

of Imam Abū Ḥanīfah

عن الأسود بن يزيد عن عمرو بن الخطاب أنه توضأ فغسل يديه ثم شئ

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THE NARRATION OF
IMAM MUHAMMAD IBN AL-HASAN
ASH-SHAYBANI

© Copyright: 1427/2006, Turath Publishing

Published by: Turath Publishing
79 Mitcham Road
Tooting
London SW19 9PD
+ 44-20-8767-3666
www.turathpublishing.com

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Biographies of narrators, sources of the traditions, editing of
commentary: Dr Muhammad Akram (Oxford Centre for Islamic
studies)
Glossaries and Indexes: Muhammad Ansa

British Library Cataloguing in Publication Data
Abu Hanifah
Kitab al-Athar
I. Title

ISBN 0-9547380-0-4
eISBN 978-1-906949-99-0

Page and cover design: Abdallateef Whiteman/CWDM
www.cwdm.co.uk

Printed by: Megaprinters, Istanbul, Turkey.
ahmet@mega.com.tr

Distributors:
for UK and Europe:
Azhar Academy
Cooks Road

London E15 2PW
+ 44-20-8534 9191
sales@azharacademy.com
www.azharacademy.com

Distributors for South Africa:

Darul – Ihsan research and education centre
www.direct.za.org
info@direct.za.org
+ 27-835 939599

Distributors for America and Canada:

Whitethread Press
<http://whitethreadpress.com>
ar@whitethreadpress.com
+ 1-(805) 968 4666

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Preface

WE HAVE ADDED various things to the *Kitāb al-Āthār* in order to make it easier for the reader, beginning with a very substantial introduction by the late Muftī Mahdī Ḥasan(may Allah have Mercy on him) of Deoband in which there is a considerable amount of biographical material both on Imām Abū Ḥanīfah and his pupil Imām Muḥammad, may Allah have mercy on them. He also discusses in some detail the provenance of the book showing clearly that it is the authorship of Imām Abū Ḥanīfah as transmitted by his pupil Imām Muḥammad along with amendments, explanatory material and other traditions of the latter.

Some of what was originally from this same introduction we have put as appendices at the end of the book because they contain lengthy discussions of a technical nature of the narrations in which Imām Abū Ḥanīfah or Imām Muḥammad differed from ‘Abdullāh ibn Mas‘ūd or Ibrāhīm an-Nakha‘ī, and an equally exhaustive study on the narrations of Imām Muḥammad from narrators other than Imām Abū Ḥanīfah.

The only way in which we have modified the *Kitāb al-Āthār* itself is with chapter headings, such as Purification, Prayer, Fasting etc., since the book itself did not have these.

The extremely practical and useful commentary is that of Ḥāfiẓ Riyāḍ Aḥmad al-Multānī, apart from a few obserations by the translator or the commentary’s editor, Mufti ‘Abd ar-Raḥmān Mangera, and by Dr. Muḥammad Akram, which are clearly marked thus. It is hard to overestimate the importance this fine commentary has had in this translation.

Another element in the footnotes is the work on sourcing the hadith from the classic works of hadith, which has been done by Dr. Muḥammad Akram. A great many of the traditions are also to be

found in another major narration of the *Kitāb al-Āthār*, that of Imām Abū Yūsuf, or in the *Muṣannaf* of Ibn Abī Shaybah, and other major works of hadith. It should be understood by the reader that since the large majority of traditions are from the Companions or from the Followers or Followers of the Followers, then their sources are in these sometimes less famous collections, since the more famous collectors confined themselves to collecting the prophetic hadith.

Dr. Muḥammad Akram has also checked the names of the narrators for spellings. The material on the narrators was also compiled by him.

Muḥammad Ansa prepared the indexes and the glossary of terms.

All the translations of *āyāt* of Qur’ān are from *The Noble Qur’ān, a new rendering of its meanings in English* by Abdalhaqq and Aisha Bewley.

Finally, the translator is greatly indebted to the editors, Dr. Muḥammad Akram, Yūsuf Arvaisi and Mufti ‘Abd ar-Raḥmān Mangera. Without their work the translation is unlikely to have achieved the clarity it has, and yet the mistakes in the translation are all his responsibility.

Introduction

Praise belongs to Allah and He is sufficient, and peace be upon His slaves whom He has chosen. Here are a number of sections that I have written as an introduction to the commentary on the Kitāb al-Āthār, and by Him we seek aid.

THE KITĀB AL-ĀTHĀR was the first book composed in Islam after the generation of the Companions ﷺ. Al-Imām al-A‘zam Abū Ḥanīfah Nu‘mān ibn Thābit the Kūfan, the Follower (*tābi‘*), wrote it, and Imām Muḥammad ibn al-Ḥasan narrated it from the Imām. But first a preliminary note on the earliest generations and their narration of hadith.

COMPANIONS AND THOSE WHO NARRATED A GREAT DEAL OF HADITH




Even if it does not connect to the *Kitāb al-Āthār*, yet it has a connection to the principle determining Abū Ḥanīfah’s acceptance or rejection of hadith. Al-Fāḍil an-Nu‘mānī said after some explanation, “There are two categories of Companions, those who narrated a great deal and those who narrated little,” and after narrating the passage from *al-Wābil aṣ-ṣayyib fi’l-kalim at-ṭayyib*, “One of the criticisms levelled by people knowledgeable in *fiqh* among the Companions at some of these enthusiasts for a great deal of narration of hadith who enumerate the hadith, is from the point of view of a lack of accordance with the pillars of the Sharī‘ah according to their principles. Then Ibn Mājah narrated in his *Sunan* from Abū Salamah ibn ‘Abd ar-Raḥmān from Abū Hurayrah that the Prophet ﷺ said, ‘Do *wuḍū’* because of that [meat or food] which fire has altered.’ Ibn ‘Abbās said, ‘Should we do *wuḍū’* because of [food

cooked by] hot water?’ He said to him, ‘Nephew, when you hear a hadith from the Messenger of Allah ﷺ do not make cases similar to it.’”

Aḥmad narrated in his *Musnad* from Abū Ḥassān al-A‘raj that “Two men went to see ‘Ā’ishah and they said, ‘Abū Hurayrah narrates that the Prophet ﷺ used to say that, “Evil omens are only with respect to a woman, a riding beast and a house.” So [she became extremely angry] and a half of her flew to heaven and a half in the earth¹, and she said, ‘By the One Who sent down the Qur’ān upon Abu’l-Qāsim, it was not thus he used to speak, but rather the Prophet of Allah ﷺ used to say, “The people of ignorance used to say, ‘Evil omens are only with respect to a woman, a riding beast and a house.’” Then ‘Ā’ishah recited, ‘Nothing occurs, either in the earth or in yourselves, without its being in a Book before We make it happen...’ to the end of the *āyah*. (Sūrat al-Ḥadīd: 21).” Abū Hurayrah’s ﷺ excuse is that he heard the end of the hadith but not its beginning and he conveyed it as he heard it. Aṭ-Ṭayālīsī narrated in his *Musnad* from Makhūl, “Someone said to ‘Ā’ishah that, ‘Abū Hurayrah says, “The Messenger of Allah said, ‘Misfortune is in three: a home, a woman and a horse.’”’ ‘Ā’ishah said, ‘Abū Hurayrah did not memorise it because he came in while the Messenger of Allah ﷺ was saying, “May Allah fight the Jews! They say that, ‘Misfortune is in three: a home, a woman and a horse.’” So he heard the end of the hadith but not the beginning.’”

Aṭ-Ṭayālīsī also narrated that ‘Alqamah said, “We were with ‘Ā’ishah when Abū Hurayrah came in, so she said, ‘Abū Hurayrah, are you the one who narrates that a woman was punished for a cat of hers which she tied up but did not feed or give anything to drink?’ He said, ‘I heard it from him,’ meaning the Prophet ﷺ. She said, ‘Do you know who the woman was?’ He said, ‘No.’ She said, ‘Along with what she did, the woman was a *kāfir*. The *mu’min* is more honoured by Allah than that he should be punished for a cat, so when you narrate from the Messenger of Allah ﷺ consider carefully how you narrate.’” Most of ‘Ā’ishah’s corrections of Abū Hurayrah are narrated by as-Suyūṭī in *‘Ayn al-iṣābah fī*

mā'stadrakathu as-Sayyidah ʿĀ'ishah ʿalā aṣ-ṣaḥābah but in what we have narrated there is sufficient.

My goal in narrating this is that which al-Fāḍil an-Nuʿmānī said in his commentary on it, “It is likely that this is the cause for the Imām al-Aʿẓam’s hesitation over accepting traditions of the likes of Abū Hurayrah  if they were unique to him, for Imām Abū Jaʿfar ash-Shizāmārī (by ascription to one of the towns of Balkh) narrated with its connected chain of transmission that Abū Muṭīʿ al-Balkhī said, ‘I said to Imām Abū Ḥanīfah , “What is your view: if you held an opinion and Abū Bakr held an opinion, would you give up your opinion for his?” He said, “Yes.” So I said, “What is your view: if you held an opinion and ʿUmar held an opinion, would you give up your opinion for his?” He said, “Yes, and similarly I would give up my opinion for one held by ʿUthmān, ʿAlī and the rest of the Companions except for Abū Hurayrah, Anas ibn Mālīk and Samurah ibn Jundub.”” Ash-Shirāzī said in *al-Mizān*, “One of them said, ‘Perhaps that was because of a defect in their understanding (*maʿrifah*) and their lack of cognisance of the faculties [needed] for *ijtihād*, which does not impair their unimpeachable standing. And ash-Shāfiʿī often bases himself upon the younger Companions  because of their knowledge of how the sharīʿah finally settled rather than what was abrogated, as the king of the people of knowledge, Imām ʿAlāʾ ad-Dīn al-Kāshānī, says about him in *al-Badāʾiʿ*.”

From this, the opposition of those who would compel the Ḥanafīs to abandon the hadith of the milking animal which has not been milked for some days for the milk to collect, the hadith of the two hollows (*qaltayn*), the hadith concerning the option [to withdraw from a sale] of the buyer and the seller, and other traditions is seen to be mistaken, simply because they do not accord with and do not match the principles (*uṣūl*) and the rules (*qawāʿid*) and that upon which the Ummah concur. So understand this. And Allah knows best.

IMAM ABŪ ḤANĪFAH

In the *Jāmi‘ al-masānīd* it is written that, “As for the second category of his virtues and notable qualities in which those who came after had no share ﷺ, there is that he was the first who recorded the science of the Sharī‘ah and who organised it in chapters. No one preceded Abū Ḥanīfah, since the Companions ﷺ and those who followed them in good conduct did not record any organised chapters or structured books, rather they simply depended on the strength of their memories. So when Abū Ḥanīfah saw knowledge spreading widely he feared that less worthy successors would make it go to waste because of that which he ﷺ said:

“Allah, exalted is He, does not withdraw knowledge by snatching it away, he only withdraws knowledge by the death of the people of knowledge, so that ignorant leaders remain who pass judgments, go astray and lead others astray.”

For this reason Abū Ḥanīfah recorded it and arranged it in chapters, in an organised and structured book, beginning with purification, prayer, fasting and the rest of the acts of worship, and then with the ordinary transactions. He concluded the book with the laws of inheritance. He only began with purification and prayer since they are the most important acts of worship and he concluded with the laws of inheritance since they are the last of people’s acts.

The copy of *Kitāb al-Āthār* that I have mentions the laws of inheritance in the middle of the book and concludes with the chapter on amirate. After narrating the hadith with which it concludes there is the tradition of Ibrāhīm on the trial to which speech is prone. Perhaps that is based on the differences between the different written copies.

After he had written *Kitāb al-Āthār*, his companions Imām Abū Yūsuf, Imām Zufar, Imām Muḥammad, Imām al-Ḥasan ibn Ziyād, Imām Ḥammād ibn Abī Ḥanīfah (the *faqīh*’s son), Ḥafṣ ibn Ghiyāth and others of his pupils narrated it from him.

As for Imām Abū Yūsuf, Ḥāfiẓ ‘Abd al-Qādir al-Qurashī mentions in *al-Jawāhir al-muḍī‘ah*, in his biographical notice on his son Yūsuf ibn Ya‘qūb, “He narrated the *Kitāb al-Āthār* from his father from Abū Ḥanīfah in a very large volume.”

As for the *Āthār* of Zufar, al-Qurashī also mentions it in his biographical notice on Aḥmad ibn Abī Bakr al-Juhanī. He said, “As-Sam‘ānī said this Aḥmad is a trustworthy narrator who narrated *Kitāb al-Āthār* from Abū Wuhayb from Zufar ibn al-Hudhayl from Abū Ḥanīfah.”

As for the narration of al-Ḥasan ibn Ziyād al-Lu’lu’ī, al-Ḥāfiẓ ibn Ḥajar mentioned it in *Lisān al-mīzān* in the biographical notice on Muḥammad ibn Ibrāhīm ibn Khubaysh al-Baghawī because he narrated *Kitāb al-Āthār* from Muḥammad ibn Najīḥ al-Balkhī from al-Ḥasan ibn Ziyād al-Lu’lu’ī from Muḥammad ibn al-Ḥasan from Abū Ḥanīfah.

In the above, Khubaysh is mistakenly written when it should be Ḥubaysh, and the name Shujā‘ ath-Thaljī has been altered to Najīḥ al-Balkhī, and also there is the extra name of Muḥammad ibn al-Ḥasan, which is wrong. He probably added him in thinking that *Kitāb al-Āthār* is the work of Muḥammad ibn al-Ḥasan alone because of his fame for it, for al-Ḥasan ibn Ziyād the companion of Abū Ḥanīfah was an earlier pupil of his than Muḥammad ibn al-Ḥasan, and he never narrated from Muḥammad. He had a skill in arithmetic that none of the others of the [Imām’s] companions had and Imām Muḥammad benefited from his books and mentions his statements in his books, as people state openly in their books. So Ibn Ziyād narrated *Kitāb al-Āthār* from Abū Ḥanīfah without any intermediary.

The sound chain of transmission is in the introduction to the *Jāmi‘ al-masānīd*: “Abu’l-Ḥasan Muḥammad ibn Ibrāhīm ibn Jaysh al-Baghawī narrated to us saying: Abū ‘Abdullāh Muḥammad ibn Shujā‘ ath- Thaljī narrated to us saying: al-Ḥasan ibn Ziyād al-Lu’lu’ī the companion of Abū Ḥanīfah narrated to us from Abū Ḥanīfah.”

As for the narration of Ḥammād from his father, in the *Jāmi‘ al-masānīd* he said, “As for the narration of the thirteenth *Musnad* which Ḥammād ibn Abī Ḥanīfah narrated from his father,” and then he mentioned its chain of transmission to him.

As for the narration of Ḥafṣ ibn Ghiyāth an-Nakha‘ī, al-Karūrī mentioned in the biographical notice on Ḥafṣ ibn Ghiyāth in his *Manāqib*, in the narration of al-Jawzajānī that he said, “I heard him

say, ‘I heard his *Āthār* from the Imām, and I have not seen anyone of purer heart than him, nor one more knowledgeable than him about those things that corrupt and those that put things right.’”

So it is recognised and well known among the people [of the science of hadith and *fiqh*] that the book is the Imām’s. In *al-Badā’i* there is, “It is mentioned like that in the *Āthār* of Abū Ḥanīfah,” and also from him, “It is mentioned in the *Āthār* of Abū Ḥanīfah.” We ascribe it to the Imām rather than Muḥammad or to anyone else, and only [insist] on this because people in general, and even some of the elect, believe that the Imām had no compositions in *fiqh* or hadith, to the extent that most of those who deny *taqlīd* have popularised this among the ignorant generality.

Imām ash-Shāfi‘ī borrowed the books of Imām Abū Ḥanīfah from Muḥammad in order to study them. Muḥammad lent them to him. Al-Fāḍil an-Nawāb Ṣiddīq Ḥasan Khān stated so in *Ittiḥāf an-nubalā’ al-mutqinīn* in the biographical notice on Abū Ḥanīfah. Imām al-Muwaffaq al-Makkī said in the sixth rule in his *Manāqib Abī Ḥanīfah wa aṣḥābih*, “Muḥammad ibn Shujā‘ mentioned that among his compilations there were over seventy thousand hadith from the Prophet ﷺ and an equal number from the Companions. Abū Ḥanīfah chose the *Āthār* from forty thousand hadith.”

Imām Abū Yaḥyā Zakariyyā ibn Yaḥyā an-Naysābūrī mentioned in his book *Manāqib Abī Ḥanīfah* with its chain of transmission from Yaḥyā ibn Naṣr ibn Ḥājib, “I heard Abū Ḥanīfah ﷺ [say], ‘I have boxes full of hadith of which I have only published the little by which people will benefit.’” Al-Ḥasan ibn Ziyād said, “Abū Ḥanīfah used to narrate four thousand hadith, two thousand from Ḥammād ibn Abī Sulaymān and two thousand from the rest of his shaykhs.” That which al-Muwaffaq mentioned in his *Manāqib*, and what he meant by that was the hadith concerning legal rulings (*aḥkām*), because Imām Abū Ḥanīfah was one of the meticulous, prolific memorisers, but the hadith concerning legal rulings do not amount to more than two thousand, as they say. Al-Khawārizmī related with its chain of transmission that al-Ḥasan ibn Ṣāliḥ said, “Abū Ḥanīfah scrutinised the abrogating and abrogated [hadith] diligently and he

would act by a hadith if in his view it was firmly established as being from the Prophet ﷺ and his Companions. He knew the hadith of the people of Kūfa and the *fiqh* of the people of Kūfa, and he diligently followed that which the people of his city practised. He said, ‘The Book of Allah has abrogating and abrogated [*āyāt*].’ He memorised the last practice of the Messenger of Allah ﷺ from the time of his death, that had reached his city.” And he narrated with its chain of transmission that Aḥmad ibn al-Mughlis said, “I heard Yaḥyā ibn Ādam say, ‘Some hadith are abrogating and some are abrogated just as in the Qur’ān some [*āyāt*] are abrogating and some abrogated. An-Nu‘mān [Abū Ḥanīfah] collected all of the hadith of the people of his city [Kūfa] and then he investigated what was the last practice of the Messenger of Allah ﷺ upon which he died and he would make his verdict according to that, and by that he was a *faqīh*.’”

Thus, the incorrectness of the statement of those who say that Abū Ḥanīfah only knew seventeen hadith must be clear to you. Al-Fāḍil an-Nawāb Ṣiddīq Ḥasan Khān narrated this saying in his book *Abjad al-‘ulūm wa’l-ḥittah* without responding to it along with his knowledge that it was a huge mistake, which his [Abū Ḥanīfah] books and the books of his companions refute. In this *Kitāb al-Āthār* there are more than a hundred [prophetic] hadith. In [the book of] ad-Dāraqutnī alone there are more than seventeen hadith narrated by Imām Abū Ḥanīfah. In *Tadhkirat al-ḥuffāẓ*, *al-Mustadrak* of al-Ḥākim, *al-Mu‘jam aṣ-ṣaghīr* of aṭ-Ṭabarānī, the *Musnad* of Abū Dāwūd aṭ-Ṭayālīsī, the *Sunan* collections of al-Bayhaqī and aṭ-Ṭaḥāwī, the *Muwatta’* of Muḥammad and his book *al-Hujjah*, and in other books of hadith there are hadith narrated by Imām Abū Ḥanīfah ﷺ. Take a look at *‘Uqūd al-jawāhir al-munīfah*, *Jāmi‘ al-masānīd* and *Tansīq an-niẓām ‘alā musnad al-Imām*, because these are sufficient for those who narrate this mistaken statement. We will produce an enumeration of the hadith that are in the *Kitāb al-Āthār* in a separate section, inshā’Allāh exalted is He.

Imām al-Muwaffaq mentioned in his *Manāqib* with its chain of transmission from aṣ-Ṣumayrī by way of Yaḥyā ibn Ma‘īn that Yaḥyā

ibn al-‘Arīs said, “I saw Sufyān ath-Thawrī when a man with some standing in knowledge and worship came to him and said, ‘Abū ‘Abdullāh, what do you hold against Abū Ḥanīfah?’ He asked, ‘What about him?’ He said, ‘I heard him saying something in which there was fairness and a clear argument, that, “I base myself upon the Book of Allah when I find [what is needed] in it. Whatever I cannot find in it, then I base myself on the Sunnah of the Messenger of Allah ﷺ and the ṣaḥīḥ traditions from him that we can establish [are narrated] through the hands of trustworthy narrators. If I cannot find [what is needed] in the Book of Allah nor in the Sunnah of the Messenger of Allah ﷺ, then I base myself on the verdict of whomever I wish of his Companions leaving the verdict of whomever I wish. Moreover, I would not leave their verdict for anyone else’s verdict. When the matter reaches Ibrāhīm, ash-Sha‘bī, al-Ḥasan, Ibn Sirīn, Sa‘īd ibn al-Musayyab” – and he enumerated some men – “who exerted their intellects to arrive at a judgment (*ijtihād*), then I am able to exert my intellect to arrive at a judgment as they did.””

For that reason you see in the *Kitāb al-Āthār* that he chooses the verdict of Ibn Mas‘ūd from among the Companions to such an extent that someone might think that he never differs from him, but then you do see him differing from him and taking the verdict that ‘Umar or someone else reached when his exercise of judgment found that appropriate. It is similar with the verdict of Ibrāhīm an-Nakha‘ī in his narrating the *madhhab* of Ibn Mas‘ūd and of those among the Followers, so much so that you think he would never contradict him, but then you see him contradict his verdict and take that of ash-Sha‘bī, al-Ḥasan, Ibn Jubayr, Ibn Sirīn, ‘Aṭā’ ibn Abī Rabāḥ, Makḥūl or Ibn al-Musayyab and openly abandon his [Ibrāhīm an-Nakha‘ī] verdict if his exercise of judgment found that appropriate.

That becomes apparent from the statements of Muḥammad in *Kitāb al-Āthār* after his narrating from Ibn Mas‘ūd or from Ibrāhīm, “We do not adhere to the words of Ibrāhīm, but on the contrary we adhere to the words of so-and-so or so-and-so,” and I will mention that in a separate section, Allāh willing, exalted is He.

It is obvious from all of this that Imām Abū Ḥanīfah was the author of the *Kitāb al-Āthār* and his companions narrated it from him, but along with that it is ascribed to them and not to him by the people of knowledge who call it the *Kitāb al-Āthār* of Muḥammad, the *Kitāb al-Āthār* of Abū Yūsuf, the *Kitāb al-Āthār* of Zufar and the *Kitāb al-Āthār* of al-Ḥasan ibn Ziyād.

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There are also extras in the *Āthār* of Imām Muḥammad that clarify his *madhhab* and the *madhhabs* of his shaykhs and his taking a contrary verdict when he did do that, saying, for example, “And we adhere to that and it is the verdict of Abū Ḥanīfah,” and his saying, “that is the verdict of Abū Ḥanīfah, but we do not adhere to it, rather we adhere to the verdict of so-and-so,” and so he added a chapter into the book explaining his exertion to reach judgments (*ijtihād*). So the book became useful and is ascribed to him, for the same reason the *Muwaṭṭa’* is ascribed to him. And Allah knows best what His slaves intend.

I suffice myself with this and have given up a great deal of transmission [of texts] for fear of excess, and some of that will come in other sections.

A NOTE ON QIYĀS – ANALOGICAL DEDUCTION

In this respect, the statement of those who say that Abū Ḥanīfah exercised a great deal of analogical reasoning and acted according to it, and abandoned hadith, is mistaken. They mention, in the hope of forcing someone to accept their position, the saying, “The first to use analogical reasoning was Iblīs.” However, this person has not understood that Iblīs was the first who rejected to follow the decision and to act in emulation (*taqlīd*) of it, but the angels were the first of those who did act in emulation and they did not seek any proof (*dalīl*) from Allah, exalted is He, and did not set up an argument in opposition to His judgement as did Iblīs, may Allah curse him. So here the matter has become reversed, so realise that!

And Allah knows best. Abū Ḥanīfah explained the meaning of “The first to use analogical reasoning was Iblīs,” as the transmission of the expression of *al-Mizān* will afterwards follow, just as I have narrated it.

THE EMINENCE OF IMAM ABŪ ḤANĪFAH

Adh-Dhahabī also said in his treatise on trustworthy narrators about whom there was some discussion but nothing which would require their being rejected, “Ibn Ma‘īn was a stringent Ḥanafī in his *madhhab* even though he was a hadith scholar.” Ṣadr al-A‘immah al-Makkī said in *Manāqib al-Imām al-A‘ẓam*, “The scholars of hadith agree unanimously that Wāsiṭ did not produce the like of Yazīd ibn Hārūn in respect of his memorisation, his meticulous attention to detail, his doing without the world and all the varieties of virtues which he had, and that he narrated from Abū Ḥanīfah along with his high standing and advanced age, and he would ask him about issues in *fiqh* and would incline towards his verdict.” He said, “And Yazīd ibn Hārūn said in the narration of Ibrāhīm ibn ‘Abd al-‘Azīz when he was asked when a man could issue *fatwā*, ‘When he is like Abū Ḥanīfah, and it is absolutely out of the question that he will become like that.’ Then he said, ‘[He had] absolutely no need of investigating their books and their knowledge, and yet a man would become learned in *fiqh* through their books.’²” He said, in the narration of Muḥammad ibn Aḥmad ibn al-Junayd, that he had not heard of the like of Abū Ḥanīfah among the preceding early generations in respect of his art. He said, “Only intelligent men love the sayings of Abū Ḥanīfah and only the deeply understanding of them grasp and retain them.” He said, in the narration of Aḥmad ibn ‘Alī ibn Mūsā, “When Abū Ḥanīfah spoke in a gathering, people’s necks were humbled to him.” He said, in the narration of ‘Abd ar-Raḥīm ibn Ḥabīb, “Abū Ḥanīfah is the most knowledgeable of people.” He said, in the narration of Ḥafṣ ibn ‘Alī, “I never saw a black-haired person³ with more *fiqh* than Abū Ḥanīfah.”

THE RELATIONSHIP BETWEEN FIQH AND ḤADĪTH

It is transmitted from Abū Muḥammad al-Ḥārithī in his own words, saying, “Ibrāhīm ibn ‘Alī at-Tirmidhī informed us, ‘Muḥammad ibn Sa‘d informed us saying, “I heard from someone who attended Yazīd ibn Hārūn, and with him were Yaḥyā ibn Ma‘īn, ‘Alī ibn al-Madīnī, Aḥmad ibn Ḥanbal, Zuhayr ibn Ḥarb and a large body of others, when someone came seeking a judgment in *fiqh* and asked him about a case. He said, ‘Yazīd said to him, “Go to the people of knowledge.” So ‘Alī ibn al-Madīnī said to him, “Are the people of knowledge and hadith not with you?” He said, “The people of knowledge are the companions of Abū Ḥanīfah and you are pharmacists⁴.””””” Ṣadr al-A‘immah mentioned in *Manāqib al-Imām al-A‘ẓam*, “Yazīd ﷺ told the truth because the people of *fiqh* are more knowledgeable about the meanings of the hadith, as at-Tirmidhī declared openly in his *Jāmi‘* in the chapter on what has been narrated about washing the dead.”

Ḥāfiẓ Ibn al-Jawzī said in *Daf‘ shibh at-tashbīh*, “Know that there are fine and subtle points in the hadith which only ‘ulamā’ who are learned in *fiqh* recognise, sometimes from their transmission, sometimes from unveiling of their meanings.” The like of this is narrated as the saying of al-A‘mash addressed to Abū Ḥanīfah, “You are the physicians and we are the pharmacists.” Ḥāfiẓ Ibn ‘Abd al-Barr narrated in *Jāmi‘ bayān al-‘ilm* with its chain of transmission that ‘Ubaydullāh ibn ‘Umar said, “I was in a gathering of al-A‘mash’s and a man came and asked him about an issue but he did not answer him about it. Then he looked around and there was Abū Ḥanīfah. He said, ‘Nu‘mān, you speak about it,’ and he said what he said about it. He asked, ‘From where [did you get this judgment]?’ He said, ‘From a hadith which you narrated to us.”” He said, “So al-A‘mash said, ‘We are the pharmacists and you are the doctors.”” It was from this point of view that Abū Muḥammad al-Yazid said:

The word of a “*muftī*” profits not the ignorant:

“from so-and-so,” and his saying, “from so-and-so,”
if one comes to him for guidance and he rules

in line with two hadith which have two meanings.
One who conveys hadith without knowing
their interpretation is as a pharmacist when
he casts all existing cures before him, yet is
ignorant of medicine and nowhere near.

as Ibn ‘Abd al-Barr narrates in *al-Jāmi‘*.

THE HISTORY OF TAQLĪD

Imām Zufar, al-Ḥasan ibn Ziyād al-Lu’lu’i, Abū Yūsuf, Muḥammad ibn al-Ḥasan, Fudayl ibn ‘Iyāḍ, ‘Alī ibn Mahr, ‘Alī ibn Ja‘d, Ibrāhīm ibn Ṭahmān al-Imām al-Ḥāfiẓ, Yaḥyā ibn Zakariyyā ibn Abī Zā’idah, Ḥafṣ ibn Ghiyāth, al-Qāsim ibn Ma’n al-Mas‘ūdī, Imām al-Layth ibn Sa‘d and others were all Ḥanafis. Before the year 200 AH they were all ascribed to Abū Ḥanīfah and would give *fatwā* according to his verdict. From this it must become obvious to you that the foundation of emulation of the judgment of a scholar (*taqlīd*) was laid down before 200 AH but at that time it was recommended rather than invariably so. Then, if another foundational text were shown to them contrary to the statement of the one whose statement they emulated, they would abandon his statement according to the instruction of the imams who exercised *ijtihād* and they would act according to the foundational texts.

As for that which is in *Ḥujjat Allāh al-bālighah* that emulation of the judgment of scholars came about after 400 AH, he meant that it became the invariable case and obligatory because of the shortcomings of intellects and understandings and the paucity of knowledge in the great majority of people; but if that is not the case then this statement (of *Ḥujjat Allāh al-bālighah*) is not sound. How could that be when there is the *Asadiyyah*, the foundation of the *Mudawwanah al-kubrā* which Asad ibn al-Furāt the *qāḍī* of al-Qayrawān – who travelled to ‘Irāq on the advice of Imām Mālik and learnt *fiqh* from Abū Yūsuf – compiled from Muḥammad and others of the companions of Abū Ḥanīfah and then returned to al-Qayrawān and spread the *madhhabs* of Abū Ḥanīfah and Mālik in al-


Qayrawān, later confining himself to the *madhhab* of Abū Ḥanīfah which spread widely in north and west Africa, all of this well before the fourth century? Ḥāfiẓ Maʿn ibn Manṣūr ar-Rāzī, Ḥāfiẓ ʿAbdullāh ibn Dāwūd al-Khuraybī, ʿAbdullāh ibn Yazīd Abū ʿAbd ar-Raḥmān al-Muqri, Asad ibn al-Furāt al-Qayrawānī, Makkī ibn Ibrāhīm al-Ḥanzalī, Abū Nuʿaym al-Faḍl ibn Dukayn, Imām ʿĪsā ibn Abān al-Baṣrī, Ḥāfiẓ Muḥammad ibn Samāʿah at-Tamīmī, Ibrāhīm ibn Yūsuf al-Balkhī al-Mākiyānī, Abu'l-Layth al-Ḥāfiẓ ʿAbdullāh ibn Sarīḥ ibn Ḥajar al-Bukhārī, Imām Muḥammad ibn Shujāʿ ath-Thaljī, Ḥāfiẓ Abu'l-ʿAbbās Aḥmad ibn Muḥammad ibn ʿĪsā al-Barqī, Abu'l-Faḍl ʿUbaydullāh ibn Wāṣil al-Bukhārī, Ḥāfiẓ Ibrāhīm ibn Maʿqal an-Nasafī and others were all hadith scholars who were Ḥanafīs who acted in emulation of Abū Ḥanīfah and they were all before the fourth century. Therefore emulation of other scholars was current before then but it was by nature recommended (*mustaḥabb*) and not invariable.

Those who died in the fourth century were Abū Yaʿlā al-Mawṣilī, Aḥmad ibn ʿAlī ibn al-Muthannā, Ḥāfiẓ Abū Bishr ad-Dūlābī Muḥammad ibn Aḥmad ibn Ḥammād, Abū Jaʿfar aṭ-Ṭahāwī, Ḥāfiẓ Abu'l-Qāsim ʿUbaydullāh ibn Muḥammad Abu'l-ʿAwwām, Ḥāfiẓ Abū Muḥammad ʿAbdullāh ibn Muḥammad al-Ḥārithī, Ḥāfiẓ Abu'l-Ḥusayn ʿAbd al-Bāqī ibn Qānī and others, all Ḥanafī hadith scholars who acted in emulation of Abū Ḥanīfah and spread his *madhhab*, so much so that many people entered into his *madhhab* and acted in emulation of him, all of which was before the fourth century. Many hadith scholars acted in emulation of Abū Ḥanīfah, Mālik ibn Anas, Muḥammad ibn Idrīs ash-Shāfiʿī and Imām Aḥmad ibn Ḥanbal ﷺ but I have neglected to mention them all for fear of being too lengthy.

Therefore, the statement in *Hujjat Allāh al-bālighah* that emulation of scholars originated after the fourth century is not intended without qualification, so take note of that. Check the magazine *Daʿwat al-Ḥaqq*, currently published under the direction of Mawlawī Waḥīd az-Zamān al-Kirānwī from Dār al-ʿUlūm at Deoband, in which Ḥanafīs who were hadith scholars are mentioned chronologically from the Hijrah of the Prophet, upon him thousands

and thousands of blessings and peace from Allah the Almighty the All-Knowing.

IMĀM ABŪ ḤANĪFAH WAS THE EARLIEST OF THE FOUR IMĀMS

The author of the *Mishkāṭ* said, “The explanation of the biographical notices of the Four Imāms in *al-Ikmāl* is that I have given precedence to Mālik ibn Anas over the other three because he is earlier and older and greater in knowledge along with other merits of his,” but this is not correct because Mālik was born in 95 AH or so and Imām Abū Ḥanīfah, as is well known, was born in 80 AH or 70 AH or 62 AH according to the different contrary narrations on his date of birth. So Imām Mālik was younger than Abū Ḥanīfah. Ḥammād ibn Abī Ḥanīfah narrated from Mālik ibn Anas , as they mention in the books, and they reckon this as an example of an older man narrating from a younger man, so how could Mālik be older and have more precedence [in terms of being closer in years to the origins] in knowledge than Abū Ḥanīfah? The author of *al-Ikmāl* said in his biographical notice on Abū Ḥanīfah, “If we were to devote ourselves to explanation of the merits and virtues of Abū Ḥanīfah we would have to give lengthy discourses which even then would not attain the goal, because he was a man of knowledge who acted by his knowledge, was scrupulous, doing without, devoted to worship, and an imam in the sciences of the Sharī‘ah.”

THE DISCERNMENT (FIQH) OF THE IMĀM, HIS ACUTE INTELLIGENCE, ASTUTENESS AND THE FULLNESS OF HIS INTELLECT

Al-Muwaffaq related in his *Manāqib* with its chain of transmission to Dāwūd aṭ-Ṭā‘ī, that people’s *muftī* in Kūfa was Ḥammād ibn Abī Sulaymān. Ḥammād had a son called Ismā‘īl. When Ḥammād died, they decided that Ismā‘īl should sit patiently as their *muftī*. But they made enquiries and found out that his great love was poetry,

chatting at night and history (*ayyām an-nās*). Abū Bakr an-Nahshalī, who had been a companion of Ḥammād, Abū Burdah, Muḥammad ibn Jābir al-Juʿfī and a whole group of Ḥammād’s circle said, “Abū Ḥuṣayn and Ḥabīb ibn Abī Thābit said, ‘This seller of *khazz*⁵ fabric has good knowledge even if he is young, so insist that he sit to issue *fatwā*.’” They did that, and he was a prosperous man who was purely and open-handedly generous. So he sat to issue *fatwā* and made himself be patient with them, he shared with them and loved them excellently well, the judges and amirs honoured him and his affair became elevated and the highest strata of society frequented him.

Then after them there came Abū Yūsuf, Asad ibn ʿAmr, al-Qāsim ibn Maʿn, Abū Bakr al-Hudhalī, and al-Walīd ibn Abān. Those who competed with him and spoke critically of him were Ibn Abī Laylā, Sharīk, Ibn Shabrah and a whole group, and they would oppose him and seek to dishonour and disgrace him. His affair continued to increase and become exalted, the number of his companions grew so much that his circle became the largest in the mosque, the fullest in answering questions. He was patient with them, and was expansive and gave fully to every weak person among them, and gave gifts to the prosperous. So people’s faces turned towards him to such an extent that rulers, judges and nobles honoured him, and he undertook the difficult and accidental matters. Everyone praised him. He did things of which the Arabs were incapable, being strengthened for that by his vast knowledge and being helped by [Divine] decrees.” He said, “He used to say, ‘The *qāḍī* is like someone swimming in the sea; however much he has to swim who, including those who are knowledgeable, can he please?’” I say that the imam of the imams Abū Bakr az-Zarbakhrī narrated this account and he added in his version, “And al-Walīd, al-Ḥasan ibn Ziyād, Dāwūd aṭ-Ṭāʾī, Yūsuf ibn Khālīd as-Samtī, Zakariyyā ibn Abī Zāʾidah – properly Yaḥyā ibn Zakariyyā ibn Abī Zāʾidah – Nūḥ ibn Abī Maryam, ʿAbdullāh ibn al-Mubārak, al-Mughīrah ibn Ḥamzah, and Muḥammad ibn al-Ḥasan, may Allah have mercy on them. There

were forty men who compiled books on *fiqh* from among Abū Ḥanīfah's companions."

In the same work, he narrated with a chain of transmission from Sahl ibn Muzāhim that [the latter] said, "The words of Abū Ḥanīfah he took from the trustworthy, in flight from hideous wrong, and in detailed investigations of people's ordinary transactions. As long as they go straight in it and their affairs are basically in line with it, their affairs are accomplished according to analogical reasoning. But when people become corrupted then he accomplished it according to *istiḥsān* [the application of discretion in a legal decision] as long as the *istiḥsān* availed itself for him. When *istiḥsān* was not possible for him then he would resort to that which the Muslims practised. He would connect to well-known hadith upon which people were unanimously agreed and then he would deduce analogically [from them] as long as analogical deduction was permissible. If not, he would turn to *istiḥsān*. Whichever of these was more reliable he would have recourse to." This [man] Sahl said, "Abū Ḥanīfah's knowledge was universal knowledge."

He also narrated from 'Amr ibn Hārūn that Ibn Jurayj said, "Abū Ḥanīfah only gave *fatwā* on a matter from a decisive source and if we had wished we could quote that." In it he narrated with its chain of transmission from Wakī', "I heard Abū Ḥanīfah saying, 'Urinating in the mosque is better than some analogical reasoning.'" Imām as-Sarkhī mentioned in the introduction to his *Mabṣūṭ*, "Ibn Surayj conveyed – and he was one of the foremost of ash-Shāfi'ī's companions – that a man attacked Abū Ḥanīfah and so he [Ibn Surayj] called him and said, 'Do you attack a man to whom all the Ummah surrenders three quarters of all knowledge and he does not surrender the other quarter to them?' He asked, 'How could that be?' He said, '*Fiqh* is questions and answers, and he is the one who uniquely defined the questions, thus we surrender to him one half of knowledge, and then he answered everything. Those who dispute with him do not say that he is mistaken in everything. So if you place that in which they agree with him opposite to that in which they differ with him [in two halves], then three quarters of

knowledge is surrendered to him and there remains one quarter which is shared between him and the rest of people.’ So the man turned in repentance from what he had said.”

Al-Muwaffaq also mentioned this tale but in meaning, when he said, “It is narrated of Ibn Surayj that he heard a man from among his companions speaking against Abū Ḥanīfah ...” then narrating the whole story in the same sense, but without mentioning that the man turned in repentance from what he had said. He narrated that Isrā’īl said, “How excellent a man was Nu‘mān. How excellently he memorised every hadith in which there was *fiqh* and how diligent was his investigation of them. So amirs and wazirs honoured him. When a man disputed with him over something, it would occupy his mind.” Mus‘ir used to say, “Whoever places Abū Ḥanīfah between himself and Allah I hope will not fear and he will not be excessive in taking precautions for himself.” He said, “Aṣ-Ṣaymarī added after his words, ‘and how diligent was his investigation of them,’ ‘and he was the one who was knowledgeable about them [hadith] concerning what *fiqh* there was in them. He had apprehended accurately from Ḥammād and how excellent was his accuracy.”

In the *Manāqib* of al-Muwaffaq he related from Mālik ibn Sulaymān al-Harawī, “I heard Zuhayr ibn Mu‘āwiyah saying, ‘I was with Abū Ḥanīfah when al-Abyaḍ ibn al-A‘arr was comparing the analogies of an issue that they were passing back and forth between them, when a man from a corner of the mosque who I thought was of the people of Madīnah, cried out. He said, “What is all of this comparison of analogies? Leave them, because the first to reason analogically was Iblīs.” Abū Ḥanīfah turned to him and said, “You have said something out of place. Iblīs rejected the command of Allah, blessed is He and exalted: “Prostrate yourselves to Adam,” and they prostrated with the exception of Iblīs. He was one of the jinn and wantonly deviated from his Lord’s command’ (Sūrat al-Kahf: 49). Whereas we look for the analogical resemblance between one case and another so that we can refer it to one of the sources: the Book, the Sunnah or the agreement of the Ummah in order to practise *ijtihād*. We are concerned with following, so what is the

relationship between this and that?” The man cried out and said, “I turn in repentance from what I said, may Allah illuminate your heart as you have illuminated mine.””

In the *Manāqib* he narrated from ‘Alī ibn al-Madīnī from ‘Abd ar-Razzāq, “I was with Ma‘mar when Ibn al-Mubārak came to him and we heard Ma‘mar saying, ‘I don’t know of a man who talks about *fiqh* and is capable of making analogies and deductions in *fiqh* more knowledgeable than Abū Ḥanīfah, nor more fearful than Abū Ḥanīfah that he might himself introduce something doubtful into the *dīn* of Allah.’”

In the *Manāqib* he narrated with its chain of transmission that Imām Mālik said, “How many verdicts has Abū Ḥanīfah delivered in Islam?” He said, “It is said that it is sixty thousand,” meaning cases.

* * *

And in this there is sufficient for seekers of guidance.

IMAM ABŪ ḤANĪFAH’S RANK AS A MUJTAHID

A necessary note for the person with insight is that to which al-Fāḍil an-Nu‘mānī drew attention in *Mā tamassu ilayhi al-ḥājah* in its commentary after transmitting the statement from *al-Inṣāf* in its entirety:

“As for that which occurs in *al-Inṣāf* after this in his own words, ‘Abū Ḥanīfah was the one who most clung to the *madhhab* of Ibrāhīm [an-Nakha‘ī] and his peers and he would not go beyond it except for whatever Allah willed. He considered it very important to derive matters from his *madhhab*, and was finely attuned in his vision of the ways of derivation, engaging in the secondary derivative rulings (*furū‘*) in the best possible way. If you wish to know the reality of what we say then consider the statements of Ibrāhīm in *Kitāb al-Āthār* by Muḥammad, the *Jāmi‘* of ‘Abd ar-Razzāq, the *Muṣannaf* of Ibn Abī Shaybah and then compare them with his *madhhab* and you will find that he only separates from this

procedure in a very few places, and also does not depart from that verdict which the *fuqahā'* of Kūfa took.' This is what is in *al-Inṣāf*."

"These words are not appropriate for the high honour of the Imām. How could that be when in it there is the judgement against him that his position in *fiqh* was that of a follower, and that he brought nothing new except in derivation and the speed with which he could deduce derivative rulings, and that he is the follower of all the followers, the transmitter of all the transmissions from Ibrāhīm and his peers, not deviating from their views except in the cases where they had not practised *ijtihād*, and that if he did deviate from them then it was to statements [such as], 'So this is the knowledge of Kūfa' or to derive derivative rulings or make deductions from the verdicts of Ibrāhīm and his peers?

"This statement makes the Imām al-A'zam a person who merely emulates in *taqlīd* or who is under the rule of someone who emulates in *taqlīd*, someone who is a follower. There is no doubt that in that judgement upon the rank of Abū Ḥanīfah, who is the Imām of the Imāms and who is followed by most of the Ummah, and upon whom all people are dependent for their *fiqh* as Imām ash-Shāfi'ī ؓ openly declared [there is a lack of recognition of his rank as a *mujtahid*]⁶. As for what he said ؓ: 'If you wish to know the reality of what we say then consider the statements of Ibrāhīm in *Kitāb al-Āthār* by Muḥammad, the *Jāmi'* of 'Abd ar-Razzāq...' this is his habit in his compilations, that when he makes a claim he makes a statement which perplexes the thinker, but we, may Allah be praised, have studied the *Kitāb al-Āthār*, and considered the statements of Ibrāhīm an-Nakha'ī ؓ and compared them with the *madhhab* of the Imām. We find that the Imām practised *ijtihād* just as did an-Nakha'ī and his peers, and you will see him in many places abandoning the views of Ibrāhīm even if it is undeniable that the views of Ibrāhīm an-Nakha'ī have a special effect upon the *fiqh* of Imām Abū Ḥanīfah and in his *ijtihād*, just as the views of Sa'īd ibn al-Musayyab have a great effect upon the *fiqh* of Imām Mālik and on his *ijtihād*. We have compiled a volume in that respect which we

have called *Mā khālafa fīhi Abū Ḥanīfah Ibrāhīm an-Nakhaʿī* (Those cases in which Abū Ḥanīfah differed from Ibrāhīm an-Nakhaʿī).

“How well Ustādh Abū Zahrah defended the Imām al-Aʿzam on this point in his well known composition on Abū Ḥanīfah, and he was both beneficial and did it excellently. How could it be, when Ḥāfiẓ Yaḥyā ibn Maʿīn, who was expert in criticism of narrators, narrated from Abū Ḥanīfah the following text, ‘As for when the matter reaches only as far as Ibrāhīm, ash-Shaʿbī, al-Ḥasan and ‘Aṭā’ then I practise *ijtihād* just as they have done’? This is just as we have previously transmitted it and here are some extra supporting evidentiary proofs for what we say.

“1. Al-Khaṭīb narrated in his *Tārikh Baghdād* with its continuous chain of transmission that Abū ‘Anān said, ‘I heard Isrāʿīl saying, “How excellent a man Nuʿmān was! How well he had memorised every hadith in which there was *fiqh* and how thoroughly he searched them out, and how knowledgeable he was of that *fiqh* which was in them! He had apprehended accurately from Ḥammād and how excellent was his accuracy.” This Isrāʿīl was Ibn Abī Ishāq as-Sabīʿī the Imām, the Ḥāfiẓ Abū Yūsuf, the Kūfan. He was a Ḥāfiẓ, a proof, right-acting, humble and one of the vessels of knowledge, as adh-Dhahabī said in *at-Tadhkirah*.’

“2. Al-Khaṭīb also narrated that Bishr ibn al-Walīd said, ‘I heard Abū Yūsuf say, “I have not seen anyone more knowledgeable of the explanations of hadith and of the places where there are points in which there is *fiqh* than Abū Ḥanīfah.”’ (*Tārikh Baghdād*)

“3. He also narrated that Muḥammad ibn Samāʿah said, ‘I heard Abū Yūsuf saying, “I never differed from Abū Ḥanīfah but that I saw the route (*madhhab*) which he had taken to be more sure of deliverance in the next life [*ākhirah*], and that perhaps I had inclined to hadith but he was the one who had the eye for the *ṣaḥīḥ* hadith.” Abū Yūsuf is the imam about whom Imām Aḥmad ibn Ḥanbal said, “He was one of the most clear-sighted people concerning traditions,” as as-Samʿānī narrated in *al-Ansāb*, and which Shaykh ‘Abd al-Ḥayy al-Laknawī transmitted in *at-Taʿlīq al-mumajjad*.’

“4. Imām aṣ-Ṣaymarī narrated in *Manāqib al-Imām Abī Ḥanīfah* with a continuous chain of transmission that ‘Alī ibn Ṣāliḥ said, ‘Abū Ḥanīfah was strenuous in investigating the abrogating and abrogated hadith. He would act by a hadith if it was firmly established in his view that it was from the Prophet ﷺ and his Companions. He was knowledgeable of the hadith of the people of Kūfa, very serious about following that which was the practice of the people of his city.’ He said, ‘He used to say, “The Book of Allah has abrogating and abrogated, and the hadith has abrogating and abrogated,” and he had memorised the very last practice of the Messenger of Allah ﷺ from the time of his death, that of it which had reached the people of his city.’ This book has a copy of its introduction, which is kept safely in the library of the Majlis al-‘Ilmī in Karachi. (The shaykh of hadith Muḥammad Yūsuf al-Binnūrī brought it from Egypt because of the suggestion of Ustādh Muḥammad Zāhid al-Kawtharī, may Allah illuminate his grave.) This ‘Alī ibn Ṣāliḥ is the famous hadith scholar who was brother of Imām al-Ḥasan ibn Ṣāliḥ ibn Ḥayy.

“5. Al-Khaṭīb narrated with its chain of transmission that Ibn al-Mubārak said, ‘If tradition is recognised and there is a need of a theoretical understanding (*ra’y*) then it must be the theoretical understanding of Mālik, Sufyān, and Abū Ḥanīfah, and Abū Ḥanīfah is the best of them, with the most exact intellect; he is the most resolute (*a‘zamuhum*) of them in *fiqh*, and of the three he was the one with the most *fiqh*.’

“6. Ṣadr al-A‘immah al-Makkī narrated in *Manāqib al-Imām al-A‘zam* with its chain of transmission that the Imām and Ḥāfiẓ ‘Abdullāh ibn Dāwūd al-Khuraybī said, ‘Abū Ḥanīfah, by Allah! was of the most use to the Muslims.’

“7. Al-Khaṭīb narrated with its chain of transmission that Abū Ḥanīfah said, ‘I went to see Abū Ja‘far the Amīr al-Mu‘minin, and he said to me, “Abū Ḥanīfah, from whom did you take knowledge?” I said, “From Ḥammād [who took] from Ibrāhīm [who took] from the companions of ‘Umar ibn al-Khaṭṭāb, ‘Alī ibn Abī Ṭālib, ‘Abdullāh

ibn Mas‘ūd and ‘Abdullāh ibn ‘Abbās” (*Tārīkh Baghdād*)(The end of an-Nu‘mānī’s words)

MORE ON THE BIOGRAPHY OF IMAM ABŪ ḤANĪFAH ﷺ


Here I will mention some more about Imām Abū Ḥanīfah, reiterating a measure of it for extra insight. I repeat the mention of Nu‘mān for us because his remembrance is musk that I repeat. The remembrance of the Imām al-A‘zam is luminous: the *faqīh* of the religion, the majestic Follower who saw Anas ibn Mālīk more than once. (*Tadhkirat al-ḥuffāẓ*). Ibn Sa‘d said, “He was a trustworthy narrator” (*Tahdhīb* of the Ḥāfiẓ, *Tadhkirat al-ḥuffāẓ*). Check the words of Sufyān ath-Thawrī in *Khayrāt al-ḥisān*, “And he was an imam,” as Abū Dāwūd the author of *as-Sunan* said.

THE LINEAGE OF ABŪ HANĪFAH



Abū Ḥanīfah Nu‘mān ibn Thābit ibn Nu‘mān ibn al-Marzubān ibn Zūṭā ibn Māh, one of the people of Persia, in lineage, and at-Taymī – Taymu’llāh ibn Tha‘labah – by relationship of *walā’* (clientage). Aṣ-Ṣaymarī and al-Khaṭīb narrated from Ismā‘īl ibn Ḥammād ibn Abī Ḥanīfah saying, “Ismā‘īl ibn Ḥammād ibn an-Nu‘mān ibn Thābit ibn an-Nu‘mān ibn al-Marzubān informed us, ‘He [al-Marzubān] was one of the free people of Persia, and by Allah, slavery has never happened to us. My grandfather was born in 80 AH and Thābit went to ‘Alī ibn Abī Ṭālib ﷺ when he was young and he supplicated for blessings upon him and for his descendants, and we hope from Allah that He has already answered that supplication of ‘Alī ibn Abī Ṭālib for us.’ He said, ‘An-Nu‘mān ibn al-Mīrzabān the father of Thābit was the one who gave the gift to ‘Alī ibn Abī Ṭālib, may Allah ennoble his face, of some *falūdhāj* [a sweet made of flour and honey] on the day of al-Yazār [a Persian festival] and he said, “Our

Nawrūz [Persian New Year's Day] is every day.” Some say that that was a festive celebration and that he said, “Our festivities are every day.”” The *walā'*⁷ relationship of Abū Ḥanīfah to Taymu'llāh ibn Tha'labah was the *walā'* of clientage [not that of being freed slaves].

How is that when aṭ-Ṭaḥāwī said in *Mushkil al-āthār*, “Abū 'Abd ar-Raḥmān al-Muqṛī said, ‘I went to Abū Ḥanīfah and he said to me, “Who is the man?” And I said, “A man upon whom Allah graciously bestowed Islam.” He said, “Do not say so; become an ally (*mawlā*) of one of these tribes and then you will be attributed to them””? Aṭ-Ṭaḥāwī narrated from Muḥammad ibn Ja'far ibn Muḥammad ibn A'yūn that he said, “I heard Aḥmad ibn Manṣūr ar-Ramādī saying, ‘I heard al-Muqṛī saying...’ and then he mentioned the text.”

He was born  in 61 AH according to that which Ibn Zadād mentioned, but in *al-Ansāb* by as-Sam'ānī concerning al-Khazzāz⁸ [it is said] that it was in 70 AH, and it is similarly said in *al-Jarḥ wa't-ta'dīl* by Ibn Ḥibbān, and again in *Rawḍat al-quḍāh* by Abu'l-Qāsim as-Sam'ānī the contemporary of al-Khaṭīb al-Baghdādī. Some have said that it was in 80 AH and most historians choose this date since it is the most recent of the differing dates, in this basing themselves on circumspection and caution. However, the former is supported by the fact that Ḥāfiẓ Muḥammad ibn Makhḥad al-'Aṭṭār counted the narration of Ḥammād ibn Abī Ḥanīfah from Mālīk as the narration of an older man from a younger.⁹

ABŪ ḤANĪFAH WAS ONE OF THE FOLLOWERS

He was one of the Followers because it is authentically established that he saw Anas ibn Mālīk when he came to Kūfa , and that similarly he also saw other Companions, just as Ibn 'Abd al-Barr affirmed his narration from Ibn Jaz' az-Zubaydī (a Companion) in *Bayān jāmi' al-'ilm wa faḍlih*. Hadith scholars have written volumes in which they confirm his narration from some of the Companions of the Messenger of Allah  and this cannot be authentically established except by his having been born in 61 AH. I have a treatise on that, *Firāsah al-'arīf fī radd qawl Muḥammad Sharīf*, in

which I have gathered together those of the Companions who were alive from his birth up to his death, and it is in print, so have recourse to it. I have mentioned a portion of it in *Kashf al-ghummah* ‘an sirāj al-Ummah and in *aş-Şārim al-maslūl fi’dh-dhabb* ‘an al-uşūl.

HIS NARRATION OF HADITH IN THE KITĀB AL-ĀTHĀR AND ELSEWHERE

He is the author of *Kitāb al-Āthār* which Muḥammad ibn al-Ḥasan, Abū Yūsuf, Zufar, al-Ḥasan ibn Ziyād, Ḥammād ibn Abī Ḥanīfah, Wakī‘ ibn al-Jarrāḥ, ‘Abdullāh ibn al-Mubārak, Ḥafṣ ibn al-Ghiyāth, al-Muqri, Ḥammād ibn Zayd, Khālīd al-Wāsiṭī, ‘Abd al-‘Azīz ibn Khālīd aş-Şan‘ānī and many others narrated, their number exceeding five hundred. Ḥāfiẓ [Ibn Ḥajar] said in *Ta’jīl al-manfa‘ah*, “What exists of the hadith of Abū Ḥanīfah in a single collection of hadith is only *Kitāb al-Āthār*, which Muḥammad ibn al-Ḥasan narrated from him. Among the compilations of Muḥammad ibn al-Ḥasan and in those of Abū Yūsuf before him there exist other hadith of Abū Ḥanīfah.”

Check *Kitāb ikhtilāf Abī Ḥanīfah wa Ibn Abī Laylā*, *Kitāb ar-radd ‘alā siyar al-Awzā’i*, *Kitāb al-kharāj*, *Āthār Imām Abī Yūsuf*, the *Muwatta’* of Muḥammad ibn al-Ḥasan, and his *Kitāb al-hujjah* in which there are other hadith of Abū Ḥanīfah, and similarly in *Jāmi‘ al-masānīd*, *Uqūd al-jawāhir al-munīfah*, *Tadhkirat al-ḥuffāẓ*, *al-Mu‘jam aş-ṣaghīr* by at-Ṭabarānī, the *Sunan* of ad-Dāraqutnī, the *Mustadrak* of al-Ḥākim, the *Musnads* of Abū Dāwūd at-Ṭayālīsī, an-Nasā’ī, and at-Tirmidhī, just as there are in at-*Tahdhīb* other hadith of his. I have compiled a volume about that in which I have chosen as much as was easy for me of his narrations from the aforementioned books and from elsewhere.

THE DESCRIPTION OF ABŪ ḤANĪFAH


Abū Nu‘aym al-Faḍl ibn Dukayn, “Abū Ḥanīfah was good looking in his face and beard, and he was well dressed.” Al-Khaṭīb narrated that Abū Yūsuf said, “Abū Ḥanīfah was a man of medium stature,

neither tall nor short, and he was one of the best of people in appearance, the most eloquent of them in speech, the most perfect of them in citation, the highest of them in tone, and the clearest of them about what he intended.” He narrated also that al-Faḍl ibn Dukayn said, “Abū Ḥanīfah was good looking in his face and beard, well dressed, well shod, sweet-scented, and his gatherings were distinguished by awe and respect.” He also narrated that Ja‘far ibn Iṣḥāq ibn ‘Umar ibn Ḥammād ibn Abī Ḥanīfah said, “Abū Ḥanīfah was extremely tall, with a hint of brown over him.”


The noted scholar aṣ-Ṣāliḥī said, and Qāḍī Abu’l-Qāsim ibn Kās narrated of Ḥammād ibn Abī Ḥanīfah that his father was handsome, with a hint of brown over him, of a goodly form, full of respectful awe. He would not speak unless in answer [to a question], and he would not plunge into that which did not concern him nor would he listen to it.

Aṣ-Ṣaymarī narrated the like of it. ‘Abd al-Wahhāb said, “I saw Abū Ḥanīfah wearing a black tether.” The Egyptian Qāḍī Abu’l-Qāsim ‘Abdullāh ibn Muḥammad ibn Aḥmad ibn Yaḥyā ibn al-Ḥārith ibn Abī’l-‘Awwām as-Sa‘dī narrated in *Faḍā’il Abī Ḥanīfah wa aṣḥābih* with its chain of transmission from Abū Ghassān Ayyūb ibn Yūnus that he had heard an-Naḍr ibn Muḥammad saying, “Abū Ḥanīfah was good looking, was dressed in a distinguished fashion and perfumed. I went to see him because of a pressing need and prayed the morning-prayer with him and I was wearing a crimson¹⁰ wrap. He ordered his mule to be saddled and said, ‘Give me your wrap so that I can ride in pursuit of your pressing need, and here is my wrap until I return.’ So I did that and when he returned he said, ‘Naḍr, you have shamed me with your wrap.’ I said, ‘What didn’t you like about it?’ He said, ‘It is rough.’” He [an-Naḍr] said, “I had bought it for five dīnārs and I was delighted with it. Then later I saw him wearing a crimson wrap whose value was thirty dīnārs.”

HIS CONCERN FOR KNOWLEDGE AND SEEKING HADITH AND HIS SURPASSING HIS PEERS IN THAT RESPECT


Hāfiẓ adh-Dhahabī narrated in *Manāqib Abī Ḥanīfah* that Miṣ‘ar ibn Kidām said, “Along with Abū Ḥanīfah I sought out hadith, but he beat us. So we took doing without (*zuhd*) upon ourselves and he excelled us. Then we sought *fiqh* along with him, but he produced what you already know.” This Miṣ‘ar is the Imām and Hāfiẓ Abū Salamah the Kūfan, one of the noted scholars and the resort and recourse of the imams. Hāfiẓ Abū Muḥammad al-Ḥasan ibn Khallād ar-Rāmhurmūzī narrated concerning the eminent hadith scholar, “[that] he is between a narrator and a memoriser” as is in *Mā tamassu ilayhi al-ḥajāh*, “‘Abdullāh ibn Aḥmad al-Ghazā narrated to us saying, ‘I heard Ibrāhīm ibn Sa‘īd al-Jawharī saying, “When Shu‘bah and Sufyān differed they would say, ‘Let us go to the weighing scales, Miṣ‘ar.’”’” So, an Imām such as this witnesses that Abū Ḥanīfah  beat him in seeking out hadith, and both Shu‘bah and Sufyān have been called “The ‘Amīr al-mu‘minīn’ in hadith”, then what do you think of Abū Ḥanīfah when their weighing scales, Miṣ‘ar, openly acknowledges him?



The teacher of Qur’ān recitation, Imām and hadith scholar, Shaykh al-Islām Abū ‘Abd ar-Raḥmān ‘Abdullāh ibn Yazīd the Kūfan did well in that, when narrating hadith from Abū Ḥanīfah, he would say, “Shāhan Shāh (the King of Kings) narrated to us.” Al-Khaṭīb the Hāfiẓ – and his extreme partisan opposition to Abū Ḥanīfah is well known – narrated: Abu’l-Bishr al-Wakīl and Abu’l-Faṭḥ aḍ-Ḍabbī informed me saying: ‘Umar ibn Aḥmad al-Wā‘iz narrated to us: Muḥammad ibn Makhzūm narrated to us: Bishr ibn Mūsā narrated to us: Abū ‘Abd ar-Raḥmān al-Muqrī narrated to us, and when narrating hadith from Abū Ḥanīfah he would say, “Shāhan Shāh narrated to us.”

Hāfiẓ as-Sam‘ānī said in *al-Ansāb*, “He was busy seeking knowledge and went to such great lengths in it that he obtained what others did not obtain. One day he went to see [the khalīfah] al-Manṣūr and ‘Isā ibn Mūsā was with him. Al-Manṣūr said, ‘This is the man of knowledge of the world today.’ Abū Ḥanīfah saw in a dream that he was uncovering the grave of the Prophet . Someone mentioned it to Muḥammad ibn Sīrīn and he said, ‘The person who

had this dream will rise up with a knowledge to which no one before him will have preceded him.’ Ḥāfiẓ Abū Aḥmad al-‘Askarī narrated with its chain of transmission that Makkī ibn Ibrāhīm the Ḥāfiẓ, Imām and Shaykh of Khurāsān said, ‘Abū Ḥanīfah wa abstinent, he was a man of knowledge who longed for the next life, who was utterly truthful in his language, and the one who memorised the most of the people of his age.’ The Imām of the science of criticism of narrators (*al-jarḥ wa’t-ta’dīl*) Yaḥyā ibn Sa‘īd al-Qaṭṭān said, ‘He is, by Allah! the most knowledgeable of this community of that which has come from Allah and His Messenger.’” Imām Mas‘ūd ibn Shaybah as-Sindī mentioned it in the introduction to *Kitāb at-ta‘līm* transmitting it from the book of Imām aṭ-Ṭaḥāwī in which he compiled the reports of our Ḥanafī people.

Moreover, al-Fāḍil an-Nu‘mānī said, “Along with this abundant knowledge, much memorisation and far-reaching research, he spent twenty years in reflection, applying cases (*yaḍribu al-amthāl*), classifying the statements of each of the Companions according to the existing principles (*uṣūl*)” as Imām Ḥāfiẓ Yaḥyā ibn Zakariyyā ibn Abī Zā‘idah narrated from him, which Ḥāfiẓ ad-Daylamī mentioned.

Then he composed his *Kitāb al-Āthār* which those of his pupils who were major imams narrated from him, such as Zufar, Abū Yūsuf, Muḥammad ibn al-Ḥasan, al-Ḥasan ibn Ziyād and others of the hadith scholars and *fuqahā’*. Ṣadr al-A‘immah al-Makkī said, “Abū Ḥanīfah  chose *al-Āthār* from forty thousand hadith.”

Imām Ḥāfiẓ Abū Yaḥyā Zakariyyā ibn Yaḥyā an-Naysābūrī mentioned in his *Kitāb manāqib Abī Ḥanīfah* with its chain of transmission that Yaḥyā ibn Naṣr ibn Ḥājib said, “I heard Abū Ḥanīfah  saying, ‘I have boxes full of hadith from which I have only transmitted the very small amount that is of use.’” The Imām of Lordly knowledge Sayyidī ‘Abd al-Waḥhāb ash-Sha‘rānī said in his *Mīzān*, “Imām Abū Ḥanīfah stipulated that before hadith transmitted from the Messenger of Allah  could be acted upon a body of people with *taqwā* should have transmitted them from that Companion narrating from the likes of them.” The Imām who was

supreme in critical understanding of hadith and of their chains of transmission, Yaḥyā ibn Maʿīn, said something similar.

Ḥāfiẓ Abū Bishr ad-Dūlābī mentioned, “Muḥammad ibn Ḥammād ibn al-Mubārak al-Hāshimī narrated to us saying, “Alī ibn al-Ḥasan ibn ‘Alī ibn Shaqīq Abu’l-Ḥasan al-Marwazī narrated to us saying, “I heard Abū Bakr mentioning that Ibn al-Mubārak said, ‘I heard Sufyān ath-Thawrī saying, “Abū Ḥanīfah took hold of knowledge strongly, defending the forbidden things of Allah lest they be considered *ḥalāl*, basing himself upon those hadith he had that were *ṣaḥīḥ* which trustworthy narrators had conveyed, and upon the last of that which the Messenger of Allah ﷺ had done, and of that which he had come upon the Kūfan people of knowledge doing. Then later some people abused him, may Allah forgive us and them.””

HIS EXTREME CAUTION IN NARRATING AND DRAWING UPON ONLY ṢAḤĪḤ HADITH

In summary, Imām Abū Ḥanīfah رحمته الله only accepted *ṣaḥīḥ* traditions that had been transmitted by trustworthy narrators from trustworthy narrators. One of his preconditions شرطه on traditions from just and dependable individual narrators was that he would not accept those of them which contradicted principles of *fiqh* on which there was a consensus, as Ibn ‘Abbās and other *fuqahā’* from among the Companions would also not do, as we have seen previously. The Imām and Ḥāfiẓ Abū ‘Umar Yūsuf ibn ‘Abd al-Barr an-Namarī al-Qurṭubī said in *al-Intiqā’ fī faḍā’il ath-thalāthah al-fuqahā’*, “Many of the people of hadith regarded it permissible to cast critical aspersions on Abū Ḥanīfah since he rejected many traditions from just and reliable individual narrators because he had compared them with those hadith and meanings of the Qur’ān upon which there was consensus, and then rejected whatever was anomalous (*shādhah*) of that and termed it ‘anomalous’.”

One of his preconditions شرطه was also that which al-Ḥākim an-Naysābūrī narrated in *al-Madkhal fī uṣūl al-hadith* saying, “Abū

Aḥmad Muḥammad ibn Aḥmad ibn Shu‘ayb al-‘Adl narrated to us, ‘Asad ibn Nūḥ the *faqīh* narrated to us, “Abū ‘Abdullāh Muḥammad ibn Maslamah narrated to us from Bishr ibn al-Walīd from Abū Yūsuf that Abū Ḥanīfah said, ‘It is not permissible for a man to narrate a hadith unless he hears it from the mouth of the hadith narrator, memorises it and then later narrates it.’””

Al-Khaṭīb al-Baghdādī narrated in *al-Kifāyah* with its chain of transmission that Yaḥyā ibn Ma‘īn was asked about a man who found a hadith written out but does not memorise it, so Abū Zakariyyā said, “Abū Ḥanīfah used to say, ‘He must not narrate anything but that which he has knowledge of and memorises.’”

Moreover al-Fāḍil an-Nu‘mānī said, “The pure truth is that *Kitāb al-Āthār* is the collection of a tremendous Imām whose knowledge has spread and is universal in the east and the west, and whom half of the people of the world follow. He compiled it after taking hadith from the best of the Followers who were just, reliable and trustworthy narrators, and who were of the best generations according to the testimony of the Messenger of Allah ﷺ, such as Ḥammād ibn Abī Sulaymān the companion of Ibrāhīm an-Nakha‘ī, ‘Aṭā’ ibn Abī Rabāḥ, ‘Abd ar-Raḥmān ibn Hurmuz al-A‘raj, ‘Ikrimah, Nāfi‘, ‘Adī ibn Thābit, ‘Amr ibn Dīnār, Salamah ibn Kuhayl, Qatādah ibn Di‘āmah, Abu’z-Zubayr, Manṣūr, Abū Ja‘far Muḥammad ibn ‘Alī al-Bāqir, Muḥammad ibn Shihāb az-Zuhri, Muḥammad ibn al-Munkadir, Mūsā ibn Abī ‘Ā’ishah, Hishām ibn ‘Urwah, Yaḥyā ibn Sa‘īd al-Anṣārī, ‘Āmir ash-Sha‘bī (Adh-Dhahabī said, ‘He was the greatest shaykh of Abū Ḥanīfah’), al-Ḥasan al-Baṣrī, Abū Ishāq as-Sabī‘ī and a very large number of the shaykhs of ‘Irāq, Ḥijāz and Shām. After he had spent twenty years selecting hadith and traditions and comparing those of them narrated by solitary individuals with the meanings of the Book of Allah and with that upon which the community agree unanimously, then he selected a book from forty thousand hadith and published it among people for their benefit.”

What a tremendous aspiration, what steadfastness, what scrupulousness and what fear of Allah, exalted is He, and what

fulfilment of the trust involved in knowledge, that a man should listen to hadith and diligently seek them out so much so that great imams like Miṣ'ar the Imām and Ḥāfiẓ should voluntarily concede his pre-eminence! Then that he should be carefully heedful of what he had heard and memorise it and then later expend this tremendous effort in compiling a book comprised of narrations from pure sources. So Allah provided him with acceptance, and the brilliant and exceptional ḥāfiẓs of the imams of hadith bore witness to his scrupulousness with respect to hadith, his *taqwā* in narration and his trustworthiness in transmission.

Ḥāfiẓ Abū Muḥammad al-Ḥārithī narrated, “Al-Qāsim ibn ‘Abbād informed us, ‘I heard Yūsuf aṣ-Ṣaqā saying, “I heard Wakī‘ saying, ‘Scrupulousness such as is not to be found in others is to be found in Abū Ḥanīfah with respect to hadith.’””” This Wakī‘ was the firmly established Imām and Ḥāfiẓ about whom Imām Aḥmad ibn Ḥanbal said, “I have not seen anyone more heedfully careful of knowledge nor with a better memory than Wakī‘.” Yahyā ibn Ma‘īn said, “I have never seen anyone better than him.”


Imām al-Ḥārithī also said, “Al-Qāsim ibn ‘Abbād said, “Alī ibn al-Ja‘d said, “When Abū Ḥanīfah produced hadith, he produced them like pearls.””” This ‘Alī ibn al-Ja‘d is the firmly established Imām and Ḥāfiẓ, the support, the Shaykh of Baghdād Abu’l-Ḥasan al-Jawāhirī, the Shaykh of al-Bukhārī, Abū Zur‘ah and Abū Ḥātim. ‘Abdūs an-Naysābūrī said, “I don’t know if I have seen anyone with a better memory than ‘Alī ibn al-Ja‘d.” Mūsā ibn Dāwūd said the same about him, as adh-Dhahabī transmitted in *Tadhkirat al-ḥuffāẓ*.



Al-Khaṭīb narrated in *Tārīkh Baghdād* with its uninterrupted chain of transmission, that the Ḥāfiẓ with the critical faculty Yahyā ibn Ma‘īn said, “Abū Ḥanīfah was a trustworthy narrator who would only narrate what he had memorised and who would not narrate what he had not memorised.” Imām Abū Dāwūd, the author of the *Sunan*, said, “May Allah be merciful to Abū Ḥanīfah for he was an Imām.” Ibn ‘Abd al-Barr narrated it in *al-Intiqā’*.

On this basis then, the *Kitāb al-Āthār* is the first compilation of ṣaḥīḥ hadith, in which the Imām al-A‘ẓam collected the authentic

transmissions of the Sunnah and mixed them with the sayings of the Companions and the Followers. It is the first book in which the hadith are recorded according to the well-known *fiqh* arrangement. Imām Mālik later followed a similar arrangement in the *Muwaṭṭaʿ*, Sufyān ath-Thawrī in his *Jāmiʿ*, and upon it [*Kitāb al-Āthār*] and upon the two of them [*al-Muwaṭṭaʿ* and *al-Jāmiʿ*] everyone who came after them who wished to aspire to the *ṣaḥīḥ* and to collect the Sunnahs built their works. Imām as-Suyūṭī said in *Tabyīḍ aṣ-ṣaḥīfah fī manāqib Abī Ḥanīfah*, “One of the outstanding merits of Abū Ḥanīfah that were uniquely his was that he was the first to record the knowledge of the sharīʿah and to arrange it systematically. Then later Mālik ibn Anas followed it [the systematic arrangement] in the structure of the *Muwaṭṭaʿ* but no one preceded Abū Ḥanīfah.”

Imām Masʿūd ibn Shaybah as-Sindī said in *Kitāb at-taʿlīm*, transmitting from aṭ-Ṭaḥāwī’s book in which he collected traditions concerning our Ḥanafī scholars, narrating from Yazīd ibn Hārūn in a long passage, “Sufyān ath-Thawrī used to take *fiqh* from ‘Alī ibn Mahr from the sayings of Abū Ḥanīfah, and he used to seek help from him and hold consultation with him for his book which he called *al-Jāmiʿ*.” Imām aṣ-Ṣaymarī said, “One of Abū Ḥanīfah’s companions was ‘Alī ibn Mahr from whom Sufyān ath-Thawrī took the knowledge of Abū Ḥanīfah and from whom he transcribed his writings.” Ḥāfiẓ ‘Abd al-Qādir al-Qurashī mentioned in *al-Jawāhir al-munīfah* in his biographical notice on ‘Alī ibn Mahr, “This ‘Alī ibn Mahr is the Imām and Ḥāfiẓ Abu’l-Ḥasan al-Qurashī – he was their (Quraysh) *mawlā* – the Kūfan.” Aḥmad al-ʿIjlī said, “He was one of those who united *fiqh* and hadith and he was a trustworthy narrator,” as is mentioned in *Tadhkirat al-ḥuffāẓ* by adh-Dhahabī. (*Mā tamassu ilayhi al-ḥājah*).

Then al-Fāḍil an-Nuʿmānī said after transmitting the just statement of the hadith scholar Shāh Walī Allāh ad-Dihlawī, “I say that Abū Ḥanīfah the Imām  was thus the one of them who best remembered hadith in which there was *fiqh*, and the one of them who most strenuously searched them out, the most knowledgeable of them in explanation of hadith and of the places in them in which

there are points of *fiqh*. He was the most insightful of them in distinguishing *ṣaḥīḥ* hadith from defective ones, and the most cognisant of them in recognising those that abrogate and those that are abrogated. He was the most intelligent of them and most detailed in his understanding, and the most discerning of all of them in terms of *fiqh* of the *dīn* of Allah. He was the one with the most benefit for the Muslims. He was the most knowledgeable of them of the judgements and rulings of ‘Umar and ‘Alī, and the sayings of ‘Abdullāh ibn Mas‘ūd, Ibn ‘Abbās, ‘Abdullāh ibn ‘Umar, ‘Ā’ishah and other Companions and their own companions from the *fuqahā’* of the Followers such as ‘Alqamah, al-Aswad ibn Yazīd, ‘Amr ibn Shuraḥbīl ibn Maysarah, ‘Ubaydah as-Salmānī, Shurayḥ, Masrūq ibn al-Ajda‘, ‘Abdullāh ibn ‘Utbah and then after them ‘Āmir ash-Sha‘bī and Ibrāhīm an-Nakha‘ī, and then after these two al-Ḥakam and Ḥammād ibn Abī Sulaymān . By him and his likes, the sciences of narration and of *fatwā* were established. So when the matter was spread before him, and he narrated hadith and delivered *fatwā*, he proved useful and beneficial and he did excellently well. To him is applied the saying of the Prophet , ‘Even if the *dīn* were in the Pleiades, a man from the Persians would have gone off with it,’ or he said, ‘... from the sons of the Persians until he could comprehend it,’ according to what the imams have said, among them as-Suyūṭī and his fellow Muḥammad ash-Shāmī the author of *as-Sīrah ash-shāmiyyah*, and how excellent are the two of them! Then his companions collected together his narrations and his selections and they summarised them, and recorded them, wrote commentaries on them, made deductions on the basis of them, spoke about the fundamental principles in them and their proofs, and then they separated, going to the east and west and all over the world, and Allah brought benefit to many of His creatures by them. If you wish to know the reality of what we have said then study *Kitāb al-Āthār* and its manuscript copies and you will find it to be as we have said.” (*Mā tamassu ilayhi al-ḥājah*).

REFUTATION OF SOME MISUNDERSTANDINGS ABOUT IMAM ABŪ ḤANĪFAH

The Imām collected traditions in *Kitāb al-Āthār* organised in chapters, most of them being *mawqūf* traditions [stopping short at the] Companions and the Followers [without being ascribed to the Prophet ﷺ]. It has three hundred and fifty chapters comprising issues on which the people of knowledge differ and *fiqh* issues of derivative rulings (*furūʿ*) clearly deduced from *marfūʿ* hadith [ascribed directly to the Prophet ﷺ] or the Companions or the major Followers, as you will see in the appropriate places.

The Imām did not arrange it structurally in books such as the Book of Purification, the Book of the Prayer, the Book of Zakāt and the Book of Fasting, for example, but rather in chapters from beginning to end, except for in one place in the Rites that he termed the Book of Rites, in which he included chapters connected to the rites and judgements relating to the Ḥajj. It may well be that this is from those who transcribed the book and not from the Imām according to his ordinary custom in the book.

In it there are one hundred and twenty-two hadith and traditions that are *marfūʿ* [ascribed to the Prophet ﷺ] as well as hadith narrated without any chain of transmission and prefaced with the words, “It has reached me...” (*balāghāt*), and hadith in which one of the Followers or Followers of the Followers ascribed something to the Prophet ﷺ without mentioning the Companion who had transmitted it (*mursal*). The rest are traditions that stop short at the Companions and the major Followers (*mawqūf*).

In it there is also clear refutation of what those insignificant rigid literalists who deny *taqlīd* say, i.e. that Abū Ḥanīfah only knew seventeen hadith. This number is already in the *Kitāb al-Āthār* let alone what there are in the *Muwattaʿ* [of Imām Muḥammad], *Kitāb al-ḥujjah*, Abū Yusuf’s books on traditions and *Ikhtilāf Abī Ḥanīfah wa Ibn Abī Laylā* and the book *ar-Radd ‘alā siyar al-Awzāʿī*, his *Kitāb al-kharāj*, and the *ʿUqūd al-jawāhir*, *Jāmiʿ al-masānīd* and other books of hadith.

THE DEATH OF IMAM ABŪ ḤANĪFAH ﷺ

In the *Manāqib* al-Muwaffaq related with its chain of transmission that Muḥammad ibn an-Naṣr said, “I heard Ismā‘īl ibn Sālim al-Baghdādī saying, ‘Abū Ḥanīfah was beaten to take on the position of *qāḍī* and he would not accept the postition.’ He said, ‘When that was mentioned to Aḥmad ibn Ḥanbal he wept and prayed for mercy for Abū Ḥanīfah, and that was after he himself had been beaten.’”

The original story I have is that the offer of the position of *qāḍī* was itself a trick in order to kill him. Rather, the imprisonment, beating, poisoning and other things were done because he spoke openly and boldly during the period of Ibrāhīm ibn ‘Abdullāh ibn Ḥasan¹¹ against Abū Ja‘far al-Manṣūr and because of his assisting Ibrāhīm ibn ‘Abdullāh both secretly and openly. If it was not that, then refusal of the position of *qāḍī* is not a crime, wrong action or act of disobedience for which a man must be imprisoned, flogged ten times every day until he dies because he is forcefully fed poison. This is the connection to the insurrection [*bughawah*], and the offer of the position of *qāḍī* was a trick in order to do it.

He related from Ismā‘īl ibn Abī Uways, “I heard ar-Rabī‘ ibn Yūnus saying, ‘I saw the Amīr al-Mu‘minīn, al-Manṣūr, clashing with Abū Ḥanīfah over the matter of the post of *qāḍī*, and he was saying, “Have *taqwā* of Allah, and let no one tend this matter entrusted to you except those who fear Allah. By Allah! I am not safe from anger. Even if I direct the judgement against you and then you give directions to drown me in the Euphrates if I do not give up the judgement, I would choose to be drowned, and you have an entourage who needs someone who will disown them.” He said to him, “You lie! You are worthy of the post.” He said, “You have judged in my favour, for how can it be permissible for you to appoint a *qāḍī* who is a liar over that which is entrusted to you?””

He related from Aḥmad ibn Muḥammad ibn Rizq that: Ismā‘īl ibn ‘Alī informed us, from Muḥammad ibn ‘Uthmān who informed us, from Naṣr ibn ‘Abd ar-Raḥmān who informed us, from al-Faḍl ibn Dukayn who narrated to me that, “Zufar narrated to me saying: Abū Ḥanīfah spoke openly and boldly during the period of Ibrāhīm,

so I said to him, ‘By Allah! You will not *bimittah* [meaning unclear] until ropes are placed upon our necks.’” He said, “It wasn’t long before the letter of Manṣūr came to ‘Īsā ibn Mūsā, ‘Bring Abū Ḥanīfah [to me].” He said, “So I went to him in the morning and his face was as if it were polished clean.” He said, “They brought him to Baghdād and he lived for fifteen days and then they gave him poison to drink and he died ﷻ.”

I have heard the following account in the *Manāqib* of aṣ-Ṣaymarī, but longer than the one above, in narration from Muḥammad ibn ‘Imrān from al-Ḥasan ibn Muḥammad from this Muḥammad ibn ‘Uthmān, and he said, “I went in the morning wanting to see Abū Ḥanīfah and met him mounted intending to go and take leave of ‘Īsā, and his face had darkened from fear. He went to Baghdād and died there and he was seventy years old. Abū Nu‘aym said, “And I have been informed that when he was with al-Manṣūr he [al-Manṣūr] called for some *sawīq*¹² for him and told him to drink it, but he refused. He said, ‘You will drink it!’ But he refused, and so he forced him until he drank it and then he stood up. Abū Ja‘far [al-Manṣūr] said, ‘Where are you going?’ He said, ‘Wherever you send me.’ He was taken to the prison and died there in prison ﷻ.”

He related that ‘Abd ar-Raḥmān ibn Mālīk ibn Mighwal said, “Abū Ja‘far al-Manṣūr ad-Dawānīqī¹³, sent Abū Ḥanīfah to Baghdād and demanded of him that he accept the post of *qāḍī*, and that he would appoint *qāḍīs* under his control to all the districts of Islam, but he made reasonable excuses and would not accept. Abū Ja‘far made a forceful and weighty oath that if he did not accept he would imprison him and they would treat him harshly, but Abū Ḥanīfah refused. So he ordered that he be imprisoned. He used to send messengers to him in prison, saying, ‘If you respond and accept that which I ask of you, I will bring you out of prison and honour you highly,’ but he refused very forcefully. Then he ordered that he be brought out every day and lashed ten times, so he was taken out every day and lashed. When he had been lashed a number of times in those days, he wept and made numerous supplications, and then it wasn’t very long before he died in prison severely distressed by an


affliction in his stomach. Then his funeral came about and people wept over him profusely, and he was prayed over and buried in the Khayzarān graveyard.”

He related that Dāwūd ibn Rashīd al-Wāshiḥī said, “I was present during the days in which Abū Ḥanīfah was punished to make him take on the post of *qāḍī*, and he was brought out every day and lashed painfully ten times and that could plainly be seen on his back, and then he would be returned to his place – until it had reached one hundred and ten lashes in all – and they told him every day to accept the post and he would say, ‘I am not worthy,’ and he began to weep, until the lashing seemed to come uninterruptedly, and I heard him saying quietly, ‘O Allah defend me from their evil by Your power.’ When he refused them, they restricted him severely in terms of food, drink and by imprisonment, and then when he refused them, they intrigued against him, poisoned him and killed him.”

Ibn ‘Afīr related, “In Rajab 150 AH, Abū Ḥanīfah died when he was seventy years old.” He narrated that Muḥammad ibn al-Ḥusayn said, “When al-Ḥasan ibn ‘Amārah washed the body of Abū Ḥanīfah and had finished, he said, ‘May Allah be merciful to you. You were one of the *fuqahā*’, and one of the most worshipful of us, most abstinent of us, the one of us who most united in himself the noble qualities. When you were buried you were buried and sent on to good and to rest. You have tired out those who come after you and have outshone the reciters.”

Adh-Dhahabī mentioned in a portion of his *Manāqib* from Bishr ibn al-Walīd that Abū Yūsuf said, “Abū Ḥanīfah died in the middle of Shawwāl in 150 AH when he was seventy years old.” It is said in *al-Khayrāt al-ḥisān* that, “He died in Sha‘bān or in the middle night of Sha‘bān, or that his death was in Rajab, or some say Sha‘bān, and some say the middle of Shawwāl.” Similarly, in *Tabyīḍ aṣ-ṣaḥīfah*: “He died in Rajab, but some say in Sha‘bān, in 150 AH. It is also said that it was after eleven nights had passed of Jumāda’l-Ūlā of the aforementioned year, but some say in 151 AH or 153 AH. Some say that he died on the day upon which Imām ash-Shāfi‘ī was born ﷺ.

He died in Baghdād and was buried in the Khayzarān graveyard, and his grave there is well known and visited. When he perceived that he was about to die he prostrated and his soul left him while he was in prostration. Al-Ḥasan ibn ‘Amārah led the prayer over him six times because of the great crowds of people, and the last of them to pray over him was his son Ḥammād. They were unable to bury him until after ‘Aṣr because of the great throng. Al-Manṣūr came and prayed over him at his grave, and people remained praying over his grave for more than twenty days.”

Al-Muwaffaq related that ‘Alī ibn Maymūn said, “I heard ash-Shāfi‘ī  saying, ‘I seek the blessing of Abū Ḥanīfah; I go to his grave every day,’ as a visitor, “so when some urgent necessity comes about, I pray two *rak‘ahs*, and go to his grave, and ask Allah for that necessity there, and it is not long until it is fulfilled.”

Ibn al-Mubārak visited his grave, as is in al-Muwaffaq’s *Manāqib* that Bishr ibn ‘Uthmān al-Marwazī said, “‘Abdullāh ibn al-Mubārak visited Baghdād and said, ‘Show me Abū Ḥanīfah’s grave,’ and so they showed it to him. He stood at the grave and said, ‘Abū Ḥanīfah, may Allah be merciful to you, Ibrāhīm an-Nakha‘ī died and left successors, Ḥammād ibn Abī Sulaymān died and left successors, but you died, Abū Ḥanīfah, and you have not left any successors on the face of the earth.’ Then he wept uncontrollably.”

This is only a drop that I mention from the ocean of his knowledge, *fiqh*, merits and virtues, but who is able to enumerate what has been narrated of his many virtues and merits? May Allah be exceedingly merciful to him and fill his grave with light and happiness, and may Allah be pleased with him as He is with the truly good and the elect. O Allah gather us together in his assembly by Your mercy, O Most Merciful of the merciful, and may Allah bless our master Muḥammad and his family and companions, all of them.

LATER IMAMS’ TREATMENT OF HADITH AND THEIR OMISSION OF ISNADS

All of that which our people of knowledge mention, may Allah have mercy on them, of hadith and traditions in their compilations without explaining the chains of transmission nor their origins, as is the method of as-Sarakhsī in *al-Mabsūṭ*, al-Kāshānī in *al-Badā'i*¹⁴, and al-Marghīnānī in *al-Hidāyah*, are those hadith and traditions which they found in the books of our earlier imams such as the Imām al-Aẓam, his two companions, Ibn al-Mubārak, al-Ḥasan al-Lu'lu'i, Ibn Shujā' ath-Thaljī, 'Isā ibn Abān, al-Khaṣṣāf, aṭ-Ṭaḥāwī, al-Karkhī and al-Jaṣṣāṣ, may Allah have mercy on them. Then later there came those who expounded and elucidated *al-Hidāyah* and *al-Khulāṣah* and others, and who sought out these narrations from the recorded collections authored after the second century by the collectors of hadith, and if they did not find them in them they passed judgement on them that they were unusual.¹⁴ Some people have bad opinions of those *fuqahā'* imams and ascribe little knowledge of hadith to them; far removed are they from that. On the contrary as-Sakhsī, al-Kāshānī and al-Marghīnānī relied in this area upon their imams who were well known for their memorisation and for their trustworthiness, just as al-Baghawī relied in his *Maṣābiḥ* upon the authors of the well-known collections.


The Ḥāfiẓ of the age, Qāsim ibn Quṭlūbghā said, "The earliest generations of our people, may Allah have mercy on them, would dictate the *fiqh* cases and their evidences from the prophetic hadith with their chains of transmission, those such as Abū Yūsuf in the *Kitāb al-kharāj* and *al-Amālī* and Muḥammad in *Kitāb al-aṣl* and in *as-Siyar*, and similarly aṭ-Ṭaḥāwī, al-Khaṣṣāf and al-Karkhī, except in the abridged works. Then there came those who relied upon the books of the preceding early generations and narrated hadith in their books without explanation of the chains of transmission, or their origins and people were silent about these books. If we wished we could tell you in detail about the likes of these hadith which these narrators have judged to be unusual in having only a single narrator, many examples of which are to be found in *Kitāb al-Āthār* for example, but however the occasion is not appropriate, and to expand upon it must be done in another place. Yes, the reception

that the hadith scholars who came after the second century gave them, whether rejecting them or accepting them, appears from these accounts of the sources of the hadith (*takhrijāt*).” Consult the *Munyah al-‘alma‘ī fī mā fāta min takhrīj aḥādīth al-Hidāyah* by az-Zayla‘ī, published in Egypt and a copy of which is to be found in my library.

SOME NOTED ḤANAFĪS

‘Abdullāh ibn al-Mubārak is a Ḥanafī as is mentioned in *al-Jawāhir al-muḍī‘ah*. He said in a note in a biographical notice of Wakī‘ ibn al-Jarrāḥ transmitting from Ibn Ma‘īn that, “he” – meaning Wakī‘ – “gives *fatwā* according to the verdict of Abū Ḥanīfah.” He said, “And Yaḥyā ibn al-Qaṭṭān would also give *fatwā* according to the verdict of Abū Ḥanīfah.” Adh-Dhahabī transmitted in *Mizān al-i‘tidāl* in a biographical notice on Ḥammād ibn Salamah, “Shu‘bah’s theoretical understanding (*ra’y*) was that of the people of Kūfa,” as al-Fāḍil an-Nu‘māni said in *Fī mā tamassu ilayhi al-ḥājah*.


IMĀM MUḤAMMAD IBN AL-ḤASAN

As for the narrator of the *Kitāb al-Āthār* from Imām al-A‘zam Abū Ḥanīfah , he was the Imām, *faqīh*, Ḥāfiẓ and “trustworthy narrator,” as ad-Dāraquṭnī said, “for the unusual hadith of Mālik in which at some point in the chain of transmission there is a single narrator,” (*Naṣb ar-rāyah*) “strong as a narrator from Mālik,” (*Mizān al-i‘tidāl*) “utterly truthful,” as ‘Alī ibn al-Madīnī the shaykh of al-Bukhārī said in *al-Muntaẓam* of Ibn al-Jawzī and the *Ta‘jīl al-manfa‘ah* of Ibn Ḥajar, “Abū ‘Abdullāh Muḥammad ibn al-Ḥasan ibn Farqad, ash-Shaybānī by descent or by alliance according to the divergent opinions about him.”

I have given an abridged biographical notice about him at the beginning of the *Kitāb al-Āthār* in my commentary, and here is mention of it in *Bulūgh al-amānī* by the eminent scholar al-Kawtharī and from a volume of adh-Dhahabī and from others’ books on the eminent virtues of the ‘ulamā’. Ibn ‘Asākir gave a biographical


notice of his father al-Ḥasan ibn Farqad ash-Shaybānī in *Tārīkh Dimashq*, describing him as having social standing and wealth. Abū Ḥāzim said, “[He was] the Ḥanafī *faqīh* who was the shaykh of Imām aṭ-Ṭahāwī. His origins were in a town close to Ramallah in Palestine, the most-well known of them and they were the most well-known people of its inhabitants. Then they moved to Kūfa.” Aṣ-Ṣaymarī narrated it with its chain of transmission in *Akḥbār Abī Ḥanīfah wa aṣḥābiḥ* and it is transcribed copied over from an Egyptian edition belonging to the Shaykh of hadith Mawlana Sayyid Muḥammad Yūsuf al-Binnūrī who resides in Karachi, and a copy is probably also with Mawlā Abu’l-Wafā’ al-Afghānī who resides in Hyderabad Daccan. Ibn Sa‘d said in *aṭ-Ṭabaqāt al-kubrā*, “He was originally from al-Jazīrah [in ‘Irāq] and his father had been among the troops of Shām¹⁵ and then came to Wāsiṭ where Muḥammad was born in 132 AH.” Al-Khaṭīb said in *Tārīkh Baghdād*, “His origin was that he was Damascene from the people of a town called Harastā. His father came to ‘Irāq and Muḥammad was born in Wāsiṭ and grew up in Kūfa.” The truth is that he was probably originally from al-Jazīrah from one of the places where Banī Shaybān sought herbage [for their flocks] from Diyār Rubaynah. Then his father became a member of the army of Shām and Ithrā. So his family resided one time in Harastā and in a town in Palestine, and both are of the land of Shām, from where they moved to Kūfa. During his father’s residence in Wāsiṭ on behalf of some work he undertook, Muḥammad was born and then they returned to Kūfa where he grew up.

He grew up in affluent circumstances in his father’s prosperous and glad (*sarri*) house in Kūfa. When he reached the age of discernment he learnt the Noble Qur’ān and committed as much of it to memory as was easy for him. He began to attend lessons on the Arabic language and on narration, Kūfa being at that time the institute of the sciences of Arabic, hadith and *fiqh* since the great Companions had come to reside there and ‘Alī ibn Abī Ṭālib, may Allah ennoble his face, took it as the capital of the caliphate.

When he reached fourteen years of age he attended the assembly of Abū Ḥanīfah in order to ask him about something that had happened to him. He asked, “What do you say about a boy who attains puberty at night after having prayed ‘Ishā’, should he repeat ‘Ishā’?” He said, “Yes.” And so he stood up taking his sandals and went and repeated ‘Ishā’ in a corner of the mosque. That was the first he learnt from Abū Ḥanīfah. When he saw him repeating the prayer, it amazed him, and he said, “This child will succeed, inshā’Allāh” and it was as he said. Then Allah, glorious is He and exalted, cast the desire to learn the *fiqh* of Allah’s *dīn* into his heart after he had seen the majesty of the assembly of *fiqh*, and so he returned to the assembly intending to learn *fiqh*. Abū Ḥanīfah said to him, “Learn the Qur’ān by heart first,” since the person who learns *fiqh* according to the procedures of Abū Ḥanīfah seriously needs that, for as long as argumentation from the Qur’ān is straightforward then one does not turn to any other proof. It has the first rank in proof according to him, so much so that its universal statements are definitive and decisive in those cases where no particularisation is attached to them. He was absent for seven days and then came with his father and said, “I have committed it to memory.” He asked Abū Ḥanīfah about a case in *fiqh*. Abū Ḥanīfah asked, “Did you take this case from someone else or did you think it up yourself?” He said, “It is from myself.” Abū Ḥanīfah said, “You ask men’s questions. Present the disagreement to us and to the circle.” From that moment Muḥammad took up knowledge totally, clinging to the circle of Abū Ḥanīfah and writing down the answers given to the questions in his assembly, and he collected them after staying close to him for four years in this manner. Abū Ḥanīfah  died, and then he completed *fiqh* with Abū Yūsuf according to the methodology (*ṭarīq*) of Abū Ḥanīfah.

Then later he travelled to Mālik and stayed with him for three years. The sum total of hadith that he heard from Mālik was seven hundred hadith with their chains of transmission, and he heard from the rest of the shaykhs of Madīnah on this journey more than he had heard from them on his previous journeys. His *Muwatta’* is counted

as one of the best *Muwatta*'s if not the best of them without qualification because he heard it from him in his own words completely¹⁶ and during a period of three years, and because he mentions after the hadith in each chapter whether those hadith are to be the basis for action for the *fuqahā*' of 'Irāq or whether they disagreed with them, along with enumeration of hadith that counter these hadith. This is a distinctive quality by which his *Muwatta*' is distinguished from other *Muwatta*'s¹⁷. That is how my master Abu'l-Wafā' al-Afghānī transmitted it in the introduction to his gloss on *Kitāb al-Āthār*. I have *Bulūgh al-amānī* and the volume of adh-Dhahabī on the merits of the Imām and his companions, the *Manāqib* of al-Bazzāzī, the *Manāqib* of al-Muwaffaq, and the introduction to *at-Ta'liq al-mumajjad* and other works of biographical notices, and similarly *an-Nāfi' al-kabīr li man yuṭālī'u al-Jāmi' aṣ-ṣaghīr*, and I have relied on the transmission of it of Mawlā al-Mazbūr, may Allah reward him with the best reward.

He heard hadith from Abū Ḥanīfah, Abū Yūsuf and others of the many shaykhs in Kūfa, Baṣra, Madīnah, Makkah, Shām and the cities of 'Irāq. Indeed together with the knowledge of Abū Ḥanīfah and Abū Yūsuf, he gathered the knowledge of al-Awzā'ī, ath-Thawrī and Mālik , so much so that he became an imam whose rank in *fiqh* no one else attained, who was strong in *tafsīr* and hadith, and an authoritative source in linguistics, by the unanimous agreement of those of the people of knowledge who have not been afflicted with partisan party-spirit.

He said, "I inherited thirty thousand¹⁸ and spent a half on language and poetry and the other half on *fiqh* and hadith," as is transmitted in a *ṣaḥīḥ* form from him by different routes of transmission.

As for his shaykhs in hadith, I have made some of them known in the section of the book on narration from others than Abū Ḥanīfah, but in detail and in an abridged form they are:

FROM THE PEOPLE OF KŪFA

Abū Ḥanīfah, Ismā‘īl ibn Abī Khālid, Sufyān ath-Thawrī, Mis‘ar ibn Kidām, Mālik ibn Mighwal, Qays ibn ar-Rabī‘, ‘Umar ibn Ward, Bukayr ibn ‘Āmir, Abū Bakr an-Nahshalī, Muḥill ibn Miḥraz aḍ-Ḍabbī, Abū Kudaynah Yaḥyā ibn al-Mihlab al-Bajalī, ‘Abd ar-Raḥmān ibn ‘Abdullāh ibn ‘Utbah al-Mas‘ūdī, Isrā‘īl ibn Yūnus, Salām ibn Sulaym, Salām ibn Sulaymān, Abū Mu‘āwiyah aḍ-Ḍarīr, Zufar, Abū Yūsuf, Ismā‘īl ibn Ibrāhīm al-Bajalī, Fuḍayl ibn Ghazwān, al-Ḥasan ibn ‘Umārah, Yūnus ibn Abī Ishāq as-Sabī‘ī, ‘Abd al-Jabbār ibn al-‘Abbās al-Hamdānī, Muḥammad ibn Abān ibn Ṣāliḥ al-Qurashī, Sa‘īd ibn ‘Ubayd aṭ-Ṭā‘ī, Abū Farwah ‘Urwah ibn al-Ḥārith al-Hamdānī and Abū Zuhayr al-‘Alā’ ibn Zuhayr.

FROM THE PEOPLE OF MADĪNAH

Mālik ibn Anas, Ibrāhīm ibn Muḥammad ibn Abī Yaḥyā, ‘Ubaydullāh ibn ‘Umar and his brother ‘Abdullāh, Khārijah ibn ‘Abdullāh ibn Sulaymān, Muḥammad ibn Hilāl, Ḍaḥḥāk ibn ‘Uthmān, Ismā‘īl ibn Rāfi‘, ‘Aṭā’ ibn Khālid, Ishāq ibn Ḥāzim, Hishām ibn Sa‘d, Usāmah ibn Zayd al-Laythī, Dāwūd ibn Qays al-Farrā’, ‘Īsā ibn Abī ‘Īsā al-Ḥanāṭ, ‘Abd ar-Raḥmān ibn Abi’z-Zinād, Muḥammad ibn ‘Abd ar-Raḥmān ibn Abī Dhi’b and Khaytham ibn ‘Irāk.

FROM THE PEOPLE OF MAKKAH

Sufyān ibn ‘Uyaynah al-Kūfī, Zam‘ah ibn Ṣāliḥ, Ismā‘īl ibn ‘Abd al-Malik, Ṭalḥah ibn ‘Amr, Sayf ibn Sulaymān, Ibrāhīm ibn Yazīd al-Amawī, Zakariyyā ibn Ishāq and ‘Abdullāh ibn ‘Abd ar-Raḥmān ibn Ya‘lā ath-Thaqafī aṭ-Ṭā‘ī.

FROM THE PEOPLE OF BAṢRA

Abu’l-‘Awwām ‘Abd al-‘Azīz ibn ar-Rabī‘, Hishām ibn ‘Abdullāh, ar-Rabī‘ ibn aṣ-Ṣabiḥ, Abū Ḥarrah Wāṣil ibn ‘Abd ar-Raḥmān, Sa‘īd ibn Abī ‘Arūbah, Ismā‘īl ibn Ibrāhīm al-Baṣrī and al-Mubārak ibn Faḍālah.

FROM THE PEOPLE OF WĀSIT

‘Abbād ibn al-‘Awwām, Shu‘bah ibn al-Ḥajjāj and Abū Mālīk ibn ‘Abd al-Malik an-Nakha‘ī.

FROM THE PEOPLE OF SHĀM

Abū ‘Amr ‘Abd ar-Raḥmān al-Awzā‘ī, Muḥammad ibn Rāshid al-Makḥūl, Ismā‘īl ibn ‘Ayyāsh al-Ḥimṣī and Thawr ibn Yazīd ad-Dimashqī.

FROM THE PEOPLE OF KHURĀSĀN

‘Abdullāh ibn al-Mubārak.

FROM THE PEOPLE OF AL-YAMĀMAH

Ayyūb ibn ‘Utbah al-Yamāmī.

There were other people from these cities and from elsewhere. Nor was he sparing in narrating from his peers and from those younger than them, as is the way with elders in their narration from those younger than them.

When the reputation of Muḥammad ibn al-Ḥasan spread very widely and travellers spread his compilations, then people made towards him from the most distant lands in order to learn *fiqh* from him wherever he was. He reached the highest levels of *ijtihād* even though he safeguarded his ascription to Abū Ḥanīfah an-Nu‘mān, gratefully acknowledging the effect of his teaching him *fiqh*. This insistence of his on ascribing [himself to Abū Hanīfah’s teaching] does not lessen his standing, except among people who do not know the ranks of the men [of knowledge] and who are partisan.

Here we will content ourselves with mentioning a general outline of his companions and pupils who ‘graduated’ [under his tutelage], so that it will be known that he was the shaykh of the people of *ijtihād* of his age. Among them were Abū Ḥafṣ al-Kabīr al-Bukhārī, Aḥmad ibn Ḥafṣ al-‘Ijlī from whom al-Bukhārī received the

fiqh of the people of theoretical understanding (*ra'y*) and the *Jāmi'* of ath-Thawrī before his travels, Abū Sulaymān Mūsā ibn Sulaymān al-Jawzajānī by means of whom the six books spread widely in both east and west, Abū 'Abdullāh Muḥammad ibn Idris ash-Shāfi'ī one of the four Imams, Abū 'Ubayd Qāsim ibn Sallām al-Harawī that great *mujtahid* Imam, 'Amr ibn Abī 'Amr al-Ḥarrānī, Muḥammad ibn Samā'ah at-Tamīmī, 'Alī ibn Ma'bad ibn Shaddād ar-Raqqī one of those who narrated the *Jāmi' aṣ-ṣaghīr* and *al-Kabīr*, Mu'allā ibn Manṣūr ar-Rāzī, Abū Bakr ibn Abī Muqātil, Asad ibn al-Furāt al-Qayrawānī who recorded the *madhhab* of Mālik and who was Ṣaḥnūn's shaykh, Muḥammad ibn Muqātil ar-Rāzī the shaykh of Ibn Jarīr, Yaḥyā ibn Ma'īn al-Ghaṭafānī the imam of critical study of hadith narrators (*al-jarḥ wa't-ta'dīl*), 'Alī ibn Muslim at-Ṭūsī, Mūsā ibn Naṣr ar-Rāzī, Shaddād ibn Ḥakīm al-Balkhī, al-Ḥasan ibn Ḥarb ar-Raqqī, Ibn Jabalah, Abu'l-'Abbās Ḥumayd, Abu't-Tawīyyah Rabī' ibn Nāfi' al-Ḥalabī, 'Ubaydullāh ibn Abī Ḥanīfah ad-Dalūsī, Abū Yazīd 'Amr ibn Yazīd al-Jaramī, Muṣ'ab ibn 'Abdullāh az-Zuhayrī, Ayyūb al-Ḥasan an-Naysābūrī, Khalf ibn Ayyūb al-Balkhī, 'Alī ibn Ṣubayḥ, 'Aqīl ibn 'Anbasah, 'Alī ibn Mihrān, 'Amr ibn Mahir, Yaḥyā ibn Aktam, Abū 'Abd ar-Raḥmān al-Mu'addib the educator of Al Shabīb, 'Alī ibn al-Ḥasan ar-Rāzī, Hishām ibn 'Ubaydullāh ar-Rāzī, Abū Ja'far Aḥmad ibn Muḥammad ibn Mihrān an-Nasawī who narrated the *Muwatta'* from him, Shu'ayb ibn Sulaymān al-Kaysānī who narrated the *Kaysāniyyāt* from him, 'Alī ibn Ṣāliḥ al-Jurjānī narrator of the *Jurjāniyyāt* from him, Abū Bakr ibn Ibrāhīm ibn Rustum al-Marwazī narrator of *an-Nawādir* from him, Abū Zakariyyā Yaḥyā ibn Ṣāliḥ al-Waḥāzī al-Ḥimṣī one of al-Bukhari's shaykhs in Shām, Abū Mūsā 'Isā ibn Abān al-Baṣrī the narrator of *al-Ḥujaj 'alā ahl al-Madīnah* from him and author of *Kitāb al-ḥujaj al-kabīr* and *Kitāb al-ḥujaj aṣ-ṣaghīr* and *Kitāb ar-radd 'alā al-Muraysī wa'sh-Shāfi'ī fī qabūl al-akhbār*, Sufyān ibn Saḥbān al-Baṣrī author of *Kitāb al-īlal* and others. Muḥammad ibn 'Umar al-Wāqidī narrated from him just as he also narrated from al-Wāqidī, which is an example of peers narrating from each other.

When the *Muwattaʿ* began to spread at the beginning of the time of [the caliphate of] al-Mahdī, Muḥammad travelled to Mālik and stayed close to him for three years. The hadith he carried away that he had heard in the words of Mālik with their chains of transmission were almost seven hundred hadith, and he heard from other shaykhs of Madīnah more than he had heard from them on his other journeys. Al-Khaṭīb narrated with his chain of transmission that Yaḥyā ibn Ṣāliḥ said, “Ibn Aktam said, ‘You saw Mālik and listened to him, and you kept close company with Muḥammad ibn al-Ḥasan. Which of them was more discerning in *fiqh*?’ I said, ‘Muḥammad ibn al-Ḥasan (concerning that which he himself adheres to) is more discerning in *fiqh* than Mālik.’”

Adh-Dhahabī said, “He succeeded to the leadership of *fiqh* in ‘Irāq after Abū Yūsuf, and imams learnt *fiqh* from him, and he made compilations. He was one of the fine intellects of the world. Muḥammad ibn al-Ḥasan ؓ was a fine intellect, with a burning mind, swift in thought, strong in memory, leaping impetuously to noble things, of a beautiful constitution and natural disposition to the utmost limit, stout, of a light spirit, full of health and strength.”

THE IMAMS’ PRAISE OF IMĀM MUḤAMMAD IBN AL-ḤASAN



Al-Khaṭīb narrated from al-Ḥasan ibn Muḥammad al-Khallāl from ‘Alī ibn ‘Amr al-Jurayrī from ‘Alī ibn Muḥammad an-Nakha‘ī from Aḥmad ibn Ḥammād ibn Sufyān from al-Muzanī that Imām ash-Shāfi‘ī said, “In my view the most trustworthy of people with respect to *fiqh* is Muḥammad ibn al-Ḥasan.” As-Sam‘ānī mentioned from al-Buwayṭī that ash-Shāfi‘ī said, “Allah helped me by means of two men: Ibn ‘Uyaynah in hadith and Muḥammad ibn al-Ḥasan in *fiqh*.” Ar-Rabī‘ narrated from ash-Shāfi‘ī, “No one has been as kind to me in terms of knowledge and worldly means as has Muḥammad,” and he supplicated for mercy for him in all his moments. Ibn Samā‘ah narrated that Muḥammad ibn al-Ḥasan repeatedly collected from his companions almost one hundred

thousand dirhams for ash-Shāfi‘ī. Adh-Dhahabī narrated in his volume on Idrīs ibn Yūsuf al-Qarāṭisī that he heard ash-Shāfi‘ī saying, “I have never seen anyone more knowledgeable of the Book of Allah than Muḥammad; it is as if it was revealed to him.”

Aṭ-Ṭaḥāwī narrated from Ibn Abī ‘Imrān from aṭ-Ṭabarī that he heard Mu‘allā ibn Manṣūr saying, “Abū Yūsuf met me at the justice department (*hay’at al-qadā’*) and he said, ‘Mu‘allā, with whom are you keeping close company these days?’ I said, ‘I am keeping close company with Muḥammad ibn al-Ḥasan.’ He said, ‘Stick close to him, because he is the most knowledgeable of people.’” Ibn Abī l-‘Awwām the Ḥāfiẓ mentioned with its chain of transmission that Mālīk ibn Anas said one day when the people of hadith were with him, “No one has come to us from the direction of the east in whom there is a commendable quality,” and in the assembly was Muḥammad ibn al-Ḥasan. His eye fell upon him and he added, “Except for this youth.” You know that Ibn al-Mubārak, Wakī‘, and ‘Abd ar-Raḥmān ibn Mahdī came to him and yet he preferred him over them with this phrase.

He mentioned that ash-Shāfi‘ī said, “I have not seen anyone more knowledgeable in the Book of Allah ﷻ than Muḥammad ibn al-Ḥasan; it was as if it had descended upon him.” He also said, “I never heard anyone who, when he spoke, one would have the opinion that the Qur’ān had descended in his dialect apart from Muḥammad ibn al-Ḥasan. I wrote down the equivalent of a male Bactrian camel’s load from him.” He said, “I only mentioned the male Bactrian because it carries more than any other camel.” He also mentioned that a man said to al-Muzanī, “Muḥammad said,” so he said, “Who is Muḥammad?” He said, “Ibn al-Ḥasan.” He said, “Welcome to one who fills the ear with hearing and the heart with understanding.” Then he said, “I didn’t say it, but ash-Shāfi‘ī said it.” Aṣ-Ṣaymarī mentioned with its chain of transmission that ash-Shāfi‘ī said, “I have never seen a man more knowledgeable of the *ḥalāl* and the *ḥarām*, the efficient causes (*‘ilal*), and the abrogating and the abrogated than Muḥammad ibn al-Ḥasan.” He also said, “If people did justice to the *fuqahā’* they would know that they have


never seen the like of Muḥammad ibn al-Ḥasan. I never sat with a *faqīh* who had more understanding than him, nor anyone who was more eloquent than him concerning *fiqh*. He treated *fiqh* and its causes excellently well in a way of which the great were incapable.” He also said, “The most knowledgeable of the masters in my view are Mālīk and then Muḥammad ibn al-Ḥasan.” He also said, “I recorded a camel-load from Muḥammad ibn al-Ḥasan. If it had not been for him that knowledge which was opened up to me would not have been. All people are needy dependents of the people of Kūfa, and all of the people of Kūfa are the needy dependents of Abū Ḥanīfah.” Al-Khaṭīb mentioned with its chain of transmission that to a man who said to him, “The *fuqahā’* disagree with you,” ash-Shāfi‘ī said “Have you ever seen a *faqīh*? Unless perhaps you saw Muḥammad ibn al-Ḥasan, because he filled both the eye and the heart. I have never seen a stout man of sharper intellect than Muḥammad ibn al-Ḥasan.” He also said, “In my view the most trustworthy of people in *fiqh* is Muḥammad ibn al-Ḥasan.” Adh-Dhahabī said in his volume, “That which Ibn Kās an-Nakha‘ī narrated from Aḥmad ibn Ḥammād ibn Sufyān from ar-Rabī‘ is that ash-Shāfi‘ī said, ‘I have not seen anyone more intelligent, more understanding, more abstinent, more scrupulous, more well-spoken than Muḥammad ibn al-Ḥasan.’”

Ibn Abī'l-‘Awwām narrated with its chain of transmission that Dāwūd aṭ-Ṭā‘ī said about Muḥammad ibn al-Ḥasan when he was young, “If he lives, he will have some importance.” It is narrated that Abū Yūsuf said about Muḥammad ibn al-Ḥasan’s memory while he was yet a youth, “This is how memory is!” It is narrated that Yaḥyā ibn Ma‘īn said, “I wrote down *al-Jāmi‘ aṣ-ṣaghīr* from Muḥammad ibn al-Ḥasan.” Aṣ-Ṣaymarī narrated with its chain of transmission that Abū ‘Ubaydah said, “I have not seen anyone more knowledgeable of the Book of Allah than Muḥammad ibn al-Ḥasan.” Al-Khaṭīb mentioned in his *Tārīkh* with its chain of transmission that Ismā‘īl ibn Ḥammād ibn Abī Ḥanīfah said, “Muḥammad ibn al-Ḥasan had a circle of teaching in the mosque of Kūfa when he was twenty years old.” Adh-Dhahabī mentioned in his volume and

narrated that Muḥammad ibn al-Ḥasan had abundant intelligence, complete intellect, mastery and recited Qur'ān a great deal. Aṭ-Ṭaḥāwī said, "I heard Aḥmad ibn Abī 'Imrān quoting from some of Muḥammad ibn al-Ḥasan's companions that Muḥammad's portion for recitation each day and night was a third of the Qur'ān." Abū Ḥāzim said, "I heard Bakr ibn Muḥammad al-ʿAmī saying, 'Ibn Samā'ah and 'Isā ibn Abān only took the goodness of the prayer from Muḥammad ibn al-Ḥasan.'"

Ibn Sa'd said, "He grew up in Kūfa and sought out knowledge and sought out hadith, and he heard directly a great deal. He sat with Abū Ḥanīfah and heard from him, and looked into theoretical understanding (*ra'y*) and he mastered it, for which he became known and in which he was skilful. He came to Baghdād and resided there, and people resorted to him and heard hadith and his theoretical understanding from him."

Al-Khaṭīb mentioned with its chain of transmission that 'Alī ibn al-Madīnī was asked about Muḥammad ibn al-Ḥasan and he said, "Utterly truthful." There is the like of that in *al-Muntaẓam* by Ibn al-Jawzī and *Ta'jīl al-manfa'ah* by Ibn Ḥajar. Adh-Dhahabī said in his volume, "Ash-Shāfi'ī would advance him in an argument respecting hadith." This is the end of what there is in *Bulūgh al-amānī* in summary without any particular order.

The imams praised him a great deal and it is unusual that Ḥāfiẓ Ibn Ḥajar's mentioned the biographical notice of Muḥammad ibn al-Ḥasan in *Lisān al-mizān* and transmitted the sayings of the narrators that were critical of him, so much so that he transmitted that he was a Jahmī without responding to it and he remained silent about it. Then later in the thirteenth volume of *Fath al-Bārī* he had to establish and confirm the consensus of the four Imāms that the Jahmīs are a false sect, and there he transmitted with its chain of transmission the saying of Muḥammad ibn al-Ḥasan in refutation of the Jahmīs that they are contrary to the verdict of the Companions  so one has to avoid keeping company with them. So by means of his words he affirmed the consensus of the four Imāms that they were an insignificant false sect, may Allah treat us and him kindly.

And I will mention his customary approach in an appropriate place, something of the commentaries on the appendices of *Tadhkirat al-ḥuffāẓ* which relates to the Ḥāfiẓ so that you might have insight into his state when it comes to the hadith scholars among the Ḥanafīs. If you wish confirmation of what I say then check his *ad-Durar al-kāminah* and the commentary of his particular pupil, Ḥāfiẓ as-Sakhāwī, on it, and as-Sakhāwī drew attention to that in many places in the commentary. My master Abu'l-Wafā' said this in the introduction to *Kitāb al-Āthār* transmitting it from the introduction to *Bulūgh al-amānī*.

WORKS BY IMĀM MUḤAMMAD IBN AL-ḤASAN

The number of *fiqh* books that have reached us from Muḥammad ibn al-Ḥasan have not reached us from any man of knowledge of his generation. On the contrary, his books are the foundation for the law-books of the *fiqh* of the *madhhabs*. How often have we seen among investigative lawyers, over and above *faqīh* sharī'ah judges, those who sincerely wish to spread the books of Muḥammad ibn al-Ḥasan widely, acknowledging that his books are the foundations for the law books of the *fiqh* of the *madhhabs*. The extent to which the law-books of the *madhhabs* were prepared from the books of Muḥammad ibn al-Ḥasan is not hidden. For example, the *Asadiyyah*, which is the source of *Mudawwanah*¹⁹ in the *madhhab* of Mālik, was only composed under the light of Muḥammad's books. Ash-Shāfi'ī only composed his older and newer works²⁰ after having studied *fiqh* with Muḥammad, recorded his books and memorised of them what he did. Ibn Ḥanbal used to reply to cases from the books of Muḥammad. It was similar with those *fuqahā'* who came after them.

KITĀB AL-AṢL OR AL-MABSŪṬ

Most of what has reached us of his books is the *Kitāb al-aṣl* known as *al-Mabsūṭ*. It is the one about which it is said that ash-Shāfi'ī had memorised it and that he composed *al-Umm* in imitation of *al-Aṣl*. A sage from the People of the Book accepted Islam after studying it,

saying, “This is the book of your lesser Muḥammad, so how is it with the book of your greater Muḥammad?” It is in six volumes, each volume of which is approximately five hundred pages. A group of his companions narrated it, such as Abū Sulaymān al-Jawzajānī, Muḥammad ibn Maslamah at-Tamīmī, Muḥammad ibn Samā‘ah, and Abū Ḥafṣ al-Kabīr Aḥmad ibn Ḥafṣ al-Bukhārī. Allah, glorious is He, decreed widespread dissemination for this book that comprises derivative rulings (*furū‘*) amounting to tens of thousands of cases concerning the *ḥalāl* and the *ḥarām* of which people may not remain ignorant. Complete copies of it exist in the libraries of Istanbul, one of which is in six volumes, and that is the copy of Fayḍu’llāh, and there are those of them that are in four volumes, and they are the copies of the libraries of ‘Āṭif, Jāru’llāh, Waliyyu’d-Dīn, Qurrah Muṣṭafā Pasha and Murād Mullā. The oldest of them is the copy of Murād Mullā, but all of them are in the narration of al-Jawzajānī.

AL-JĀMI‘ AŞ-ŞAGHĪR

Among those of his books that have reached us there is *al-Jāmi‘ aṣ-ṣaghīr*, which is a blessed book comprising around 1,532 cases. Disagreements concerning 170 cases are mentioned in it, but he did not mention the use of analogical reasoning (*qiyās*) or the application of discretion (*al-istiḥsān*) except in two cases. Allah, glorious is He, also decreed widespread dissemination for it so much so that the eminent scholars of detailed investigation made commentary on it. Shaykh ‘Abd al-Ḥayy al-Laknawī, in *an-Nāfi‘ al-kabīr li man yuṭālī‘ al-Jāmi‘ aṣ-ṣaghīr* mentions its commentators. Among its narrators, according to the confirmation of the shaykhs, were al-Jawzajānī, Abū Ḥafṣ, and ‘Alī ibn Ma‘bad. Abū Ṭāhir ad-Dabbās and az-Za‘farānī arranged it in chapters. All that is in it is investigation of cases. The reason for its composition was that Abū Yūsuf asked Muḥammad ibn al-Ḥasan, after he had completed *al-Mabsūṭ*, to write a book in which he would collect together what he had memorised from him [Abū Yūsuf] which he had narrated to him from Abū Ḥanīfah. So he compiled this book and then showed it to him, and he said, “How excellently Abū ‘Abdullāh has memorised

from me, except that he has made a mistake in three cases.” Muḥammad said, “I was not mistaken, but he forgot the narration.” It is said that along with the high rank of Abū Yūsuf he could not be without this book whether resident or travelling. This [edition of] *al-Jāmi‘ aṣ-ṣaghīr* was printed in India with the commentary of Shaykh ‘Abd al-Ḥayy [al-Lāknawī], and it was printed in Istanbul and Egypt in the margins of Kitāb al-kharāj by Imām Abū Yūsuf.

AS-SIYAR AṢ-ṢAGHĪR

Among the books of Muḥammad also was *as-Siyar aṣ-ṣaghīr*, which he narrated from Abū Ḥanīfah. Al-Awzā‘ī had tried to refute Abū Ḥanīfah and Abū Yūsuf responded to him and that book of his is the source of *as-Siyar aṣ-ṣaghīr*.

AL-JĀMI‘ AL-KABĪR

Among them also is *al-Jāmi‘ al-kabīr*, which is the book that compiles the most essential cases, comprising the source narrations and the key texts of knowledge so much so that it is almost a miracle, as al-Akmal says in his commentary upon al-Khulāṭī’s abridgement of *al-Jāmi‘ al-kabīr*. Ibn Abi’l-‘Awwām narrated from aṭ-Ṭaḥāwī from Ibn Abī ‘Imrān that Muḥammad ibn Shujā‘ used to say in a digression about Muḥammad ibn al-Ḥasan, inclining from him to his shaykh al-Ḥasan ibn Ziyād, “There was not been composed in Islam a book the like of Muḥammad ibn al-Ḥasan’s *al-Jāmi‘ al-kabīr*.” It has also been narrated of aṭ-Ṭaḥāwī from Muḥammad ibn al-Ḥasan al-Mirdās that Muḥammad ibn Shujā‘ said, “The similitude of Muḥammad ibn al-Ḥasan with respect to *al-Kabīr* is that of a man who built a house such that, as it rose higher, he would build a staircase by which he could ascend to a higher point of the house until he had completed its building in such manner. Then he descended and demolished its staircases and said to people, ‘It is your business. Ascend!’”

The *mujtahid* Imām Abū Bakr ar-Rāzī said in his commentary on *al-Jāmi‘ al-kabīr*, “I read some cases of *al-Jāmi‘ al-kabīr* to one of the

surpassingly excellent grammarians (meaning Abū ‘Alī al-Fārisī) and he was astonished at the book’s author’s extensive knowledge of grammar.” Ibn Abi’l-‘Awwām narrated eloquent praise of this book from the point of view of its utter conformity with the Arabic language from al-Akhfash with its chain of transmission. This book has been circulated among and deliberated over by the *fuqahā’* and tested by them using all of their different faculties and the fullest reach of their alert wakefulness with respect to *fiqh*, and the masses of the people of knowledge confirm the book’s author’s deep penetration in language and that he is a decisive authority in language just as he is in *fiqh*. Ibn Taymiyyah affirmed that in places, despite his digressions on the people of theoretical understanding (*ra’y*). Tens of imams have composed commentaries on this book and these commentaries continue to be well preserved in the world’s libraries. One copy is to be found in the library of Waliyyu’d-Dīn in Istanbul, and there is an incomplete copy in Dār al-Kutub al-Miṣriyyah.

A large body of his companions narrated *al-Jāmi‘ al-kabīr* from Muḥammad, among them Abū Sulaymān al-Jawzajānī, Abū Ḥafṣ al-Kabīr, Hishām ibn ‘Ubaydullāh, and ‘Alī ibn Ma‘bad ibn Shaddād. This *Jāmi‘* has been published by Lajnah Ihyā’ al-Ma‘ārif an-Nu‘māniyyah.

AZ-ZIYĀDĀT AND ZIYĀDĀT AZ-ZIYĀDĀT

Of his authorship there are also *az-Ziyādāt* and *Ziyādāt az-ziyādāt*, which he composed after *al-Jāmi‘ al-kabīr* in order to amend what cases he had left out of it, and they are both counted among his most original books, and the people of knowledge concerned themselves with composing commentaries on them. We did not obtain copies of the two books even though we pursued them diligently. That which is in libraries in Istanbul under the name of *az-Ziyādāt* is an abridgement of its commentary by Qāḍī Khān, which aṣ-Ṣadr Sulaymān abridged without having the two originals of the book.

It is said that one of the reasons for his composition of *az-Ziyādāt* was that Abū Yūsuf deduced some fine subtle derivative rulings in one of the assemblies of dictation and then said, “Deduction of these derivative rulings would be difficult for Muḥammad ibn al-Ḥasan.” When that reached him, he composed *az-Ziyādāt* as a proof that similar derivative rulings and even more subtle ones would not be difficult for him to deduce, and Allah knows best.

...

The Lajnah Ihyā’ al-Ma‘ārif an-Nu‘māniyyah published the commentary on *Ziyādāt az-Ziyādāt* by as-Sakhsī in Hyderabad in India.

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AS-SIYAR AL-KABĪR

Of his authorship there is also *as-Siyar al-kabīr*, which is one of the last works Muḥammad wrote after Abū Ḥafṣ al-Kabīr travelled to Bukhārā. So its narration was confined to Baghdād and to those such as al-Jawzajānī and Ismā‘īl ibn Tawbah al-Qazwīnī. [Hārūn] Ar-Rashid celebrated this book a great deal and made his two sons, Amīn and Ma‘mūn, listen to it. The tremendous rank of this book is well known. A large group of imams wrote commentaries on it. The commentary of as-Sakhsī on it was printed by Dā’irah al-Ma‘ārif in Hyderabad Daccan in four volumes and today it is being printed a second time in Egypt, three volumes already having been printed. The noted scholar Muḥammad al-Munīb al-‘Intiyābī has written a fine commentary on it called *at-Taysīr ‘ala’s-siyar al-kabīr*, which is to be found in the library of Shaykh al-Islām ‘Ārif Ḥikmat in Madīnah al-Munawwarah.

These six books, meaning *al-Mabsūt*, the two *Ṣaghīrs*, the two *Kabīrs* and *az-Ziyādāt*, are counted as comprising those narrations which are conspicuously evident in the *madhhab* since they are narrated by means of well-known routes, whereas the rest of Muḥammad’s books in *fiqh* are not so conspicuously evident in

terms of their narration since they are transmitted by single individuals rather than by renowned scholars or by so many in each generation as to leave no doubt (*tawātur*).

OTHER WORKS

Among these latter is *ar-Raqqiyyāt*, in which are the cases for which he deduced rulings when he was *qāḍī* in ar-Raqqah, and which Muḥammad ibn Samāʿah narrated from him since he was with him throughout his residence there.

Of them also there is *al-Kaysāniyyāt* which Shuʿayb ibn Sulaymān al-Kaysāni narrated from him, it sometimes being called *al-Amālī*. A piece of it is to be found in al-Āṣifiyyah library in Hyderabad Daccan. Dāʾirah al-Maʿārif printed it.

Among them also is *al-Jurjāniyyāt*, being narrated from him by ʿAlī ibn Muḥammad al-Jurjānī.

There is also *al-Hārūniyyāt*.

He has also *Kitāb an-nawādir* in a narration of Ibn Rustum, another narration from Muḥammad ibn Samāʿah, another from Hishām ibn ʿUbaydullāh ar-Rāzī, another from Abū Sulaymān al-Jawzajānī, another from Dāwūd ibn Rashīd, and another from ʿAlī ibn Yazīd aṭ-Ṭabarī. These books became rarities in the libraries just as their cases are rarities in the *madhhab*.

He has also *Kitāb al-kasb*, which he died before completing, and on which as-Sakhsī wrote a commentary at the end of *al-Mabsūt*.

THE MUWAṬṬAʾ

As for those works in which narration of hadith is dominant, then those which we have before us include the *Muwaṭṭaʾ*, which is Muḥammad's record of his narration from Mālik, in which there are approximately one hundred and seventy-five hadith from forty shaykhs other than Mālik. ʿAlī al-Qārī and al-Bīrī, the commentator on *al-Ishbāh*, and ʿUthmān al-Kumākhī wrote commentaries on it. The *Muwaṭṭaʾ* of Muḥammad has been printed repeatedly in India along with *at-Taʿlīq al-mumajjad* by ʿAbd al-Ḥayy al-Laknawī.

KITĀB AL-ḤUJJAH OR AL-ḤUJAJ

Among Muḥammad's books there is *Kitāb al-ḥujjah* better known as *al-Ḥujaj*, in argumentation against the people of Madīnah, [a copy of which] is in al-Makhzūnāt al-Maḥmūdiyyah in Madīnah al-Munawwarah. At present it is being printed at the command of Lajnah Ihyā' al-Ma'ārif an-Nu'māniyyah along with the commentary of the noted investigative scholar Mawlana Mufti Sayyid Maḥdī al-Ḥasan al-Qādirī al-Gilānī ash-Shahjahānpūrī, may Allah preserve him.

KITĀB AL-ĀTHĀR

Among them is this book *Kitāb al-Āthār* in which he narrates hadith that connect directly back to the Messenger of Allah ﷺ (*marfū'*), those which stop short at a Companion or one of the Followers (*mawqūf*) and those which are attributed to the Messenger ﷺ directly by one of the Followers or Followers of the Followers without attribution to a Companion (*mursal*). It is this one that his Shaykh [Abū Ḥanīfah] composed and which Muḥammad narrated from him adding to it this commentary, and this is its introduction.

Ḥāfiẓ Ibn Ḥajar composed *al-Īthār bi ma'rifat ruwāt al-āthār* about its narrators at the suggestion of the noted scholar al-Qāsim. Then later he also composed another book on its narrators. (I have compiled its narrators in a separate volume).

MUSNAD ABĪ ḤANĪFAH

Similarly, Muḥammad has the *Musnad Abī Ḥanīfah*, which is well known as the edition of Muḥammad.

Muḥammad ibn Ishāq an-Nadīm mentions in his *Fihrist* that among his compositions are *Kitāb al-ijtihād wa'r-ra'y*, *Kitāb al-istiḥsān*, *Kitāb al-khiṣāl*, and *Kitāb uṣūl al-fiqh*.

This is what I have abridged from *Bulūgh al-amālī* in no particular order, both abridging it and adding to it in some places.

THE DEATH OF IMĀM MUḤAMMAD IBN AL-ḤASAN

He was born in 132 AH as Ibn Abi'l-ʿAwwām, Ibn Saʿd, al-Khaṭīb and others state, but there are some who say it was in 135 AH. As for his death it was in 189 AH according to the agreement of Ibn Saʿd, Ibn al-Khayyāt, and al-Khaṭīb. Those who say in 188 AH are wrong, as occurs in *al-Faḍāʾil* of Ibn Abi'l-ʿAwwām. Abū ʿAbdullāh aṣ-Ṣaymarī said, “Al-Marzubānī informed us, ʿIbrāhīm ibn Muḥammad ibn ʿArafah the grammarian narrated to us that Muḥammad ibn al-Ḥasan and al-Kisāʾī died in ar-Rayy in 189 AH, and so ar-Rashīd said, “I have buried *fiqh* and the Arabic language in ar-Rayy.”” It is said that Muḥammad died and then al-Kisāʾī two days after him. Some said that they both died on the same day, and Allah knows best.

There is in al-Kurdarī's *al-Manāqib* that Abu'l-Ḥasan ʿAlī ibn Mūsā al-Qummī mentioned that Muḥammad ibn al-Ḥasan was buried in the hill Ṭabararak, a fortress in ar-Rayy near to the house of Hishām ibn ʿUbaydullāh ar-Rāzī, because he had been residing with him. Al-Kisāʾī was in the town of Abnawayh. Between them was a distance of four farsakhs. The camp of ar-Rashīd's army was four farsakhs in extent, with Imām Muḥammad residing on one side and al-Kisāʾī on the other. That was when ar-Rashīd went out to meet Rāfiʿ ibn al-Layth ibn Sayyār at Samarqand.

Adh-Dhahabī mentioned in his volume from Yūnus ibn ʿAbd al-Aʿlā from ʿAlī ibn Maʿbad that the Rayy man in whose house Imām Muḥammad died (Hishām ibn ʿUbaydullāh) said, “I was with Muḥammad while he was dying, and he wept. So I said to him, ‘Do you weep even with the knowledge [you have]?’ He said, ‘What do you think? If Allah, exalted is He, makes me stand and says, “Muḥammad! What made you advance so boldly to ar-Rayy? Was it *jihād* in My way or to seek My good pleasure?” What shall I say?’ And then he died, may Allah be merciful to him.”

Aṣ-Ṣaymarī said: ʿUmar ibn Ibrāhīm informed us: Mukrim narrated to us: Muḥammad ibn ʿAbd as-Salām narrated to us: Sulaymān ibn Dāwūd ibn Kathīr al-Bāhili and ʿAbd al-Wahhāb ibn ʿĪsā narrated to me saying: (Aḥmad ibn) Muḥammad ibn Abī Rajāʾ

narrated to us saying, “I heard my father saying, ‘I saw Muḥammad ibn al-Ḥasan in a dream and said to him, “What has your Lord done with you?” and he said, “He made me enter the Garden [saying], ‘I did not make you a vessel full of knowledge intending to punish you.’”” He said, ‘I said, “What about Abū Yūsuf?” He said, “He is a degree above me,” or “above us.”’ He said, ‘I said, “What about Abū Ḥanīfah?” He said, “He is in the highest part of ‘Ilīyyīn.’””

The Ḥāfiẓ ibn Abī'l-‘Awwām said: Muḥammad ibn Aḥmad ibn Ḥammād narrated to me saying: Aḥmad ibn al-Qāsim al-Barqī narrated to me: Abū ‘Alī Aḥmad ibn Muḥammad ibn Abī Rajā’ narrated to us saying, “I heard my father saying, ‘I saw Muḥammad ibn al-Ḥasan in a dream and said to him, “What have you attained?” He said, “He forgave me.” I said, “For what reason?” He said, “He said, ‘We did not place this knowledge in you except that We forgave you.’”” He said, ‘I said, “What has Abū Yūsuf done?” He said, “He is a degree above us.”’ He said, ‘I said, “And Abū Ḥanīfah?” He said, “He is in the highest of the ‘Ilīyyīn.’””

The wording of al-Khaṭīb is close to this except that he narrates by way of Ibn al-Muflis from Sulaymān ibn Abī Shaykh from Ibn Abī Rajā’ from Maḥmawayh who was one of the Abdāl, and Allah knows best. May Allah shower both His mercy and His good pleasure upon his grave, and by His gracious bestowal and His generosity may He benefit us by his sciences, for certainly He is the Near and the Answerer.

Aṣ-Ṣaymarī narrated from al-Mirzabānī from Abū Bakr (ibn Durayd) from Sa‘īd al-Kurrī who said, “Ismā‘īl ibn Abī Muḥammad Yaḥyā ibn al-Mubārak al-Yazīdī recited to me from his father that he recited as an elegy for Muḥammad ibn al-Ḥasan and al-Kisā’ī:

The world has dwindled; it is not eternal
Whatever we see of splendour will perish.
Every one of us has a spring of death
and he will certainly come to drink from it.
There will come to you that which annihilated the past
generations
so be prepared, because annihilation is ever ready.

Have you not seen that the prevalence of grey hairs comes
unexpectedly before decrepitude,
and that fresh youthfulness does not return?
I grieve for the Chief Qāḍī Muḥammad
and so my tears pour forth and my heart is broken.
And I say that if the affair becomes complicated, who do we
have
to make it clear one day when you are not to be found?
The death of al-Kisā'ī after him brought me to the brink of
destruction
and the wide earth was almost shaken with me.
It made me forget even the necessities of life and every pleasure
and it has made my eye sleepless while other eyes are fast
asleep.

* * *

So my grief, when a thought occurs to my heart
in memory of them, until death is new.

Ibn 'Abd al-Barr mentioned the like of that in *al-Intiqā'* and he
attributed it to ar-Rashīd saying that he recited it thus:

I grieve for the Chief Qāḍī Muḥammad
and so my tears pour forth and my heart is broken.


And the rest of the verses, and perhaps he imitated the verses of al-Yazīdī.

That is the end of what al-Kawtharī mentioned in *Bulūgh al-amālī*, here abridged and in no particular order. May Allah be merciful to him with the mercy shown to those with Him, and may He illuminate his grave, and reward him with the best reward for knowledge and on behalf of the people of knowledge. This is the last of that which I intended to give in biographical notice of Imām Muḥammad ibn al-Ḥasan the Lordly man of knowledge who formulated precisely the Nu'mānī *madhhab* ﷺ. May Allah bless our

master and lord Muḥammad and his family and companions and grant them much peace. The end of our supplication is that praise belongs to Allah Lord of the Worlds.

THE CUSTOMARY USAGES OF THE IMĀMS IN THE BOOK

The ordinary procedure of Imām Muḥammad in his books is that he only narrates from his shaykhs using the formulation, “He informed us,” and he does not use, “He narrated to us,” nor, “I heard,” nor any other formulation of narration except in three places: “from ‘Abdullāh ibn al-Mubārak,” “from al-Mubārak ibn Faḍālah” and “from ‘Abdullāh ibn al-Mubārak” using the formulation “from”. Apart from that in every chapter he uses the formulation “Abū Yūsuf” or someone else “informed us”. He says in one place, “I heard Abū Ḥanīfah saying....”

Imām Abū Ḥanīfah uses two formulations, “He narrated to us,” and “from” in narration from shaykhs in most conditions. However, in one chapter he uses, “‘Alqamah ibn Marthad informed us,” and in one chapter, “I heard ash-Sha‘bī saying,” and he said in one place, “I heard ‘Aṭā’ ibn Abī Rabāḥ.” Ash-Sha‘bī saw five hundred of the Companions  and narrated from them, and Ibrāhīm an-Nakha‘ī was his contemporary so it is not unlikely that Abū Ḥanīfah would relate from him directly without Ḥammād or anyone else as an intermediary narrator. Ḥammād had confirmed him as the one to execute Ibrāhīm’s inheritance as is clear in the books on narrators and their states.

Hadith scholars differ concerning the formulations involving narration, informing, hearing or making to hear. It is transmitted that Imām Abū Ḥanīfah considered reading aloud to the shaykh or hearing from him to be equivalent. There is in *an-Nawāzil*, “And Nuṣayr narrated from Khalaf that Abū ‘Abdullāh aṣ-Ṣan‘ānī said, ‘I heard Abū Ḥanīfah and Sufyān saying, “Reading aloud to an ‘ālim or hearing from him are equal,”’” and it is also quoted of Mālik and his people, and from the greater part of the people of knowledge of the Hijāz and Kūfa, and ash-Shāfi‘ī and al-Bukhārī. The use of “he narrated to me” and “he informed me” without qualifying it by

saying “by my reading” or “reading it out to him” is a permissible choice as it was the *madhhab* of our people and ath-Thawrī, Ibn ‘Uyaynah, az-Zuhri, Mālik, al-Bukhārī, Yaḥyā ibn Sa‘īd al-Qaṭṭān, most of the scholars of Kūfa and the Ḥijāz, and al-Ḥākim made the choice that most of the shaykhs and imams of his epoch had decided upon that.

Others also mentioned that the narrator says concerning that which he takes from the hadith scholar while there is no one else present, “So-and-so narrated to me,” and concerning the case when others are present, “So-and-so narrated to us,” and concerning that which he himself reads out to the hadith scholar, “So-and-so informed me,” and for that which is read out to the hadith scholar while the narrator is present, “So-and-so informed us.” Ibn aṣ-Ṣalāḥ said, “That is good and clear but it is not obligatory, but rather it is desirable (*mustaḥabb*).” That is how al-Khaṭīb quoted from the people of knowledge in general. (*Faṭḥ al-mulham* abridged).

So Imām Muḥammad used this all unqualifiedly. He heard more than seven hundred hadith verbally from Mālik alone and he would say in narration from him, “Mālik ibn Anas informed us,” as he does in the *Muwatta’*. This is also his ordinary procedure in *Kitāb al-ḥujjah* and *Kitāb al-Āthār* for he says, “Abū Ḥanīfah informed us,” or he says, “Your *faqīh* Mālik ibn Anas informed us,” “Shu‘bah informed us,” and “Sufyān ath-Thawrī informed us,” for example. This is the expression he uses in general comprising narration, being informed, hearing from the shaykhs, reading out to them or being present while someone else reads out to them.

TYPES OF HADITH AND INFORMATION

The word tradition (*athar*) is a synonym for any piece of information or news (*khabr*) and is used unqualifiedly for both a hadith attributed to the Messenger of Allah ﷺ (*marfū‘*) and one which stops short at one of the Companions (*mawqūf*). Imām Muḥammad uses it in a universal sense for both a hadith attributed to the Messenger of Allah ﷺ (*marfū‘*) and one which stops short at one of the Companions (*mawqūf*) or one of the major Followers, the

Followers' hadith which they attribute without naming the Companion from whom they heard them (*mursal*), and those transmissions in which there is a link missing between the narrator and the Follower (*munqaṭa*), as you will see in the appropriate places in the book, where he says, "A tradition (*athar*) about that has come from the Messenger of Allah ﷺ," and "We adhere to this tradition (*athar*)," and sometimes saying, "We adhere to the hadith of the Messenger of Allah ﷺ," and another time saying, "There are many traditions concerning that," or "There are many items of information (*akhbār*) concerning that" etc.

The word 'item of information' (*khabr*) is more general in sense than hadith. Every hadith is an item of information (*khabr*) but not every item of information is a hadith, i.e. one ascribed to the Prophet ﷺ (*marfū*). So 'item of information' is used both for those ascribed to the Prophet ﷺ (*marfū*) and those which stop short at a Companion (*mawqūf*), and, according to him, matters more general than them also, as we will see in the book.

When used unqualifiedly, what is meant by "hadith" is that which is ascribed to the Prophet ﷺ and not those which stop short at a Companion unless there is a conjoining term [such as "a hadith of 'Umar"]. Some of the people of knowledge have used "hadith" unqualifiedly for both those ascribed to the Prophet ﷺ and those which stop short at a Companion, so that it is a synonym for a tradition. The *fuqahā*' of Khurāsān call those which stop short at a Companion traditions (*athar*) and those which are ascribed to the Prophet ﷺ items of information (*khabr*). There are different schools according to what people prefer.

THE STRUCTURE OF THE KITĀB AL-ĀTHĀR

You must have recognised that the *Kitāb al-Āthār* is composed of chapters most of which stop short at the Companions and the Followers, and chapters comprising cases upon which the scholars have disagreed. The traditions ascribed to the Prophet ﷺ are more than one hundred in number and all of them are acted upon and are

decisive, so that it may be known that where those traditions which stop short [at the Companions or Followers] accord with the hadith ascribed to the Prophet ﷺ they are all acted upon. The path of the earliest generations of the people of knowledge was that when hadith from the Messenger of Allah ﷺ contradicted each other, they would turn to the verdicts adhered to by the Companions, and wherever their verdicts and their actions accorded with one of the hadith they would adhere to it and they would interpret the second of them. Whenever the verdicts of the Companions differed they would resort to the verdicts adopted by their major Followers. If the verdicts of the Followers also differed they would give precedence to one of the verdicts of the Companions over others by the ways and means of establishing precedence they had according to their fundamental principles, those they regarded as firmly established and confirmed. Selecting from among the verdicts of the Companions and Followers was an active exertion of the intellect to arrive at a judgement (*ijtihād*) undertaken by the people of *fiqh*. Then later they would themselves exert their intellects to arrive at judgements as the very first of them had done, as our Imām al-A‘zam Abū Ḥanīfah made clear ﷺ.

Then later Imām Mālik ibn Anas followed his path in his arrangement of the *Muwatta’* in chapters, as did ath-Thawrī with al-*Jāmi’*. Then later again ‘Abd ar-Razzāq ibn al-Hamām al-Yamānī took that same path with his *Muṣannaf*, with Abū Bakr ibn Abī Shaybah in his turn following him in his *Muṣannaf* in which he joined together the *fatwās* of the Companions and Followers without leaving anything out of the verdicts of the Companions and the Followers without mentioning it in it, as the people of knowledge given to research have explained in their books.

THE TECHNICAL USAGES OF IMĀM MUḤAMMAD IN THE BOOK

Among them are that the words *athar* – tradition, and hadith have the same meaning for him, as you have learnt in what we have done

previously. Similarly, “informed us” and “narrated to us” have the same meaning. He only narrates from his shaykhs by saying, “He informed us,” or “from so-and-so,” as you have learnt already. Imām Abū Ḥanīfah only says in narration from his shaykhs, “He narrated to us,” or “from so-and-so,” except in two chapters in *al-Āthār* where he says, “so-and-so informed us,” or in one chapter, he said, “I heard ash-Sha‘bī saying such-and-such.”

Another matter is that, as you have learnt, he only mentions Abū Yūsuf in one chapter in detailing a narration from someone other than the Imām, and also before that.

He often says after narrating a tradition or a hadith, “We adhere to this and it is the verdict of Abū Ḥanīfah,” and if there are many issues in the tradition or hadith, then he says, “We adhere to all of this and it is the verdict of Abū Ḥanīfah.” Sometimes he says, “We adhere to all of this except in one respect,” or “in two respects,” if there is something that contradicts the verdict he took. The “respect” in the above means the “case”.

If the tradition and that which it contains is contrary to the verdict that Abū Ḥanīfah or he has taken, he says, “We do not adhere to this, but we adhere to the hadith of so-and-so...”

He often mentions after the tradition, “This is the verdict of Abū Ḥanīfah,” without mentioning his own verdict, neither in affirmation nor in refutation, but he sometimes says, “This is the verdict of Abū Ḥanīfah and our verdict.”

He uses the phrases, “This ought not to be,” in the sense of “this is not permissible,” but he also uses it in the sense of “this is not desirable,” and that can be recognised from the context.

He uses the term “it is disapproved” in the sense of disapproved to the point of being *ḥarām*.

When he intends to say that something is permissible he says, “And we see no harm in that,” or “we see no harm in it.”

If he narrates two contrary verdicts from the Companions both of which are permissible, then he will say, “All of that is fine, but the more pleasing to us is the verdict of so-and-so,” meaning that it is better and weightier.

His usage of the expression “it does not please us,” (*la yu‘jibunā*) is often used both for something being impermissible as well as for it being permissible but disapproved, either prohibitively (*tahrim*) or lightly (*tanzih*), which is to be known from the type of case and from the thread of the argument and the preceding and succeeding parts of the argument.

If there is any ambiguity in the tradition or in the hadith he makes it clear.

If he narrates the tradition or the hadith and in it there is a single ruling, then he will mention another ruling from the same category or comparable rulings, and he may mention other rulings under the tradition in that chapter.

If it is necessary to solve linguistic matters that occur in a tradition or a hadith, then he will clarify them and explain their meanings.

He will often explain the purpose of a tradition or a hadith.

He uses the wording “preferable” (*aḥabbu* – lit. more beloved) in most cases to mean that something is recommended (*mustaḥabb*).

If he narrates from the Companions then he says, for example, “The verdict of Zayd ibn Thābit is preferable in our view to the verdict of ‘Alī or Ibn Mas‘ūd,” or he may say, “The verdict of ‘Alī is preferable in our view to the verdict of ‘Umar,” or he may say, “We adhere to the verdict of ‘Ā’ishah and we do not adhere to the former verdict.”

He says, “Abū Ḥanīfah used to adhere to all of this, but as for our verdict, it is not like that,” and then he will explain that, proving his verdict by another hadith or a tradition.

He bases his verdict on that which is closer to the *fiqh* and understanding and will abandon the apparent outward meaning of a tradition, basing himself on that to which his *ijtihād* leads him.

He often opposes the stated view of Ibn Mas‘ūd ﷺ basing himself upon contrary hadith and traditions he has memorised that abrogate what Ibn Mas‘ūd ﷺ said, such as in the case of placing the hands between the knees in prayer, and the imam standing between two

men, and performing the *jamā‘ah* prayer in a house without an *adhān* or an *iqāmah*, etc.

These are some of the usages and practices that will become apparent to you throughout the book inshā’Allāh, exalted is He.

USAGES OF THE EARLY GENERATIONS

In the books of hadith compiled in the second century, hadith were mixed up with sayings of the Companions and the Followers, as you will find in the *Kitāb al-Āthār* and the *Muwatta’* of Imām Mālik. The verdict that one should not accept the statements of the Companions alone came about at the end of the second century after the generations whose good standing was borne witness to [by the Prophet ﷺ] had passed away, when suspicious narrators turned away from acceptance of the *fuqahā’* and from the transmission by inheritance (*tawāruth*) from the *salaf*, and they built the matter of the soundness of a hadith or its weakness purely upon the basis of the chain of transmission (*Mā tamassu ilayhi al-ḥājah*).

The *salaf* didn’t need to examine chains of transmission because their epoch was so close and because of the expertise of the narrators and because of their expert knowledge about them, and because the conditions of the narrators of hadith from the epoch of the Companions and the Followers were well known to the people of their cities, some of them being in the Ḥijāz, some in ‘Irāq and some in Shām and Egypt, and all of them being well known and famous for their traditions. They used to rely for their knowledge of the narrators and their trustworthiness upon what was clear to them of the perception of their state and their following up of factual evidence.

When the epoch of the *salaf* came to an end and the first early period had gone, then those of the third century who came after them devoted themselves to learning the narrators and the ranks of these transmitters, their differences in that, learning to distinguish them one by one, validating and invalidating (*al-jarḥ wa’t-ta’dil*) in respect of their memorisation and their attention to detail, so much so that they made it an art in itself, and compiled registers about it,

and they researched and investigated the judgement regarding soundness or weakness, the connectedness or the interrupted nature of a chain of transmission, etc. They did that to such an extent that it brought them to deny the *mursal* [hadith attributed by one of the Followers or Followers of the Followers to the Prophet ﷺ without an intermediary transmitter from among the Companions]. The Shaykh al-Islām and memoriser of hadith of the age, al-ʿIrāqī said, “Muḥammad ibn Jarīr at-Ṭabarī said, ‘The Followers were absolutely unanimously agreed upon the acceptability of *mursal* hadith, and we have no transmission from any of them rejecting it nor from any of the imams after them until the end of the second century.’”

So these people used the technical usages of dividing the hadith into sound (*ṣaḥīḥ*), good (*ḥasan*), weak (*ḍaʿīf*), *mursal*, interrupted (*munqatiʿ*), problematic (*muʿḍal*), etc., of all those well known categories in the principles of hadith, and then they would narrate of that the *mursal* and what was after it. But as for the *salaf*, there was no difference between *mursal*, sound and good hadith, and indeed they [the later hadith scholars] would use the term *mursal* for [what were known as] interrupted and problematic hadith, so that a great deal of the Sunnah was neglected by these people, Sunnah which the *salaf* had accepted. Al-Bukhārī went to the greatest lengths in that, to such an extent that he also rejected using good (*ḥasan*) hadith in proof. Ash-Shawkānī said in *Nayl al-Awtār*, “Thus it is permissible to use in proof that which one of the recognised imams declared openly to be good (*ḥasan*), because according to the majority what is good (*ḥasan*) may be used in practice, and only al-Bukhārī and [Qādī Abū Bakr] Ibn al-ʿArabī opposed its permissibility. The truth is that which the majority said because the evidences for the obligatory nature of an act by means of hadith transmitted by single narrators (indecipherable word) encompasses it.” Al-Muqbilī said in *al-Arwāḥ an-nawāfiḥ*, “No one except for al-Bukhārī stipulated as a condition for something to be acted upon that it should be *ṣaḥīḥ* in the terminology of the later scholars, and that is a very improbable statement without proof. On

the contrary, if someone were to say the opposite of that upon which the former and the others were based it would be acceptable.” (*Mā tamassu ilayhi al-ḥājah*)

¹ “‘A half of her flew to heaven and a half in the earth’ is an expression denoting extremity of anger and rage. One says, ‘So-and-so has split from anger and rage,’ as if his inward had filled up with it so much that he split.” *An-Nihāyah fī gharīb al-ḥadīth*. The text between the brackets is found in my copy of the *Musnad* of Aḥmad but not in the author’s text.

² The passage’s meaning is not clear to the translator or editor.

³ Presumably meaning a young man.

⁴ The *fuqahā’* are the doctors and the people who have knowledge of the hadith are like the pharmacists who mix the remedy.

⁵ Abū Ḥanīfah was a merchant in fabric. *Khazz* is a fabric woven of both wool and silk or sometimes just silk.

⁶ The sentence was unfinished in the original.

⁷ When slaves are set free they have a *walā’* relationship with their former masters, and are termed *mawlā*. But there is a *walā’* relationship that was entered into by free people coming among another tribe and becoming their *mawlās*.

⁸ *Al-Khazzāz*, a name of Imām Abū Ḥanīfah, is a seller of *khazz*.

⁹ The implication being that if Abū Hanīfah’s son was older than Mālik, then the earliest possible date of birth must necessarily belong to him.

¹⁰ *Qirmisī* I take to be another usage for *qirmizī* – crimson.

¹¹ Ibrāhīm ibn ‘Abdullāh ibn Ḥasan was one of the family of the Prophet ﷺ who did not accept the Abbasid revolution against the Umayyads and himself laid claim to the caliphate. Many of the right-acting Muslims and ‘*ulamā’* of the time supported him. Trans.

¹² A thick gruel made with wheat or barley, which is supped.

¹³ *Dawāniq* is the plural of *dāniq*, which is a small coin. Al-Manṣūr was known as ad-Dawāniqī because of his minute attention to small sums of money, which was considered a meanness in him.

¹⁴ That they were *gharīb* hadith which at some point were only transmitted by a single narrator. Trans.

¹⁵ Shām comprises Syria, Palestine, Jordan, Lebanon and modern Israel.

¹⁶ We were unable to decipher this word *bitr* except possibly as meaning “completely”.
Trans.

¹⁷ i.e. from the perspective of Ḥanafī *fiqh*. Otherwise, the *Muwaṭṭaʾ* of Imām Muḥammad is of great interest to hadith scholars and particularly to specialists in the *Muwaṭṭaʾ*, since it has some slight differences of wording and chains of transmission, and because it contains at least one hadith that no one else narrated from Mālīk, most famously, “Actions are only by intentions...”. It lacks Imām Mālīk’s own elucidation of the texts and the *fiqh* from the perspective of Madīnan *fiqh*, which was considered by all the other transmitters of the *Muwaṭṭaʾ* an intrinsic part of the text. Trans.

¹⁸ Dīnārs or dirhams.

¹⁹ The *Mudawwanah* is an illuminating example of the cross-pollination of the *madhhabs*. Asad ibn al-Furāt had been a pupil of Mālīk and then travelled to ‘Irāq and studied under Muḥammad ibn al-Ḥasan and others. In the interim, Imām Mālīk & died, and Asad, regretting having lost the opportunity to learn from him, went to his main pupil ‘Abd ar-Raḥmān ibn al-Qāsim. Using the procedures of the Iraqi school, he asked Ibn al-Qāsim case by case on Imām Mālīk’s positions in *fiqh*. The approach was thus that of the Iraqi school, but the content was Madīnan. Later, Ṣaḥnūn took a copy of his work, *al-Asadiyyah*, and thoroughly revised it with ‘Abd ar-Raḥmān ibn al-Qāsim, and that became the *Mudawwanah*. Trans.

²⁹ The older works such as *al-Umm* were composed in ‘Irāq, but when ash-Shāfi‘ī went to Cairo he revised much of his thought in the newer works such as *ar-Risālah*. Trans.

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