal function from its place, and replacing it in a place other than its place, and that placing bodies specific to a time or place in a place other than their place takes the function or body into the realm of heresy, and thus he sees the necessity of performing acts of worship, remembrance, and other things according to the form that the law has placed on them. He also does not look at the legitimacy of the principle of the work in itself; Rather, it is necessary to adhere to the form in which the Sharia has set it. He was asked about the ruling on reciting the dhikr with one voice when carrying a funeral, and he answered with what was stated: “The remembrance of God and blessings upon the Messenger of God, may God bless him and grant him peace, are among the best deeds, and all of them are good, but the Sharia has functions at their times, and remembrances at specific times, so putting one function in place of another is an innovation, and approving functions in their place is a Sunnah.”⁴⁷.

This response reflects the methodological principle of Ibn Lub that legitimacy is not determined solely by the inherent goodness of an act, but also by conformity to the specific manner, time, and context established by the Sharī‘ah, Thus, he considered specifying loud dhikr in front of the funeral procession to be an innovated act, because it was placed in a context other than its proper one. The prescribed function, when accompanying a, is silence, reflection, and contemplation—not raising the voice in remembrance, He stated: “Receiving (i.e., adhering to) the prescribed functions of actions is part of following the early generations (al-salaf) in their commands, prohibitions, and states. What has been transmitted regarding conduct while carrying funerals is silence, reflection, and taking admonition. Replacing this function with another amounts to legislating (something new), and it is among the innovations in the religion”⁴⁸.

He also issued a fatwa prohibiting the announcement of a person’s death from the minarets of mosques, considering it a reprehensible innovation. He maintained that the minarets of mosques are only legislatively designated for what the Sacred Law has assigned to them—namely, announcing the times of ritual acts of worship⁴⁹, He also ruled that chanting poetry and reciting adhkār from the minarets is impermissible, considering it a blameworthy innovation⁵⁰, His view that this constitutes an innovation stems from his principle prohibiting the

alteration of legally prescribed functions and placing them in contexts other than those assigned by the Sharī'ah. In his reasoning, the minaret is designated for raising the adhān, not for announcing deaths or reciting poetry.

The difference lies between his view permitting additional innovations that have a basis in the original act but not in its specific form for example, permitting the recitation of a portion of the Qur'an along with adding remembrances after the prayers—and his ruling that loud dhikr during funerals, chanting poetry, announcing deaths, and repeating adhkār from the minarets are innovations.

The first case is allowed because it falls under a general principle: the encouragement of abundant remembrance at all times. The second case is prohibited because it involves altering the prescribed functions, placing acts in contexts other than those assigned by the Sharī'ah.

C – The Criterion of Absence of Sharī'ah Evidence: This criterion is agreed upon by all scholars who hold that bid'ah is confined to acts that have no basis in the Sharī'ah. Ibn Lub maintains that any act that is based on a Sharī'ah principle cannot be labeled as an innovation except in the linguistic sense. His statement about the innovativeness of acts refers specifically to deeds that have no grounding in the Sharī'ah or its rules. We can observe this in his ruling regarding the practice of performing reciting the names of God for the deceased, accompanying it with Qur'ān recitation, giving charity on their behalf, and similar acts. He ruled that these practices are permissible and lawful because they are based on a recognized precedent (athar) reported from Ṭāwūs a Ṭābi'ī⁵¹. He states: "They used to prefer not to separate from the deceased for seven days, because the souls are tested and held accountable in their graves for seven days"⁵². This is an argument based on the actions of the Companions, which is considered one of the foundational methods of jurisprudential reasoning (istidlāl) in Maliki thought. Imam Ibn Lub rejected the view of those who consider performing remembrance of God for the deceased as an innovation. He refuted their position, asserting that their opinion holds no weight, as long as there is legitimate evidence supporting its permissibility. After presenting the evidence for its permissibility, he said: "All of this is more deserving of following and adhering to than the statement quoted by Ibn Abī Zamanīn in his Muqarrab from Ibn Waḍāḥ, who denied the seventh day for the deceased, claiming it was an innovation introduced by people, with no basis in the Sharī'ah"⁵³.

Through this, Ibn Lub upholds the importance of adhering to practices based on established evidence, such as the actions of the early generations, over unsubstantiated claims or personal opinions regarding innovation.

D- The Criterion of Not Falling Under a Legal Foundation: One of the criteria set by Imam Ibn Lub for defining the condemned innovation (bid'ah) is that the

action must not fall under any established legal foundation in the Sharia. This aligns with what Imam al-Shafi'i stated in his definition of innovation, dividing it into two categories: a condemned type, which contradicts the texts (nass), and a praiseworthy type, which aligns with the texts.

The meaning of an action being in accordance with the texts is that it falls under the general principles of the Sharia, even if its specific form was not practiced during the time of the Prophet. This is because it is in line with what Allah has encouraged and what the Sunnah has urged. Therefore, any action that falls under a general legal principle, according to Imam Ibn Lubb, is not considered a condemned innovation.

From this, it can be understood that any action that does not align with the foundational principles and rules of Sharia is viewed as a type of innovation that is prohibited and condemned by Islamic law. Such actions would be considered misguided (dalāl), and they must be avoided and rejected.

This criterion is the cause of disagreement in many legal issues between scholars, both past and present. Those who believe in the division of innovation (bid'ah) into two categories—one praiseworthy and the other condemned—apply this criterion to differentiate between the two types. They argue that any action which aligns with a general legal principle is a praiseworthy innovation (bid'ah ḥasanah) and is permissible to practice. Conversely, any action that does not align with a prescribed principle is considered condemned (bid'ah ḍalālīyah) and misguidance.

On the other hand, scholars who do not accept the division of innovation and regard all innovation as of one type, with a fundamentally negative legal ruling, do not consider this criterion. For them, any form of innovation, regardless of its alignment with general principles, is inherently forbidden and subject to legal censure.

Imam Ibn Lubb issued a fatwa declaring the permissibility of a number of actions because they fall under general principles, such as his fatwa declaring the permissibility of chanting and glorifying God after the prayers because it falls under the category of remembrance, which God has commanded to be abundant in. He cited the permissibility with general evidence, including the Almighty's saying: **"And remember Allah much that you may be successful"**⁵⁴, the Almighty's saying: **"Those who remember Allah standing, sitting, and lying on their sides"**⁵⁵, the Almighty's saying: **"And the men who remember Allah much and the women who do so"**⁵⁶. For him, the significance of these general verses is that God Almighty commanded frequent remembrance, and abundant remembrance necessitates its being present at all times. Among the times are the end of prayers⁵⁷.

With verses like these, he also demonstrated the permissibility of gathering together for remembrance and supplication, as the poor did in his time, and he objected to those who criticized them for their gathering, and he saw that this gathering was for the sake of remembrance, which the Sharia desired, and he commanded it to be abundant⁵⁸.

He was also asked about an imam who attends the gatherings of the poor and listens with them. Is that considered a disservice to his leadership? He replied: This is not considered an insult to his Imamate because it is implemented and permissible according to the majority of scholars. Then he responded to those who denounced that, considering it a heresy, by saying that this gathering for the sake of hearing does not contradict the project, and it falls under a legal basis, and his words in that text are: “The other view is an innovation that does not oppose the project; Because it was not practiced in the time of the predecessors, and it has some entry into the legitimacy.”⁵⁹.

It is worth noting that some of Imam Ibn Lubb’s disputes with his student Al-Shatibi regarding the issue of innovations and innovations were the subject of their dispute over this criterion, which Imam Ibn Lubb considers to differentiate between commendable innovations and reprehensible ones, and which Al-Shatibi does not consider. Among those issues are: the issue of the imam’s supplication for the congregation after the prayers; Al-Shatibi considered it an innovation that has no basis in the Sunnah, and that what is proven from the Prophet, peace and blessings of God be upon him, is either a mere remembrance without a supplication, or a supplication that is specific to himself⁶⁰, while Imam Ibn Lubb considered the issue permissible because it falls under a general principle, which is cooperation in righteousness and piety, citing as evidence the Almighty’s saying: “**And cooperate in righteousness and piety**”⁶¹, In this regard, he wrote a treatise called “The Language of Remembrances and Supplications from What He Prescribes at the End of Prayers,” which included many arguments for the validity of his doctrine⁶².

Among them is also the issue of: the gathering of the poor to recite dhikr with one voice, which Al-Shatibi considered to be one of the reprehensible innovations that were not practiced during the time of the Prophet, peace and blessings of God be upon him, nor his companions, nor after them. It is an rejected action for which there is no evidence from the Sharia⁶³, while Imam Ibn Lubb believes that it is permissible because it is included under general evidence in the chapter of dhikr⁶⁴.

E-The criterion of believing in obligation and necessity: Imam Ibn Lubb considers that what falls under the meaning of reprehensible innovation is performing an action while believing in its obligation and necessity, without any

evidence of its obligation according to Sharia, Thus, his obligation to do so takes the form of worship and devotion, which results in the person being obligated adding duties to the religion that are not legitimate. Therefore, the basis of innovation according to Imam Ibn Lubb is the belief in the obligation of something that is not legally obligatory. He was asked whether it is obligatory for the imam, after finishing the prayer and a beggar stands up, to wait before making supplication for the time it takes to give charity to the beggar. He replied: "Supplication after the prayer is neither an obligation nor a Sunnah, nor is it part of the completion of the prayer or one of its functions, so there is nothing wrong with making it earlier, later, or leaving it altogether"⁶⁵.

So Imam Ibn Lubb wanted to clarify in his answer that supplication after prayer is not one of the obligations of prayer, nor one of its Sunnahs, nor one of its functions, so that no one would believe it to be obligatory and thus attach it to the completion of prayer and its actions, thereby including in worship what is not part of it. He was also asked about the food of the deceased for the reciters on the seventh day after his death; so he gave a fatwa: "What is forbidden in this is doing it as a religious duty and a religious law, and that it is a right of the deceased over his guardians, as many ignorant people do in this way, and they intend this purpose by doing it, so this is an innovation and a misrepresentation of the Sunnah"⁶⁶.

Imam Ibn Lubb issued a fatwa permitting the feeding of reciters of the Quran on the seventh day after a death, unless it is believed to be obligatory and binding, and performed as a duty or obligation. In that case, it would cease to be permissible and become a reprehensible innovation, since the presence of this intention is not the basis for the ruling.

Based on this, Imam Ibn Lubb ruled that actions fall under the category of innovation if a person performs an act intending it to be a recommended or obligatory act when it is not, considering it an addition to Islamic law and attributing to the Prophet (peace and blessings be upon him) something he did not establish. This is unlike performing an act with the intention that it is an act of worship falling under a general principle of Islamic law. In this case, one has acted in accordance with the general evidence and has not added anything to God's law. This is what Al-Shatibi meant in his definition of innovation as: "resembling the Sharia." Resembling the Sharia means that the person obligated commits to something for which there is no indication of its obligation, as if it were a binding legislation, or a religious act that the Sharia indicated as obligatory.

F-The rule that the omission of an action does not indicate innovation: Imam Ibn Lubb is among those who say that the Prophet's omission of an action is not considered evidence of its innovation and prohibition. Every omission devoid of

contextual clues is not considered a legitimate argument for prohibition, because omission is a pure negation that does not produce a ruling. Rather, the Prophet's omission of a matter indicates to them the permissibility of omitting that thing, not its prohibition, its being disliked, or considering it an innovation that must be omitted. And its doer is not sinful or an innovator, whether the requirements for doing that omitted thing existed in the Prophetic era or not⁶⁷.

Imam Ibn Lubb relied on this principle in stating many actions that were considered by many scholars to be innovations because the Prophet (peace and blessings be upon him) and the Salaf left them. Among these actions is his statement that it is permissible to recite the Qur'an in congregation, as he supported its permissibility with many pieces of evidence, including not considering the absence of it reported from the Salaf as evidence of prohibition, and that absence does not provide a ruling, since it was not reported from them that they disliked it or prohibited it⁶⁸.

Conclusion:

From this study, the following conclusions may be drawn:

- The term bid'ah (innovation) is among the most debated legal concepts in Islamic scholarship in terms of both its definition and its governing criteria.
- There exists a substantive disagreement between those who restrict blameworthy innovation to what lacks any basis in the Sacred Law and those who consider every newly introduced matter reprehensible.
- Ibn Lubb defined blameworthy innovation as that which has no foundation in the Shari'ah and does not fall under any recognized legal principle or general rule.
- He divided innovation into praiseworthy and blameworthy categories.
- He permitted what is known as "additional innovation" (bid'ah idāfiyyah), meaning acts that possess a general legal basis though not a specifically transmitted form.
- He articulated several criteria delimiting blameworthy innovation, discernible through his legal responses and fatwas, these include: the criterion of specification in time, the criterion of altering prescribed religious functions, the criterion of absence of scriptural evidence, the criterion of non-inclusion under a general shari' principle, the criterion of believing in obligation or binding force without proof, the criterion that mere omission does not establish innovation.

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