

# Introduction to the Hanbali Madhhab – المدخل إلى المذهب الحنبلي

## Definition of Fiqh

**Fiqh** : means absolute understanding.

**"Faqiha al-rajulu al-mas'alah"** means: he understood the issue.

It is used specifically for intellectual comprehension—not sensory perception. One does not say: "I understood the sky."

**"Faqūha"** (with a damma on the qāf): understanding becomes second nature, an ingrained trait.

The author of *al-Marāqī* says: "And others had a natural disposition, like the Arabs' innate nature."

**"Faqaha"** (with a fatha on the qāf): when someone surpasses others in understanding.

**Fiqh in Sharī'ah** : Fiqh includes rulings of belief, etiquette, and the

## تعريف الفقه

**الفقه** : هو الفهم مُطلقاً

**“فَقِهَ الرَّجُلُ الْمَسْأَلَةَ”** إذا فَهَمَهَا.

لَكِنَّهُ يَخْتَصُّ بِإِدْرَاكِ الْعَقْلِيَّاتِ لَا الْحِسِّيَّاتِ، فَلَا يُقَالُ: “فَقِهْتُ السَّمَاءَ”.

**“فَقُّهُ”** - بَضَمُ الْقَافِ - فَعِنْدَمَا يَصِيرُ الْفَهْمُ سَجِيَّةً وَمَلَكََةً وَخَلِيقَةً،

يَقُولُ صَاحِبُ الْمَرَاقِي: وَغَيْرُهُ كَانَ لَهُ سَلِيقَةٌ، كَمِثْلِ مَا لِلْعَرَبِ مِنْ خَلِيقَةٍ.

**“فَقَّهَ”** - بِالْفَتْحِ - فَإِذَا سَبَقَ غَيْرُهُ إِلَى الْفَهْمِ.

**الْفَقُّهُ شَرْعًا** يَشْمَلُ أَحْكَامَ الْإِعْتِقَادِ وَالْأَدَابِ وَأَفْعَالِ الْمُكَلَّفِينَ،

actions of legally accountable individuals.

Later scholars confined the term to what we now know as practical jurisprudence.

Some books on creed were also titled "Fiqh".

### Definition by the jurists :

"Knowledge of the practical Sharī'ah rulings derived from their detailed evidences."

Therefore, derivation is required for someone to be called a jurist (faqīh).

The term was later broadened to include someone who memorizes the issues of the madhhab and can transmit them precisely—even if they fall short of the level of derivation.

## Definition of Madhhab

**Linguistically** : A verbal noun with a mīm prefix from the verb "dhahaba."

It is said: (dhahaba, dhahabāban, dhuhūban, madhhaban) when one inclines toward something and intends it.

**Technically** : As defined by al-Kalwadhānī the Hanbali:

ثُمَّ خُصَّصَ عِنْدَ الْمُتَأَخِّرِينَ بِالْفِقْهِ الْمَعْلُومِ لَدَيْنَا الْآنَ.

سُمِّيَ بَعْضُ كُتُبِ الْاِعْتِقَادِ "بِالْفِقْهِ".

### تعريف الفقهاء :

الْعِلْمُ بِالْأَحْكَامِ الشَّرْعِيَّةِ الْعَمَلِيَّةِ مِنْ أَدِلَّتِهَا التَّفْصِيلِيَّةِ.

فَلَا بُدَّ مِنَ الْاِسْتِنْبَاطِ حَتَّى يُسَمَّى أَيُّ شَخْصٍ فَقِيهًا.

ثُمَّ وُسِّعَ الْمُصْطَلَحُ لِيَشْمَلَ مَنْ يَحْفَظُ الْمَسَائِلَ فِي الْمَذْهَبِ وَيُمْكِنُ نَقْلُهَا لِلنَّاسِ بِضَبْطٍ وَإِتْقَانٍ إِنْ قَصَرَ عَنْ رُتْبَةِ الْاِسْتِنْبَاطِ.

### تعريف المذهب

**لُغَةً** : مَصْدَرٌ مِمِّيٌّ لِلْفِعْلِ "ذَهَبَ"

يُقَالُ : (ذَهَبَ، ذَهَابًا، ذُهِبًا، مَذْهَبًا) إِذَا نَحَا نَحْوَ شَيْءٍ وَقَصَدَهُ.

**اصْطِلَاحًا** : قَالَ الْكَلُودَانِيُّ الْحَنَابِلِيُّ :

“مَذْهَبُ الْإِمَامِ مَا قَالَهُ أَوْ دَلَّ عَلَيْهِ بِمَا يَجْرِي مَجْرَى الْقَوْلِ مِنْ تَنْبِيهِ أَوْ غَيْرِهِ”.

**الْمَذْهَبُ الْحَقِيقِيُّ** : مَرْوِيَّاتُ الْإِمَامِ

"The madhhab of the Imām is what he stated explicitly or indicated through something equivalent to a statement, like a hint or otherwise."

**True Madhhab** : The transmitted statements and narrations of the Imām.

**Technical Madhhab** : The derivations of the companions of the school based on the principles, fatwas, and analogical reasoning from the Imām.

## Types of Legal Issues in Fiqh by Induction

- **1. Tawhīd rulings** : These are not attributed to any school.
- **2. Definitive rulings** : These too are not attributed to any school.
- **3. The Imam's Ijtihād** : This forms the true madhhab.
- **4. Derivations upon transmitted statements** : This forms the technical madhhab.
- **5. Ijtihād of the companions based on the Imam's principles** : This constitutes fiqh al-nawāzil (application to new issues) within the madhhab.

وَأَقُولُهُ.

الْمَذْهَبُ الْاِصْطِلَاحِيُّ : تَخْرِجَاتُ الْأَصْحَابِ عَلَى أَصُولِ الْإِمَامِ وَفَتَاوِيهِ وَقِيَاسُهُمْ عَلَيْهَا.

## أنواع المسائل في الفقه بالاستقراء

١- أَحْكَامُ التَّوْحِيدِ : لَا تُنْسَبُ إِلَى مَذْهَبٍ.

٢- الْأَحْكَامُ الْقَطْعِيَّةُ : لَا تُنْسَبُ إِلَى مَذْهَبٍ.

٣- اجْتِهَادَاتُ الْإِمَامِ : الْمَذْهَبُ الْحَقِيقِيُّ.

٤- التَّخْرِيجَاتُ عَلَى الْمَرْوِيَّاتِ : الْمَذْهَبُ الْاِصْطِلَاحِيُّ.

٥- اجْتِهَادُ الْأَصْحَابِ عَلَى أَصُولِ الْإِمَامِ : فِقْهُ النَّوَازِلِ فِي الْمَذْهَبِ.

## المراحل

طَوْرُ التَّأْسِيسِ : الْإِمَامُ أَحْمَدُ (١٦٤ - ٢٤١هـ).

طَوْرُ الثَّمَوِّ وَالْإِنْتِشَارِ : مِنْ وَفَاةِ الْإِمَامِ إِلَى وَفَاةِ الْحَسَنِ بْنِ حَامِدٍ (٤٠٢هـ).

# Developmental Stages of the Madhhab

**Foundational Stage** : Imām Aḥmad (164–241 AH).

**Growth and Spread Stage** : From the death of the Imām until the death of al-Ḥasan ibn Ḥāmid (402 AH).

Aḥmad ibn Muḥammad al-Khallāl gathered the Imām's knowledge in his book "al-Jāmi' li-'Ulūm Aḥmad."

**Refinement Stage** : From the death of Ibn Ḥāmid until the death of Burhān al-Dīn Ibn Muflīḥ (884 AH).

Notable scholars of this stage include:

Qāḍī Abū Ya'la (458 AH)

Abū al-Khaṭṭāb al-Kalwadhānī (510 AH)

Abū al-Wafā' Ibn 'Aqīl (513 AH)

Ibn Qudāmāh (620 AH), author of "al-'Umdah," "al-Muqni'," "al-Kāfī," and "al-Mughnī."

## Stabilization Stage

Marked by the death of 'Alā' al-Dīn al-Mardāwī (885 AH).

Notable works from this stage:

- *al-Insāf fī Sharḥ al-Muqni'*
- *al-Tashbī' al-Muqni' fī Tahṛīr Aḥkām al-Muqni'*

جَمَعَ أَحْمَدُ بْنُ مُحَمَّدٍ الْخَلَّالُ عِلْمَ  
الإمام فِي كِتَابِهِ "الْجَامِعُ لِعُلُومِ أَحْمَدَ".

**طَوْرُ التَّحْرِيرِ** : مِنْ وَفَاةِ ابْنِ حَامِدٍ إِلَى  
وَفَاةِ بُرْهَانَ الدِّينِ ابْنِ مُفْلِحٍ (٨٨٤هـ).

القَاضِي أَبُو يَعْلَى (٤٥٨هـ)

أَبُو الْخَطَّابِ الْكَلُودَانِي (٥١٠هـ)

أَبُو الْوَفَاءِ ابْنُ عَقِيلٍ (٥١٣هـ)

ابْنُ قُدَامَةَ (٦٢٠هـ)؛ صَاحِبُ "الْعُمْدَةِ"  
و"الْمُفْنِعِ" و"الْكَافِي" و"الْمُغْنِي"

## طَوْرُ الْاسْتِقْرَارِ

سَنَةُ وَفَاةِ عَلَاءِ الدِّينِ الْمَرْدَاوِي (٨٨٥هـ)

"الْإِنْصَافُ فِي شَرْحِ الْمُفْنِعِ"

"التَّشْيِيعُ الْمُفْنِعِ فِي تَحْرِيرِ أَحْكَامِ  
الْمُفْنِعِ"

"تَصْحِيحُ الْفُرُوعِ"

## أَهَمُّ الْمُخْتَصَرَاتِ

أَخْصَرُ الْمُخْتَصَرَاتِ

دَلِيلُ الطَّالِبِ

كَافِي الْمُبْتَدِي (أَصْلُ "الْأَخْصَرِ")

زَادُ الْمُسْتَقْنِعِ فِي اخْتِصَارِ الْمُفْنِعِ

## Key Abridged Texts

- *Akhṣar al-Mukhtaṣarāt*
- *Dalīl al-Ṭālib*
- *Kāfī al-Mubtadi'* (the original of Akhṣar)
- *Zād al-Mustaḥṣin* (a summary of al-Muḥṣin)
- *Muntaḥā al-Irādāt*
- *al-Iqnā'*

## Reason for Limited Spread of the Madhhab

The Ḥanbalis did not assume official positions like others. Rather, they prioritized asceticism and worship, as mentioned by Ibn 'Aqīl.

## Foundational Texts in Hanbali Legal Theory

There are fewer than sixty books, the most important of which are:

- *al-'Uddah* by Qāḍī Abū Ya'īlā
- *al-Tamhīd* by Abū al-Khaṭṭāb (his student)
- *al-Wāḍiḥ* by Ibn 'Aqīl
- *Rawḍat al-Nāẓir* by Ibn Qudāmah

## سَبَبُ عَدَمِ انْتِشَارِ الْمَذْهَبِ

أَنَّ الْحَنَابِلَةَ لَمْ يَتَوَلَّوْا الْمَنَاصِبَ كَغَيْرِهِمْ،  
بَلْ آثَرُوا الزُّهْدَ وَالتَّعَبُّدَ، كَمَا ذَكَرَ ابْنُ  
عَقِيلٍ.

## أُصُولُ الْفِقْهِ عِنْدَ الْحَنَابِلَةِ

• أَقَلُّ مِنْ سِتِّينَ كِتَابًا

أَهْمُهَا:

- الْعُدَّةُ لِلْقَاضِي أَبِي يَعْلَى
- التَّمْهِيدُ لِأَبِي الْخَطَّابِ تَلْمِيزُهُ
- الْوَاضِحُ لِابْنِ عَقِيلٍ
- رَوْضَةُ النَّاظِرِ لِابْنِ قَدَامَةَ
- التَّحْرِيرُ لِلْمَرْدَاوِيِّ، وَوَضَعَ شَرْحًا  
عَلَيْهِ سَمَّاهُ: "التَّخْيِيرُ"
- مُخْتَصَرُ التَّحْرِيرِ لِلْإِمَامِ ابْنِ النَّجَّارِ  
الْفُتُوْحِيُّ الْمِصْرِيُّ صَاحِبِ الْمُنْتَهَى

## أُصُولُ الْمَذْهَبِ

• النَّصُّ: الْقُرْآنُ وَالسُّنَّةُ

• ثُمَّ: فَتَاوَى الصَّحَابَةِ إِذَا اتَّفَقُوا عَلَى شَيْءٍ

- *al-Taḥrīr* by al-Mardāwī, with a commentary called *al-Taḥbīr*
- *Mukhtaṣar al-Taḥrīr* by Ibn al-Najjār al-Futūḥī of Egypt, author of *al-Muntaḥā*

## Foundational Sources of the Madhhab

**1. Primary Texts:** The Qur'an and Sunnah.

**2. Companions' Consensus:** If the Companions agreed on something, it is adopted.

**3. Individual Opinions of Companions:** Chosen among them if there is no consensus.

**4. Mursal and Weak Hadith:** Considered in the absence of stronger evidence.

**5. Qiyās (Analogy):** Used when necessary.

This approach is true **fiqh al-dalīl** (evidence-based jurisprudence).

Imām Aḥmad's madhhab is among the broadest in considering *maṣāliḥ mursalah* (unrestricted public interests), as noted by al-Zarkashī in *al-Baḥr al-Muḥīṭ*.

## How to Identify the Imam's Madhhab

**Statements of the Imām:**

• ثُمَّ: التَّخْيِيرُ بَيْنَ فِتَاوَى الصَّحَابَةِ  
• ثُمَّ: الْحَدِيثُ الْمُرْسَلُ وَالضَّعِيفُ  
• ثُمَّ: الْقِيَاسُ عِنْدَ الضَّرُورَةِ  
هَذَا هُوَ فِقْهُ الدَّلِيلِ حَقًّا  
مَذْهَبُ الْإِمَامِ أَحْمَدَ مِنْ أَوْسَعِ الْمَذَاهِبِ  
نَظَرًا فِي الْمَصَالِحِ الْمُرْسَلَةِ كَمَا ذَكَرَ  
الرَّزْكَاشِيُّ فِي "الْبَحْرِ الْمُحِيطِ"

## طُرُقُ مَعْرِفَةِ الْمَذْهَبِ

(مَا يُنْسَبُ إِلَى الْإِمَامِ حَقِيقَةً)

لَفْظُ الْإِمَامِ:

- ١. مَا كَتَبَهُ بِنَفْسِهِ
- ٢. مَا كَتَبَهُ تَلْمِيزُهُ عَنْهُ
- ٣. حِكَايَةُ التَّلَامِيزِ لِرَأْيِهِ
- ٤. تَفْسِيرُ التَّلَامِيزِ لِمُصْطَلَحَاتِهِ،  
مِثْلَ: "لَا يَجُوزُ" لِلْقَطْعِ، وَمِثْلَ:  
"لَا أَرَاهُ"، "أَكْرَهُ كَذَا" لِلتَّرْجِيحِ

فِعْلُ الْإِمَامِ: يُعَدُّ مَذْهَبًا لَهُ إِذَا صَدَرَ عَلَى  
وَجْهِ التَّأْسِي وَالْمُتَابَعَةِ، وَلَيْسَ مِنَ الْأَفْعَالِ  
الْجَبَلِيَّةِ، لِأَنَّ الْأَصْلَ فِي الْمُتَقَدِّمِينَ الْوَرَعُ  
وَالْتَّقْوَى سِرًّا وَعَلَانِيَةً

إِفْرَارُ الْإِمَامِ: الْأَكْثَرُ لَا يُعَدُّهُ مَذْهَبًا إِلَّا  
بِقَرَائِنَ

تَوْقُفُ الْإِمَامِ: يُعْتَبَرُ مَذْهَبًا عِنْدَ كَثِيرٍ مِنَ  
الْحَنَابِلَةِ، بِقَوْلِهِمْ: "مَذْهَبُ الْإِمَامِ التَّوَقُّفُ  
فِي كَذَا"

- 1. What he wrote himself
- 2. What was written by his student directly from him
- 3. What students narrated about his view
- 4. Interpretation of his terminology, such as "not permissible" (definitive), or "I do not prefer" (subject to interpretation)

**Actions of the Imām:** If they are done in a way that implies example-setting and not mere habit, they are considered part of his madhhab — because the default in the early generations was piety in public and private.

**Approvals of the Imām:** Most scholars don't count this as definitive unless accompanied by clear indicators.

**Silence or Hesitation of the Imām:** Considered by many Hanbalis to be his stance. Hence, they would say: "The Imām's madhhab is to suspend judgment on such-and-such."

## Technical Derivation of the Madhhab

**First Path:** Understanding the Imam's words, either explicitly or by inference.

**Explicit wording:** e.g., "The time of 'Aṣr is when the time of Ṣuḥr ends" — indicating continuity without a gap.

## طُرُقُ مَعْرِفَةِ الْمَذْهَبِ الِإِصْطِلَاحِيّ

**الطَّرِيقُ الْأَوَّلُ:** مَفْهُومُ كَلَامِ الْإِمَامِ، وَهُوَ نَوْعَانِ:

• **الْمَنْطُوقُ:** "وَقْتُ الْعَصْرِ إِذَا خَرَجَ وَقْتُ الظُّهْرِ" — لَا فَاصِلَ بَيْنَ الظُّهْرِ وَالْعَصْرِ

• **الِاسْتِنْبَاطُ:** صَلَاةُ الْعُرَاةِ — "يُصَلُّونَ جُلُوسًا، وَإِمَامُهُمْ وَسَطُهُمْ" يدل على استحباب الجلوس.

**الطَّرِيقُ الثَّانِي:** تَخْرِيجُ الْفُرُوعِ عَلَى الْفُرُوعِ، وَهُوَ نَوْعَانِ:

النوع الأول — أربعة أقسام:

- ١. قِيَاسُ الْمَذْهَبِ: إثبات حكم شرعي بمسألة لا نص فيها، قياساً على ما فيه نص.
- ٢. الْوَجْهُ: استخراج حكم جديد من منهج الإمام وقواعده.
- ٣. الْإِحْتِمَالُ: دون درجة الوجه، ولا يُفتى به عادة.
- ٤. النَّقْلُ وَالتَّخْرِيجُ: نقل حكم من مسألة إلى أخرى مشابهة إذا لم يتضح الراجح.

مثال:

• الإمام قال: "من لم يجد إلا ثوباً نجساً صلى فيه وأعاد".

• وقال: من صلى في موضع نجس لا يستطيع مغادرته لا إعادة عليه.

— الأول نص، الثاني قول مخرج.



**Inference from responses:** e.g., On prayer of the unclothed: "They pray sitting with the Imam in their center." This implies sitting is recommended; otherwise, standing might be obligatory.

**Second Path:** Derivation from other rulings.

**Type One – Four categories:**

- **1. Qiyās of the Madhhab:**  
Inferring rulings by analogy to known statements of the Imam.
- **2. Wajh (opinion):** Deriving rulings from the Imam's methodology; can be used in fatwā.
- **3. Iḥtimāl (possibility):** A weaker version of wajh — not used for fatwā unless strengthened by later scholars.
- **4. Naql and Takhriḥ (transferring rulings):**  
Applying a ruling from one case to a similar one when no preferred view is known.

**Example:** Imam Aḥmad said: "If one only has impure clothing, he prays in it and repeats."

He also said: "If someone prays in an impure place and cannot leave, he does not repeat."

— The first is a direct text; the second is a derived view.

**Type Two:** **Implication of the Madhhab**

**النوع الثاني: لازم المذهب**

• إذا نص الإمام أن القصر عزيمة، فلازم القول: لا يجوز الإتمام.

## مَرَحَلَةُ التَّأْسِيسِ

١. "أَخْصَرُ الْمُخْتَصَرَاتِ"

٢. "دَلِيلُ الطَّالِبِ لِنَيْلِ الْمَارِبِ"

٣. "زَادُ الْمُسْتَفْنِعِ" مع "شَرْحِ الرَّوْضِ الْمُرْبِعِ" و"الشَّرْحِ الْمُمْتَعِ" لابن عثيمين

• يعتمد على واحد منها كأصل، ويُقَيَّد عليه ويضيف.

**المطلوب في هذه المرحلة:**

- فهم معاني الكلمات في المسائل
- تصور فقهي عام للمسائل
- معرفة حكم المسألة التكليفي والوضعي
- معرفة الدليل في رؤوس المسائل

**ما يتعلق بالألفاظ:**

- بيان المبهم مثل "مطلقاً"، "على الإطلاق"
- ألفاظ المقادير: الصاع، الوسط، القلة، الفرسخ، البريد
- تخصيص العموم مثل: "والمنفصل من حي كميته" — ما عدا الطريدة، والمسك، وفأرته
- تقييد المطلق مثل: "وسن بعده في قضاء" — دون بيان مدى البعد "حتى لا يُرى"



If the Imam said shortening the prayer is an obligation, it implies that completing it fully is not allowed.

## Foundational Study Phase

1. *Akhṣar al-Mukhtaṣarāt*
2. *Dalīl al-Ṭālib li-Nayl al-Ma'ārib*
3. *Zād al-Mustaḥṣin* — with either *Sharḥ al-Rawḍ al-Murbi'* or *Sharḥ al-Mumti'* by Ibn 'Uthaymīn

Students should choose one book as their foundation, using it as a base for additions and annotations.

### Goals at this stage:

- • Understanding terminology in issues
- • General conceptualization of fiqh topics
- • Knowing the ruling (obligatory, recommended, etc.)
- • Recognizing primary evidences

### With regard to language:

- • Clarifying vague expressions like "absolutely" or "unrestrictedly"
- • Recognizing measurement terms: *ṣā', wasaq, qullah, farsakh, barīd*
- • Specifying general terms, e.g., "That which is separated from a living being is like its

- • معرفة مواضع مخالفة المتن المعتمد في المذهب
- • بعد ذلك تُضاف الزوائد من كتب أخرى

## مَرْحَلَةُ التَّوَسُّعِ

- "الْمُنْتَهَى" و"الْإِفْتِنَاءُ" و"الْغَايَةُ" مع الشروح والحواشي، وهي كثيرة
- ثم يُدرس الخلاف العالي والنازل في رؤوس المسائل
- "الْكَافِي"
- شروح المتوسّطين والمتأخّرين

وكلما قويت في مذهبك خاصة، قويت في الفقه عامة، وكنت أكثر اطرادًا ومدرّكًا للنوازل.

## الْخِتَامُ

فنحمده تعالى في الختام وعلى الدوام، ونصلّي ونسلم على سيّد الأنام، نبينا محمد العربي من عدنان، وآله الطاهرين المطهّرين من الأدّران، وصحبه الأماجد الكرام، فاللهمّ آمين.

dead” — with exceptions like hunted game, musk, and its feces

- Restricting general expressions, e.g., “It is preferred to delay its makeup prayer” — until it is out of sight
- Knowing where the base text differs from the relied-upon school position
- After this, add additional points from other books

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## Advanced Study Phase

- *al-Muntaḥā*, *al-Iqnāʿ*, and *al-Ghāyah* with commentaries and marginal notes

Then comparative study of higher and lower differences in core issues

- *al-Kāfī*
- Commentaries by intermediate and later scholars

The stronger your grasp of your school’s methodology, the stronger you are in fiqh generally — more consistent and capable in addressing emerging issues.

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## Conclusion

We praise Allah at the end and at all times, and send peace and blessings upon the master of all

creation, our Prophet Muḥammad  
— the noble Arab from the lineage  
of ‘Adnān — and upon his pure  
family, cleansed of all impurity, and  
his noble companions. Āmīn.

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