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An Investigation into the Attribution to Imam Malik of the View That the Minimum Number Denoted by the Plural Is Two or Three: A Critical Study

Cem'in En Az Sayısının İki veya Üç Olduğu Görüşünün İmam Mâlik'e Nispetinin Tahkiki: Eleştirel Bir İnceleme

Mohamed Salah Bellabaci, Dr.

University of Algiers 1, Algeria

Email: bellabacims@gmail.com

ORCID: <https://orcid.org/0009-0000-3414-8108>

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ABSTRACT

The question of the minimum number denoted by the plural is a fundamental linguistic issue with significant jurisprudential implications for interpreting the legal texts of the Qur'an and Sunnah. It concerns whether the meaning of a plural form is realized by two or more entities or requires at least three. Muslim legal theorists and jurists have differed on this matter, basing their positions on linguistic usage, scriptural evidence, and principles of Islamic jurisprudence. The practical consequences of this disagreement appear in several areas of Islamic law, including oaths, vows, wills, and prescribed legal rulings.

This study examines the views attributed to Imam Malik by non-Maliki scholars concerning the minimum number denoted by a plural form. It seeks to determine whether such attributions are supported by an explicit statement from Imam Malik and to identify the most probable and accurate position among the opinions transmitted from him. To achieve this objective, the study adopts a critical and analytical approach, examining relevant statements in the works of legal theorists and comparing them with authoritative sources of the Maliki school. It also analyzes Imam Malik's jurisprudential applications from which later scholars inferred his position.

The study concludes that no explicit and authentic statement from Imam Malik has been established in which he directly specifies the minimum number denoted by the plural. Instead, the positions attributed to him were inferred from his jurisprudential applications and from the interpretations of later scholars. After examining the relevant evidence and Maliki sources, the study finds that the most probable view attributable to Imam Malik is that the minimum number denoted by the plural is three. The study

ÖZ

Cem'in ifade ettiği en az sayı meselesi, Kur'an ve Sünnet'te yer alan şer'î nasların anlaşılması üzerinde önemli fikhî sonuçları bulunan temel dilbilimsel meselelerden biridir. Mesele, çoğul bir lafzın anlamının iki veya daha fazla unsurla mı gerçekleştiği, yoksa bunun için en az üç unsurun mu gerekli olduğu sorusu etrafında şekillenmektedir. Usûl âlimleri ve fakihler bu konuda farklı görüşler benimsemiş; görüşlerini dilsel kullanım, şer'î deliller ve fikhî usulüne ilişkin değerlendirmeler üzerine temellendirmişlerdir. Söz konusu ihtilafın pratik sonuçları yeminler, adaklar, vasiyetler ve şer'î hükümler dâhil olmak üzere İslam hukukunun çeşitli alanlarında ortaya çıkmaktadır.

Bu çalışmada, cem'in ifade ettiği en az sayı konusunda Mâlikî mezhebine mensup olmayan âlimlerin İmam Mâlik'e nispet ettikleri görüşleri incelenmektedir. Araştırma, bu nispetlerin İmam Mâlik'ten nakledilen açık bir ifadeye dayanıp dayanmadığını belirlemeyi ve kendisine atfedilen görüşler arasından en güçlü ve doğru olanı ortaya koymayı amaçlamaktadır. Bu doğrultuda çalışmada eleştirel ve analitik bir yöntem benimsenmiş; usûl âlimlerinin eserlerinde yer alan ilgili görüşler incelenerek Mâlikî mezhebinin güvenilir kaynaklarıyla karşılaştırılmıştır. Ayrıca sonraki dönem âlimlerinin İmam Mâlik'in görüşünü belirlerken esas aldıkları fikhî uygulamalar da analiz edilmiştir.

Araştırma sonucunda, İmam Mâlik'in cem'in ifade ettiği en az sayıyı doğrudan belirlediği açık ve sahih bir ifadenin tespit edilemediği sonucuna ulaşılmıştır. Kendisine nispet edilen görüşler, esas olarak onun fikhî uygulamalarından ve sonraki âlimlerin bu uygulamalara ilişkin yorumlarından çıkarılmıştır. İlgili deliller ve Mâlikî kaynakları incelendiğinde, İmam Mâlik'e nispet edilmesi en kuvvetli görüşün cem'in ifade ettiği en az sayının üç olduğu yönündeki görüş olduğu

further emphasizes the importance of consulting the authoritative sources of a legal school before definitively attributing a doctrinal position to its founding imam.

Keywords: attribution; critical investigation; Imam Malik; Maliki school; minimum number denoted by the plural; principles of Islamic jurisprudence

anlaşılmaktadır. Çalışma ayrıca bir mezhebin kurucu imamına kesin bir görüş nispet edilmeden önce o mezhebin güvenilir ve temel kaynaklarına başvurulmasının önemini vurgulamaktadır.

Anahtar Kelimeler: cem'in ifade ettiği en az sayı; eleştirel inceleme; fıkıh usulü; İmam Mâlik; Mâlikî mezhebi; nispetin tahkiki.

1. Introduction

The interpretation of linguistic forms constitutes a central component of *usul al-fiqh* because legal reasoning in the Islamic tradition depends substantially on determining how words convey meaning within the Qur'an, the Sunnah, and other legally consequential forms of discourse. Questions concerning general and particular expressions, unrestricted and restricted terms, literal and figurative meanings, and the implications of commands and prohibitions are therefore not merely linguistic inquiries; they shape the methods by which legal rulings are derived and justified. Within this broader interpretive framework, the question of the minimum number denoted by a plural expression (*aqall al-jam'*) represents a particularly significant point of intersection between Arabic linguistics and Islamic jurisprudence.

The central controversy is whether an unqualified plural form, such as "men" or "Muslims," conventionally denotes two or more entities or requires a minimum of three. This question must be distinguished from the general lexical idea of joining one thing to another and from instances in which two speakers employ the first-person plural pronoun because Arabic has no separate first-person dual pronoun. The actual point of disagreement concerns nominal forms conventionally classified as plurals where a corresponding dual form is available. When such a plural occurs without contextual qualification, should it be interpreted as including two entities, or does its primary linguistic meaning begin with three? Classical legal theorists recognized the importance of defining this point precisely because some of the evidence cited in the debate establishes only that a plural may contextually refer to two, without necessarily proving that two constitute its conventional minimum (al-Amidi, n.d.; al-Ghazali, 1993; al-Zarkashi, 1994; Ibn al-Subki, 1995).

Although apparently technical, this disagreement has substantial legal consequences. The meaning assigned to a plural expression may affect the interpretation of oaths, vows, wills, endowments, contractual declarations, and other legal statements. If an individual makes a legal disposition in favor of a group expressed through a plural noun, the practical outcome may depend on whether that expression can be satisfied by two beneficiaries or requires at least three. The same interpretive problem may arise when plural forms occur in scriptural provisions from which legal duties, entitlements, or restrictions are derived. The controversy therefore demonstrates how a seemingly narrow linguistic distinction may influence the application of substantive law. For this reason, classical scholars treated the issue as an important problem within the theory of legal language rather than as an isolated grammatical question (Abu al-Husayn al-Basri, 1983; al-'Ala'i, 1997; al-Juwayni, 1997).

Classical scholarship generally records two principal positions. One group maintained that the minimum number denoted by the plural is two. This position was attributed to a number of Companions, theologians, and legal theorists and was defended through examples from scriptural and conventional Arabic usage in which plural expressions appear to refer to two entities. Al-Ghazali adopted this position in *Al-mustasfa*, although his earlier *Al-mankhul* reportedly supported the view that the plural begins with three (al-Ghazali, 1993, 1999). A second and more widely transmitted position holds that the minimum number denoted by an unqualified plural is three. Its supporters emphasize the morphological distinction among the singular, dual, and plural in Arabic, arguing that the existence of a separate dual form indicates that the ordinary plural begins beyond two. Variations of this position appear across Hanafi, Shafi'i, Hanbali, Zahiri, and Maliki legal-theoretical writings (Abu Ya'la, 1990; al-Sarakhsi, n.d.; Ibn Muflih, 1999; al-Tufi, 1987).

The disagreement is complicated by differences between accepting a particular linguistic use and defining the original conventional meaning of a form. A scholar may acknowledge that a plural expression can refer to two in a specific Qur'anic, Prophetic, rhetorical, or contextual construction while still maintaining that its unqualified and primary meaning begins with three. Conversely, evidence that Arabic possesses a distinct dual form does not necessarily exclude every valid use of the plural for two. A rigorous analysis must therefore distinguish among lexical convention, contextual extension, figurative usage, and legally operative interpretation. Failure to maintain these distinctions can result in evidence being used outside the precise scope of the disagreement and can produce inaccurate classifications of scholarly positions.

The attribution of a particular position to Imam Malik introduces a second and more complex dimension to the problem. Non-Maliki legal theorists transmitted conflicting accounts of his view. Al-Ghazali, al-Amidi, al-Safi al-Hindi, Ibn al-Subki, Ibn al-'Iraqi, al-Zarkashi, and al-Tufi associated Imam Malik, explicitly or by implication, with the position that the minimum plural is two (al-Amidi, n.d.; al-Ghazali, 1993; al-Safi al-Hindi, n.d.; al-Tufi, 1987; al-Zarkashi, 1994; Ibn al-'Iraqi, 2004; Ibn al-Subki, 1995). In contrast, Abu Ya'la and the authors of other legal-theoretical compilations attributed to him the position that the minimum is three (Abu Ya'la, 1990; Taymiyyah family, n.d.). The presence of mutually incompatible attributions raises a fundamental question of doctrinal historiography: What evidentiary basis permits a later scholar to assign a legal-theoretical position to an earlier imam, particularly when no explicit statement from that imam has been identified?

This question is especially important in relation to Imam Malik because his legal thought was transmitted primarily through jurisprudential reports, responses to particular cases, and the interpretive work of successive generations of Maliki scholars. *Al-Muwatta* does not appear to contain an explicit and systematic declaration establishing whether the minimum number denoted by a plural is two or three (Malik ibn Anas, 2002). Consequently, later scholars may have inferred his position from particular legal applications. Such an inference, however, must be treated differently from a direct doctrinal statement. A ruling involving a plural

expression may have been shaped by contextual considerations, customary usage, the speaker's intention, legal precaution, or another principle unrelated to a universal definition of the plural. Treating every practical application as conclusive evidence of a general linguistic doctrine risks overstating what the source can establish.

Authoritative Maliki sources present an equally important, but internally nuanced, body of evidence. Al-Baji reported that the view that the plural begins with three was held by most Maliki scholars and described it as the well-known position attributed to Imam Malik (al-Baji, 2012). A similar tendency is found in the writings of Ibn 'Asim and other Maliki legal theorists. Nevertheless, al-Baqqillani and Ibn Rashiq were among the Maliki-affiliated scholars associated with the position that the minimum is two (al-Baqqillani, 1998; Ibn Rashiq, 2001). Qadi 'Abd al-Wahhab and al-Abyari, by contrast, transmitted or supported the attribution of three (al-Abyari, 2013; Qadi 'Abd al-Wahhab, 1999a). These differences demonstrate that the matter cannot be resolved by citing a single later authority. It requires a chronological and comparative examination of Maliki sources, attention to the distinction between Imam Malik's own position and later intra-school preferences, and an evaluation of the jurisprudential applications from which the competing attributions may have arisen.

Modern studies have examined the minimum plural from broader linguistic and jurisprudential perspectives. Al-Namlah (1993) presented the major positions of legal theorists, discussed their evidence, and considered the effects of the disagreement on substantive and theoretical legal questions. Musa (2014) focused on the significance of the minimum plural among jurists and its practical applications, while Al-Atwi (2022) explored the disagreement between grammarians and legal theorists concerning the minimum and maximum scope of plural expressions. These studies have made valuable contributions by mapping the principal doctrines and clarifying the linguistic and jurisprudential dimensions of the controversy. Nevertheless, their primary concern is the general debate rather than the source-critical verification of the contradictory positions specifically attributed to Imam Malik.

A significant research gap therefore remains. Existing discussions frequently reproduce the attribution of either two or three to Imam Malik without systematically identifying the earliest source of the claim, distinguishing direct transmission from later inference, or comparing non-Maliki accounts with the authoritative literature of the Maliki school. Furthermore, some works employ definitive language even though the available evidence appears to be indirect. This problem is not limited to the present linguistic issue; it reflects a broader methodological challenge in Islamic intellectual history concerning the reliability of cross-school doctrinal attribution. A school's position may be simplified, generalized, or inaccurately transmitted when scholars rely on external summaries instead of its foundational and authoritative sources.

Against this background, the present study critically investigates the attribution to Imam Malik of the two competing positions concerning the minimum number denoted by the plural. Its primary research question is: What position can most reliably be attributed to Imam Malik on the basis of the available Maliki and non-Maliki sources? Three subsidiary questions guide the analysis: First, which non-Maliki scholars attributed each position to Imam Malik, and upon what evidence did they appear to rely? Second, how did authoritative Maliki jurists and legal theorists characterize Imam Malik's position? Third, do the jurisprudential applications associated with Imam Malik provide sufficient evidence for a general legal-theoretical conclusion?

To answer these questions, the study integrates inductive, analytical, and comparative methods. The inductive component identifies and collects relevant attributions in Maliki and non-Maliki works. The analytical component examines the meaning, context, and evidentiary force of the cited passages and distinguishes explicit doctrinal statements from positions inferred through jurisprudential application. The comparative component evaluates external attributions against the established texts and interpretive traditions of the Maliki school. This combined approach enables the study to assess not only which position is more strongly represented but also the degree of certainty with which it may legitimately be attributed to Imam Malik.

The study makes three principal contributions. First, it clarifies the precise point of disagreement by distinguishing the conventional minimum of a plural from its contextually permissible reference to two. Second, it offers a source-critical reconstruction of Imam Malik's position rather than reproducing later attributions uncritically. Third, it demonstrates the methodological importance of consulting a school's authoritative sources before assigning a definitive position to its founding imam. The analysis ultimately argues that no explicit statement from Imam Malik conclusively determines the issue; nevertheless, the weight of the authoritative Maliki evidence supports the view that the minimum number denoted by an unqualified plural is three. The remainder of the study first defines the disputed issue and surveys the principal doctrinal positions, then examines the competing attributions made by non-Maliki scholars, and finally evaluates those attributions in light of Maliki sources before presenting the preferred conclusion.

2. Literature Review

2.1. The Minimum Number Denoted by the Plural in Islamic Legal Theory

The question of the minimum number denoted by a plural form occupies an important position in classical Arabic linguistics and Islamic legal theory. The controversy concerns whether a plural expression may properly refer to two entities or whether it necessarily requires three or more. Although the issue initially appears linguistic, it has important jurisprudential consequences because the interpretation of plural expressions in the Qur'an, Sunnah, contracts, wills, oaths, vows, and other legal statements may determine the scope of a legal ruling.

Classical legal theorists generally examined this question within their discussions of linguistic indications, general and particular expressions, commands, and methods of interpreting legal texts. The principal positions may be divided into two broad approaches. According to the first, the minimum number denoted by a plural is two. Supporters of this view relied on certain Qur'anic constructions, Prophetic traditions, and examples from Arabic usage in which plural expressions appear to refer to two persons or things. According to the second and more widely transmitted view, a plural properly begins with three, whereas two are expressed through the grammatical dual form. This position rests on the morphological distinction in Arabic among the singular, dual, and plural.

The diversity of opinions recorded in classical works demonstrates that the disagreement was not merely terminological. Al-Sarakhsi (n.d.), al-Juwayni (1997), al-Ghazali (1993), al-Amidi (n.d.), and al-Razi (1997) examined the issue as part of the broader relationship between linguistic convention and legal interpretation. Their discussions reveal different understandings of whether exceptional scriptural uses can establish a general linguistic rule. One approach treats the use of a plural for two as evidence that two constitute the minimum number of a plural. Another approach considers such usage contextual, metaphorical, or exceptional and therefore insufficient to alter the basic grammatical distinction between the dual and plural.

2.2. Linguistic and Jurisprudential Foundations of the Disagreement

The principal basis of the disagreement is the relationship between linguistic form and intended meaning. In Arabic, the existence of a separate dual form appears to support the position that the plural begins with three. If the plural ordinarily began with two, the grammatical function of the dual form would require further explanation. Consequently, a number of legal theorists argued that the conventional meaning of the plural applies to three or more, while its application to two requires contextual evidence.

Other scholars maintained that legal interpretation cannot be restricted to grammatical form alone. They cited examples in which plural pronouns, nouns, or commands refer to two persons. According to this approach, the use of a plural expression for two is not necessarily figurative; it may reflect an accepted feature of Arabic usage. The extensive discussions found in *Al-mu'tamad fi usul al-fiqh* (Abu al-Husayn al-Basri, 1983), *Al-'uddah fi usul al-fiqh* (Abu Ya'la, 1990), *Al-burhan fi usul al-fiqh* (al-Juwayni, 1997), and *Al-mustasfa fi 'ilm al-usul* (al-Ghazali, 1993) demonstrate how evidence from language, scripture, and legal reasoning was brought together in addressing the issue.

Later legal theorists expanded and systematized these earlier discussions. Ibn al-Hajib (2006), Ibn Muflih (1999), al-Zarkashi (1994), al-Isnawi (1999), and Ibn al-'Iraqi (2004) reported multiple positions and examined the evidence advanced by each group. These works also reveal a methodological difficulty: a scholar may accept that a plural can contextually refer to two without accepting that two constitute its conventional minimum. The failure to distinguish between permissible usage and the original lexical meaning may therefore lead to confusion concerning the exact point of disagreement.

Al-'Ala'i (1997) considered the matter especially significant because it directly affects the interpretation of general expressions. Similarly, al-Tufi (1987) and al-Safi al-Hindi (n.d.) treated the issue within broader analyses of linguistic evidence in legal theory. Their works show that the debate cannot be resolved merely by collecting examples. Each example must be evaluated to determine whether the plural was used independently for two, whether contextual evidence was present, and whether the usage establishes a general rule or represents an exceptional construction.

2.3. The Attribution of Legal-Theoretical Positions to Imam Malik

The attribution of a specific opinion to Imam Malik presents an additional methodological problem. Imam Malik's *Al-Muwatta* does not contain a systematic chapter in which he explicitly defines the minimum number denoted by a plural (Malik ibn Anas, 2002). His legal-theoretical positions must therefore sometimes be reconstructed from his transmitted rulings, jurisprudential applications, and the explanations of later Maliki scholars. However, a position inferred from a practical ruling does not necessarily carry the same evidentiary weight as an explicit statement.

Non-Maliki legal theorists attributed different positions to Imam Malik. Some associated him with the view that the minimum plural is two, while others placed him among those who maintained that it is three. Such conflicting reports appear in the broader literature of legal theory, including works that summarize the positions of different schools. The discrepancy suggests that later scholars may have relied on different Maliki applications or reproduced attributions from earlier secondary sources without returning to the authoritative literature of the school.

The reconstruction of Imam Malik's position must consequently begin with early and authoritative Maliki sources. The jurisprudential materials preserved by Ibn Abi Zayd al-Qayrawani (1999), Ibn al-Jallab (2007), Ibn 'Abd al-Barr (1980), Qadi 'Abd al-Wahhab (1999a, 1999b), and Ibn Rushd al-Jadd (1988) are particularly important. These works transmit, organize, and explain Maliki rulings and thus provide a stronger foundation for identifying the school's position than external summaries.

The writings of Maliki legal theorists also provide essential evidence. Al-Baji (2012) discusses linguistic indications within a distinctly Maliki framework, while Ibn al-'Arabi (1999), al-Qarafi (1995, 2004), Ibn Juzayy (1990), and al-Sharif al-Tilimsani (1998) examine the relationship between legal principles and subsidiary rulings. These sources make it possible to compare theoretical formulations with the jurisprudential applications attributed to Imam Malik.

2.4. Evidence from Maliki Jurisprudential Applications

The Maliki legal tradition contains numerous rulings involving plural expressions, particularly in the fields of oaths, vows, wills, inheritance, divorce, and contractual statements. Later scholars sometimes used such rulings to infer Imam Malik's understanding of the minimum plural. Nevertheless, inference from subsidiary rulings requires caution. A legal ruling may depend on custom, intention, context, precaution, or another jurisprudential principle rather than on a general linguistic definition.

Works such as *Al-bayan wa al-tahsil* (Ibn Rushd al-Jadd, 1988), *Al-dhakhira* (al-Qarafi, 1994), *Al-kafi fi fiqh ahl al-Madinah* (Ibn 'Abd al-Barr, 1980), and *Al-qawanin al-fiqhiyya* (Ibn Juzayy, n.d.) offer materials through which the Maliki treatment of plural expressions can be assessed. Commentaries such as those of al-Kharshi (n.d.) and al-Dardir (n.d.) further demonstrate how later Maliki jurists understood and applied the school's established positions.

These sources indicate the importance of separating three distinct questions. The first is the ordinary linguistic minimum of a plural form. The second is whether a plural may sometimes be used for two. The third is how a plural expression should be interpreted in a specific legal context. A Maliki ruling recognizing the application of a plural expression to two in a particular case does not necessarily prove that Imam Malik regarded two as the conventional minimum in all contexts.

2.5. Later Maliki Contributions

Later Maliki scholarship refined the discussion by integrating linguistic analysis with the principles of legal interpretation. Ibn al-Hajib (2006) played an especially influential role in summarizing and organizing legal-theoretical questions. His works and

their commentaries became central to later Maliki *usul* scholarship. Ibn Ashur (1923), al-Rahuni (2002), and other commentators examined these formulations and clarified their implications.

Al-Qarafi's works are also important for distinguishing between linguistic convention, contextual usage, and jurisprudential application. In *Sharh Tanqih al-fusul*, he examines rules governing legal language and methods of deduction (al-Qarafi, 2004). His *Nafa'is al-usul* provides a broader engagement with the legal-theoretical tradition and the evidence underlying disputed questions (al-Qarafi, 1995). Such works demonstrate that the position of the Maliki school cannot be established through isolated quotations. It must be reconstructed by comparing explicit theoretical statements, transmitted legal rulings, and the interpretive methods of authoritative Maliki scholars.

The works of al-Shushawi (2004), al-Walati (1992), Alawi al-Shinqiti (n.d.), and Muhammad al-Amin al-Shinqiti (2002) show the continued importance of these questions in later commentarial traditions. Although these scholars wrote long after Imam Malik, their works help trace how the issue was transmitted, reformulated, and taught within traditions influenced by Maliki legal theory.

2.6. Problems in the Existing Literature

The existing literature reveals several methodological limitations. First, many works present the position attributed to Imam Malik without identifying a direct statement from him. Second, some authors rely primarily on works outside the Maliki school, even though these works may report the school's position indirectly. Third, conflicting attributions are sometimes reproduced without investigating their original sources. Fourth, insufficient distinction is made between Imam Malik's personal opinion, the dominant position of the Maliki school, and the interpretations developed by later Maliki legal theorists.

Another difficulty concerns the use of definitive language. When no explicit statement from Imam Malik is available, it is methodologically inaccurate to claim with certainty that he adopted a particular position. The appropriate conclusion must reflect the nature of the evidence. An opinion may be described as inferred from his applications, attributed to him by later scholars, or regarded as the most probable position within the school. These formulations are more accurate than presenting an inferred opinion as a direct statement.

The literature also shows that the evidence commonly cited in this debate is not always directly relevant to the disputed point. Examples proving that a plural was applied to two do not necessarily establish that two are the original minimum of the plural. Similarly, evidence supporting the use of the dual form does not by itself exclude all plural references to two. A critical study must therefore classify the evidence according to its actual probative value.

2.7. Research Gap and Contribution of the Present Study

Previous scholarship has extensively discussed whether the minimum number denoted by the plural is two or three. Classical legal theorists presented the competing positions, analyzed linguistic and scriptural evidence, and explained the jurisprudential consequences of the disagreement. However, comparatively less attention has been given to critically verifying the specific opinions attributed to Imam Malik through a systematic comparison between non-Maliki reports and authoritative Maliki sources.

The present study addresses this gap by concentrating on the attribution itself. Rather than merely repeating that Imam Malik held one of the competing positions, it examines the sources on which such claims are based. It compares external attributions with Maliki legal and legal-theoretical texts, distinguishes explicit statements from inferred positions, and evaluates whether Imam Malik's jurisprudential applications support a consistent conclusion.

On the basis of the literature reviewed, no explicit statement from Imam Malik conclusively establishes that he defined the minimum plural as either two or three. His position was instead reconstructed from practical rulings and later doctrinal interpretations. The stronger tendency within the Maliki materials supports the conclusion that the plural, in its original and unrestricted linguistic meaning, begins with three, even though it may apply to two in particular contexts. Accordingly, the most probable position attributable to Imam Malik is that the minimum number denoted by the plural is three. This conclusion, however, should be presented as a critically supported attribution rather than as a direct quotation from Imam Malik.

3. Methodology

3.1. Research Design

This study adopts a qualitative, doctrinal, and historical-textual research design to examine the conflicting positions attributed to Imam Malik concerning the minimum number denoted by an unqualified plural. The research does not seek to determine independently whether Arabic plural forms linguistically begin with two or three. Rather, its primary purpose is attributional and source-critical: to establish which position can most reliably be attributed to Imam Malik on the basis of the available Maliki and non-Maliki legal literature.

The study combines inductive source collection, textual analysis, comparative doctrinal analysis, and attribution criticism. This integrated design is appropriate because Imam Malik did not leave a separately codified work on *usul al-fiqh* in which he explicitly addressed the disputed question. His position must therefore be investigated through transmitted legal opinions, jurisprudential applications, early Maliki works, later formulations of Maliki legal theory, and accounts found in the writings of scholars from other schools.

The unit of analysis is not merely an individual reference to Imam Malik. It is each identifiable doctrinal attribution, together with its textual context, source tradition, supporting evidence, and relationship to the applied rulings of the Maliki school. This approach makes it possible to distinguish direct transmission from later inference and to evaluate the relative evidentiary strength of the competing attributions.

3.2. Research Questions

The methodology was structured around the following principal research question:

Which position concerning the minimum number denoted by an unqualified plural can most reliably be attributed to Imam Malik?

This principal question was examined through four subsidiary questions:

1. Which Maliki and non-Maliki scholars attributed to Imam Malik the position that the minimum plural is two?
2. Which scholars attributed to him the position that the minimum plural is three?
3. Are these attributions based on an explicit statement from Imam Malik, a transmitted report, an inference from his jurisprudential applications, or a later characterization of the Maliki school?
4. Which attribution is more consistent with the authoritative sources and recurring subsidiary rulings of the Maliki school?

These questions enabled the study to move beyond merely reporting the existence of two opinions and to investigate the evidentiary foundations of each one.

3.3. Source Corpus

The source corpus consists primarily of classical works of *usul al-fiqh*, Maliki jurisprudence, Qur'anic legal interpretation, and commentarial literature. The sources were organized into four analytical categories.

The first category comprises foundational or early Maliki legal sources through which Imam Malik's jurisprudential positions and their early interpretation may be examined. These include *Al-Muwatta* (Malik ibn Anas, 2002), *Al-nawadir wa al-ziyadat* (Ibn Abi Zayd al-Qayrawani, 1999), *Al-tafri'* (Ibn al-Jallab, 2007), *Al-kafi fi fiqh ahl al-Madinah* (Ibn 'Abd al-Barr, 1980), the works of Qadi 'Abd al-Wahhab (1999a, 1999b), and *Al-bayan wa al-tahsil* (Ibn Rushd al-Jadd, 1988). These sources were prioritized because of their importance in transmitting and systematizing early Maliki doctrine.

The second category includes Maliki works of legal theory and their commentaries. Principal texts in this category include al-Baji's *Al-isharah* and *Ihkam al-fusul* (al-Baji, n.d., 2012), Ibn al-'Arabi's *Al-mahsul* (1999), Ibn al-Hajib's *Mukhtasar Muntaha al-su'l* (2006), Ibn Juzayy's *Taqrib al-wusul* (1990), al-Qarafi's *Sharh Tanqih al-fusul* and *Nafa'is al-usul* (1995, 2004), al-Rahuni's commentary (2002), and Ibn Ashur's critical gloss (1923). These works were used to determine how authoritative Maliki legal theorists formulated, transmitted, and evaluated the two positions.

The third category consists of non-Maliki legal-theoretical works that explicitly attributed one of the competing positions to Imam Malik. These include writings by Abu Ya'la (1990), al-Ghazali (1993, 1999), al-Amidi (n.d.), al-Isnawi (1999), al-Safi al-Hindi (n.d.), al-Tufi (1987), al-Zarkashi (1994, 1998), Ibn al-Subki (1995), and Ibn al-'Iraqi (2004). These texts were examined as evidence of the external transmission and reception of Imam Malik's alleged position, not automatically as definitive evidence of the position itself.

The fourth category comprises Maliki works of substantive jurisprudence used to identify practical rulings potentially based on a conception of the minimum plural. These include *Al-dhakhira* (al-Qarafi, 1994), *Sharh Mukhtasar Khalil* (al-Kharshi, n.d.), *Al-sharh al-kabir* with the commentary of al-Dasuqi (al-Dardir, n.d.), and *Al-qawanin al-fiqhiyya* (Ibn Juzayy, n.d.). These sources were used to examine whether the school's applied rulings exhibit a recurring numerical threshold of two or three.

Modern studies were used to situate the research within contemporary scholarship and clarify the broader linguistic and jurisprudential debate. They were not treated as substitutes for the classical primary sources when determining the position attributable to Imam Malik.

3.4. Source Selection Criteria

Sources were included when they satisfied at least one of the following criteria:

1. They contained an explicit attribution to Imam Malik concerning the minimum number denoted by a plural.
2. They reported the position of the Maliki school or a recognized group of Maliki scholars on the issue.
3. They contained a jurisprudential application in which the interpretation of an unqualified plural as two or three materially affected the ruling.
4. They evaluated, accepted, rejected, or qualified an earlier attribution to Imam Malik.
5. They provided methodological discussion necessary for distinguishing the conventional meaning of the plural from its contextual application.

Sources were excluded from the central attributional analysis when they merely discussed the general linguistic controversy without relating it to Imam Malik or the Maliki school. They were also excluded when they repeated an attribution without providing additional evidence, explanation, or a traceable earlier source. Such repetitive references could be used to demonstrate the historical circulation of an attribution, but they were not counted as independent confirmation of its accuracy.

Where the same attribution appeared in several later works, an effort was made to identify the earliest available formulation and to determine whether subsequent authors relied upon it. This procedure reduced the risk of treating multiple dependent reports as separate and mutually reinforcing testimonies.

3.5. Analytical Procedure

The analysis was conducted in five stages.

Stage 1: Defining the Point of Disagreement

The first stage established the precise object of inquiry. The study distinguished the following questions:

- whether the lexical idea of combination can apply to two;
- whether a plural expression may contextually refer to two;
- whether the first-person plural pronoun may be used by two speakers;
- and whether an unqualified nominal plural, for which a dual form exists, conventionally begins with two or three.

Only the fourth question constitutes the primary dispute investigated in this study. This distinction was necessary because some evidence cited by classical scholars proves only that a plural may be used for two in a particular context, rather than demonstrating that two constitute its original linguistic minimum (al-Amidi, n.d.; al-Ghazali, 1993; al-Zarkashi, 1994).

Stage 2: Mapping the Competing Attributions

All identified statements attributing either position to Imam Malik were classified into two groups: the attribution of two and the attribution of three. For each statement, the analysis recorded the author's school affiliation, the relevant work, the nature of the attribution, and whether supporting evidence was supplied.

The expressions employed by the sources were also examined. A statement describing a position as "Malik's opinion" was distinguished from one describing it as "the well-known position," "the position of most Malikis," or the choice of a particular Maliki scholar. These formulations represent different levels of doctrinal attribution and cannot be treated as synonymous.

Stage 3: Classifying the Evidence

Each attribution was classified according to its evidentiary basis:

1. **Direct evidence:** An explicit statement reliably transmitted from Imam Malik.
2. **Early internal transmission:** An attribution made by an authoritative Maliki scholar with recognized access to the school's transmitted doctrine.
3. **Jurisprudential inference:** A position reconstructed from one or more subsidiary rulings attributed to Imam Malik.
4. **External attribution:** A report found in a non-Maliki source without a clearly identified Maliki basis.
5. **Later doctrinal preference:** A position selected by a later Maliki scholar without necessarily being presented as Imam Malik's own explicit opinion.

This classification was essential because the evidentiary value of an explicit statement differs from that of a later doctrinal preference or an inference from an applied ruling.

Stage 4: Testing the Attributions Against Maliki Applications

The two attributions were compared with relevant subsidiary rulings in Maliki jurisprudence. These included rulings concerning unspecified dirhams and dinars, temporal expressions such as days and months, oaths involving plural expressions, plural references to persons or property, the duration of sacrificial slaughter, and the effect of two siblings on the mother's inheritance share.

Each application was assessed through three questions:

1. Does the ruling necessarily depend on a general definition of the minimum plural?
2. Can the ruling be explained by a specific contextual, transmitted, customary, or consensual indicator?
3. Does the ruling form part of a recurring interpretive pattern across different chapters of Maliki law?

An isolated application was not considered conclusive if it admitted a plausible alternative explanation. By contrast, a repeated numerical threshold across several legally distinct contexts was treated as stronger cumulative evidence of an underlying interpretive principle.

Stage 5: Doctrinal Preference

The final preference was reached by comparing the two attributions according to their source authority, internal consistency, explanatory scope, and compatibility with the applied rulings of the school. The preferred position was not selected because it was supported by a greater number of later authors alone. It was selected on the basis of the cumulative weight and coherence of the evidence.

3.6. Criteria for Evaluating Attribution Reliability

To ensure a disciplined comparison, the study employed six evaluative criteria.

Source proximity refers to the chronological and doctrinal closeness of a source to Imam Malik and the early Maliki tradition. Earlier and authoritative Maliki sources were generally assigned greater evidentiary weight than later external summaries.

Doctrinal expertise concerns the recognized knowledge of a transmitter regarding Maliki jurisprudence and legal theory. The reports of scholars such as Qadi 'Abd al-Wahhab and al-Baji were treated as particularly important because of their systematic engagement with the school's doctrine.

Explicitness measures whether a source presents a direct statement, an attributed report, a personal preference, or an inference. Greater explicitness generally produces stronger attributional evidence.

Independence of transmission concerns whether several reports represent genuinely independent evidence or merely reproduce an earlier attribution. Repetition was not treated as corroboration when the reports appeared to depend on the same source.

Consistency with applied doctrine assesses whether an attributed principle explains a recurring pattern of jurisprudential rulings across different legal chapters.

Resistance to alternative explanation evaluates whether the evidence necessarily supports the attributed position or can reasonably be explained by contextual indicators, legal consensus, custom, or another doctrinal principle.

No single criterion was treated as decisive in isolation. The final assessment was based on their combined application.

3.7. Ensuring Analytical Rigor

Several procedures were employed to strengthen the reliability of the analysis. First, internal Maliki sources were compared with external accounts instead of assuming that either category was uniformly accurate. Second, doctrinal statements were examined in context to avoid extracting language that might refer to an author's personal position rather than the position of Imam Malik. Third, jurisprudential applications were considered cumulatively across different legal topics. Fourth, contradictory evidence was retained and analyzed rather than excluded from the discussion.

The analysis also maintained a distinction between three levels of conclusion: what is explicitly established from Imam Malik, what is most reliably attributed to him, and what became dominant within the later Maliki school. This distinction prevents a probable historical reconstruction from being presented as a directly documented fact.

Transliterated titles and names were standardized as far as possible to facilitate comparison across the English-language presentation of the sources. Dates and bibliographic details were taken from the editions consulted. Where publication information was unavailable, the source was identified without inventing missing bibliographic data.

3.8. Methodological Limitations

The study is subject to several limitations. First, the absence of an explicit statement from Imam Malik means that the final conclusion remains inferential. It identifies the position best supported by the surviving evidence but cannot transform that evidence into a direct statement.

Second, the study depends on extant printed or accessible editions of classical texts. Manuscript variants, editorial interventions, or unidentified earlier sources may affect the transmission of particular passages. Third, the chronological dependence among some later works cannot always be established with certainty. Similar attributions may reflect direct reliance on an earlier text, a shared source that is no longer available, or independent transmission.

Fourth, jurisprudential applications do not always reveal the legal-theoretical principle on which they were based. A ruling that uses three as a minimum may be influenced by considerations other than the linguistic meaning of the plural. For this reason, such applications were treated as cumulative rather than individually conclusive evidence.

Finally, the study focuses specifically on doctrinal attribution within the Maliki tradition. It does not attempt a comprehensive linguistic evaluation of every Qur'anic verse, Prophetic tradition, or poetic example cited in the wider controversy over the minimum plural.

3.9. Ethical Considerations

The study is based exclusively on published historical and doctrinal texts and does not involve human participants, personal data, interviews, surveys, or experimental procedures. Formal ethical approval was therefore not required. Nevertheless, principles of scholarly integrity were observed by representing competing positions fairly, distinguishing direct statements from inferences, avoiding the fabrication of missing bibliographic information, and acknowledging the limitations of the surviving evidence.

Through this methodology, the study provides a transparent basis for evaluating the competing attributions and for concluding which position is most consistently supported by authoritative Maliki sources and jurisprudential applications.

4. Discussion

This study examined the conflicting positions attributed to Imam Malik concerning whether the minimum number denoted by an unqualified plural is two or three. The analysis demonstrates that this disagreement cannot be resolved solely by counting the number of scholars who transmitted each attribution. Instead, the relative authority of the transmitters, the proximity of their works to the Maliki doctrinal tradition, the distinction between explicit statements and inferred positions, and the consistency of each attribution with the applied rulings of the school must all be considered.

4.1. The Nature of the Conflicting Attributions

The available evidence confirms that Maliki and non-Maliki scholars transmitted two positions from Imam Malik. The first identifies two as the minimum number denoted by a plural. Al-Baqillani adopted this position and attributed it to Imam Malik, and several non-Maliki legal theorists subsequently repeated the attribution (al-Baqillani, 1998). It also appeared in parts of the later Maliki tradition. Al-Baji presented the view in *Al-isharah fi usul al-fiqh*, while Ibn Juzayy included it in *Taqrib al-wusul ila 'ilm al-usul* (al-Baji, n.d.; Ibn Juzayy, 1990). Alawi al-Shinqiti and Muhammad al-Amin al-Shinqiti likewise transmitted or supported this position in their discussions of legal language (Alawi al-Shinqiti, n.d.; Muhammad al-Amin al-Shinqiti, 1995, 2002). Al-Walati also considered the view defensible in his commentary on *Murtaqa al-wusul* (al-Walati, 1992).

The second position holds that the minimum number denoted by an unqualified plural is three. This attribution was transmitted by major Maliki authorities, including Qadi 'Abd al-Wahhab and al-Abyari, and was characterized by al-Baji as the well-known view of Imam Malik and the position of most Maliki scholars (al-Abyari, 2013; al-Baji, 2012; Qadi 'Abd al-Wahhab, 1999a). The same position was adopted or reinforced by Ibn al-'Arabi, Ibn al-Hajib, Ibn Rushd, al-Qarafi, and later Maliki commentators (al-Qarafi, 1994, 2004; Ibn al-'Arabi, 1999; Ibn al-Hajib, 2006; Ibn Rushd, 1994). Ibn Ashur further maintained that the attribution transmitted by Qadi 'Abd al-Wahhab possessed greater authority because of the latter's recognized command of Maliki doctrine (Ibn Ashur, 1923).

These conflicting reports demonstrate that the phrase "the position of Imam Malik" was used in more than one sense within the legal-theoretical literature. In some cases, it referred to a direct statement attributed to Imam Malik; in others, it represented a reconstruction of his position from jurisprudential applications. It could also designate the position that became dominant within the later Maliki school, even where no explicit statement from the imam had been preserved. Failure to distinguish these meanings appears to have contributed to the contradictory classifications found in the literature.

4.2. Absence of an Explicit Statement from Imam Malik

A central finding is that no explicit and reliably transmitted statement from Imam Malik has been identified in which he directly declares that the minimum number denoted by a plural is either two or three. His *Al-Muwatta* does not formulate a general rule on the issue (Malik ibn Anas, 2002). Consequently, both positions attributed to him appear to have been derived principally from his jurisprudential applications and from the interpretations of later Maliki scholars.

This distinction is methodologically significant. An explicit statement provides direct evidence of a scholar's doctrinal position, whereas an inference from a subsidiary ruling remains open to alternative explanations. A particular ruling may depend on contextual indicators, customary meaning, legal consensus, the speaker's intention, or a specific rule governing the legal subject under consideration. It is therefore inappropriate to describe an inferred position with the same degree of certainty as a directly transmitted statement.

The absence of an explicit text does not mean that no position can reasonably be attributed to Imam Malik. It means that the attribution must be expressed with appropriate epistemic caution. The evidence permits identification of the position most

consistent with the school's applied doctrine, but it does not justify presenting that position as a verbatim or categorical declaration by Imam Malik.

4.3. Evaluation of the Attribution that the Minimum Is Two

The principal evidence used to attribute the minimum of two to Imam Malik is his treatment of the mother's share of inheritance in the presence of two siblings. The Qur'anic provision refers to "brothers" in the plural, yet Maliki jurisprudence accepts that the mother's share is reduced from one-third to one-sixth when there are two or more siblings. Some scholars inferred from this ruling that Imam Malik understood a plural expression as beginning with two.

This inference, however, is not conclusive. The ruling may be explained through a contextual or transmitted legal indicator rather than through a general linguistic principle. A plural expression can apply to two in a legally established context without two becoming its primary and unqualified minimum. Classical legal theory recognizes that contextual evidence may transfer an expression from its original scope to a contextually intended meaning (al-Amidi, n.d.; al-Ghazali, 1993; al-Qarafi, 2004). Thus, Imam Malik's acceptance of two siblings in this particular inheritance ruling establishes the operative scope of that provision, but it does not necessarily establish his general definition of the plural.

The evidentiary weakness of this attribution becomes clearer when the inheritance example is compared with the larger body of Maliki subsidiary rulings. If a general doctrinal position is inferred from applied jurisprudence, it should ideally explain a consistent pattern rather than depend on a single case that admits a plausible contextual interpretation. Because the inheritance ruling is compatible with both a general minimum of two and a contextually extended use of the plural, it cannot independently settle the dispute.

This does not invalidate the position adopted by al-Baqqillani, Ibn Juzayy, al-Walati, or the Shinqiti scholars. Their position remains a recognized opinion within the broader Maliki legal-theoretical tradition (al-Baqqillani, 1998; al-Walati, 1992; Ibn Juzayy, 1990; Muhammad al-Amin al-Shinqiti, 2002). It does, however, weaken the claim that this view can be definitively attributed to Imam Malik himself solely on the basis of the inheritance ruling.

4.4. Evaluation of the Attribution that the Minimum Is Three

The attribution of three to Imam Malik is supported by a broader range of jurisprudential applications. Maliki sources indicate that when an individual acknowledges owing unspecified "dirhams" or "dinars," the minimum obligation is assessed as three. Similarly, when a person swears to abstain from an act for "days," "months," or "years," the minimum period represented by the plural is treated as three units. In discussions of oaths involving the plural expression "the covenants of God," the legal consequence is likewise connected with the number three. Maliki rulings relating to plural references to slaves and other unspecified groups also employ three as the minimum number (al-Dardir, n.d.; al-Kharshi, n.d.; al-Qarafi, 1994).

These applications have greater cumulative probative value than a single isolated ruling. They occur in different areas of law, including acknowledgments, oaths, temporal expressions, and property-related declarations. Despite their doctrinal diversity, they display a common interpretive pattern: an unqualified plural is ordinarily satisfied by three. This consistency supports the conclusion that the underlying principle of the school was that the true or conventional minimum of a plural is three.

The sacrificial period provides another example of the interaction between linguistic interpretation and applied jurisprudence. The Maliki limitation of the relevant days to three reflects an understanding in which a plural temporal expression is realized by three days. Although each individual ruling must still be interpreted within its own doctrinal context, the recurrence of the same numerical threshold across multiple legal fields strengthens the inference of a general principle.

This conclusion is consistent with Ibn Ashur's observation that the subsidiary rulings of the Maliki school testify to the minimum of three (Ibn Ashur, 1923). It is also consistent with al-Baji's description of the position as the view of most Malikis and the well-known attribution to Imam Malik (al-Baji, 2012). The support of Qadi 'Abd al-Wahhab is particularly important because his works systematically transmit and organize the legal positions of the Maliki school (Qadi 'Abd al-Wahhab, 1999a, 1999b). Al-Abyari's adoption of the same attribution further confirms that it was established within the Maliki legal-theoretical tradition (al-Abyari, 2013).

4.5. Reconciling Al-Baji's Apparently Different Positions

Al-Baji's works require particular attention because he appears to have transmitted different positions. In *Al-isharah*, he presented the view that the minimum is two, whereas in *Ihkam al-fusul* he described three as the position of most Maliki scholars and the well-known view of Imam Malik (al-Baji, n.d., 2012). This difference need not be treated as an irreconcilable contradiction.

Several possibilities may explain the variation. Al-Baji may have distinguished between his own preferred legal-theoretical position and the best-known attribution within the school. Alternatively, the two works may reflect different stages in his intellectual development or different levels of detail in their treatment of the issue. A concise doctrinal manual may record a selected opinion, whereas a more analytical work may distinguish personal preference from the dominant transmission of the school.

This case illustrates the importance of not equating an author's preferred position with the position that the author attributes to Imam Malik. Al-Baji could personally support the minimum of two while acknowledging that three was the better-known Maliki transmission. His testimony therefore strengthens, rather than weakens, the conclusion that the school contained more than one legal-theoretical tendency but that the minimum of three was the dominant attribution to Imam Malik.

4.6. Doctrinal Attribution and the Authority of School Sources

The results expose a broader methodological problem in comparative legal theory. Many non-Maliki works assigned a position to Imam Malik without identifying a direct Maliki source. Once an attribution entered an influential work, later authors frequently reproduced it. This process may explain why the opinion that the minimum is two became widely associated with Imam Malik outside the Maliki school.

Cross-school reports remain valuable because they preserve the reception history of doctrinal positions. However, they should not automatically take precedence over the authoritative sources of the school concerned. When external reports conflict

with internal doctrinal evidence, priority should generally be given to early and authoritative school sources, particularly when those sources are supported by a consistent pattern of jurisprudential applications.

This principle does not require treating Maliki literature as completely homogeneous. The sources clearly preserve both opinions. Rather, it requires distinguishing among a minority position within the school, the personal preference of an individual Maliki scholar, the dominant school position, and the opinion most plausibly attributable to Imam Malik. In the present case, the minimum of two is an established Maliki legal-theoretical opinion, but the minimum of three is more strongly supported as the well-known position attributed to Imam Malik.

4.7. Relationship to Previous Studies

The findings are consistent with previous studies that emphasize the linguistic and jurisprudential complexity of the minimum plural. Al-Namlah's comparative study showed that legal theorists developed multiple positions and that the dispute produced practical consequences in both legal theory and substantive law (Al-Namlah, 1993). Musa (2014) similarly demonstrated the relevance of the issue to jurisprudential applications, while Al-Atwi (2022) highlighted the different analytical concerns of grammarians and legal theorists.

The present study extends this scholarship by shifting the focus from the general dispute to the reliability of a particular doctrinal attribution. It shows that identifying the opinions represented in the literature is not sufficient; it is also necessary to examine how those opinions were attributed, what type of evidence supports them, and whether later summaries accurately reflect the authoritative sources of the relevant school.

The findings therefore contribute to the methodological study of Islamic legal doctrine. They show that jurisprudential applications can serve as evidence for reconstructing an imam's legal theory, but only when they are numerous, consistent, and not more plausibly explained by special contextual factors. The conclusion in favor of three rests not on a direct statement from Imam Malik but on the cumulative coherence of Maliki doctrine.

5. Results

The study produced the following principal results:

1. No explicit and reliably authenticated statement from Imam Malik has been identified in which he directly specifies whether the minimum number denoted by an unqualified plural is two or three. The positions attributed to him were primarily reconstructed from jurisprudential applications and later Maliki legal-theoretical writings.
2. Both positions are represented within the Maliki tradition. Al-Baqillani, Ibn Juzayy, al-Walati, Alawi al-Shinqiti, Muhammad al-Amin al-Shinqiti, and some readings of al-Baji support or transmit the position that the minimum is two (al-Baji, n.d.; al-Baqillani, 1998; al-Walati, 1992; Ibn Juzayy, 1990; Muhammad al-Amin al-Shinqiti, 1995, 2002).
3. The position that the minimum plural is three was transmitted by authoritative Maliki scholars, including Qadi 'Abd al-Wahhab and al-Abyari, and was described by al-Baji as the position of most Malikis and the well-known opinion of Imam Malik (al-Abyari, 2013; al-Baji, 2012; Qadi 'Abd al-Wahhab, 1999a).
4. The main jurisprudential basis for attributing the minimum of two to Imam Malik is the inheritance ruling concerning the reduction of the mother's share in the presence of two siblings. This evidence is not conclusive because the ruling may depend on a specific contextual or transmitted legal indicator rather than on a universal linguistic definition.
5. The attribution of three is supported by a broader and more consistent range of Maliki rulings involving acknowledgments of debts, oaths, temporal expressions, plural references to property or persons, and other legal declarations (al-Dardir, n.d.; al-Kharshi, n.d.; al-Qarafi, 1994).
6. The cumulative evidence of these subsidiary rulings indicates that Maliki jurisprudence generally treats three as the minimum value of an unqualified plural while permitting a plural to apply to two where a valid contextual or legal indicator requires that interpretation.
7. The most probable position attributable to Imam Malik is therefore that the conventional minimum number denoted by an unqualified plural is three. This conclusion should be understood as a source-based reconstruction rather than as a directly documented statement by Imam Malik.
8. The study confirms that a distinction must be maintained between Imam Malik's reconstructed position, minority opinions within the Maliki school, and the dominant or well-known doctrine of the school. Treating these categories as interchangeable contributes to inaccurate doctrinal attribution.
9. Cross-school transmission played an important role in spreading the attribution of the minimum of two to Imam Malik. However, where such reports conflict with authoritative Maliki sources and the applied rulings of the school, they should be treated with caution.
10. The findings demonstrate the necessity of integrating legal-theoretical texts with substantive jurisprudential applications when reconstructing the doctrines of early imams who did not independently codify their principles of legal theory.
11. The disagreement over the minimum plural is not merely grammatical. It affects legal reasoning and the interpretation of scriptural, testamentary, contractual, and oath-related expressions, confirming its continuing importance for the study of Islamic legal hermeneutics.
12. More broadly, the study establishes that doctrinal claims should not be stated in definitive terms when their evidence is inferential. Accurate scholarship requires identifying the nature and strength of the evidence supporting each attribution.

6. Conclusion

This study critically examined the conflicting attribution to Imam Malik of two positions concerning the minimum number denoted by an unqualified plural: that it begins with two and that it begins with three. Although the controversy appears linguistic in form, it has substantive implications for Islamic legal interpretation because the meaning assigned to plural expressions may

affect rulings concerning inheritance, acknowledgments, oaths, vows, wills, temporal expressions, sacrificial practices, and other legally consequential declarations.

The investigation establishes that no explicit and reliably authenticated statement from Imam Malik has been identified in which he directly defines the minimum number denoted by a plural. The competing positions attributed to him were instead reconstructed from his jurisprudential applications and subsequently transmitted by Maliki and non-Maliki legal theorists. This finding explains, at least in part, why the literature contains contradictory accounts of his position: different scholars relied on different subsidiary rulings, interpretive assumptions, or earlier reports.

The view that the minimum plural is two is a recognized position within the Maliki legal-theoretical tradition. It was attributed to Imam Malik by al-Baḳillānī and was subsequently accepted or transmitted by Ibn Juzayy, Ibn Rashīq, al-Walātī, Alawī al-Shīnqītī, Muḥammad al-Amin al-Shīnqītī, and other scholars (al-Baḳillānī, 1998; al-Walātī, 1992; Ibn Juzayy, 1990; Ibn Rashīq, 2001; Muḥammad al-Amin al-Shīnqītī, 1995, 2002). Its principal jurisprudential basis is Imam Malik's treatment of two siblings as sufficient to reduce the mother's share of inheritance from one-third to one-sixth, although the relevant Qur'anic expression appears in the plural form.

This inference, however, is not decisive. The inheritance ruling may be explained by a specific contextual or transmitted legal indicator, including the established understanding of the relevant provision among earlier authorities. Consequently, the application of the plural to two in that particular case does not necessarily establish that Imam Malik regarded two as the conventional minimum of every unqualified plural. In legal theory, an expression may extend beyond its primary meaning when contextual evidence supports that interpretation. The inheritance ruling therefore remains compatible with the position that the ordinary plural begins with three but may include two in a specific legal context.

By comparison, the attribution that the minimum plural is three is supported by a broader and more consistent body of Maliki jurisprudential applications. Maliki rulings concerning unspecified dirhams and dinars, oaths involving days, months, or years, references to divine covenants, plural references to slaves, and certain temporal legal periods repeatedly employ three as the minimum value of an unqualified plural (al-Dardīr, n.d.; al-Kharshī, n.d.; al-Qarāfī, 1994). These rulings arise in different chapters of substantive law but reflect a common interpretive principle. Their cumulative consistency gives them greater evidentiary weight than the single inheritance application used to support the minimum of two.

The attribution of three is also transmitted by authorities with substantial knowledge of Maliki doctrine. Qaḍī 'Abd al-Waḥḥab and al-Abyārī attributed this position to Imam Malik, while al-Bajī described it as the view of most Malikis and the well-known opinion of the imam (al-Abyārī, 2013; al-Bajī, 2012; Qaḍī 'Abd al-Waḥḥab, 1999a). Ibn Ashūr likewise regarded Qaḍī 'Abd al-Waḥḥab's transmission as the most reliable and observed that the applied rulings of the school support it (Ibn Ashūr, 1923). The position was further adopted or reinforced by Ibn al-'Arabī, Ibn al-Hajīb, Ibn Rushd, and other influential representatives of Maliki legal theory (Ibn al-'Arabī, 1999; Ibn al-Hajīb, 2006; Ibn Rushd, 1994).

Accordingly, the most probable conclusion is that the minimum number denoted by an unqualified plural, according to the position most reliably attributable to Imam Malik, is three. This conclusion should nevertheless be formulated as a source-based reconstruction rather than as a direct statement from the imam. The available evidence supports the minimum of three as the well-known and doctrinally predominant attribution, but it does not eliminate the historical existence of the competing Maliki position that the minimum is two.

The study also demonstrates the need to distinguish among four categories that are sometimes conflated in legal-theoretical writing: an explicit statement by Imam Malik, a position inferred from his jurisprudential applications, an opinion adopted by individual Maliki scholars, and the dominant or well-known doctrine of the Maliki school. Treating these categories as equivalent can produce inaccurate or excessively definitive doctrinal claims.

More broadly, the findings confirm that Imam Malik's jurisprudence was necessarily grounded in principles of legal interpretation even though he did not independently compile those principles in a systematic work comparable to al-Shāfi'ī's *Al-Risalah*. Reconstructing his legal theory therefore requires the careful integration of transmitted jurisprudential rulings, early Maliki authorities, later legal-theoretical formulations, and the contextual circumstances surrounding each application.

The study ultimately highlights a general principle of Islamic legal historiography: a doctrinal position should not be definitively attributed to a founding imam merely because it appears in later comparative works. Reliable attribution requires disciplined source criticism, consultation of the authoritative literature of the relevant school, and a distinction between direct transmission and interpretive inference. Where the evidence remains indirect, scholarly language must accurately reflect the degree of certainty that the sources permit.

7. Recommendations

Based on the findings of this study, the following recommendations are proposed:

1. Future research should systematically collect the legal-theoretical positions attributed to Imam Malik by non-Maliki scholars, particularly those relating to linguistic indications, and verify them against early and authoritative Maliki sources.
2. Researchers should distinguish clearly between a position explicitly stated by Imam Malik and one reconstructed from his subsidiary jurisprudential rulings. Inferred positions should not be presented as direct or definitive statements.
3. Cross-school reports should be traced to their earliest identifiable sources. Later repetitions of an attribution should not be treated as independent evidence when they ultimately derive from the same earlier authority.
4. Greater evidentiary weight should be given to scholars recognized for their detailed knowledge and systematic transmission of Maliki doctrine, including Qaḍī 'Abd al-Waḥḥab, al-Bajī, Ibn Rushd, Ibn al-'Arabī, al-Qarāfī, and other authoritative representatives of the school.
5. Legal-theoretical research should integrate works of *usul al-fiqh* with substantive jurisprudential sources. The applied rulings of a school may reveal principles that are not explicitly codified in its theoretical literature.

6. Scholars should distinguish between the primary linguistic meaning of a plural and its contextual application to two. Evidence establishing a contextually permissible use should not automatically be treated as proof of the form's conventional minimum.
7. The legal implications of the minimum plural should be studied comparatively across different areas of Islamic law, including inheritance, oaths, acknowledgments, wills, endowments, contracts, and temporal legal expressions.
8. Further comparative studies should examine how the Hanafi, Maliki, Shafi'i, Hanbali, Zahiri, and theological traditions transmitted one another's positions and identify where cross-school attribution may have simplified or distorted internal doctrinal diversity.
9. Critical editions and digital databases of classical legal-theoretical works should include searchable thematic indexes for disputed linguistic principles. Such resources would facilitate the identification and comparison of doctrinal attributions across texts and historical periods.
10. Researchers should use appropriately qualified expressions such as "attributed to," "inferred from," "reported as the well-known position," or "supported by the school's applications" whenever no explicit statement from the relevant imam has been established.
11. Future studies should investigate the chronological development of al-Baji's treatment of the issue, particularly the apparent difference between *Al-isharah* and *Ihkam al-fusul*, to determine whether it reflects a change of opinion, a distinction between personal preference and school doctrine, or differences in the purposes of the two works.
12. Similar source-critical studies should be conducted on other linguistic questions attributed to Imam Malik, including general and particular expressions, commands and prohibitions, literal and figurative usage, unrestricted and restricted terms, and the implications of contextual evidence.

These recommendations may contribute to a more precise reconstruction of early Maliki legal theory and promote greater methodological rigor in attributing doctrinal positions to the founding imams of Islamic jurisprudence.

Declarations

Author Contributions

Mohamed Salah Bellabaci is the sole author of this article and was responsible for the conceptualization, research design, source collection, textual investigation, doctrinal analysis, comparative evaluation, interpretation of the findings, and preparation and critical revision of the manuscript. The author has read and approved the final version of the manuscript and accepts full responsibility for its content.

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Conflict of Interest

The author declares that there are no financial, professional, institutional, or personal conflicts of interest that could have influenced the research, analysis, interpretation, or presentation of the findings reported in this article.

Ethical Approval

This study is based exclusively on published historical, linguistic, jurisprudential, and legal-theoretical texts. It did not involve human participants, animals, personal data, interviews, surveys, experiments, or clinical procedures. Accordingly, approval from an institutional ethics committee was not required.

Data Availability

No empirical dataset was generated or analyzed in this study. The materials supporting its findings consist of the published primary and secondary sources cited in the reference list. Further information concerning the textual sources and analytical procedure may be obtained from the corresponding author upon reasonable request.

Materials and Code Availability

No research materials, software, algorithms, or computer code were developed or used in conducting this study.

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Use of Generative Artificial Intelligence

Generative artificial intelligence tools were used solely to assist with English-language editing, stylistic refinement, and the organization of the manuscript. They were not used to generate primary evidence, determine the doctrinal findings, or replace the author's scholarly analysis. The author reviewed and verified the final manuscript and assumes full responsibility for its accuracy, interpretations, citations, and conclusions.

Informed Consent

Not applicable.

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Declaration of Generative AI and AI-Assisted Technologies

The authors declare that no generative artificial intelligence (AI) or AI-assisted technologies were used in the design of the study, data collection, analyses, or interpretation of the scientific content of this manuscript. Any language-editing support was reviewed and verified by the authors, who take full responsibility for the content of the published article.

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Genişletilmiş Özet

Giriş

Cem’in ifade ettiği en az sayı meselesi, Arap dilbilimi ile fıkıh usulünün kesiştiği ve şer’î nasların yorumlanmasını doğrudan etkileyen temel konulardan biridir. Tartışmanın merkezinde, herhangi bir bağlamla sınırlandırılmamış çoğul bir lafzın iki unsuru kapsamasının yeterli olup olmadığı veya çoğul anlamının gerçekleşmesi için en az üç unsurun bulunmasının gereklik gerekeceği yer almaktadır. Bu mesele, yalnızca dilbilgisel bir sınıflandırmadan ibaret değildir. Kur’an ve Sünnet’teki çoğul ifadelerin yanı sıra yemin, adak, vasiyet, ikrar, miras ve sözleşmelerde kullanılan lafızların hukuki kapsamını belirleyebilmektedir. Klasik usûl âlimleri bu konuda iki temel görüş benimsemiştir. Birinci görüşe göre cem’in ifade ettiği en az sayı ikidir; ikinci ve daha yaygın görüşe göre ise Arapçada müstakil bir tesniye kalıbının bulunması nedeniyle çoğulun gerçek ve mutlak anlamı üçle başlamaktadır. Bununla birlikte, bir çoğul lafzın belirli bir bağlamda iki unsura uygulanabilmesi ile onun vaz’î ve genel anlamının ikiden başlaması birbirinden ayrılmalıdır. İmam Mâlik’e nispet edilen görüşler de bu ayrımın yeterince gözetilmemesi nedeniyle çelişkili biçimde aktarılmıştır. Bazı Mâlikî olmayan usûlcüler ona cem’in en azının iki olduğu görüşünü nispet ederken, önemli Mâlikî otoriteler en az sayının üç olduğunu bildirmiştir. Bu çalışma, söz konusu çelişkili nispetlerin dayandığı delilleri eleştirel biçimde incelemeyi amaçlamaktadır. Araştırmada, İmam Mâlik’ten konuya ilişkin açık ve güvenilir bir ifadenin nakledilip nakledilmediği, sonraki âlimlerin nispetlerinin hangi fikhî uygulamalara dayandığı ve iki görüşten hangisinin Mâlikî mezhebinin güvenilir kaynaklarıyla daha fazla uyum gösterdiği araştırılmıştır. Böylece çalışma, yalnızca görüşleri sıralamak yerine İmam Mâlik’e en güçlü biçimde nispet edilebilecek yaklaşımı kaynak tenkidi temelinde belirlemektedir.

Yöntem

Araştırmada nitel, doktrinal ve tarihsel-metin merkezli bir araştırma deseni benimsenmiştir. Çalışmanın amacı, cem’in en az sayısının dilbilimsel bakımdan kesin olarak iki mi yoksa üç mü olduğunu bağımsız şekilde belirlemekten ziyade, mevcut kaynaklara dayanarak hangi görüşün İmam Mâlik’e daha güvenilir biçimde nispet edilebileceğini ortaya koymaktır. Bu doğrultuda tümevarımsal kaynak taraması, metinsel çözümleme, karşılaştırmalı doktrin analizi ve nispet tenkidi birlikte kullanılmıştır. Kaynak külliyatı dört grupta incelenmiştir. İlk grupta *el-Muvatta* ile erken dönem Mâlikî fikhîni aktaran temel eserler; ikinci grupta Bâcî, İbnü’l-Arabî, İbnü’l-Hâcib, Karâfî ve İbn Cüzey gibi âlimlerin fikhî usulü eserleri yer almıştır. Üçüncü grupta Gazzâlî, Amidî, Tûfî, Zerkeşî ve İbnü’s-Sübkî gibi Mâlikî olmayan usûlcülerin İmam Mâlik’e yönelik nispetleri değerlendirilmiştir. Dördüncü grupta ise yeminler, ikrarlar, miras, zaman ifadeleri ve mala veya şahıslara ilişkin çoğul lafızların geçtiği fûrû-i fikhî uygulamaları incelenmiştir. Analiz beş aşamada gerçekleştirilmiştir: ihtilaf konusunun kesin olarak sınırlandırılması, iki rakip nispetin haritalandırılması, delillerin türlerine göre sınıflandırılması, nispetlerin Mâlikî uygulamalarla karşılaştırılması ve delillerin toplam ağırlığına göre tercih yapılması. Her nispet; kaynağın İmam Mâlik’e tarihsel ve doktrinal yakınlığı, aktarıcının mezhep içindeki otoritesi, ifadenin açıklığı, rivayetin bağımsızlığı, uygulamalı hükümlerle tutarlılığı ve alternatif açıklamalara dayanıklılığı açısından değerlendirilmiştir. Açık bir söz, erken mezhep içi nakil, fikhî uygulamadan çıkarım, mezhep dışı nispet ve sonraki dönem tercihi birbirinden ayrılmıştır. Aynı nispeti önceki bir eserden tekrar eden kaynaklar bağımsız doğrulama sayılmamış; tek bir uygulama yerine farklı hukuk alanlarında tekrarlanan tutarlı yorum örüntülerine daha fazla kanıt değeri verilmiştir.

Bulgular

Araştırmanın en önemli bulgusu, İmam Mâlik’in cem’in ifade ettiği en az sayıyı doğrudan iki veya üç olarak belirlediği açık ve güvenilir bir ifadenin tespit edilememesidir. Bu nedenle kendisine nispet edilen her iki görüş de esas olarak fikhî uygulamalardan yapılan çıkarımlara ve sonraki Mâlikî veya Mâlikî olmayan âlimlerin değerlendirmelerine dayanmaktadır. Cem’in en az sayısının iki olduğu görüşü Mâlikî gelenek içerisinde tamamen yabancı değildir. Bâkîllânî, İbn Cüzey, Velâfî ve bazı Şînkîfî âlimleri bu görüşü benimsemiş veya İmam Mâlik’e nispet etmiştir. Bu nispetin temel fikhî dayanağı, iki kardeşin bulunması durumunda annenin miras payının üçte birden altıda bire düşürülmesidir. Ancak bu uygulama, çoğulun genel dilsel anlamının ikiyle başladığını kesin biçimde göstermemektedir. Hüküm, ilgili nas hakkında aktarılan özel bir şer’î açıklamaya veya bağlamsal delile dayanmış olabilir. Buna karşılık cem’in en az sayısının üç olduğu görüşü, daha geniş ve tutarlı bir uygulama alanıyla desteklenmektedir. Mâlikî fikhîinde miktarı belirtilmemiş “dirhemler” veya “dinarlar”a ilişkin ikrarların en az üç olarak değerlendirilmesi; “günler”, “aylar” ve “yıllar” gibi çoğul zaman ifadelerinin üç birimle sınırlandırılması; yeminlerdeki çoğul lafızlar ile şahıs veya mallara ilişkin belirsiz çoğulların üç üzerinden yorumlanması bu örüntüyü göstermektedir. Farklı fikhî bölümlerinde aynı sayısal eşğin tekrarlanması, üç görüşüne daha güçlü kümülatif kanıt sağlamaktadır. Ayrıca Kâdî Abdülvehhâb ve Ebyârî bu görüşü İmam Mâlik’e nispet etmiş; Bâcî ise onu Mâlikîlerin çoğunluğunun ve İmam Mâlik’ten nakledilen meşhur görüşün tercihi olarak tanımlamıştır. Dolayısıyla bulgular, çoğulun özel delille ikiye uygulanabileceğini; ancak herhangi bir kayıt taşımayan çoğulun mutlak ve yaygın anlamının üçle başladığını göstermektedir.

Sonuç

Çalışma, İmam Mâlik'e nispet edilen “cem'in en azı ikidir” ve “cem'in en azı üçtür” görüşlerini kaynak otoritesi, rivayet niteliği ve fikhî uygulamalarla uyumu bakımından karşılaştırmıştır. Ulaşılan sonuç, İmam Mâlik'ten bu mesele hakkında doğrudan ve kesin bir beyanın günümüze ulaşmadığıdır. Dolayısıyla tercih edilen görüş, onun açık bir sözü olarak değil, güvenilir mezhep kaynaklarına ve tekrarlanan uygulamalara dayanan eleştirel bir yeniden inşa olarak sunulmalıdır. İki görüşü, Mâlikî usûl geleneği içinde kabul görmüş bir yaklaşım olmakla birlikte, İmam Mâlik'e nispet bakımından dayandığı temel örnek sınırlıdır. İki kardeşin annenin miras payını azaltmasına ilişkin hüküm, özel şer'î veya bağlamsal bir delille açıklanabildiğinden evrensel bir dil kuralını kanıtlamaya yeterli değildir. Üç görüşü ise borç ikrarları, yeminler, zaman bildiren lafızlar ve kişi veya mallara ilişkin belirsiz çoğullar gibi farklı hukuk alanlarında tekrarlanan tutarlı hükümlerle desteklenmektedir. Ayrıca Kādî Abdülvehhâb, Ebyârî ve Bâcî gibi Mâlikî doktrinine hâkim otoritelerin aktarımları, bu görüşün mezhep içerisindeki ağırlığını artırmaktadır. Bu nedenle İmam Mâlik'e nispet edilmesi en kuvvetli görüş, herhangi bir bağlamla kayıtlanmamış çoğul lafzın ifade ettiği en az sayının üç olduğudur. Bununla beraber, geçerli bir dilsel, bağlamsal veya şer'î delilin bulunması hâlinde çoğulun iki unsuru kapsayabileceği kabul edilmelidir. Araştırmanın daha genel sonucu, kurucu imamlara doktrinal görüş nispet edilirken mezhep dışı özetlerin tek başına yeterli görülmemesi gerektiğidir. Açık nakil, fikhî uygulamadan çıkarılan görüş, bireysel mezhep içi tercih ve mezhebin meşhur görüşü birbirinden ayrılmalıdır. Bu yaklaşım, hem İslam hukuk düşüncesinin tarihsel aktarımını daha doğru değerlendirmeyi hem de dolaylı delillere dayanan sonuçların uygun ihtiyat diliyle ifade edilmesini mümkün kılmaktadır.