Re-thinking Ibn 'Arabī's Status as Mujtahid

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Abstract: Ibn 'Arabī, who is also referred to as Doctor Maximus (al-Shaykh al-Akbar) within the Sufi world, has been recognized for centuries as one of the awliyā' of God. Nevertheless, this status did not preclude numerous scholars from designating him as a mujtahid. The issue lies in the conception of a walī as an individual endowed with spiritual knowledge that enables them to comprehend matters without the necessity of learning or research. This prompts further inquiry into the question of whether Ibn 'Arabī, the walī, can be designated a mujtahid. This article employs a qualitative approach and a review of the extant literature to examine the claims of scholars who are based on Ibn 'Arabī's own thoughts. The culmination of the research indicated that, on the one hand, Ibn 'Arabī asserted that a walī cannot be designated as a mujtahid, as his autonomous determination is derived from the method of kashf. Therefore, it can be posited that the individual in question is not, in fact, Ibn 'Arabī. Nevertheless, historical evidence suggests that Ibn 'Arabī engaged in rigorous study of Islamic law and jurisprudence. This suggests the possibility that he may have utilized ijtihād in his independent decision-making, thereby classifying him as a mujtahid. However, prior to conducting a thorough investigation into the underlying factors that influenced Ibn 'Arabī's independent decisions, it would be premature to categorize him as a mujtahid.

Keywords: Ibn 'Arabī; walī; aṣḥāb al-kashf; mujtahid; aṣḥāb al-ijtihād

A. Introduction

A prevalent hypothesis among contemporary scholars specializing in Ibn 'Arabī studies asserts that the author of the contentious Fuṣūṣwas a mujtahid. An analysis of this claim reveals that history records him as one of the learned who mastered a variety of Islamic sciences, including Islamic jurisprudence (fiqh). This mastery is evident in the final 502 pages of the first volume of the Futūḥāt.¹ In contrast, Sufis have traditionally recognized him as a walī who has been bestowed with divine privileges, such as spiritual unveiling (mukāshafah) and inspirational knowledge (maˈrifah). This enables him to acquire knowledge without the need for external learning or intellectual inquiry. Therefore, it can be posited that, insofar as he is a learned man, his knowledge is that which he has acquired; whereas, as a wal ī, it is given, that is, based on divine inspirations.

Considering the circumstances, it can be posited that assertions pertaining to his designation as a mujtahid may give rise to contentious interpretations. It has been observed that whenever the individual in question is observed offering personal judgment (ijtih \bar{a} d) on religious

¹ The pages counted from the *Futūḥāt* edited by Muḥammad 'Abd al-Raḥmān al-Mur'ashilī (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1418/1998), I: 401-903.

matters, the combination of his status as a learned scholar and as a wal $\bar{\imath}$ results in a blurring of the distinction between the extent of his acquired knowledge as a scholar and the point at which his divine unveiling as a wal $\bar{\imath}$ becomes applicable.

To the best of my knowledge, the status of Ibn 'Arabī as a mujtahid according to Ibn 'Arabi himself has never been examined. The study conducted by Lien Iffah Naf'atu Fina, for example, although it raised the issue of Ibn 'Arabī's perspective on *fiqh* and to some extent touched on the discussion of *ijtihād*, it did not touch on the issue related to Ibn 'Arabī's own perspective on whether or not a *walī* can become a *mujtahid*.² The same thing was even done by Ahmad Junaidi *et al.* who, although they spoke more specifically about two methods of obtaining personal decisions on religious issues, which were not mentioned in the main sources of Islamic law, did touch on whether or not a *walī* could be called a *mujtahid*.³ In the absence of this, the present article endeavors to elucidate Ibn 'Arabī's perspective on whether a walī can be a mujtahid or not.

B. Method

The present study was conducted using qualitative research methods based on a literature review approach. Data were collected from various primary sources from each person whose views are studied in this article, such as Ibn 'Arabī's Futūdḥāhā. Affifi's Mystical Philosophy of Mu: An Examination of the Islamic Concept of God, an Arab scholar, is the author of MaḥMuū d, a treatise on Islamic jurisprudence. In addition, the information has been sourced from other relevant secondary sources. The research process was methodically executed in three stages. Initially, the objective is to compile data regarding the perspective that identified Ibn 'Arabī as a mujtahid. Secondly, the collection of data regarding Ibn 'Arabī's personal perspectives on the issuance of an ijtihād by a walī is imperative. This inquiry is pivotal in determining the validity of the designation of a mujtahid. The final issue to be addressed is the determination of whether or not Ibn 'Arabī, a *walī*, can be designated a mujtahid.

C. Result and discussion

Ibn 'Arabī and Walāyah

Abū 'Abd Allāh Muḥammad ibn al-'Arabī al-Ṭāʻī was a highly esteemed *Sufi* in the sixth century Hegira. Ibn 'Arabī was born in Murcia, Spain, on Ramaḍāni 17, 560 Hegira, which corresponds to July 28, 1164 or 1165 CE. He played a pivotal role in the evolution of Sufism doctrines, making him a highly influential figure in his field. One of the influences on the subject that has persisted to the present day is his conception of walāyah. It is an irrefutable fact that Ibn 'Arabī was not the first to discuss the concept of walāyah. A survey conducted by Iskandar Arnel indicates that the concept of walāyah had been a subject of discussion prior to the advent of Ibn 'Arabī. ⁴ Indeed,

² Lien Iffah Naf'atu Fina, "Ibn 'Arabī, Fiqh, and a Literal Reading of the Qur'an: Approaching the Outward Divine Commands as a Spiritual Realization" *Esensia: Jurnal Ilmu-Ilmu ushuluddin* Vol. 19, No. 2 (Oktober 2018), 161-170.

³ Ahmad Junaidi, Muhammadaree Waeno, M. Khusna Amal, "Transcending Boundaries of Rationality and Spirituality: Ibn 'Arabi's Holistic Vision in Islamic Legal Interpretation", *Teosofi: Jurnal Tasawuf dan Pemikiran Islam* Vol. 14, Issue 2 (December 2024), 1-24.

⁴ Iskandar Arnel, "*Walāyah*: An Analysis on the Hierarchy of *Awliyā'* in the Works of Ibn 'Arabī", unpublished doctoral dissertation, IIUM (2014), 4.

the designation "walāyah" had already emerged as a recognized term within the *Sufi* world three centuries prior to the birth of Ibn 'Arabī, largely due to the contributions of al-Hakīm al-Tirmidhī.

Nevertheless, an examination of earlier *Sufi* works up to the time of Ibn 'Arabī discloses that the author of Fut utsūhā was indeed the first to discuss the notion of walāyah comprehensively. Indeed, it was he who elucidated his predecessors' perspective on this notion in such depth and comprehensively. He was the one who contributed new perspectives on walāyah to a level never before imagined. It has been demonstrated that the individual identified as played a pivotal role in the enrichment of the doctrine of walāyah. This contribution entailed the introduction of novel terminology, thereby infusing the existing corpus of walāyah with new concepts. Furthermore, this individual's contributions encompassed the addition of fresh interpretations to existing terms that had already been established within the *Sufi* tradition. In light of the aforementioned circumstances, It is an accurate assertion that the discourse surrounding walāyah in the aftermath of Ibn 'Arabī is but a fraction of the comprehensive corpus of his writings on this doctrine.

It is noteworthy that the term " $wal\bar{a}yah$ " for a Sufi master such as Ibn 'Arabī does not merely signify the primary title or the subject of discussion. Moreover, walking al-yah signifies a spiritual journey and a life experience that persists until the final breath is exhaled. The preponderance of narratives and anecdotes in the artist's oeuvre is indicative of the prevalence of divine glimpses and inspirations that permeate the depths of his being, manifesting in the cavities of his heart and the recesses of his dreams. In addition, the subject's encounters with a multitude of prophets ($anbiy\bar{a}$ '), messengers (rusul), and $awliy\bar{a}$, encompassing both living and deceased individuals, are a subject of interest. It is noteworthy that Ibn 'Arabī asserted that his entire corpus was the result of divine inspiration or directives. With respect to the Futūnūshā and Fuṣūṣ, for instance, he articulated the subsequent assertion:

I have not written one single letter of this book (i.e., the Fut $\bar{u}h\bar{a}t$) save by Divine Dictation and dominical vouch-saving.⁵

I saw the Messenger of Allah (p.u.b.h.) in a vision of good augury which was imparted to me during the last ten days of the month of Muḥarram in the year 627 at Damascus--, may God protect it! In his hand he held a book, and he said to me, "This is the book of the Fuṣūs al-Hikam. Take it and bring it to men that they may profit by it". 6

There is a strong indication in the *Futūḥāt* where Ibn 'Arabī calls himself the *Seal of Muḥammadan Walāyah* (*khatm al-walāyah al-Muḥammadiyyah*). However, apart from such a self-proclaimed, those who know the depth and breadth of his spiritual knowledge also realize that he was a real *walī* ever lived on earth. Therefore, history has glorified him with a number of honorary titles such as Doctor Maximus (*al-Shaykh al-Akbar*), The One Who Brings Religion to Life (*Muḥy al-Dīn*), and The Red Sulfur (*al-Kibrīt al-Aḥmar*).

⁵ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 3: 442 as translated by Michel Chodkiewicz, *Seal of the Saints: Prophethood and Sainthood in the Doctrine of Ibn 'Arabī*, trans. Liadain Sherrard (Cambridge: The Islamic Text Society, 1993), 18.

⁶ Ibn 'Arabī, Fuṣūṣ al-Ḥikam, ed. A. E. Affifi (Beirut: Dār al-Kitāb al-'Arabī, 1st edition, 1946/1365; 2nd edition, 1980/1400), 47 as translated by Chodkiewicz, *Seal of the Saints*, 49–50.

Painting the Image of Mujtahid on the Face of Walī: Ibn 'Arabī's Case

Nevertheless, the eminence of Ibn 'Arabī transcended the realm of Sufism, particularly among those who regarded him as the companion of God. History also documents his insatiable thirst for knowledge, which led him to pursue the study of Islamic sciences from a young age. According to multiple sources, the author of the renowned <code>Futūḥ</code> <code>al-Tawārīh</code> engaged in scholarly pursuits throughout his lifetime, encompassing studies of the Qur'an, <code>hadūth</code>, and <code>Sunnah</code>. The following subjects are to be considered in this study: Qur'anic interpretation, Islamic jurisprudence (fiqh), Sufism, Arabic grammar and composition, and Islamic theology ('ilm al-kalām). In addition to these fields, he engaged in rigorous studies of Jewish and Christian theology, Greek philosophy, Zoroastrian and Manichean philosophy, and mathematics.⁷

In the context of Islamic jurisprudence, for instance, a substantial corpus of pages utilized by Ibn 'Arabī to elucidate legal concerns in the Futūḥ al-Ghazalī constitutes a compelling evidence of his proficiencies in this domain of Islamic science. The weight of his expertise is indisputable when considering his personal opinions, which, according to Maḥmuḍ al-Ghurāb, numbered 23. The following discourse pertains to religious dilemmas that have not been addressed in the primary sources of Islamic law. This evidence indicates the presence of a harmonious combination between the spiritual height of Ibn 'Arabī as a *walī* and his expertise in the field of Islamic jurisprudence.

It should be noted that personal opinions such as those of Ibn 'Arabī are called *ijtihād* in Islamic jurisprudence. Looking at this similarity, can we say that that a *walī* like Ibn 'Arabī was a *mujtahid*? Many scholars have answered this question affirmatively. A prominent 15th-century scholar, al-Fayrūzābādī, for example, said that Ibn 'Arabī was an "absolute *mujtahid* without a doubt." The prominent Ḥanbalite jurist and Muslim historian, Ibn 'Imād al-Ḥanbalī, described Ibn 'Arabī as "the *Imām* of the *Ahl Sharī'ah* both in knowledge and heritage." In the 20th century, the opinion like this was also voiced by Affifi, a famous Egyptian scholar in Ibn 'Arabī studies. Not only that, he even said that Ibn 'Arabī also agreed with the idea that a *walī*, and this would include Ibn 'Arabī himself, could issue an *ijtihād* to invalidate and amend any Islamic law except those mentioned in the Qur'an and the authentic *aḥādīth* of the Prophet," although, as we shall see later, this is not Ibn 'Arabī's standpoint. Affifi was also followed by Maḥmūd al-Ghurāb, one of the famous Syrian Akbarian Sufis. According to him, the author of the *Fuṣūṣ* was not a mere *mujtahid*. More than that, he was a *mujtahid muṭlaq* and even the leader of the *mujtahid muṭlaq*. Later on we also find Keller, an American scholar who translated '*Umdat al-Salik wa 'Uddat al-*

 $^{^{7}}$ Please see Rom Landau, *The Philosophy of Ibn 'Arabī* (London: Ruskin House, 1959), 15-16 and R.W.J. Austin in the introduction to his English translation of the *Fuṣūṣ* entitled *Ibn 'Arabi: The Bezels of Wisdom* (New York: Paulist Press, 1980), 1-2.

⁸ Maḥmūd Maḥmūd al-Ghurāb, al-Fiqh 'inda al-Shaykh al-Akbar Muḥy al-Dīn Ibn al-'Arabī, (Damascus: Maṭba'ah Naḍr, 2nd edn.), 445.

⁹ Sh. G.F. Haddad, "Shaykh Muhyi al-Din Ibn 'Arabi (d. 638 AH)" in https://www.livingislam.org/n/iarabi-e.html#m1-1 (accessed on Monday, April 20th, 2025).

¹⁰ Sh. G.F. Haddad, "Shaykh Muhyi al-Din Ibn 'Arabi (d. 638 AH)".

 $^{^{\}rm u} A. \ E. \ Affifi, \textit{The Mystical Philosophy of Muḥyid D\bar{\textit{ln-Ibnul 'Arab\bar{\iota}}}} \ (Cambridge: Cambridge University Press, 1939), 97.$

¹² Mahmūd al-Ghurāb, *al-Figh 'inda al-Shaykh al-Akbar*, 5.

Nāsik into English, saying that Ibn 'Arabi was a *mujtahid imam* in Islamic law.¹³ Finally, perhaps the first in the 21st century, one sees the same opinion from Fārūq al-Badrī.¹⁴

Unfortunately, among the above six opinions, only that of Maḥmūd al-Ghurāb which accompanied by reasons. The rest is but a collection of statements that cannot be analyzed in this study. Therefore, in the following we will examine the reason why he considered Ibn 'Arabī a *mujtahid* in his *al-Fiqh* 'inda al-Shaykh al-Akbar.

A thorough reading over this work finds Maḥmūd al-Ghurāb put forward three reasons that led him to the opinion of Ibn 'Arabī's status as a *mujtahid*. First, he begins by explaining Ibn 'Arabī's competence and qualifications in the fields of traditional Islamic sciences such as the Qur'an, prophetic traditions, Qur'anic exegesis, and *fiqh*, each of which is a prerequisite knowledge for becoming a *mujtahid*. Based on the *Ijāzah li al-Malik al-Muṣaffar* written by Ibn 'Arabī for al-Malik al-Ashraf I Muṣaffar al-Dīn Mūsā b. Malik al-'Ādil, the ruler of Mayyāfāriqīn from 607 to 618 AH and then Damascus from 627 to 635 AH, Maḥmūd al-Ghurāb said that Ibn 'Arabī sought knowledge from the teachers and scholars of his time. From this it is known, among others, that he read the Qur'an in Seville, Spain, at the age of seven, and studied hadith at the age of fifteen or sixteen. Not only that, Maḥmūd al-Ghurāb also said that Ibn 'Arabi had used his time to study *fiqh*¹⁵ so that he, as he wrote in the *Futūḥāt*, mastered almost every question related to Islamic jurisprudence (*kullu mas'alat fiqhiyyah*) along with all its arguments and evidence. ¹⁶

Ibn 'Arabī's expertise was also displayed by Maḥmūd al-Ghurāb through his role as a narrator and writer of books on ḥadīth. As a narrator, so said Maḥmūd al-Ghurāb, Ibn 'Arabī narrated ḥadīth from prominent scholars,¹⁷ such as al-Bukhārī, Muslim, al-Tirmidhī, al-Baihaqī, Abū Dāwūd, Aḥmad bin Ḥanbal, Ibn Mājah, Ibn Ḥibban, and Imām Mālik,¹⁸ whereas as an author he composed book entitled *Mishkāt al-Anwār*.¹⁹ Not only in the field of ḥadīth, Maḥmūd al-Ghurāb also describes Ibn Arabi as an interpreter (*mufassir*) of the Qur'an. In this case, his three tafsir works, namely *al-Jam' wa al-Tafṣīl fī Asrār al-Tanzīl*,²⁰ *al-Tafsīr al-Kabīr*,²¹ and *Ījāz al-Bayān*

¹³ Keller's biographical note in Ahmad ibn Naqib al-Misri, *Reliance of the Traveller*, trans. Nuh Ha Mim Keller (Maryland: Amana Publication, revised edition, n.d.), 1080.

¹⁴ Muḥammad Fārūq Ṣāliḥ al-Badrī, *Fiqh al-Shaykh Muḥy al-Dīn b. 'Arabī fī al-'Ibādāt wa Manhajuhu fī Kitābihi al-Futūḥāt al-Makkiyyah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2006).

¹⁵ Maḥmūd al-Ghurāb, *al-Fiqh ʻinda al-Shaykh al-Akbar*, 5-6.

¹⁶ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 1: 334.

¹⁷ It seems that Ibn 'Arabī known as <code>hadīth</code> transmitter in his lifetime. Hirtenstein and Notcutt pointed out that an unedited manuscript (Shehit Ali 2813) in the Süleymaniye library in Istanbul records that Ibn 'Arabī's student, i.e., Ayyūb b. Badr al-Muqri', called him "The master, <code>imām</code>, man of knowledge, transmitter of <code>hadīts</code>" (<code>al-shaykh al-imām al-'ālim al-muḥaddith</code>). Ibn 'Arabī, <code>Divine Saying</code>, 93n. 10.

¹⁸ Maḥmūd al-Ghurāb, *al-Fiqh ʻinda al-Shaykh al-Akbar*, 6. For details, see Ibn ʻArabī, *Kitāb Muḥāḍarat al-Abrār wa Musāmarat al-Akhyār fī al-Adabiyyāt wa al-Nawādir wa al-Akhbār* (Damascus: Dār Yaqẓa al-ʿArabiyya, 1388/1968), 1: 13-21.

¹⁹ Ibn 'Arabī, *Mishkāt al-Anwār fī mā Ruwiya 'an Allāh Subḥānahu min al-Khabar* (Ḥalb: al-Maktabah al-'Ilmiyyah, 1927). The work translated into English by Stephen Hirtenstein and Martin Notcutt as *Divine Sayings: The Mishkat al-Anwar of Ibn 'Arab* (Oxford: Anqa Publishing, 2008).

²⁰ Please note that the work is also referred to as *al-Jam' wa al-Tafṣīl fī Ma'rifat Ma'ānī al-Tanzīl*. Maḥmūd Maḥmūd al-Ghurāb, *Raḥmah min al-Raḥmān fī Tafsīr wa Ishārāt al-Qur'ān min Kalām al-Shaykh al-Akbar Muḥy al-Dīn Ibn al-'Arabī* (Damascus: Matba'ah Nadr, 1410/1989), 1: 3.

²¹ Maḥmūd Ghurāb shows his doubt of whether this work is a title of one single book or not. Maḥmūd al-Ghurāb, *Rahmah min al-Rahmān*, 1: 4.

fi al-Tarjamah 'an al-Qur' $\bar{a}n$ are irrefutable evidence although, unfortunately, none of these have survived to this day. ²²

Regarding Ibn 'Arabī's qualifications in the field of Islamic jurisprudence, As for Ibn 'Arabi's qualifications in the field of jurisprudence, the discussion of this subject in the second half of the first volume of the *Futūḥāt* as mentioned previously is a strong evidence of his abilities in this field. In addition to this, Maḥmūd al-Ghurāb also mentioned Ibn 'Arabī's two other works, namely, *al-Maḥajjah al-Bayḍā* ²²³ and a summary of the kitab al-Maḥallī by Ibn Hazm, which was once mistakenly considered as arguments indicating his Zāhirite affiliation. ²⁴

The second point raised by Maḥmūd Ghurāb in his al-Fiqh 'inda al-Shaykh al-Akbar is about the reasons why he called Ibn 'Arabī a mujtahid and absolute mujtahid. At glance, one would assume that he did so because of Ibn 'Arabī's personal decision on religious problems. However, this seems not enough because Maḥmūd al-Ghurāb said that every personal opinion on religious issues is not necessarily included in the category of $ijtih\bar{a}d$. Therefore, in addition to these of Ibn 'Arabī's personal religious opinion, Mahmud al-Ghurab mentioned the unique combination of three elements that make up Ibn 'Arabī's extensive knowledge of Islamic jurisprudence as the main reason that earned him the title of mujtahid and absolute mujtahid. These three things are the knowledge obtained by Ibn 'Arabī (' $ul\bar{u}m$ al- $kasb\bar{u}$), especially the traditional religious knowledge discussed above, the knowledge given through continuous obedience in fear of Allah ($taqw\bar{a}$), and finally the knowledge given from Allah ($taqw\bar{a}$) and finally the knowledge given from Allah ($taqw\bar{a}$).

The last point contained in Maḥmūd Ghurāb's *al-Fiqh 'inda al-Shaykh al-Akbar* is a list of Ibn 'Arabi's personal decisions on religious problems that are not clearly explained in either the main sources of Islamic jurisprudence. There are twenty-three decision in number, i.e., seven of which relate to the basic principles of Islam $(u \circ u)$, four to the oneness of God $(t \circ u)$ and Islamic creed $(a \circ u)$, and the rest to the acts of Islamic devotion $(b \circ u)$. There is no doubt that with this list Maḥmūd al-Ghurāb appears to be the first to present Ibn 'Arabi's u in full.

Given all that Maḥmūd al-Ghurāb has done to establish Ibn 'Arabī as a *mujtahid* or absolute *mujtahid*, one could consider it the most serious work published from the 20th century to the present on the subject of Ibn 'Arabi's *ijtihād*. However, it should be noted that this work does not seem to be that comprehensive. A closer look reveals three major gaps that are left open in *al-Fiqh* '*inda al-Shaykh al-Akbar*. The first gap is the fact that Maḥmūd al-Ghurāb did not take into account Ibn 'Arabī's perspective on the distinction between *aṣḥāb al-kashf* (the people of unveiling) and *aṣḥāb al-ijtihād* (the people of intellectual inquiries) in issuing personal decisions on religious matters that are not addressed in the primary sources of Islamic law. The absence of this discussion is of course problematic because the reader can see so many quotes from Ibn 'Arabī's sayings in *Futūḥāt* about the nature of *ijtihād*. The question is, why is there no mention of this aspect? Second, Mahmud al-Ghurāb also ignores the nature of personal religious judgments that Ibn 'Arabi put forward in his capacity as a *walī*. It seems that our Syrian Akbarian

²² Maḥmūd al-Ghurāb, al-Fiqh 'inda al-Shaykh al-Akbar, 6.

 $^{^{23}}$ Whether this is the work of Ibn 'Arabī or not, please see Maḥmūd al-Ghurāb, al-Fiqh 'inda al-Shaykh al-Akbar, 6-7n. 1.

²⁴ See, for example, Jamāl al-Dīn al-Qāsimī, *Risālah fī Usūl al-Figh* (Beirut, 1324).

²⁵ Maḥmūd al-Ghurāb, al-Fiqh 'inda al-Shaykh al-Akbar, 9.

²⁶ The sum of which is listed in Mahmūd al-Ghurāb, al-Figh 'inda al-Shaykh al-Akbar, 445.

Sufi pays too much attention to Ibn 'Arabī the jurist rather than to Ibn 'Arabī the *walī*. Finally, and as a consequence of the two gaps above, Mahmud al-Ghurāb fails to understand Ibn 'Arabī's perspective regarding his position on all the personal judgments that he puts forward in his works.

One could say that Mahmud al-Ghurāb deliberately left some gaps unresolved. However, this is surprising because he was a person who always gave Ibn 'Arabī space to express himself candidly in his various works, which is usually displayed in the phrase "*min Kalām al-Shaykh al-Akbar Muḥy al-Dīn Ibn al-'Arabī*". Based on this, it can be said that the truth about Ibn 'Arabī's status as a *mujtahid* is still open to further question, and the answer of which, especially with regard to Ibn 'Arabī's image of himself, should not be undermined by other people's opinions.

The Image Uncovered: Ibn 'Arabī's Own Exposition

We have so far looked at the responses of scholars to the question of whether a *walī* like Ibn 'Arabī could be called *mujtahid* or not. As shown above, many would have apparently affirmed it positively. However, since there are some gaps in their arguments, a thorough exposition on Ibn 'Arabī's perspective on this subject inevitably needed: did he concur with them, or did he say otherwise?

To start with, we will look at the meaning of $wal\bar{a}yah/wal\bar{\iota}$, $nubuwwah/nab\bar{\iota}$ and $ris\bar{a}lah/ras\bar{u}l$. $Wal\bar{a}yah$ or $wil\bar{a}yah$ is an abstract verbal noun coming from the Arabic root W-L-Y. As satetd by Ibn Manzūr in his $Lis\bar{a}n$ al-'Arab, $wal\bar{a}yah$, i.e., the fa-'alah pattern of this root, expresses help (nusrah), coalition, and friendship; whereas $wil\bar{a}yah$, i.e., the fi-'alah pattern, means administration $(tadb\bar{\iota}r)$, might (qudrah), deed (amal) and authority (sultan). Considering these, one may infer that on the one hand the term $wal\bar{a}yah$ and $wal\bar{\iota}$ (pl. awliya) imply a state of being, and on the other the term $wil\bar{a}yah$ and $wal\bar{\iota}$ point to a function.

The root *W-L-Y* itself signifies proximity, that is, proximity to God.²⁸ Here the term *walī* normally translated as the friend of God because he is in the state of being close to God. However, the use of this term in the Qur'an also denotes protector, manager, guardian, or intercessor.²⁹ From the above one finds that these are more in the context of *wilāyah* than *walāyah*. However, one may say that the meanings of the terms *walāyah* and *wilāyah* correlated to one another.³⁰

Regarding the terms prophet and prophethood, the Arabic language gives two possible origins, that is $nab\bar{\iota}'-nabwah$ and $nab\bar{\iota}-nubuwwah$. Nevertheless, their meanings according to Ibn Manzūr are the same: $nab\bar{\iota}'$ and $nab\bar{\iota}$ indicate the one who informs or brings news (al-mukhbir or $man\ anba'a$) about God, whereas nabwah and nubuwwah designates height, elevation, or high standing or ranking (rifah). However, Sibawayh (d. c. 793), the famous Arabic grammarian of Persian origin, stated that the Arabs normally use the term $nab\bar{\iota}$ (without hamzah) in their conversation instead of the term $nab\bar{\iota}'$ (with hamzah). Even the Prophet Muhammad [p.b.u.h.]

²⁷ Ibn Manzūr, *Lisān al-'Arab*, 15:400-7.

 $^{^{28}}$ See also Hans Wehr, A Dictionary of Modern Written Arabic, ed. J. Milton Cowan (Bayrūt: Librairie du Liban, 1980), "Walī".

²⁹ For the variant Qur'anic uses of the term walī, please see Q. S. al-Anfāl [8]: 72, Yūnus [10]: 62, and al-Kahf [18]: 44.

 $^{^{3\}circ}$ For further discussion on the meaning of walāyah, please see Grace Martin Smith (ed.), Manifestation of Sainthood in Islam (Istanbul: The Isis Press, 1993) and Iskandar Arnel, "Walāyah: An Analysis on the Hierarchy of Awliyā' in the Works of Ibn 'Arabī", pp. 6-9.

³¹ Ibn Manzūr, *Lisān al-'Arab*, "Naba'a".

himself reported to have addressed himself with the therm $nab\bar{\iota}$, not $nab\bar{\iota}'$, thus saying: "I am not $nab\bar{\iota}'$ All $\bar{a}h$, but $nab\bar{\iota}$ All $\bar{a}h$ ".³²

Regarding the term $ris\bar{a}lah/ras\bar{u}l$, it originates from the root R-S-L in Arabic. This normally signifies the act of delivering a speech from to listener ($ibl\bar{a}gh\ kal\bar{a}m\ min\ mutakalim\ il\bar{a}\ s\bar{a}mi'$) or the message/speech conveyed. In this regard, the term $ras\bar{u}l$ refers to a man missioned to deliver the messages or speeches of God concerning His religious legislation ($shar\bar{\iota}'ah$) to particular people.³³

The above description of $wal\bar{\iota}$, $nab\bar{\iota}$ and $ras\bar{\iota}l$ presents three different spiritual elites, namely, a $wal\bar{\iota}$ as the one who stays close to God, $nab\bar{\iota}$ as the one who receives and informs divine news, and $ras\bar{\iota}l$ as the one convey the message from God. However, we sense that each of them has close relationship with God. In this condition, it is not difficult to assume that they have heard or received divine news (al-khabar al- $il\bar{a}h\bar{\iota}$) from Him.

Such an assumption supported by Ibn 'Arabī's exposition on their relationship as articulated from his following well-known syllogism:

Every $ras\bar{u}l$ (messanger) must be a $nab\bar{t}$ (prophet).

Every *nabī* must be a *walī*.

Therefore, every *rasūl* must also be a *walī*.³⁴

It is interesting to note that the relationship of *awliyā'* with the *anbiyā'* and, by extension, *rusul* is further demonstrated by Ibn 'Arabī to the extent that he divided *nubuwwah* into two stations. The first is what he called the station of Prophethood of the Prophets (*nubuwwat alanbiyā'*), the station of Special Prophethood (*al-nubuwwah al-khāṣṣah*),³⁶ the station of Restricted Prophethood (*al-nubuwwah al-muqayyadah*),³⁷ the station of Perfected Prophethood (*nubuwwah mukammilah*),³⁸ or the station of Legislative Prophethood (*nubuwwat al-tashrī'*).³⁹ As the names suggested, this station is belongs exclusively to all *awliyā'* appointed by God as His prophets.

³² Ibn al-Manzūr, *Lisān al-'Arab*, "Naba'a."

³³ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah*, 2: 254.

³⁴ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 253-4.

³⁵ Ibn 'Arabī. Al-Futūḥāt al-Makkiyyah., 2: 254.

³⁶ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah* 2: 24 and 3: 513.

³⁷ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 76.

³⁸ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 4: 369.

³⁹ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 258.

⁴⁰ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 24, 2: 90 and 3: 513; *Fuṣūṣ*, 135.

⁴¹ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 76.

 $nubuwwah\ al$ - $s\bar{a}riyah$),⁴² the station of Invisible Prophethood (al- $nubuwwah\ al$ -ghaybah),⁴³ the station of Prophethood of Divine News ($nubuwwat\ al$ - $akhb\bar{a}r$),⁴⁴ and the station of Hidden Prophethood (al- $nubuwwah\ al$ - $b\bar{a}tinah$).⁴⁵ Different from the station of Prophethood of the Prophets ($nubuwwat\ al$ - $anbiy\bar{a}'$), this station of Prophethood of the Non-Prophets ($nubuwwah\ ghayr\ al$ - $anbiy\bar{a}'$) is belongs to all $awliy\bar{a}'$ who reached the level of prophets of $awliy\bar{a}'$, the dwellers of the station of proximity ($maq\bar{a}m\ al$ -qurbah).

According to Ibn 'Arabī, the station of proximity ($maq\bar{a}m\ al$ -qurbah) is above the station of the truthfulness ($maq\bar{a}m\ al$ -sidqiyyah) declared by Imām al-Ghazzālī as the highest station ever achieved by $awliy\bar{a}$ ' without prophetic mission. They are the Proximates (al- $muqarrab\bar{u}n$), whom Ibn 'Arabī divided into fourteen groups of $awliy\bar{a}$ ', like al- $mal\bar{a}miyyah$ (the Blame), al- $fuqar\bar{a}$ ' (the Poor), al- $s\bar{u}fiyyah$ (the Sufis), al-' $ubb\bar{a}d$ (the Worshippers of God), al- $zuhh\bar{a}d$ (the Ascetics), and al-warathah (the Heirs).

The use of the term 'prophethood' (nubuwwah) for the two stations discussed above signifies that while both $wal\bar{\iota}$ and $nab\bar{\iota}$ share the station of prophethood, the share itself depends on their quality of being a legislative prophet and being a prophet of $awliy\bar{a}$ '. Be that as it may, this explains why then Ibn 'Arabī said that the $awliy\bar{a}$ ' have a great drinking place (mashrab ' $az\bar{\iota}m$) in prophethood in accordance with their prescribed share. In the case of $awliy\bar{a}$ ', for example, that 'great drinking place' gives them a privilege to be protected from voluntarily $\sin(mah_j\bar{\iota}uz)$, to exercise extra ordinary acts ($kar\bar{a}m\bar{a}t$), and to receive Divine News (khabar). They are by no means restricted from other privileges like impeccability ($ma';\bar{\iota}um$), miracles (mu';izah), and Divine Legislation (hukm or $shar\bar{\iota}'ah$). This is so because these exclusively belong to both the Legislative Prophets and Legislative Messengers.

Ibn 'Arabī made it clear that the Prophets of $Awliy\bar{a}$ ' have no access at all to Divine Legislation through which they come up with their own religious laws. This is so because in so far as the $wal\bar{a}yah$ aspect is concerned, a $wal\bar{\iota}$ for the Shyakh is always a follower, not the one followed; the one judged, not the judge himself ($huwa\ t\bar{a}bi'l\bar{a}\ matb\bar{u}$ ' $wa\ mahk\bar{u}m\ l\bar{a}\ h\bar{a}kim$). Meaning, a $wal\bar{\iota}$ must always submit himself to the laws commissioned by God to the Legislative Messenger of his time. He is the laws commissioned by God to the Legislative Messenger of his time.

However, a further reading over the pages of the $Fut\bar{u}h\bar{a}t$ reveals that Ibn 'Arabī has more to say about the $awliy\bar{a}$ ' in their relation to religious laws. Here one must bear in mind that every Legislative Messenger prior to the Prophet Muḥammad [p.b.u.h.] sent to a particular community (ummah) who became his followers. Apart from the commoners $(`aww\bar{a}m)$, these followers might have several religious scholars $(`ulam\bar{a}')$ and $awliy\bar{a}'$ with them. In addition to this, one may assume that one or more Legislative Prophet(s) might also live at the time of that Legislative Messenger but were not among his followers.

⁴² Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 90 and 254.

⁴³ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 250.

⁴⁴ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 258.

⁴⁵ Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah*, 3: 285.

⁴⁶ Please see Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah*, 2:19-25.

⁴⁷ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 249-50.

⁴⁸ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 251.

⁴⁹ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 251-2.

The condition is that during the time of a Legislative Messenger who lived prior to the Prophet Muḥammad [p.b.u.h.], every religious problem faced by his followers could have been directly brought to his attention. This way they got the solution for their problem(s). However, after the under concerned Legislative Messenger passed away and the problem under concerned was absent from his religious laws, who had the right to settle it? For the Shaykh, the answer to that question is the Legislative Prophets who lived at the period of that Legislative Messenger, not the $awliy\bar{a}'$ or the religious scholars (' $ulam\bar{a}'$) of his time.

What shall be done if the answer to the problem is absent from the Qur'an, prophetic $ah\bar{a}d\bar{t}th/sunnah$, the customs of the companions ($\bar{a}th\bar{a}r$ al- $sah\bar{a}bah$) and the consensus ($ijm\bar{a}'$) of ' $ulam\bar{a}'$ (religious scholars)? There is no doubt that at this point the present of a mujtahid to execute an $ijtih\bar{a}d$ is not optional. However, it seems that the responsibility to exercise an $ijtih\bar{a}d$ for Ibn 'Arabī is not left for the ' $ulam\bar{a}$ ' of Islamic jurisprudence alone, but also to the $awliy\bar{a}$ '. Only that the Shyakh did not call it $ijtih\bar{a}d$, instead a given knowledge that springs from a mazhar, namely an object through which something reveals itself, of both the Prophet Muḥammad [p.b.u.h.] and the angel Gabriel. ⁵¹ The explanation goes as follows.

It is worth noting that Ibn 'Arabī, based on a prophetic <code>hadīth</code> "man sanna sunnatan <code>hasanatan falahu ajr mithl fā'ilihi</code>" (he who introduces a good habitual practice will [also] have the reward like that of the one who does it), said that the <code>awliyā</code>' of the Muḥammadan community allowed to "endorse new good habitual practices" (an <code>yasunnū sunnatan ḥasanatan</code>). For him, endorsing new good habitual practices is similar to what Bilāl bin Rabāḥ did. As is known, this companion as well as <code>mu'adhdhin</code> (caller for prayer) of the Prophet Muḥammad [p.b.u.h.] had introduced several new good habitual practices that last to our present time. He, for instances, used to take ablution in a squatting position, performed two <code>raka'ah sunnah</code> after ablution, <code>ādhān</code> (calling for prayer) and after meal, always kept himself in the state of purity by renewing his ablution every time he broke it, and gave charity before doing something for a specific purpose ('alā wajhin khāṣṣin).

Although a $wal\bar{\iota}$ allowed in doing so, he must not see what Bilāl an excuse did as to justify everything that he wants to do and then proclaim it as part of religious acts without a soundproof(s). This is so because there are, according to Ibn 'Arabī, some preconditions that a $wal\bar{\iota}$ should observed meticulously to involve in such a "man sanna sunnat hasanah". Otherwise,

⁵⁰ Al-Suyūṭī, *al-Jāmiʻal-Ṣaghīr*, no. 1994.

⁵¹ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 1: 203.

⁵² Ibn 'Arabī. *Al-Futūḥāt al-Makkiyyah.*, 2: 251.

⁵³ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 251.

he falls into serious charge of introducing innovation in religion matters (*bid'ah*).⁵⁴ The preconditions to such new good habitual practices are:

- 1. They should stand on the *sharī'ah* of the Prophet Muḥammad [p.b.u.h.].
- 2. They should not twist the permissible (halāl) into prohibition (harām), and vice versa.
- 3. They must suit the spiritual station of the *walī* who introduces it. 55

As Ibn 'Arabī stated in chapter 14 of the $Fut\bar{u}h\bar{a}t$, the above three preconditions strongly relate to the spiritual condition of the Prophets of $Awliy\bar{a}'$. They are choosen as the only group among the Muḥammadan $awliy\bar{a}'$ who have access to a special object (mazhar) of the Prophet Muḥammad [p.b.u.h.] and the angel Gabriel which displays all religious legislations and their utmost boundaries for the Muḥammadan community $(al-ahk\bar{a}m\ al-mashr\bar{u}'ah\ al-z\bar{a}hirah\ fi\ h\bar{a}dhihi\ al-ummah\ al-Muḥammadiyyah).$ It seems that by such outmost boundaries of Muḥammadan laws Ibn 'Arabī pointed to new habitual practices which in the relation to the mujtahid called $ijtih\bar{a}d$.

The access to such a mazhar and knowledge about the outmost limit of Muḥammadan religious laws are divine gift for the Prophets of $Awliy\bar{a}'$. Therefore, both are given, not acquired, by way of unveiling $(kashf\bar{i})$ method. This is to say that what the Prophets of $Awliy\bar{a}'$ know from that mazhar is not the result of $ijtih\bar{a}d$ method which goes through intellectual inquiry, involving detail observation over the four fundamental sources of Islamic jurisprudence, namely, the Qur'an, $had\bar{i}th$ and sunnah, the customs of the companions $(\bar{a}th\bar{a}r\,al$ - $sah\bar{a}bah)$ and the consensus $(ijm\bar{a}')$ of ' $ulam\bar{a}'$ (religious scholars). 57

A Compromise between the Two Standpoints

This study reveals two different positions, that is, Ibn 'Arabī's standpoint that a $wal\bar{\iota}$ cannot exercise $ijtih\bar{a}d$ and that of scholars who say that a $wal\bar{\iota}$, including Ibn Arabī, exercises $ijtih\bar{a}d$. Using Ibn 'Arabī's opinion, it should not be difficult to reject the later. However, reading from Ibn 'Arabī's own biography⁵⁸ one finds that he had benefited a lot from studying Islamic jurisprudence from the scholars of his time. This, without doubt, allows one to assume that he highly probably had exercised $ijtih\bar{a}d$ the way a mujtahid did.

In this situation, one needs to compromise the two positions above by examining the twenty-three *ijtihād*s of Ibn 'Arabī as stated by Maḥmūd al-Ghurāb in his *al-Fiqh* '*inda al-Shaykh al-Akbar*. In this way, it is hoped that we can find out which of Ibn 'Arabī's personal opinions come from the *kashfī* method, and which ones come from the *ijtihād* method. Otherwise, any claim to his status as a mujtahid would always be questionable.

Conclusion

Both mujtahid and $wal\bar{\iota}$ share the opportunity to have independent decision regarding religious problems not mentioned in the primary sources of Islamic jurisprudence. The difference between the two is that according to Ibn 'Arabī, the former obtains it through $ijtih\bar{a}d\bar{\iota}$ method or intellectual investigation, while the later through $kashf\bar{\iota}$ method or spiritual unveiling.

⁵⁴ Ibn 'Arabī. *l-Futūḥāt al-Makkiyyah.*, 2: 251.

⁵⁵ Ibn 'Arabī. Al-Futūḥāt al-Makkiyyah., 2: 251.

⁵⁶ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 1: 203.

⁵⁷ Ibn 'Arabī. *Al-Futūhāt al-Makkiyyah.*, 2: 252.

⁵⁸ See, for example, Claude Addas, *Quest for the Red Sulphur*.

In this regard, several scholars who stated that Ibn 'Arabī, a *walī*, was a *mujtahid* seemed to betray Ibn 'Arabī's own position that a *walī* is not a *mujtahid* at all. However, it cannot be denied that Ibn 'Arabī also learned from luminary scholars of his time about Islamic jurisprudence, so it can be assumed that he may have have used the method of *ijtihād* in making independent decisions regarding religious problems. To clarify this issue, research into the twenty-three *ijtihāds* Ibn 'Arabī mentioned by Maḥmūd Ghurāb becomes an inevitable necessity.

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