

## CHAPTER TWO

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### *The Sunnah as a Source for Jurisprudence and Preaching*

#### I

#### IN JURISPRUDENCE AND LEGISLATION

The Sunnah is, after the Qur'an, the second source for jurisprudence and legislation. There is apposite and wide-ranging discussion of the fact in all the books on the principles of jurisprudence of all the schools. Al-Awzā'ī (d. 157 AH) said: "The Book is more in need of the Sunnah than the Sunnah is of the Book."<sup>1</sup> He said so because the Sunnah clarifies the Qur'an by detailing what is summary in it, qualifying what is absolute in it, and particularizing what is general in it. Some people even went so far as to say: "The Sunnah is decisive over the Book."<sup>2</sup> However, Aḥmad ibn Ḥanbal disapproved this turn of phrase: "I should not dare to say that. Rather, I say: 'The Sunnah is the exposition of the Book'."<sup>3</sup> That expression of the relation between the Book and the Sunnah reflects well Ibn Ḥanbal's understanding and piety together. It is the balanced position. For in one sense the Sunnah is making clearer what is there in the Book; but then, even on matters not directly in the Qur'an, the Sunnah remains so consistently within its orbit, that its teaching still serves as an exposition of the Qur'an.

Certainly there is no dispute about the Sunnah's being a source of legislation in the rites of worship and general affairs for the individual, the family, the society, and for the state and political relations. Al-Shawkānī said: "The conclusion is that the need for

the Sunnah is established, and its independence [as a source] for the legislation of the injunctions is a religious necessity. No one disagrees on that except one who has no share in the religion of Islam.”<sup>4</sup>

The books of Islamic jurisprudence – of whatever school – are overflowing with proofs from the Sunnah of speech, practice, and acceptance. There was no difference on this point between those known in the history of *fiqh* as the school of *ahl al-ḥadīth* (‘the people of hadith’) and those known as the school of *ahl al-ra’y* (‘the people of opinion’). The fundamental principle was accepted by both, any differences arising only in the detail and the practical application, a consequence of the differences between them on the criteria for acceptance of hadiths and for acting in accordance with them.

The books of the Ḥanafī school (which exemplifies the school of *ra’y*) abound in hadiths which their learned doctors use as proofs. A typical book is *al-Ikhtiyār Sharḥ al-Mukhtār* by Ibn Mawdūd al-Ḥanafī al-Mawṣilī (d. 683 AH). It was prescribed, in schools linked with al-Azhar, for our secondary studies (I mean for the Ḥanafī students). Another is *al-Hadīd* by al-Marghīnānī, prescribed for Ḥanafī students at the Shari‘ah faculty of al-Azhar, and the commentary on it, *Fath al-Qadīr*, by the established Ḥanafī scholar Kamāl al-Dīn ibn al-Humām. A careful study of the hadiths in such books provides ample assurance that *ahl al-ra’y* looked to the Sunnah for corroboration, just as did *ahl al-āthār* (‘the people of the traditions’).

Yet, some people in our time have said that Abū Ḥanīfah affirmed the authenticity of only seventeen hadiths. This opinion makes no sense to anyone who knows the temperament of the schools of knowledge of that age, and the nature and formation of the scholars in them. Abū Ḥanīfah came out of the Kufan school of knowledge, which had combined jurisprudence and hadith since its foundation by the noble Companion ‘Abd Allāh ibn Mas‘ūd. The school grew in knowledge and blessing with the advent of the caliph, ‘Alī ibn Abī Ṭālib. It was he who said: “May God have

mercy on Ibn Umm ‘Abd (meaning Ibn Mas‘ūd) for he has certainly filled this township with knowledge.”

It is particularly strange that those who hold that opinion about Abū Ḥanīfah attribute it to the learned Ibn Khaldūn. This is due to a tendency (with which many test our forbearance) to extract certain phrases without attending to, or being informed about, the whole of the relevant passage, or even the immediate context. If we refer to Ibn Khaldūn we find that opinion expressed in the passive voice (a common device to distance the opinion being reported and to imply its weakness); he does not offer (or adopt) it as his own opinion; moreover, he says after it what rejects it. The passage in question is in the section *‘ulūm al-ḥadīth* (‘the sciences of ḥadīth’) in his *Muqaddimah*:

Know also that the leading *mujtahids* differed in how much and how little of this material [i.e. ḥadīths, they accepted and transmitted]. Now about Abū Ḥanīfah, it is said that he transmitted the narration of seventeen ḥadīths or thereabout (up to fifty); and Mālik – may God have mercy on him – pronounced as authentic according to himself only what is in his book (*al-Muwatta’*), and the utmost number of them is 300 ḥadīths or thereabout. Whereas Aḥmad ibn Ḥanbal – God have mercy on him – [accepted] in his *Musnad* 30,000 ḥadīths. And each of them exercised his judgment on whatever was conveyed to him.

Yet some raging zealots say: Among them, one [meaning Abū Ḥanīfah] had little in ḥadīth material and for this [reason] was less in narration [of it]. But there is no way for this view in regard to the great imams, because the Law is derived only from the Book and the Sunnah, and whoever had little in the goods of ḥadīth was bound to seek and narrate it, and be assiduous and strenuous therein, so that he could derive the religion from the authentic sources, and receive the injunctions from the one who had them [as passed to him from one] who [in turn] conveyed them from God. And among [the great imams], whoever was less in narrating [ḥadīth] was so only on account of the taunts that were opposing him in [narrating], and the defects which impeded its route – especially when criticism [challenging and questioning sources] was a priority [at that time] for many. Then personal judgment led him to rejection of the acceptance [of a ḥadīth] because of an opposi-

tion of that sort to it, among the hadiths and the routes of their transmitting authorities. There was a great deal of that [at that time]. Thus his narrating was [so] little for reason of the weakness of the routes [of transmission]. This notwithstanding, the people of the Ḥijāz narrated much more of hadith than the people of Iraq, because Madinah had been the focus of the Hijrah and the refuge of the Companions. Those of them who relocated to Iraq were often preoccupied in jihad. Imam Abū Ḥanīfah was only so little in narrating [hadith] because he was severe in the criteria for narrating and for [assessing] the firmness [of hadiths], and he would pronounce the hadith weak if settled reasoning opposed it, and so he considered it difficult. He reduced on account of that his narrating [of hadith], and so reduced [the number of] his hadith. It is not that he abandoned narrating the hadith as a deliberate policy – for he was far removed from that. That he was among the great *mujtabids* in the science of hadith is demonstrated by their approbation of his school and by the dependence on him and on his judgments in respect of rejection or acceptance [of hadiths]. As for others among the hadith specialists (*muḥaddithīn*) – and they were the majority – they relaxed the criteria [for accepting hadith] and increased the number of their hadith, and all [did so] on the basis of their personal judgment. And indeed his colleagues [his students and fellow-scholars among the scholars of Iraq] after him relaxed the criteria [for accepting hadith] and increased the amount of their narrating. Al-Ṭaḥawī [for example] narrated and [did so] in great volume, and wrote his *Musnad*. He is one of lofty rank, except that he does not match the two *Ṣaḥīḥs*, for the reason that the criteria that were settled upon by al-Bukhārī and Muslim in their two books have been widely accepted among the Community just as they [the hadith specialists] have said, whereas the criteria of al-Ṭaḥawī have not been agreed upon, such as narrating from one of hidden condition, and other than that.<sup>5</sup>

That is what the learned Ibn Khaldūn really said about Abū Ḥanīfah and his school. It is the discourse of a knowledgeable historian, well-informed and fair-minded.

ALL JURISTS REFER TO THE SUNNAH

We can state with complete assurance that all the jurists of the Muslims – from different schools, from diverse cities, whose doctrine survives or has been cut off, is followed or is not followed – have been in agreement on acceptance of the Sunnah and the appeal to it in making rulings. On this point (as noted above), those affiliated to the school of *ra'y* and those affiliated to the school of *ḥadīth* were the same. The following reports from al-Bayhaqī illustrate this unanimity:

From ʿUthmān ibn ʿUmar, that he said:

A man came to Mālik and asked him about a matter. Then [Mālik] said to him: “God’s Messenger said so-and-so.” Then the man said: “Is that your opinion?” Then Mālik said: “Let them beware who oppose his [the Messenger’s] command lest a trial afflict them or a grievous punishment” (*al-Nūr*, 24: 63).

From Ibn Wahb, that he said:

Mālik said: “There never used to be among those giving fatwas to the people that one said to [the people], ‘Why did I say that?’ The people were satisfied with the narration and pleased with it.”<sup>6</sup>

From Yaḥyā ibn Ḍurays, that he said:

I was a witness [when] a man came to Sufyān, and said: “What do you have against Abū Ḥanīfah?” He said: “What is [supposed to be wrong] with him? I have heard him say: ‘I take from the Book of God, and if I do not find [what I am seeking], then from the Sunnah of God’s Messenger; then if I do not find [what I am seeking] in the Book of God or the Sunnah of His Messenger, I take from the sayings of his Companions. I take from the saying of whomever I like, and I leave the saying of whomever I like. But I do not depart from their saying to the saying of other than them. Then as for when the matter reaches to Ibrāhīm or al-Shaʿbī and Ibn Sīrīn and al-Ḥasan and ʿAṭāʾ, and Ibn al-Musayyab’ – and he enumerated the men – ‘people do ijtihād, and I do ijtihād as they do.’ ”

From al-Rabīʿ that he said:

One day al-Shāfiʿī narrated a ḥadīth and a man said to him: “Do you accept this, O Abū ʿAbd Allāh?” Then [al-Shāfiʿī] said: “When I report from God’s Messenger a *ṣaḥīḥ* ḥadīth and

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I do not accept it, then I attest to you that my mind has definitely gone!”

From al-Rabīʿ that he said:

If you find in my book an opposition to the Sunnah of God’s Messenger then maintain a view according to the Sunnah and leave what I say.<sup>7</sup>

#### THE NECESSITY OF LINKING HADITH AND FIQH

Since the Sunnah is a fundamental source of fiqh, it is one of the duties of jurists to go deeply into the science of hadith. In the same way it is a duty of hadith specialists to master the science of fiqh. There have been gaps of knowledge between these two that should be closed up: this is something I called for long years ago.

The best practitioners of fiqh do not master the arts of hadith or go deeply into the knowledge of its disciplines. In particular, they do not go into the disciplines of *jarḥ* and *taʿdīl* (critical scrutiny of narrators leading to rejection or acceptance), and so fail to appreciate the consequence of narrators being classed as reliable or weak. Accordingly, certain hadiths, which are not considered established according to the leading figures in the assaying of hadith, are common currency with them. Moreover, they settle such hadiths in their books, adducing them in what they decide of injunctions in the Legal categories of the permissible and the forbidden, the obligatory and the commended. At times they even argue from hadiths without benefit of any reserve or discipline from what has been said about them in the books – hadiths whose sources and *sanad* is not known. Among the hadith specialists a saying has long circulated: “This is from the hadiths of the jurists” – by which they mean it does not have a well-known source.

On the other side, the best practitioners of hadith are not good in the knowledge of fiqh or its principles. They have no aptitude for discovering its rules and deriving its precious treasures and subtleties. They are not thoroughly familiar with its leading figures, the multiplicity of their schools and their objectives, or the diversity of their personal judgments.

Both sides, the specialists in *fiqh* and those in *hadith*, are in pressing need of the knowledge of the other so as to complement what each has. The jurist must know *hadith*, since the bulk of the judgments of *fiqh* are established according to the *Sunnah*. The *muḥaddith* must know *fiqh* so as to understand what he is conveying, to not be a mere conveyor (*nāqul*), and to avoid understanding in an improper way what he is conveying.

Islamic scholars of the early period took note of this need. They censured whoever disregarded it, to the extent that some of the most learned of them, for example Sufyān ibn ʿUyaynah, are reported to have said: “If this matter were in our hands, we would beat with a palm-rod (*jarīd*) every *muḥaddith* who did not busy himself with *fiqh*, and every *faqīh* (jurist) who did not busy himself with *hadith*.”

It is strange that there are many weak *hadiths* in the books of *fiqh*. Now many accept the use of a weak *hadith* to teach the merits of certain deeds (*faḍāʾil*), or to inspire longing for God (*targhīb*) and dread of Him (*tarhīb*). But there is general agreement that a weak *hadith* cannot be used to derive injunctions. Nevertheless, in the books of *fiqh*, one finds *hadiths* that are weak, extremely weak, and fabricated, and some with no source at all. That prompted those great *hadith* specialists who did busy themselves with *fiqh* to write books of source-critique (*takebrīj al-ḥadīth*) on the *hadiths* that the jurists adduced in their books. These *hadiths* were cited *muʿallaq* (hanging, unsupported), that is, without any *sanads*. Al-Jawzī wrote such a source-critique in his book *al-Taḥqīq fī Takebrīj al-Taʿālīq*, which, after him, Ibn ʿAbd al-Hādī refined in his *Tanqīḥ al-Taḥqīq*.

Several *ḥuffāẓ* compiled books of source-critique of the *hadiths* used in admired and famous *fiqh* writings. An example is *Naṣb al-Rāyah li-Aḥādīth al-Hidāyah* by al-Ḥāfiẓ Jamāl al-Dīn al-Zaylaʿī (d. 762 AH). It has been printed many times in four volumes. Al-Ḥāfiẓ Ibn Ḥajar abridged it in his book *al-Dirāyah fī Takebrīj Aḥādīth al-Hidāyah*, adding to it some informative and instructive notes. It is published in a single volume. The *Hidāyah* is one of the principal

textbooks in Ḥanafī fiqh. Another example is Ibn Ḥajar's source-critique of the hadiths in *Fath al-ʿAzīz fī Sharḥ al-Wajīz*. *Sharḥ al-Wajīz* is the great commentary by al-Rāfiʿī on al-Ghazālī's *al-Wajīz*. A group of scholars, including Ibn Ḥajar in his famous book *Talkhīs al-Ḥabīr*, have exposed its sources. Al-Rāfiʿī's commentary is among the principal textbooks of Shāfiʿī fiqh.

To be sure, some jurists relied upon hadiths that only those after them established as weak – so they are to be excused for relying on them. But for those to whom their weakness had been disclosed, there is no excuse for their repeated recourse to them. It is right to abandon a ruling based upon hadiths established as weak, when there is not, for that ruling, another proof (*dalīl*) from the texts of the Law or its general principles or its objectives as a whole. Why it is right to do so can be easily seen from the works of source-critique on books of fiqh of high repute in the still-followed schools. For example: *Naṣḥ al-Rāyah li-Aḥādīth al-Hidāyah* by al-Zaylaʿī; *Talkhīs al-Ḥabīr fī Takhrīj Aḥādīth Sharḥ al-Rāfiʿī al-Kabīr* by Ibn Ḥajar; *Irwāʾ al-Ghālīl fī Takhrīj Aḥādīth Manār al-Sabīl* by al-Albānī (*Manār al-Sabīl* being among the texts of Ḥanbalī fiqh); and *al-Hidāyah fī Takhrīj Aḥādīth al-Bidāyah* by Aḥmad ibn Ṣiddīq al-Ghamarī (*al-Bidāyah* refers to Ibn Rushd's *Bidāyat al-Mujtahid*).

I myself have noted, while researching the fiqh of zakah, a number of hadiths that scholars of fiqh of still-followed schools rely on, and which have been challenged by the leading scholars of hadith. For example:

There is no *ṣadaqah* on vegetables.

ʿUshr and *kharāj* do not combine.

There is no duty [right] on wealth besides zakah.

The last hadith is well-known among the jurists. Some of their great ones cite it, for example al-Māwardī in *al-Aḥkām al-Sultāniyyah*; al-Shīrāzī in *al-Mubadhdhab*; and Ibn Qudāmah in *al-Mughnī*. Al-Nawawī (in *al-Majmūʿa*) said about it: “It is a very weak hadith; it is not known.” Before him, al-Bayhaqī said, in *al-Sunan*: “Our colleagues narrate it in commentaries, but I do not remember any *isnād* in it.” The original form of the hadith,

according to al-Tirmidhī and Ibn Mājah and al-Ṭabarī in his *Tafsīr*, is: “There is a duty (right) on wealth besides zakah.” Subsequently, a familiar sort of copyist’s error occurred in a particular transcription of Ibn Mājah, and the word ‘is not’ (*laysa*) got interpolated at the beginning of the hadith. The error circulated and persisted. Abū Zar‘ah ibn al-Ḥāfiẓ Zayn al-Dīn al-‘Irāqī pointed out the error in *Ṭarḥ al-Tashrīb fī Sharḥ al-Taqrīb* (vol. 4, p. 18). Aḥmad Shākir explained it in his source-critique of al-Ṭabarī’s *Tafsīr* (report no. 2527), and he furnished against it some proofs that settle the mind and heart.

In many books of fiqh and its divisions (*abwāb*) there are hadiths of this category, that is, those whose *sanad* was unknown to the *ḥuffāẓ*. In *Naṣḥ al-Rāyah*, al-Zayla‘ī marked such hadiths as *gharīb* (‘unknown’). It is a term peculiar to him, indicating that he did not find a *sanad* for the hadith. To indicate the same thing, Ibn Ḥajar in *Dirāyah* used the expression “I did not find it” or “I did not think it *marfū‘*” or words close to that. There are many such hadiths in some divisions of fiqh, indeed so many that it draws attention.

While studying hadiths on the subject of ritual slaughter, I found in *al-Dirāyah* more than twenty hadiths, some of them *ṣaḥīḥ* and some weak; and about some, Ibn Ḥajar has said he “did not know it” or “did not find it”. Some examples:

The hadith:

Adopt in relations with them (the Magians) the same way (*sunnah*) as with the People of the Book except marrying their women and eating [of the meat from animals] that they have slaughtered.

(Ibn Ḥajar said: “I did not find it in these words.” He means: with the addition of the words “marrying their women”, etc.)

The hadith:

The Muslim slaughters in the name of God [whether] he has invoked or has not invoked [God’s name].

(Ibn Ḥajar said: “I did not find it in these words.”)

The hadith of Ibn Mas‘ūd:

Strip the *tasmīyah* [of everything else, i.e. say only the *tasmīyah*].

(Ibn Ḥajar said: “I did not find it in these words.”)

The hadith:

The immolation [i.e. the incision] should be [at the point] that is between the top of the chest and the bottom of the chin.

(Ibn Ḥajar said: "I did not find it.")

The hadith:

Cut the veins with what you wish.

(Ibn Ḥajar said: "I did not find it.")

The hadith:

That the Prophet prohibited you to dislodge the phlegm of the goat when you slaughter. (The author said: "That is, [when] you reach the phlegm with the knife.")

(Ibn Ḥajar said: "I did not find it.")

The hadith:

That he prohibited 'Ā'ishah from [eating] lizard when she asked about eating it.

(Ibn Ḥajar said: "I did not find it.")

The hadith:

That he forbade the sale of crayfish.

(Ibn Ḥajar said: "I did not find it.")

And so on – there are other hadiths like that.<sup>8</sup>

Such laxity in adducing weak hadiths is not confined to books of *ahl al-ra'y* as they are called. Rather, one finds generally among the books of the surviving schools of Law, weak hadiths and even those with no source. But, to be sure, the ascription of laxity varies from school to school.

In *Talkhīs al-Ḥabīr*, Ibn Ḥajar has traced the hadiths in the commentary by al-Rāfi'ī on al-Ghazālī's *al-Wajīz* (both of whom were leading Shāfi'īs). He pronounces as weak many of the hadiths on which the argument in the book rests. Now Ibn Ḥajar was himself a Shāfi'ī – but the truth has more right to be followed than one's school. Similarly, al-Ḥāfiẓ Abū Bakr Aḥmad ibn al-Ḥusayn al-Bayhaqī (d. 457 AH) sent to Abū Muhammad 'Abd Allāh ibn Yūsuf al-Juwaynī (d. 438 AH; the father of Imam al-Ḥaramayn) a courteous critique of some of the erroneous hadith conjectures that had befallen him in his book *al-Muḥīṭ*. The very first hadith in the book, on the prohibition of bathing with water exposed to sunlight, is an example: it is a hadith not authenticated as *ṣaḥīḥ*.

It is a tribute to the fair-mindedness of al-Bayhaqī that he criticized also hadith specialists among his Shafi‘ī colleagues. He criticized their laxity in abandoning the distinction between reports on which it is correct to base argumentation, and reports on which it is not correct to do so. He criticized them also for narrating from weak and unknown narrators, and for other failings presented in his treatise, *al-Rasānah al-Rakīnah*.<sup>9</sup>

Most strange indeed is that even books on the subject of the principles of jurisprudence (*uṣūl al-fiqh*) are not lacking in hadiths that are fragile and fabricated and without source. An example is the hadith: “My Companions are like the stars: whichever of them you are led by, he will guide you.” This is very weak. Indeed, Shaykh al-Albānī has judged it to have been fabricated. Another is: “Whatever is seen by Muslims as good, it is good in the sight of God.” This is in fact from the discourse of Ibn Mas‘ūd, not a *marfū‘* hadith (so it should not be attributed to the Prophet). Yet another is: “My Community’s differences are a mercy.”<sup>10</sup> And there are several others, familiar from the books of *uṣūl al-fiqh* well-known to students.

#### THE DUTY OF SCHOLARLY REVISION OF THE LEGACY OF FIQH

It is a duty of the learned community in our time, the ‘*ulamā*’, to go back over the fiqh inheritance – in the light of knowledge of the hadith combined with fiqh and its principles, with penetrating and perceptive reasoning – and look into the injunctions based on weak hadiths. For it is a point of agreement that a weak hadith cannot support an injunction, that one cannot build upon it the obligations of the lawful and the unlawful. Through this effort, those injunctions (relating to Legal dicta and to collective duties) that have no authoritative basis other than weak hadiths will be uncovered. Some examples follow:

##### *Bloodwit for non-Muslims*

Take for example, in the criminal code, how one determines the Legal bloodwit for the *dhimmīs*. The majority of jurists hold that

the bloodwit for the *dhimmīs* of the People of the Book – more precisely, from those of them under Islamic jurisdiction (*dār al-Islām*, as the jurists put it) – is one half the bloodwit for Muslims.<sup>11</sup> Their proof for that is some hadiths that appear in the *Musnad* and the *Sunan*. Of them, there is not one in both *Ṣaḥīḥs* or in either of them (that is, in one but not the other). Rather, they are hadiths that some scholars accepted but others rejected. For example, the hadith of ‘Amr ibn Shu‘ayb from his father from his grandfather that the Prophet said: “The bloodmoney for the unbeliever is half the bloodwit for the Muslim.” Aḥmad ibn Ḥanbal reported this, as did al-Nasā’ī and al-Tirmidhī. Again Aḥmad and al-Nasā’ī, and also Ibn Mājah, have reported a variant: “He judged that the bloodmoney of the People of the Two Books (and they are the Jews and the Christians) is half the bloodmoney of the Muslims.” (The meaning of the two terms used, ‘bloodmoney’ and ‘bloodwit’, is the same.)

Other scholars held that the bloodwit for a Jew or Christian is a third of the bloodwit for a Muslim. Their doing so demonstrates that, in their view, the hadith just cited was not established.

By contrast, al-Thawrī, al-Zuhri, Zayd ibn ‘Alī, and Abū Ḥanīfah and his influential followers, held that the bloodwit of the *dhimmī* is equal to that of the Muslim. They adduced hadiths and reports (*āthār*) that the Prophet made the bloodwit of the person under covenant of protection by the Muslims the bloodwit of the Muslim, and that he paid out the bloodwit of a Muslim as the bloodwit due for a *dhimmī*. But then, those scholars who disagreed with this pronounced these hadiths weak.

The reality is that the hadiths of neither of the two opposing viewpoints attain the rank of *ṣaḥīḥ*, and none of them can sustain a ruling. Therefore, recourse is obligatory to the general texts of the Law and its objectives as a whole. Now, if we refer to the Qur’an, we find for accidental killing it is the same – whether it be a Muslim or one of the peoples between whom and the Muslims there is a compact. The obligation in both cases is “bloodwit surrendered to his people and the emancipation of a believing captive

(slave)” (*al-Nisā*, 4: 92), and it does not differentiate between Muslim and non-Muslim. This is consonant with the Law’s restraining bloodshed among both Muslims and non-Muslims, and with equal treatment of people in line with the noble sentiments of humanity, especially among the people of the land, the land of Islam, co-nationals under a single political authority. It is the doctrine according to which Islamic governments ruled for long centuries, throughout the periods of the ‘Abbāsīd and ‘Uthmānī caliphates. However, the great powers of the present want to exploit the legal status of non-Muslim minorities, alleging that they are oppressed, and that equal treatment for them does not exist in the criminal code in Islamic jurisprudence.

### *Bloodwit for the woman*

In the case of bloodwit for a woman, the majority of the greatest jurists hold that it is half that for a man. They rest their case on hadiths mentioned from Mu‘ādh *marfū‘an* (reporting from the Prophet) that he said: “The bloodwit for a woman is half the bloodwit for a man.” Al-Bayhaqī said of its chain of authorities: “An *isnad* like its *isnad* is not [accepted as] established.” He reported from ‘Alī, that he said: “The bloodwit for a woman is [calculated] as one half the bloodwit for a man.” This is a narration of Ibrāhīm al-Nakha‘ī from ‘Alī. It is also narrated by Ibn Abī Shu‘ayb, who narrated it through Sha‘bī from Ibrāhīm. It is in every case *mawqūf* (stopped at a Companion), and in Law there is no compelling proof in the non-*marfū‘* (that is, in what is not from the Prophet himself). There is not in the details of the penalty for a woman and the penalty for a man – that is, for injuries and the like – a single hadith established or demonstrated as being *ṣaḥīḥ*.

As for the minority, they rest their case on an appeal to *ijma‘* or consensus. Now *ijma‘* is a proof in which there is no doubt. But in this instance *ijma‘* is not established. For people have narrated that on this subject there is a different opinion from two of the scholars of the *salaf* (the early generations of Muslims). The two

are al-Āṣim and Ibn al-<sup>c</sup>Albah: according to them, the bloodwit for a woman is the same as the bloodwit for a man.<sup>12</sup>

### *Explanation of the attitudes of Islam*

Just as a *ṣaḥīḥ* hadith is sought to explain the injunctions in the rites of worship and in everyday affairs and in the lawful and the unlawful, it is sought to explain the attitude of Islam in decisions relating to ideas, education, good manners, and other matters. If, for example, we wish to explain the attitude of Islam on ‘the life of the world’ – in respect of renunciation of it or absorption in its good things – then weak hadiths do not suffice. Among similar examples are the attitude of Islam to reliance on God, as against making use of (the so-called ‘natural’ or ‘secondary’) causes; to preventive medicine or therapeutic medicine; to the conservation of animals and plants; to instances of material or intellectual progress; to supernatural phenomena and miracles.

For these cases and their like, it does not suffice to adduce hadiths that are subject to disagreement. Rather, recourse must be to hadiths that are strengthened and authenticated in their proofs, clear and unambiguous in what they demonstrate. Also, one should not be satisfied with a single relevant hadith. Rather, the principle is that there should be many hadiths contributing their light to the picture, and illuminating the attitude of Islam on this or that matter – except, of course, when there is a Qur’anic verse, and then it will be the source and reference point.

## II

### IN PREACHING AND GUIDANCE

The Sunnah of the Prophet is, after the Qur’an, the inexhaustible resource and treasury on which religious teachers, preachers and guides can draw for their lessons and sermons. For, as the Sunnah is the agreed-upon source for the legislation of the injunctions, and for the fiqh of the rites of worship and of everyday affairs, so too

it is the agreed-upon source for the purification of the soul. That is why all those engaged in the education of the spirit, including the great men of *taṣawwuf* of the early period who were respected among the Community, are unanimous on binding the traveler on the road to God to the Sunnah, in his thought and worship, and in his relations with God, with himself, and with people. Imam al-Junayd, may God have mercy on him, said: "All roads are closed off except [the roads taken by those] who follow the tracks of God's Messenger." And: "One who does not memorize the Qur'an and write down the hadith should not be followed in this business [Sufism], because this our knowledge is bound to the Book and the Sunnah." Abū Ḥafṣ, one of the leaders of those who followed a Sufi way, said: "One who did not give weight in his actions and his states to the Book and the Sunnah, who did not rebuke his desires, he was not counted in the register of men." Abū Sulaymān al-Dārānī said: "It may be that an anecdote from the anecdotes of the people may enter my heart for a few days: but I do not accept [anything] of it except according to the two just witnesses: the Book and the Sunnah." Aḥmad ibn Abī al-Ḥawārī said: "Whoever does his deed without following the Sunnah, his deed has wasted."

So the educators and the preachers are needy of the Sunnah, as are the students and practitioners of fiqh. In the Sunnah they find illuminating guidance, cogent argument, and eloquent wisdom; epitomes and maxims, affecting admonitions, salient similitudes, and instructive stories; diverse kinds of command and prohibition, and promise and threat to inspire longing for God and dread of Him, to soften stiffened hearts, give life to exhausted resolve, and awaken forgetful minds. Running within the framework of the Qur'an, the Sunnah addresses the whole being, mind, heart and conscience, striving for the formation of the perfected Muslim personality – a mind that is alert, a heart that is pure, a resolve that is strong, and a body that is fit.

Foremost of what those relying on this material should do is to take it from the source of it, from the books of the Sunnah. First

of all, the two *Ṣaḥīḥs*: the *Ṣaḥīḥ* of al-Bukhārī and the *Ṣaḥīḥ* of Muslim, both of which the Community has met with acceptance. Neither has been criticized except for a few hadiths mostly on matters of form and fine technical detail. After these two, selection from the other books of the Sunnah: the four *Sunan* (of Abū Dā'ūd, al-Tirmidhī, al-Nasā'ī and Ibn Mājah), the *Muwattaʿ* of Mālik, the *Musnad* of Aḥmad ibn Ḥanbal, the *Sunan* of al-Dārimī, the *Ṣaḥīḥ* of Ibn Khuzaymah, the *Ṣaḥīḥ* of Ibn Ḥibbān, the *Mustadrak* of al-Ḥākim, the two *Musnads* of Abū Ya'qūb and al-Bazzār, the *Maʿajim* of al-Ṭabarānī, and *Shuʿab al-Īmān* of al-Bayhaqī. Then there are other works, whose hadiths the hadith experts have confirmed as *ṣaḥīḥ* or *ḥasan*. Every preacher is under obligation not to rely on hadiths that are feeble or rejected or classed as fabricated. It is a matter of severe regret that such hadiths appear time and again as the common merchandise of preachers of sermons and religious counselors.

By the grace of God, a number of the basic texts have already been published in print editions. Thanks to the labors of the servant of the Sunnah, Muhammad Fu'ād ʿAbd al-Bāqī, may God have mercy on him, *Muwattaʿ Mālik*, *Ṣaḥīḥ Muslim* and *Sunan Ibn Mājah*, have been edited and published, with the hadiths numbered and indexed. Also edited and published are *Sunan Abī Da'ūd* and *Sunan al-Tirmidhī*, again with the hadiths numbered and indexed, by ʿIzzat ʿUbayd al-Daʿās. ʿAbd al-Fattāḥ Abū Ghuddah, may God have mercy on him, has edited al-Nasā'ī's book, and numbered its hadiths in accordance with *al-Muʿjam al-Mufuhris li al-Alfāẓ al-Ḥadīth*.

An even more important task is source-critique and exposition of the rank of the hadiths, distinguishing the *ṣaḥīḥ* from the faulty. The following critical works, by the hadith-scholar Shaykh Nāṣir al-Dīn al-Albānī, have appeared: *Ṣaḥīḥ Ibn Mājah*, *Ṣaḥīḥ al-Tirmidhī*, and *Ṣaḥīḥ al-Nasā'ī*. His *Ṣaḥīḥ Abī Da'ūd* has all but come out. So too, all but completed, are parts of *Ṣaḥīḥ Ibn Ḥibbān*, edited with source-critique by Shuʿayb al-Arna'ūṭ. Before that, Muhammad

Muṣṭafā al-Aḥẓamī edited what was found of *Ṣaḥīḥ Ibn Khuzaymah*, and published it together with source-critique by al-Albānī.

Before that, there had appeared fifteen volumes of the *Musnad Aḥmad*, edited with source-critique by Aḥmad Muhammad Shākir, about one-third of the whole. Shaykh Aḥmad ʿAbd al-Raḥmān had earlier arranged the *Musnad* by topic, written a commentary on it, and published it in 23 volumes. He called it *al-Faṭḥ al-Rabbānī*, and its commentary *Bulūḡ al-Amānī*. Shaykh Shākir made an effort to bring out some of the *tafsīr* of Ibn Kathīr, selected, corrected and source-critiqued. He called it *ʿUmdat al-Tafsīr*, he published five parts of it but was unable to complete it. He, and his most learned brother, Maḥmūd Muhammad Shākir, brought out rather more than ten parts of *Tafsīr Imam al-Ṭabarī* (d. 310 AH), with editing and source-critique of the hadiths and reports (*āthār*) it contains. After the older brother Shaykh Aḥmad died, Professor Maḥmūd brought out, after him, another two parts. Then this great scholarly work came to a halt.

*Al-Muṣannaf* by ʿAbd al-Razzāq al-Sanʿānī (d. 211 AH) has appeared in eleven parts, edited by the Indian hadith-scholar, Shaykh Ḥabīb al-Raḥmān al-Aḥẓamī; so too *Muṣannaf Ibn Abī Shaybah* (d. 225 AH) from al-Dār al-Salafiyyah in India, edited by Shaykh Mukhtār al-Nadwī.

Some of the important secondary collections have also come out. *Mishkāt al-Maṣābiḥ* by Shaykh al-Khaṭīb al-Tabrīzī (d. 732 AH) has been edited by al-Albānī with an abridged source-critique. Al-Albānī has distinguished the *ṣaḥīḥ* from the *daʿīf* in al-Suyūṭī's *Ṣaḥīḥ al-Jāmiʿ al-Ṣaḡīr* and its *Supplement*, and published them in two separate volumes. *Jāmiʿ al-Uṣūl* of Ibn al-Athīr (d. 606 AH) has been edited and brought out by ʿAbd al-Qādir al-Arnāʾūṭ.

*Majmaʿ al-Zawāʿid* of Nūr al-Dīn al-Haythamī (d. 807 AH) came out earlier, but it was not edited. Its distinction is that it judges between *ṣaḥīḥ* and *daʿīf* hadiths, and brings together material from outside the Six Books of hadith: *Musnad Aḥmad*, and *Musnad al-Baẓẓār*, and *Musnad Abū Yaʿlā*, and the three *Maʿājim al-Ṭabarānī*. I wish that this useful book had been edited, although I am appre-

hensive of present-day editors of our useful books: they edit the book with additions to its bulk of commentary, of which there is little need, and which they repeat in every book, the consequent lengthening of the work providing scope to get money from its poor readers!

Among the important books which are repeatedly printed – but not edited, nor their sources checked – are: *Mustadrak al-Hākim* (d. 405 AH) and the abridgement of it by al-Dhahabī (d. 748 AH). Among examples of the important ones that are edited and source-critiqued, are: *Zād al-Ma‘ād* by Ibn al-Qayyim (d. 751 AH), edited by Shu‘ayb al-Arnā‘ūt, published in five volumes by al-Risālah, with a sixth for the index; and *Riyāḍ al-Ṣāliḥīn* by al-Nawawī (d. 676 AH). It is a book blessed and splendid in usefulness. Shu‘ayb al-Arnā‘ūt and al-Albānī edited it and checked all its sources.

More important still is the source-critique of the book *al-Ihsān fī Taqrīb Ṣaḥīḥ Ibn Hibbān*, edited by Shaykh Shu‘ayb al-Arnā‘ūt in sixteen volumes, with a two volume index. Al-Risālah published it.

Greater than that is the concordance of similar hadiths in *Musnad Imam Aḥmad*, published in more than forty volumes, edited by Shaykh Shu‘ayb and five of his distinguished learned colleagues. It is on the point of completion, and al-Risālah are publishing it with the support of the Kingdom of Saudi Arabia.

Here one has a duty to refer to old source-critiques and benefit from them. For example: the critique by Zayn al-Dīn al-‘Irāqī (d. 807 AH) of the hadiths in *al-Ihyā’* of al-Ghazālī (d. 505 AH), who called it *al-Mughnī ‘an Ḥaml al-Asfār fī Takbrīj mā fī al-Ihyā’ min al-Akbbār*. It was printed with marginal notes to the *Ihyā’*; it is necessary for the reader of *al-Ihyā’* to refer to it. One knows the rank of the hadiths that were adduced by al-Ghazālī, and how many extremely weak hadiths there are in it, others with no source for them, and others pronounced fabricated! Another example is the source-critique by Ibn Ḥajar al-‘Asqalānī of the hadiths in the *tafsīr*, *al-Kashshāf*. It is useful from the viewpoint of the many hadiths that the Qur’anic commentators adduce, and which were subsequently copied by other commentators.

Among the important and famous books for preaching and admonishment is the book *al-Targhīb wa al-Tarhīb* of al-Mundhirī (d. 606 AH) – may God have mercy on him. The defect of the book is that there are many weak hadiths in it, and some of them extremely weak. It may be that it even descends to the level of the fabricated – to the extent that this is the opinion of al-Mundhirī himself. But many givers of admonishments and sermons have not read al-Mundhirī’s Preface so that they would know his technique and terminology. This is what drove me back to serve this book by making critical selections from it (*muntaqā*). The selection includes the *ṣaḥīḥ* and the *ḥasan* in it, with notes on what is obscure in it, and explanations of its purposes, and answers to the questions it asks itself. In short, it erases doubts and corrects misunderstandings. Its title is *al-Muntaqā min al-Targhīb wa al-Tarhīb*.

As for the commentaries on the well-known books: the greatest of them is *Fath al-Bārī fī Sharḥ al-Bukhārī* by Ibn Ḥajar. This is the book about which (with a pun on the well-known hadith) al-Shawkānī said: “*la hġirah ba‘d al-fath*” (‘No emigration after the Conquest’). There are available other commentaries on al-Bukhārī earlier than it, contemporary with it, and later than it. One should make use of them all. Examples are: al-Kirmānī (d. 675 AH), al-‘Aynī (d. 855 AH), and al-Qaṣṭalānī (d. 923 AH).

Among commentaries on Muslim are the *Sharḥ* of al-Nawawī, and those of al-‘Iyāḍ, and al-Abbī and al-Sanūsī. A recent commentary by an Indian scholar, Mawlānā Shabbīr Aḥmad al-‘Uthmānī, is called *Fath al-Mulhim bi-Sharḥ Ṣaḥīḥ Muslim*. He had issued four parts but not completed it. Our friend Shaykh Muhammad Taqī al-‘Uthmānī, undertook its completion. He attached to his commentary some knowledge of the time and solutions for its difficulties, which makes the commentary unique in its divisions (*fī bābi-hi*). He has brought out six volumes.

Of commentaries on the *Muwattā*, we would mention *al-Muntaqā* the commentary of Abū Walīd al-Bājī (d. 474 AH), and the commentary of al-Suyūṭī, *Tanwīr al-Hawālik*.

Among the greatest of the commentaries on Abū Dā'ūd is *Ma'ālim al-Sunan* by al-Khattābī (d. 388 AH). The commentary of Ibn al-Qayyim is entitled *Tabdhīb Sunan Abī Da'ūd*. Among the hadith commentaries of the scholars of India are: *ʿAwn al-Maʿbūd* by al-Diyānwī, and *Badhl al-Majhūd fī Halli Abī Da'ūd* of al-Sahāranpurī (d. 1346 AH), with the commentary of Shaykh al-Ḥadīth al-Kāndhlawī, and a Foreword by Sayyid Abū Ḥasan al-Nadwī. The *Manhal al-ʿAdhb al-Manrūd* of Shaykh Maḥmūd Khaṭṭāb al-Subkī (founder of al-Jāmiʿah al-Sharīʿah) is a copious, full commentary. He issued ten parts of it, but did not complete it, may God have mercy on him.

Among the greatest of the commentaries on al-Tirmidhī, and old, is *ʿĀrīḍat al-Aḥwidhī* of Imam Abū Bakr ibn al-ʿArabī (d. 543 AH). Of new commentaries: *Tuhfat al-Aḥwidhī* by al-Mubārakpurī, the well-known Indian hadith scholar.

Al-Nasāʾī has not been commented on, as Abū Da'ūd and al-Tirmidhī have. However, there are the marginal notes of al-Suyūṭī, and another set of marginal notes by al-Sindī (d. 1139 AH). Both of them have been printed with the text of al-Nasāʾī. (When I visited India about twenty years ago, an Indian scholar there was busy in the preparation of a commentary on al-Nasāʾī. I do not know whether he finished it.)

Of the commentaries on *Mishkāt al-Maṣābiḥ*, the best known is the commentary of ʿAlī al-Qārī (d. 1014 AH), entitled *Mirqāt al-Mafātīḥ*. It is printed in five parts. There is a new, complete commentary, entitled *Mirʿāt al-Mafātīḥ*, by ʿUbayd Allāh al-Mubārakpurī, one of the scholars of India. (The work is distributed by al-Jamiʿah al-Salafiyyah in the city of Benares in India, nine volumes as I remember.)

Among the respected commentaries useful for the preacher is that of ʿAbd al-Raʿūf al-Manāʾwī on al-Suyūṭī's *al-Jāmiʿ al-Ṣagħīr*. It is the one published under the title *Fayḍ al-Qadīr fī Sharḥ al-Jāmiʿ al-Ṣagħīr* in six volumes. It is a useful book but needs some editing.

On *Riḡād al-Ṣāliḥīn* the well-known commentary is *Dalīl al-Fāliḥīn* by Ibn ʿAllān (d. 1054 AH), printed in eight parts. There is a

new commentary by Ṣubḥī al-Ṣāliḥ (may God have mercy on him) called *Manbal al-Wāridīn*. Another by Muṣṭafā al-Khann and his colleagues is called *Nuzḥat al-Muttaqīn*.

For al-Nawawī's book *al-Adhkār*, there is a commentary by Ibn ʿAllān, namely *al-Futuhāt al-Rabbāniyyah*, printed in seven parts. For his small and famous work, *al-Arbaʿīn al-Nawawīyyah*, there are very many commentaries. However, the most esteemed of them, and the most popular and beneficial, is the commentary of Ibn Rajab al-Ḥanbalī (d. 790 AH): *Jāmiʿ al-ʿUlūm wa al-Ḥukm*. The forty hadiths having been completed became fifty, and Muhammad al-Aḥmadī Abū al-Nūr began an edition of them.<sup>13</sup> Shaykh Shuʿayb al-Arnāʾūṭ edited and source-critiqued the hadiths in *al-Arbaʿīn al-Nawawīyyah*, and attached marginal notes. Muʿassasat al-Risālah in Beirut published it in two volumes.

Among the most useful books in this context, one that comments on what is behind the hadiths – their secrets, and the religious and social wisdom in them – is the book *Hujjat Allāh al-Bālighah* by al-Dahlawī (d. 1176 AH).

A perceptive preacher will know which books and chapters from the sources of the hadiths he is more in need of than others. No doubt the books and chapters on faith and *tawḥīd*, on the rites of worship, and knowledge, and good manners, and renunciation (*ṣuḥb*), and the softening of the hearts, and the remembrance and invocation of God, and the Qurʾān, and virtue, and the rite of prayer, and the states of the hereafter, the Garden and the Fire, and the life-story and the battles of the Prophet, and the exemplary stories and history, and the like – all these captivate the attention of the preacher, most often with hadiths that relate to the injunctions directly. If the preacher is adept and has extensive knowledge, he will make use of all the divisions of the hadiths, even those on the injunctions.

PREPARATION BEFORE PRESENTING A HADITH AS EVIDENCE

The important thing for a preacher is that he seek out the import of the hadith he is presenting as evidence – find out its meaning, its value, its stance. Indeed, the obligation is on all knowledgeable persons to rely on authenticated sources, and to rid themselves of hadiths that are feeble or rejected or fabricated, and those with no source. It is with just such hadiths that many of the books in Muslim religious education are stuffed to overflowing, then mixed with others that are *ṣahīḥ* and *ḥasan*, without distinguishing between the kinds, the accepted and the rejected. Some are deceived by a hadith's being widely known. It circulates in books or on tongues, and people reckon this is sufficient for its being established, and license for its further passing around and acceptance. But it is well known to serious scholars that a hadith that has circulated widely on the tongues, even in the books of the learned, and been copied by some from others, may nevertheless be extremely weak, lacking a source altogether, even fabricated.

This is what prompted a number of hadith scholars to write accounts of the hadiths made famous on the tongues. Examples are: *al-Tadkhirah bi al-Aḥādīth al-Mushtahirah* by al-Zarkashī (d. 794 AH); *Tamyīz al-Ṭayyib min al-Khabīth fī mā Yaduru 'alā Alsinat al-Nās min al-Ḥadīth* by Ibn Dība<sup>c</sup>; *al-La'ālī' al-Manthūrah fī al-Aḥādīth al-Mashūrah* by Ibn Ḥajar (d. 852 AH); *al-Durar al-Muntashirah fī al-Aḥādīth al-Mushtahirah* by al-Suyūṭī (d. 911 AH); and *al-Maqāṣid al-Ḥasanah fī mā Ishtabrah min al-Ḥadīth 'alā al-Alsinah* by al-Sakhawī (d. 902 AH), which was abridged by al-Zurqānī (d. 1122 AH). Al-<sup>c</sup>Ajlūnī (d. 1162 AH) collected these books in *Kashf al-Khafā' wa-Muẓīl al-Albās 'Amma Ishtabrah min al-Ḥadīth 'alā Alsinati al-Nās*. Also important in this field are the books, by Ibn al-Jawzī, al-Suyūṭī, al-Qārī, al-Shawkānī, Ibn 'Irāq, al-Albānī, and others, that address fabricated hadiths.

In books of *taṣawwuf*, admonishment, and softening of the hearts, the authors cite many in this category of hadith (weak, flimsy, fabricated). So too in books of *tafsīr*, and especially in what concerns the merits of the surahs, stories about the prophets and

the righteous, and the occasions of Revelation, we find the same category of hadiths being used. Very few of them have been authenticated as *ṣaḥīḥ*.

In a recent conference one of the attending scholars presented the story of Thaʿlabah ibn Hāṭib, which the Qurʾan commentators mention as the occasion for the revelation of the verse: “And among them those who pledged to God: if He grants us from His bounty then we shall spend in charity and most certainly be among the righteous. Yet when He gave them of His bounty, they were niggardly with it, and turned away, and they were contradicted. So He made their outcome hypocrisy in their hearts until the day when they shall meet Him, because they broke with God what they had pledged to Him, and because they were liars” (*al-Tawbah*, 9: 75–77). But the *isnād* for the story – as Ibn Hajar has said in his source-critique of *al-Kashshāf* – is extremely weak.<sup>14</sup>

#### THE DEFECTS OF MANY ADMONISHERS

A failing common to admonishers and preachers of sermons in the mosques in most Islamic lands is that they are “gathering firewood in the dark”. They mumble from the hadiths what moves people, while there is not among those hadiths one with a source that has been confirmed as *ṣaḥīḥ* or *ḥasan*. I have not witnessed a Friday sermon or a lesson of admonishment but, almost always, I have heard a bundle of weak, or severely weak, hadiths, and at times even fabricated ones. In one country, I attended a sermon that I think was on the occasion of celebrating the life of the Prophet, and so its theme was his personality, the purity of his life, the charm of his attitudes, and the greatness of his character. It is a subject-matter richly endowed, overflowing with established truths from the Qurʾan, and the authentically reported Sunnah. But the preacher remembered barely two or three of the hadiths established as *ṣaḥīḥ* or *ḥasan*. Instead, he emptied from his store a big number of hadiths that are feeble, rejected or fabricated, or whose source is not known. The scholars have said about such material:

“It has no nose-ring or bridle [meaning it has no control, restraint or discipline].” Here are some examples of that:

The first [entity] that God created is the light of the Prophet.

God brought his parents to life, and they accepted Islam at his hands.

Whoever is called by the name ‘Muhammad’, intercession for him is obligatory.

(Various sayings reporting supernatural phenomena in relation to his birth, etc.)

Among the strange things that I heard about the excellence of the Community of the Prophet is the hadith: “The scholars of my Community are like the prophets of the Israelites.” The preacher argued for the correctness of this hadith by telling a story. The gist of it is: that Abū Ḥamīd al-Ghazālī met the prophet Moses in a dream or in the spirit world. Moses (whom God addressed directly) said to him: “What is your name?” He said: “Muhammad ibn Muhammad ibn Muhammad al-Ghazālī al-Ṭūsī...etc.” He said: “I asked you for your name, and I did not ask you for your genealogy.” He said: “And you, when God asked you about what is in your right hand, you did not say to Him ‘My staff’ and go quiet. Rather, you said: ‘It is my staff. I lean on it, and I beat down with it leaves for my sheep, and I have other uses in it.’” The preacher commented: “So al-Ghazālī disputed with Moses, upon him be peace.” That is how this man established the truth of the false hadith (“The scholars of my Community are like the prophets of the Israelites”)! And that is how merchandise unworthy to be brought to market – made up of strange material from stories and dreams and Israelite traditions – is spread and circulates, in the absence of the good merchandise, namely hadiths established as *ṣaḥīḥ* and *ḥasan*. Then, as the economists say, bad currency drives out the good!

The failing is a familiar one. It touches even some scholars who are people of knowledge and worthy of trust, and most strict in the narration of hadith, but who, nevertheless, when they write on topics related to admonishment, are lax to the extreme of laxity.

We have seen the like of that in the books on admonishment of Abū Faraj ibn al-Jawzī (d. 597 AH), for example *Dhamm al-Hawā*; whereas the same al-Jawzī is strict in *al-Mawdu‘āt* and *al-‘Ilal al-Mutanāhiyah fī al-Ḥadīth al-Wāhiyah* and the like. Another example is al-Naqqād Shams al-Dīn al-Dhahabī (d. 738 AH), who was lax very often in *al-Kabā’ir* because this book has the character of admonishment. Similarly, al-Ḥāfiẓ al-Mundhirī in his comprehensive book *al-Targhīb wa al-Tarhīb*. He cites in it a great number of feeble, rejected hadiths, even fabricated ones. He had no need of them. In his Preface, he informs readers about the matter through the pointers and terminological classifications he mentions there. So he discharged his responsibility in that way, God have mercy on him. However, his readers are not mindful of that, especially in our age. That is what drove me to prepare *al-Muntaqā* – a two-part selection from al-Mundhirī’s book, with source-critique of the *ṣaḥīḥ* and *ḥasan* hadiths in it.<sup>15</sup>

#### THE FATWA OF IBN ḤAJAR AL-HAYTHAMĪ

Ibn Ḥajar al-Haythamī, the well-known Shāfi‘ī jurisprudent, surely did an excellent thing when he straightforwardly asked the rulers of his time to forbid from preaching every preacher who did not make clear the sources of the hadiths he cites, and who mixed up true and authenticated reports with invalid and false ones.

A questioner came to Ibn Ḥajar al-Haythamī about a preacher who climbs the pulpit every Friday and recites many hadiths, and does not clarify their sources or their narrators (the questioner mentioned a particular hadith by way of example), and asked: “So what is obligatory [to be done] about him?” And his answer in his words:

What he has cited of hadiths in his sermon without clarifying their narrators, or who said them, is permissible on condition that he is [himself] one of the people of knowledge in hadith, or he is quoting from a book written by one like that [knowledgeable in hadith]. But as for relying on the narration of hadiths on [the basis of] the mere seeing of them in a book whose author is not of the people of hadith, or in sermons

whose author is not like that [a hadith scholar] – then it is not lawful. Whoever does that is to be rebuked for it with a severe rebuke. And this is the condition of many sermon-givers. For indeed they, from a mere seeing of a sermon with hadiths in it, memorize [those hadiths] and preach with them [in their own sermons], without their knowing whether those hadiths are properly sourced or not. So it is a duty on the governors of all lands that they restrain their sermon-givers from that. And it is a duty of the governors of the land of this sermon-giver to forbid him from that if he commits it to excess.

It is [incumbent] upon this sermon-giver that he make clear his *sanad* in his narrations. Now if his *sanad* is correct, then [there is] no objection against him. Otherwise it is permissible for the person in authority that he remove from him the entitlement to give sermons, holding him back from being so bold as to hold this handsome status without right.<sup>16</sup>

If only this were put into effect on the sermon-givers of our time! Then surely many of them – for their ignorance of the hadith, and their confusion of the accepted and the rejected hadiths – would be removed.

### III

#### NARRATING WEAK HADITHS IN *TARGHĪB* AND *TARHĪB*

I am of the view that the cause of the wide circulation, among so many of those who give sermons, reminders and admonishments, of feeble, rejected and even fabricated hadiths, is adherence to the opinion of the majority of scholars, which permits the narration of such hadiths. They permit weak hadiths related to the virtues of deeds, softening of the hearts, renunciation, and *targhīb* and *tarhīb*, and stories tending to that, so long as these hadiths have nothing in them connected to the commands of the Law, to any of the five kinds of injunctions, namely the permitted, the forbidden, the reprehensible, the obligatory, the commendable. In the Preface to *al-Targhīb wa al-Tarhīb* al-Mundhirī wrote: “The scholars accept relaxation of the categories of hadith in respect of *targhīb* and *tarhīb*

– to the extent that many of them cite the fabricated [one] and do not make clear its condition!”

That is near to what al-Ḥākim says in his *Mustadrak* at the beginning of *Kitāb al-Du‘ā* (the book of supplication): “And I, by the will of God, shall set flowing the reports which the two Shaykhs [al-Bukhārī and Muslim] are silent about in the Book of Supplications – following the doctrine of Abū Sa‘īd ‘Abd al-Raḥmān ibn Mahdī on their acceptance.” Then he lays out his *sanad* to Abū Sa‘īd ‘Abd al-Raḥmān and quotes his opinion:

If we relate from the Prophet on the lawful and the unlawful and the injunctions, we are strict about the *isnāds* and we criticize the [narrators]. And if we narrate on the virtues of deeds, and the reward and the punishment [hereafter], and the commended [acts] and the supplications, then we make easy the *isnāds*.<sup>17</sup>

Al-Khaṭīb narrates in *al-Kifāyah*, with his *sanad* from Aḥmad ibn Ḥanbal, the same opinion in nearly identical words,<sup>18</sup> then says: “The hadiths on the softening of hearts tolerate one’s relaxing [the conditions] for them up to the point [in the hadith where] there comes in it anything of an injunction.” Similarly, Abū Zakariyyā al-‘Anbārī says: “[If] the report when it came did not make the permitted forbidden and the forbidden permitted, and did not make an injunction obligatory, and if it was on *targhīb* and *tarhīb*, or the intensification or relaxing [of elements or forms of worship], [then] it is obligatory to close one’s eyes to it [in forbearance], and to make the narration of it easy.”<sup>19</sup>

But how far should this closing of the eyes, and making easy of the *isnāds*, go?

Some people understand from this that one should accept a hadith on *targhīb* and *tarhīb* without condition – even if its narrator is alone in narrating it, or one atrocious in his errors, or who has a lot of rejected reports credited to him, or who has been accused of being a liar. Some of the ignorant ones of the Sufīs even permitted the narration of fabricated hadiths – hadiths concocted and manufactured – provided only that they inspired to the good and frightened away from the evil. Some of them (as we noted earlier) went

so far as to excuse themselves with that motive, for contriving hadiths on the merits of particular surahs of the Qur'an or of particular good deeds. When people cited the well known hadith reported *mutawātir* – “One who lies against me with premeditation, he has provided his place in the Fire” – they said with all impudence: “We never lie *against* him, but we only lie *for* him.” That is an excuse more ugly than sin: it implies a judgment that his religion is deficient and they are completing it for him. But God said: “This day I have completed for you your religion” (*al-Mā'idah*, 5: 3).

Therefore, the scholars dedicated to establishing the truth made the purpose, and the limits, of relaxing the conditions for *isnāds* very clear. We cite here brief examples of the reflections of some of those scholars:

Ibn Rajab al-Ḥanbalī said (commenting in his *Sharḥ 'Ilal al-Tirmidhī* on al-Tirmidhī's saying that he did not adduce in an argument hadiths narrated from someone accused of dishonesty, or known for forgetfulness, or for many errors in his reports):

As for what al-Tirmidhī has mentioned ... his point is that he does not adduce [such hadiths] in the Legal injunctions and matters of practice. But if narrators had narrated some of those [hadiths] on the softening of the hearts and *targhīb* and *tarhīb*, then many of the imams permitted the narration of [such hadiths] from weak [narrators]; among [those imams were] Ibn Mahdī and Ibn Ḥanbal.

Rawwād ibn al-Jarrāḥ said:

I heard Sufyān al-Thawrī, he said: “Do not take this knowledge in the lawful and the unlawful except from the heads, the ones most famous for their knowledge, those who know the addition and subtraction [the adjustments needed to understand the quality of a report]; and there is no objection in what is other than that [i.e. the lawful and the unlawful] to taking from respected elders [men known for their piety but not specialists in hadith].”

Ibn Abī Ḥātim said:

My father transmitted to us from 'Abdah, he said: “It was said to Ibn al-Mubārak – when he had narrated a hadith from a

man – it was said: ‘This man is weak!’ Then [Ibn Mubārak] said: ‘It is tolerated to narrate from [a weak narrator] this degree (*qadr*) or the like of these things.’ [So] I said to ‘Abdah: ‘Like which things might it be?’ He said: ‘On manners, on admonishments, on renunciation.’”

Ibn Ma‘īn said about Mūsā ibn ‘Ubaydah al-Rabdhī, a man known for his piety (not as a hadith scholar) and weakness in narration, that he wrote down from his hadiths those on the softening of hearts.

Ibn ‘Uyaynah said:

Do not hear from Baqiyyah (meaning Baqiyyah ibn Walīd) what is in the Sunnah, but hear from him what is on the reward [hereafter] and other than it.

Aḥmad ibn Ḥanbal said about Ibn Ishāq (Muhammad ibn Ishāq, author of the famous *Sīrah*):

One writes down from him on the battles and things like them.

Ibn Mūsā said on Ziyād al-Bikā‘ī:

No objection to him on the battles, but as for what is other than that: No.

Ibn Rajab said:

Indeed one only narrates on *tarhīb* and *targhīb* and renunciation and good manners the hadiths of those of the people who are forgetful [but] who are not suspected of lying. And as for the people who are suspect, one leaves their hadith. So said Ibn Abī Ḥātim and others.<sup>20</sup>

The sayings just quoted (and others like them) make it clear that not one of the imams of hadith accepts the narration of hadiths of *targhīb* and *tarhīb* from all and sundry indiscriminately, nor if their narrators were ignorant or accused of lying, nor if excessively prone to error in their reports. They only permitted the narration of some narrators, in whose capacity for memorization there was some pliancy or weakness, and though they were not (as Sufyān al-Thawrī put it) “among the famous heads of the knowledge”, there was no doubt as to their trustworthiness and probity. There was doubt only about their capacity for memorization and their alertness and thoroughness.

For the acceptance of weak hadiths on the softening of hearts and *targhīb*, Ibn Ḥajar mentioned three conditions. Later, al-Suyūṭī copied them from him in *Tadrīb al-Rāwī*:

*First*: This condition is agreed upon. It is that the narrator or report may be weak but not extremely so. Thus, one who is alone in narrating is excluded, one who is from among the known liars, or from those accused of lying, and one who is preposterous in his error.

*Second*: that the hadith comes under a general principle (meaning, it conforms to and does not contradict the Law or the religion). Thus, that which has been innovated, for which there is no source at all, is excluded.

*Third*: that, in the course of acting upon such a hadith, it should not be believed to be established as from the Prophet. Thus, what the Prophet did not say will not be (incorrectly) attributed to him. As for any action taken in accordance with such a hadith, it is to be taken only as a precaution.

Al-Suyūṭī said: “The last two [conditions] are from Ibn ‘Abd al-Salām and from his student Ibn Daqīq al-‘Īd. And the first: al-‘Alā’ī reported the agreement about it.”<sup>21</sup>

#### SOME IMPORTANT REALITIES

It is essential here that I alert readers to a number of realities of this subject, of which many people have a poor understanding. As a result, religious education has become confused for them, albeit some of them continue to serve as religious guides for large numbers of Muslims.

#### 1: REJECTION OF WEAK HADITHS EVEN ON *TARGHĪB* AND *TARHĪB*

Among scholars, old and new, some do not accept hadiths other than the *ṣaḥīḥ* and the *ḥasan*, whatever their subject-matter. Ibn Rajab said in *Sharḥ al-‘Ilal*:

It has appeared from what Muslim (d. 261 AH) has mentioned in his Preface [that] he judged [that] the hadiths of *targhīb* and

*tarhīb* are not narrated except from one from whom the injunctions are [also] narrated.<sup>22</sup>

In the Preface of his *Ṣaḥīḥ* he abhorred the narration of weak hadiths and rejected reports.<sup>23</sup>

Evidently, this was also the doctrine of Imam al-Bukhārī (d. 206 AH). It is the doctrine of the master of *jarḥ* and *taʿdīl* (censure and approval of narrators), Yahyā ibn Maʿīn (d. 233 AH). Among the later scholars who adhered to it were: Ibn Ḥazm (d. 456 AH) of the Zāhiri school, al-Qāḍī Ibn al-ʿArabī (d. 543 AH) of the Mālikī school, and Abū Shāmah from the Shāfiʿī school. Among contemporary scholars: Shaykh Aḥmad Muhammad Shākir and Shaykh Muhammad Naṣīr al-Dīn al-Albānī. Shaykh Shākir wrote about it in his book *al-Bāʿith al-Ḥathīb*, in which he comments on Ibn Kathīr's *Ikhtisār ʿUlūm al-Ḥadīth*. After stating what some people permitted in the narration of weak hadiths, and expounding its conditions (which we noted above), he says:

What I [hold] is that the exposition of the weakness of a weak hadith is obligatory in all cases. Because leaving out the exposition puts the one approaching it in mind that it is a *ṣaḥīḥ* hadith – especially when the transmitter is one of the hadith scholars to whose opinion one refers in [such matters]. [I hold also that there should be] no difference between injunctions [on the one hand], and the merits of deeds and the like [on the other], as regards non-acceptance of a weak report. Rather, there is no argument from any [hadith] unless from what has been authenticated as from God's Messenger – from a *ṣaḥīḥ* or *ḥasan* hadith. As for what Aḥmad ibn Ḥanbal and Ibn Maḥdī and al-Mubārak have said – "...If we narrate on the merits and the like we relax [the conditions of acceptability of reports]" – then they only meant by that (in what I consider on balance, and God knows better) the taking of hadiths that are *ḥasan*, which do not reach to the rank of *ṣaḥīḥ*. For, in point of fact, the terms *ṣaḥīḥ* and *ḥasan* were not in their epoch widely settled upon and evident. Rather, many of the early scholars did not rank the hadith except as *ṣaḥīḥ* or *ḍaʿīf* and no more.<sup>24</sup>

Ibn Taymiyyah and Ibn al-Qayyim have a discourse of the same meaning. In it they interpret what is narrated from Aḥmad ibn Ḥanbal as meaning that he accepts a weak hadith in the sense of

giving it priority over *ra'y* (personal opinion) and *qiyās* (analogical reasoning); moreover, that what he had in mind was the reports that (later) came to be classed as *ḥasan*. As is well known, it was al-Tirmidhī who popularized the distinction between *ṣaḥīḥ* and *ḥasan*.

As for Shaykh al-Albānī: he has given his authority to the same position in the prefaces to many of his books, in particular: *Ṣaḥīḥ al-Jāmi' al-Ṣaḡīr* and its *Supplement*, and *Ṣaḥīḥ al-Targhīb wa al-Tarhīb*.

## 2: NON-ADHERENCE TO THE CONDITIONS STIPULATED BY THE MAJORITY

The second reality is that, regrettably, the three conditions, stipulated by those who permitted the narration of weak hadiths on *targhīb* and *tarhīb*, softening of the hearts, and the like, have not been adhered to in a scholarly manner. Many of those who busy themselves with the hadiths in this field do not distinguish between the weak and the extremely weak. They do not scruple to ensure that the hadith conforms to Legal principle established from the Qur'an or the authenticated Sunnah. Rather, at times (as I said earlier) the infatuation with what there is in these reports of reminder and inspiration overwhelms them – even if a report is one rejected in the most severe degree of rejection, or if there loom about it signs of fabrication.

## 3: PROHIBITION OF NARRATING IN A STYLE OF CERTAINTY

The scholars have mentioned on this an important warning, namely not to say in a weak hadith 'God's Messenger said this and this' in the style of a positive, definitive statement. Ibn Ṣalāḥ said in category 22 of his *ʿUlūm al-Hadīth*:

If you intend the narration of the weak without *isnād*, then do not say in it 'God's Messenger said like this or like this' or what resembles that in words [expressive] of certainty. Rather, only say: 'It is narrated from God's Messenger this or this'; or 'it has reached us from him this or this'; or 'it has been mentioned from him' or 'has come from him'; or 'Some of them narrate'; or what resembles that [sort of phrasing].

This manner is the rule for that whose being *ṣaḥīḥ* or *ḍaʿīf* you doubt. Indeed, only say ‘God’s Messenger said’ in that whose being *ṣaḥīḥ* is clear to you in respect of its route [of transmission], which we clarified earlier. God knows better.<sup>25</sup>

What Ibn Ṣalāḥ said, al-Nawawī agreed with, as did Ibn Kāthīr, and al-ʿIrāqī, and Ibn Ḥajar, and all the books on the technique and terminology of hadith. But the givers of reminders and sermons, and writers who narrate weak hadiths, do not give their hearts to this alarm. Instead, they start off their weak hadiths with the words ‘God’s Messenger said’.

#### 4: THE SUFFICIENCY OF THE *ṢAḤĪḤ* AND THE *ḤASAN*

If, on a particular topic, we have to hand a single hadith or many from the category of *ṣaḥīḥ* or *ḥasan*, and the same from the category of the *ḍaʿīf*, then the more worthy course is to find the former sufficient. There is no call to load our memories with the *ḍaʿīf*. Indeed, doing so is at the expense of the *ṣaḥīḥ* and infringes one’s duty to it. It has come from some of the Companions: “No effort do the people expend on innovation (*bidʿah*) but they lose the like of it from the Sunnah.” And that is something that has actually happened: *bidʿah* is replacing *sunnah*, innovation taking the place of tradition. Al-Khaṭīb narrated in *al-Kifāyah* from Imam Ibn Maḥdī that he said:

One should not busy oneself in the writing down of the hadiths of the weak [narrators]. For indeed the least of what is in it – to the extent that he writes from the hadith of the people of weakness – is that the hadiths of [the people of] trustworthiness are missed by him.

If human capacity for memorization, reflection, comprehension and absorption, is limited – and there is no escaping that – then it is better to direct that capacity, and one’s effort and time, to what has more right and priority. There is no disagreement that, of the two, the *ṣaḥīḥ* has precedence in this respect over the *ḍaʿīf*.

## 5: WARNING AGAINST UNBALANCING THE ORDER AMONG THE DEEDS

The hadiths on softening of the hearts, *targhīb* and *tarhīb*, may not have (in their texts) anything to do with an injunction that makes permissible or makes forbidden. Nevertheless, we find that they contain something else that has its own great importance and consequences. Our earlier imams did not attend to this – it is something that has emerged (over time) from ‘the disordering of the relationships’ among obligations and deeds, which the Law in its wisdom had settled. For every deed – commanded by the Law or forbidden by it – there is a weight or value specified, relatively to some other deed, in the view of the Law. We are not permitted to transgress a limit that the Law has stipulated as a limit – so that we shift a deed below or above the level prescribed for it, so as to make it more or less worthy, more or less important.

The most serious case is altering the weight of deeds: giving to some of the righteous deeds a value greater than their due, or more frequency than is proper to them, by inflating what is in them of reward, until it extinguishes what is more important and higher in rank in the view of the religion; conversely, giving undue weight to some of the proscribed acts, overstating what is in them of punishment, in such a way as damages one’s perception of the importance of other proscribed acts. Such exaggerations in the promise of reward or the threat of punishment have resulted in distortion of the image of the religion in the view of the educated seekers of enlightenment. They relate what they hear or read of such exaggeration to the religion itself, whereas Islam is exempt from it.

Often what such exaggeration leads to (especially on the side of *tarhīb*) is psychological reversions and anxieties. They sow aversion and hatefulness between people, and frighten them from the religion, and distance them from its spaciousness. So we will find a father has complained of his twelve-year-old daughter waking up in the night alarmed and fearful, because she sees frightening dreams – the affect of having listened to a cassette of one admon-

isher about the punishments of the grave, a cassette in which there were many from this category of hadiths.

It is the Muslims' duty to maintain the deeds in their ordering in the Law – without falling into the web of exaggerations which drive us hard into either extreme of excess or neglect. As 'Alī ibn Abī Ṭālib said: "Upon you [is obligatory] the middle way [of doing things]: which the one going too far (*al-ghālī*) returns to, and the one not going far enough (*al-tālī*) catches up with."

#### 6: A WEAK HADITH CANNOT ITSELF ESTABLISH AN INJUNCTION

The scholars of the religion allowed the narration of a weak hadith only with conditions attached to doing so. According to the oldest of them: they were lenient in their scrutiny of the *isnāds* in the narration of a weak hadith, intending thereby only the urging of a righteous deed whose righteousness is already established by accepted Legal argument, or the restraining of an evil deed whose evil is already established by Legal argument. They did not intend to establish by the weak hadith the righteousness or evil of the deed. However, many of the general populace – indeed even some hadith scholars – did not differentiate between the permissibility of narrating a weak hadith (with the conditions attached) and the establishment of an action by it.

That is why we see, for example, people in most Muslim lands making much of the night of mid-Sha'ban. They make its night special by keeping vigil in it, and its day by fasting in it, on the basis of the hadith narrated from 'Alī, *marfū'ar*: "When it is the night of mid-Sha'ban, then keep vigil during the night and keep fast during the day. For indeed God, Exalted and Blessed is He, comes down in it, at the setting of the sun, to the heaven of this world, and He says: 'There is not one who has sought forgiveness but that I forgive him [...].'" Ibn Mājah narrated it. Al-Mundhirī pointed to its being weak; al-Buṣīrī also affirmed its weakness in *Zawā'id Ibn Mājah*.<sup>26</sup>

Again, in most Muslim lands, we see people making much of the day of 'Āshūra', sacrificing animals, considering it to be an 'Id

or a day fixed for regular annual remembrance, and they give generously in it to kith and kin. They do all this relying on a weak hadith, nevertheless widely circulated among the common people: “Whoever is generous in giving to his kith and kin on the day of ‘Āshūra’, God will be generous to him for the rest of his years.” In the opinion of Ibn Taymiyyah and others, the hadith is fabricated. Al-Mundhirī said of it: “al-Bayhaqī and others narrated it by way of a group of the Companions.” And al-Bayhaqī said: “Though [the] *isnāds* [of this hadith] are weak, when they are drawn together, some with others, they take strength. And God knows better.” That is a statement that raises doubts. Ibn Jawzī and Ibn Taymiyyah and others were quite certain that the hadith is fabricated, but al-ʿIrāqī and others sought to defend it and establish it as *ḥasan li-ghayri-hi* (that is, not *ḥasan* in itself but by association with an *isnād* that supports it). Many later scholars found it difficult to judge a hadith as fabricated.

All of that, on balance of evidence, suggests to me, that this hadith is something that some ignorant one of the Sunnis invented to rebut the exaggerations of the Shīʿa. For them, the day of ‘Āshūra’ is a day of sadness and mourning, so he turned it into a day for being bathed and brightly-dressed and giving gifts to children!

Many of the misunderstandings and widespread innovations among the Muslim masses can be traced back to such weak hadiths. These hadiths spread through generations of backwardness among them, influenced their minds and their hearts, and chased away the *ṣaḥīḥ*. Yet it is on the *ṣaḥīḥ* that Muslims are required – within the precincts of the Qurʾān – to base their understanding and interrelationships. Al-Shāṭibī clarified that duty in his book, *al-Iʿtiṣām*.

Shaykh al-Islam Ibn Taymiyyah, may God have mercy on him, has a crystal-clear discourse on the intent of the scholars in saying that one may act according to a weak hadith on the merits of certain deeds (*faḍāʾil*) or *targhīb* and *tarhīb*:

What the scholars are on [i.e. their considered opinion] is:

Acting in accordance with a weak hadith on the *faḍā'il* is not for the establishment of a recommended act by a hadith, which is not [itself] adduced as an argument. For the recommended act surely is a [category of] command in the Law and is not established except by Legal proof. One who reports from God that He loves some particular deed without Legal proof has surely prescribed as Law in the religion [something], for which he has no permission from God. It is just as if he established [actions in the category of] the obligatory or the forbidden. For this [reason] the scholars differed on the recommended [category], just as they differed on other matters. Indeed, [this] is a basic principle of the religion as defined in Law.

Their intention in that was only that the deed should be something of which it had already been established, by a text [of Qur'an or Sunnah] or by ijma' [consensus], that God loved it or that God abhorred it – [a deed of the former kind] such as reciting the Qur'an, and glorifying Him in His names, and making supplication, and giving in charity, and emancipating a slave, and treating people with kindness; and abhorred deeds such as lying or treachery, and similar to that... So when a hadith is narrated on the merit of some recommended deeds and the reward for them, and the abhorrence of some deeds and the punishment for them, and their reward and punishment and their kinds are established and decided, [and] if, in what is narrated, the hadith [is one that] we do not know to be fabricated, it is permissible to narrate it and act upon it. Meaning: that the soul may hope thereby for reward, or be fearful thereby of punishment. Just as a man knows that commerce brings profit, but [as a supplement to that knowledge] he is informed that it makes a great profit, then this if true benefits him, and if false it did not harm him.

An example of that: *targhīb* and *tarhīb* by [reliance on] the reports of the Israelites and [reports of] dream-visions, and the sayings of the *salaf* and of the scholars, and events associated with the scholars, and the like of that, does not permit the establishing of a Legal injunction – neither a recommended act nor anything else. However, that it be mentioned in *targhīb* and *tarhīb*, and the arousing of awe and fear is permissible [provided that] what is attractive or repulsive about it was [already] known by Legal argument. For indeed that is beneficial and not harmful. And it is the same whether in itself the matter is

true or false. For what one knows to be false [and] fabricated, it is not permitted to give attention to it. For if [it is] a lie, then it is good for nothing; and if it is established that it is *ṣaḥīḥ*, then the injunctions are established by it. When both cases [it is true or it is false] apply, it is narrated on the possibility of its being true and the non-harmfulness of its being false. Aḥmad [ibn Ḥanbal] only said: “When there come [reports related to] *targhīb* and *tarhīb*, we relax [the normal standards] for the *isnāds*.” His meaning: We only narrate of that [sort of reports] with the *isnāds*, and [we do so] even if they were not reported from trustworthy narrators [of the quality] that one would base [a Legal] argument on them. Similarly, the saying of the one who said: Act according to [those hadiths] in the merits of deeds, only doing according to what in them is of the deeds of righteousness, for example reciting the Qur’an and remembrance [of God], and avoiding what is abhorred in them of deeds of wickedness.

But if the weak hadiths on the *faḍā’il* include [matters] determined and delimited [by the Law] – for example, [doing] the prayer at a specified time with a specified recitation or in a specified row – it is not permissible for you, because the recommendation of this specified quality was not established by Legal proof. [It is] different if what is narrated in it [is something like]: “Whoever has entered the market and said ‘There is no god but God...’, he will have such and such.”<sup>27</sup> Now the remembrance of God in the market surely is [already known to be something] recommended, on account of what is therein of remembering God among the forgetful, as has come in the well-known hadith: “Remembering God among the forgetful is like a green tree among dry trees.”<sup>28</sup>

As for the measure of reward narrated in [a weak hadith]: its being established does not harm, nor does its not-being established.

And the conclusion: that one narrates this category [of hadith] and one acts according to it in *targhīb* and *tarhīb*, but not in the recommended acts. Beyond that: conviction about the consequence of it – and [this] is the measures of reward and punishment [for it] – [that] is conditional upon Legal proof.<sup>29</sup>

Despite this clear exposition, we see many people establishing the bounds, and the terms and measures, of the lawful and unlaw-

ful, the recommended and the reprehensible, according to weak hadith.

7: TWO COMPLEMENTARY CONDITIONS FOR THE ACCEPTANCE  
OF WEAK HADITH

If we adopt the opinion of the majority on the permissibility of narrating weak hadith on *targhīb* and *tarhīb*, then it is proper, in my view, to polish the three conditions already mentioned with a further two, complementary conditions. (These are mentioned in my book *Thaqāfat al-Dā‘iyah*.) They are: (1) that the hadith should not contain exaggerations offensive to reason or Law or language; (2) that the hadith should not contradict a Legal proof stronger than itself.

*What offends reason or the Law or the language.* The leaders of hadith study have stipulated that a fabricated hadith is known by indications evident in the narrator or in what is narrated. Among the evident indications in what is narrated are: *a)* from the general evidence of fabrication, that the report is contrary to reason, hence its interpretation is not acceptable, and it is closely bound to what sense and perception reject. Or *b)*, that the report is contradictory to the definitive proofs of the Book or the Sunnah known as *mutawātir*, or to the definitive *ijma‘* (consensus), and there is no possibility of reconciling the contradiction between the two. Or *c)*, the report has to do with a large issue, about which there is a strong expectation of a group of people having been present to convey it, but it has been conveyed by only one person. Also among those evident indications, *d)*: the extremes of severe threat over a small matter, or of tremendous promise over a slight matter: this is common in the hadiths of story-tellers.

Even among hadith scholars, sadly, there are many who do not apply these basic criteria to what they narrate on *targhīb* and *tarhīb* and the like. Perhaps there was an excuse for them in the temperament of their age. As for modes of reasoning in our age, exaggerations are not acceptable, nor are they digested; and it is

likely that the religion itself is blamed when such exaggerations are encountered in hadiths like these.

As to what offends the language: in this class are many of the hadiths that certain story-tellers narrate. For example: Darrāj Abū al-Samaḥ incorporated into Qur'anic commentary words whose meanings are patently clear in the language, but for which he narrated interpretations that are misleading in their strangeness and distance from the dictionary meanings. An example is the hadith from Abū Haytham from Abū Saʿīd, *marfūʿan*: “*Wayl*: [its meaning is] a valley in hell – unbelievers fall in it for forty autumns, before its bottom is reached.” Ibn Ḥanbal and al-Tirmidhī have narrated something similar except that they have the phrase: “seventy autumns”. But *wayl* is a word meaning ‘threat of destruction’, well known before Islam and after it. Another example is what has come, according to al-Ṭabarānī and al-Bayhaqī, from Ibn Masʿūd, from his commentary on *al-ghayy* in the verse: “Then has followed after them a generation who have ruined the rite of prayer and followed lusts: so they shall encounter error (*ghayy*)” (*Maryam*, 19: 59). Ibn Masʿūd said: “A valley in hell”; and in a variant narration: “the fire in hell”. But *ghayy* is a word well known, and it is the antonym of *rushd* (guidance), as in the verse: “The right way (*al-rushd*) has been clearly distinguished from the wrong way (*al-ghayy*)” (*al-Baqarah*, 2: 256). Similar to that is what al-Bayhaqī and others have reported from Anas ibn Mālik, on the verse “And We made between them a place of perdition (*mawbiq*)” (*al-Kahf*, 18: 52). Anas said, of the meaning of *mawbiq*: “A valley of pus and blood.” Even stranger is what Ibn Abī Dunyā has narrated from Shafī ibn Mātīʿ: that “there is in hell a valley called *athām*, containing snakes and scorpions [...]”. He points to the verse: “And whoever does that will pay the penalty (*athām*)” (*al-Furqān*, 25: 68). But *athām* is only a word derivative from *ithm* (sin, offence).

It is regrettable indeed that al-Mundhirī, may God have mercy on him, should have cited all of these hadiths in his book *al-Targhīb wa al-Tarhīb*. No wonder that the sermon-makers hurried to them

and made much of them. That is why we argued against them in our book *al-Muntaqā min al-Targhīb wa al-Tarhīb*.

*It should not contradict a stronger Legal argument.* An example of this is the weak hadiths that report about ‘Abd al-Raḥmān ibn ‘Awf that he entered Paradise on all fours on account of his wealth. It has been claimed that such hadiths conform to the general class of warning against the ordeal of property, and the arrogance of the wealthy. However, we must note that these weak hadiths are contradicted by *ṣaḥīḥ* hadiths that make ‘Abd al-Raḥmān ibn ‘Awf one of the ten who were promised Paradise, not to speak of widely attested events and well trusted reports, all of which establish that he was among the best of the Muslims, and the greatest in piety and God-fearing, of those who spent of their wealth freely in the way of God, and the model of the wealthy man properly grateful to God. For this reason God’s Messenger exalted him and was pleased with him; and ‘Umar, appointed him as one of the six Companions of the Council and gave to his say, when the voices were equal, a weight and preference above that of others.

That is why al-Mundhirī rebutted these weak hadiths for their impropriety. He said:

There has come [to us] something other than what is proper: from the hadith of a group of the Companions from the Prophet that ‘Abd al-Raḥmān ibn ‘Awf will enter Paradise on all fours for the great quantity of his wealth. The best of [those hadiths] is not safe from objection, and there never came from them anything by a single narrator of the rank of *ḥasan*. Most certainly his wealth was a quality that God’s Messenger mentioned: “How excellent the righteous wealth of a righteous man!”<sup>30</sup> So how should his rank in the hereafter be diminished, or he be judged inadequate, but not others of the wealthy ones of this Community? And for sure this has not come about the person of any other than [‘Abd al-Raḥmān ibn ‘Awf]. It is only correct [to affirm] the absolute precedence of the poor of this Community [over] their wealthy ones. And God knows better.<sup>31</sup>

Another example of this kind is the hadith ‘*al-gharānīq*’. To be sure, we have a hadith expert (*ḥāfiẓ*) of the stature of Ibn Ḥajar,

author of the commentary on al-Bukhārī, saying of this hadith that, because it is narrated by a number of routes, it must have a source. But it is a hadith that clear reason refuses to accept, and authentic tradition rejects. Shaykh al-Albānī compiled about it the treatise *Naṣba al-Majānīq li-Naṣf Qiṣṣat al-Gharānīq*. Also al-Shaykh Muhammad Ṣādiq ‘Arjūn, in his valuable book *Muḥammad Rasūl Allāh*, sets out in comprehensive detail the falsity of these stories, and describes them as a mere “stupid lie”.

#### A WISE PREACHER DOES NOT TRANSMIT WHAT IS UNCLEAR TO PEOPLE

The inspired preacher should not transmit to the people everything that is known of the hadiths, even if they are *ṣaḥīḥ*. Jamāl al-Dīn al-Qāsimī said in his book *Qawā‘id al-Taḥdīth*:

Not every *ṣaḥīḥ* hadith is transmitted to the general public. The evidence for that is what the two Shaykhs [al-Bukhārī and Muslim] have narrated from Mu‘ādh, that he said: “I was on a donkey [following] behind the Prophet, when he said: ‘Mu‘ādh! Do you know what is the right of God upon His slaves and what is the right of the slaves upon God?’ I said: ‘God and His Messenger know best.’ He said: ‘Indeed, the right of God upon his slaves is that they worship Him and do not associate with Him anything. And the right of the slaves upon God is that He shall not punish one who does not associate with Him anything.’ I said: ‘Messenger of God, shall I give the people this good news?’ He said: ‘No, do not give them the good news, lest they become listless!’ ”

In a[nother] narration from both [al-Bukhārī and Muslim] from Anas that: “The Prophet said to Mu‘ādh who was following directly behind him: ‘There is not one who testifies that there is no god but God and that Muhammad is His Messenger, truthfully and from his heart, except that God prohibits him to the Fire.’ He said: ‘Messenger of God, shall I not inform the people of it so they will rejoice in the good news?’ He said: ‘Then they will become listless.’ ” Then Mu‘ādh notified [someone] of it at his death, to avoid sinning [against the command to share knowledge and not hide it]. Al-Bukhārī reported [it] by way of a note [i.e. without an *isnād* attached] from ‘Alī : “Convey to the people what they know [and so can

understand]; do you want God and His Messenger to be denied?" There is a saying like it of Ibn Mas'ūd: "You have not transmitted a hadith to a people whose minds cannot attain it except that it is a trial for some of them." Muslim narrated it.

Al-Hāfiẓ Ibn Ḥajar said: Of those who were averse to transmitting some hadith and not others: Aḥmad [ibn Ḥanbal was averse to doing so] in the hadiths whose outward meaning is rebelling against the ruler; and Mālik in the hadiths of the Attributes; and Abū Yūsuf in the strange [matters]; and before them Abū Hurayrah, [for example] in what is narrated from him on the two bags.<sup>32</sup> The point [that Abu Hurayrah was alluding to] is what happens during dissensions. Similar to it [is a report] from Ḥudhayfah. And from Ḥasan [al-Baṣrī]: that he disliked Anas conveying to al-Ḥajjāj the story of the 'Uraniyyūn,<sup>33</sup> lest he should adopt it by his weak interpretation as an instrument [to justify] what he was intending in excess of shedding blood.

The control[ling principle] of that is: that the outward [meaning] of a hadith may be strengthening heretical innovation, and its outward [meaning] is not the purpose in the original source; so what is wanted is keeping it back from one about whom one fears that he will seize upon its outward [meaning].

Thus the proscription (of conveying all hadiths to all and sundry) related to the public interest, and was not a prohibition in itself. Mu'ādh informed people as he did because of the generality of the command to convey knowledge about the religion.

Some of the scholars said that the proscription in his saying "Do not give them the good news" is particularized to some people, i.e. not universal. Al-Bukhārī adduced it in the argument that it was for the scholar to particularize the knowledge to some people and not others. The thing to be shunned is people not understanding what is conveyed to them. He adopted the position that hadiths like those of the all-permitting sorcerers (*al-baṭalah*<sup>34</sup> *al-mubāḥiyyah*)<sup>35</sup> provide a pretext for the abandonment of the religious obligations and the lifting of the injunctions, and that opens wide the way to ruin in this world on top of ruin in the next. For where are those who, when they are given the good news, increase greatly in worship? It was said to the Prophet "Why do you stand

[in vigil] in the night when God has forgiven you?” Then he said: “Shall I not be a grateful slave?”<sup>36</sup>

So I marvel at all the absurdities in the attitude of those preachers who do not cease to mention the hadith of the fly and dipping it in the food! Or the hadith that Moses slapped the angel of death! Or the hadith (in answer to one who asked, “Where is my father?”): “Indeed my father and your father are in the Fire.” Or the hadiths in which the *salaf* and the *khalaf* (the early generations and the later) have differed about construing the Attributes of God as predicates (qualifying His essential being) or as actions (qualifying His acting in particular contingencies) – likely to be misconstrued anthropomorphically (in both cases, if carelessly expressed). Or the hadiths of the times of trouble which suppose in their outward meaning that the only or best course is giving up all hope of restoration of order, and the refraining from any action of resistance to the disorder. Or other hadiths whose meaning is too subtle for the majority of people.

There is no need for these hadiths. Injunctions are not arranged upon them. If the people live their long lives without hearing them, it does not diminish them in their religious life by a grain of mustard seed. If, for a particular reason, the preacher does have need of something from these hadiths then it is his duty to place them in the right framework, to elucidate them with some exposition, and to preface them and add commentary to them, so as to make their meaning clear and dispel from them any doubts and misgivings.

We have taken as an example of that a famous hadith that has often led the people to wrong understanding, and because of that understanding, they have arranged upon it commands of dangerous consequence. It is the hadith of Anas, as follows:

HADITH: THAT EVERY AGE IS WORSE THAN WHAT PRECEDED IT

Al-Bukhārī narrated it with his *sanad* to al-Zubayr ‘Adī. He said: “We came to Anas ibn Mālīk and we expressed to him our misgivings about what we met from al-Ḥajjāj. Then he said: ‘Be patient!

For indeed there will not come upon you a time except that what is after it is worse than it – until you meet your Lord. I heard it from your Prophet.’ ”

### *The importance of this hadith*

Some people have taken this hadith to justify sitting back from taking action, from striving for reform, change and deliverance. They have urged that the hadith demonstrates that human affairs are in decline continually, in a permanent falling off, a successive decaying, from one level to another level lower than it; it is not carried from bad except to worse, nor from worse except to what is worse than that, until the Hour stands over the evil ones of the people and all people meet their Lord.

Others have held back from acceptance of this hadith. At times some of them have rushed to rebut it because, to their way of thinking, it was harmful or wrong for a number of reasons. First, it encouraged hopelessness and despondency. Second, it urged negativity in facing up to oppression from deviant rulers. Third, it opposed the idea of ‘progress’ upon which the whole of life and existence stands. Fourth, it moved away from the historical reality of the Muslims. And fifth, it opposed the hadiths that have come on the appearance of a *khalīfah* who will fill the earth with justice just as, now, it is filled with oppression and injustice (and he is the one known by the name *al-Mahdī*), and the hadiths on the coming down of the Messiah, ʿĪsā ibn Maryam, upon him be peace, and his establishing the political state of Islam, and the rule of its Law, and exalting its word throughout the earth.

### *The attitude of our scholars in older times to this hadith*

It is our duty to say that the predecessors among our scholars held back from this hadith, regarding its ‘generality’ (*iṭlāq*) as dubious. By ‘generality’ they meant what is understood from the hadith, that *every* time is worse than the one before it, whereas some times have been less in evil than what preceded them, even if that happened only the once – in the time of ʿUmar ibn ʿAbd al-ʿAzīz. That was

after, immediately after, the time of al-Ḥajjāj, about whom complaint was general. The good that there was in the time of ʿUmar ibn ʿAbd al-ʿAzīz has been made well-known. Even if what has been said about it – that in his time evil faded away – might indeed be going too far, it cannot be claimed by any means that his time was worse than what preceded it.

The scholars in earlier ages responded to these reservations as follows:

*a) The interpretation of al-Ḥasan al-Baṣrī*

Al-Ḥasan al-Baṣrī imputed to the hadith a meaning restricting it to the overwhelming majority of times, not all times. Asked about ʿUmar ibn ʿAbd al-ʿAzīz after al-Ḥajjāj, he said: “Some breathing space [i.e. a period of solace] was necessary for the people.”

*b) The interpretation of Ibn Masʿūd*

There has come from Ibn Masʿūd: “There will not come upon you a time except that it will be worse than the one preceding it. Look now, I do not mean that one ruler is not better than another ruler and no year is better than another year, but your scholars and your jurists will go, then you will not find among [the people] a successor [to them], and there will come a people who give fatwas according to their personal opinion (*raʾy*).” And in a speech attributed to him: “Then they will defile Islam and wreck it”. In *al-Fath* Ibn Ḥajar weighed this argument in commenting on the meaning of good and bad in this context, and said: “He is the more appropriate to be followed.”

But in fact he does not altogether uproot the difficulty. For, according to the texts, it is demonstrated that in the unseen future there will come times for Islam in which its banner will be raised, and its word exalted. Even if this happens only in the time of the Mahdī and the Messiah in the end days, still it suffices.

History records that there have come periods of stagnation and seizure in the world, succeeded by times of movement and renewal. It suffices to mention, for example, those scholars and reform-

ers who appeared in the eighth century – after the fall of the caliphate in Baghdad. And the vicissitudes of the conditions in the seventh century, after which appeared, for example, Ibn Daqīq al-Īd, and Shaykh al-Islam Ibn Taymiyyah and his pupil Ibn al-Qayyim, and the rest of his pupils in Syria; so too appeared al-Shāṭibī in al-Andalus; and Ibn Khaldūn in the Maghreb and Egypt, and others on whom Ibn Ḥajar wrote biographical notes in his book *al-Durar al-Kāminah fī Aʿyān al-Miʿat al-Thāminah*.

In the epochs that followed that, we find for example Ibn Ḥajar himself, and al-Suyūṭī in Egypt, and Ibn Wazīr in Yemen, and al-Dahlawī in India, and al-Shawkānī and al-Sanʿāʾī in Yemen; and Ibn ʿAbd al-Wahhāb in Najd; and other scholars of high rank in ijtihād, and leaders of the reformers. This is what prompted Ibn Ḥibbān to observe in his *Ṣaḥīḥ* that the hadith of Anas was not for the general public of his time, and he based his argument on the afore-mentioned hadith on the Mahdī, and how he will fill the earth with justice, after it has been filled with injustice.<sup>37</sup>

c) *The interpretation that we favor on balance*

On balance I favor the commentaries on this hadith that Ibn Ḥajar has given in *al-Fath*:

It is probable that the referent of the times mentioned is the time of the Companions, on the basis that it is they who were addressed by that [hadith]. Then as for those after them: they were not intended in the report mentioned. However, the Companion [i.e. Anas] understood [the words] in their generality, so for that [reason] he answered [in the way that he did] those who complained to him about al-Ḥajjāj. He commanded them to be patient, and they – or the greater part of them – were the *Tābiʿīn* [the Successors, the generation after the Companions].<sup>38</sup>

Ibn Ḥajar also brings to bear on this interpretation the discourse of Ibn Masʿūd, who was particularly of the time of the Companions and the Successors addressed in the hadith. (The assassination of ʿUthmān happened in that time, followed by the Dissensions.)

As for the particular claim that the hadith implies an appeal to silence before injustice, patience with abuse of power and tyranny, and contentment with wrongdoing and disorder, and that it supports negativism in the face of the arrogance of the tyrants in the earth – it is rebutted by a number of arguments:

*First:* that the speaker of “Be patient!” was Anas, so it is not a hadith *marfūʿ*. He inferred what he understood from the Prophet. And a Muslim is free to adopt or leave the discourse of every individual except the one who was free of sin.

*Second:* Anas indeed did not command people to be content before injustice and disorder, but only commanded them to be patient – and the difference between the two is great. Contentment before unbelief is itself unbelief, and before wrongdoing wrongdoing. As for patience, it is all but indispensable; one is patient with a thing that one is averse to, while endeavoring to change it.

*Third:* one who does not have the capacity for resistance to injustice and tyranny, has no way other than to seek refuge in patience and long suffering. At the same time he must strive to make preparations for appropriate action, for change, and to seize means and occasions, to take help from all who share his burden of concern. He must be ardent to exploit favorable opportunity, so that he may counter the power of the false with the power of the true, and the helpers of injustice with the helpers of justice. Certainly the Prophet was patient for thirteen years in Makkah against the idols and their worshippers. He used to pray in the Masjid al-Ḥarām, and circumambulate the Kaʿbah while there were three hundred and sixty idols in it. He circumambulated it with the delegation of his Companions in the seventh year of the Hijrah in the *ʿumrat al-qadāʾ*, and he saw the idols but did not touch them until the right time came on the day of the Great Conquest – the conquest of Makkah – and he destroyed them.

That is why our scholars have stipulated that if the elimination of a wrong leads on to a greater wrong, silence is obligatory upon one until the conditions change. Thus, it is not proper to understand the instruction to be patient as meaning an absolute sur-

render to injustice and arrogance. Rather: it means waiting and watching attentively until God gives his judgment, and He is the best of judges.

*Fourth:* patience does not forbid one from speaking the word of truth, and enjoining the right and forbidding the wrong before tyrants acting as gods. Yet there is no obligation to do so upon one who fears for himself or his family or those around him. It has come in a hadith: “The best jihad is a word of truth before an oppressive ruler.”<sup>39</sup> And in another hadith: “The leader of the martyrs is Ḥamzah ibn ‘Abd al-Muṭṭalib, and a man who stands before an oppressive leader, then enjoins him [to do what is right] and forbids him [to do what is wrong] and kills him.”<sup>40</sup>