This is the second edition of the English translation of al-Shâfi'î's Risâlah, first published under the title "Islamic Jurisprudence" by John Hopkins Press in 1961. This treatise on Usul al-Fiqh (bases of Fiqh) is considered to be the first systematic work on the subject. Although this theory is disputed amongst the scholars, yet it is a fact that al-Shâfi'î's Risâlah is the first or earliest extant work on Usul al-Fiqh. Al-Shâfi'î stands at the turning point in the early history of the development of this subject.

Diverse approaches and methodologies adopted by the early legal schools to develop various Islamic legal doctrines created uncertainty and chaos in jurisprudence. Shâfi'î refined juristic thought into a coherent system by evolving principles of legal reasoning in the Risâlah, and thus he put an end to the chaos in legal thinking. For instance Shâfi'î conceived, refined and established the concept of the sunnah of the Prophet in the form of genuine traditions as an overriding authority, next to the Qur'an. Here lies the original contribution of al-Shâfi'î.

In his scholarly introduction, the learned translator has studied in greater detail al-Shâfi'î's life, personality and character. He has also analysed the composition and structure of the Risâlah: its order and sources, its substance and argument, fundamental ideas of the Risâlah, its significance, Islamization and idealization of law, and al-Shâfi'î's influence. On the determination of the date of al-Rabi'î's manuscript Khadduri differs with Shâkir's opinion that the Risâlah was written shortly before the death of al-Rabi'î in 270/883. (p. 49) He also criticizes the prevalent view that al-Risâlah was written at Ibn Mahdi's request. (p. 20)

Professor Khadduri has done a marvellous service by making this valuable treatise available in English. While translating this treatise into English Professor Majid Khadduri has consulted the original manuscripts of Ibn Janâ'îh and al-Rabi'î as well as the Bulaq and Shâkir editions of the published work. Mostly, but not completely, he follows Shâkir's edition, but sometimes he prefers Bulaq text. Besides translating the text, he has added occasionally words or sentences in parenthesis to complete the meaning or to clarify the abstract concepts. The explanatory notes in the margin are very helpful in understanding the meaning of the text.

On comparing the translation with the Arabic text we have noticed some errors of translation. We give a few examples:

1. "Since the Prophet permitted sudden attack by night on enemy territory, on the strength of his order to attack the Banû al-Muṣṭaliq, (legal) knowledge prescribes that sudden attack by night, with the (consequential) killing of women and
children, is lawful by an order of the Prophet." (Translation pp. 220-21).

In the Arabic text, two separate words يئات (attack by night) and الإغارة (sudden attack) have been used. But the translation of both of them has been combined, "sudden attack by night". The words should be translated separately as "sudden attack" and "attack by night".

2. "That the number of cycles in the noon, asr and the evening prayers shall number four repeated twice in the towns." (p. 158).

The expression *I2 has been translated "in the towns" in this passage as well as in others. This translation may be literally correct, but legally it is wrong. The reason is that if a traveller stays in a town for less than the period prescribed for shortening of prayers during a journey, e.g. less than fifteen days according to the Hanafis, he will legally be considered a traveller, and will shorten his prayers during his stay in a town. In this context, one's stay in a village or a town does not count. What makes a man a traveller (سافر) or a resident (منزل) in the legal sense is his stay at home or his stay at any place, desert or town, while on a journey, for more or less than the period prescribed for shortening the prayers during journey. The translation of the expressions "in the town" does not convey the true sense of these terms according to the legal terminology. Similarly the translation of the following sentence on subsequent page is also incorrect.

"However, all prayers must be (performed) in the direction of the qibla (facing Makka), whether one is in town or on a journey". (p. 159).

Further, the translation of the expression as "repeated twice" in the above example is not correct. It means "four rakʿahā in each prayer".

3. The Apostle laid down sunnas regulating (the circumstances that call for) ablution; and the (kinds of) pollution which must be washed away". (p. 153).

The translation of the sentence is not correct. It should be "and the (kind of) defilement by which washing (bathing) becomes obligatory", or "the kind of defilement which calls for washing (i.e. bathing)"

4. "and that the widow cannot (lawfully) remarry until the four months and ten days are completed". (p. 338)

This translation is incorrect. It should be "and that the widow whose marriage has not been consummated shall wait for four months and
"en days". This case is different from the case of a divorced woman whose marriage has not been consummated. According to the Qur'ānic verse 33:49 she will have no waiting period.

5. "God will grant prosperity to His servant who hears my words, remembers them, guards them, and hands them on". (p. 252).

The expression is an invocation to God for granting prosperity to such a servant. It should better be translated "May God grant prosperity..."

These examples out of many such cases indicate that the translation at some places is defective and requires a careful revision in the next edition.

Besides, some Arabic names and words have been incorrectly transliterated. For example, al-Khushnī (p. 171) should be al-Khushanī, Khawās (p. 221) should be Khawās, and al-Khabar al-Wāḥid (p. 31) should be Khabar al-Wāḥid.

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