

THE SCIENCES OF HADITH AND FIQH (JURISPRUDENCE)

The companions of Allah's Messenger (ﷺ) cared much for listening to the hadith. They were so greedy in this regard, that they would compete each other in doing so. A hadith has it:

«قَالَ كُنْتُ أَنَا وَجَارٌ، لِي مِنَ الْأَنْصَارِ فِي بَنِي أُمَيَّةَ بْنِ زَيْدٍ، وَهِيَ مِنْ عَوَالِي الْمَدِينَةِ، وَكُنَّا نَتَنَاقَبُ النَّزُولَ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَنْزِلُ يَوْمًا وَأَنْزَلَ يَوْمًا، فَإِذَا نَزَلْتُ جِئْتُهُ بِخَبَرٍ ذَلِكَ الْيَوْمَ مِنَ الْوَحْيِ وَغَيْرِهِ، وَإِذَا نَزَلَ فَعَلَ مِثْلَ ذَلِكَ» [بخاري و مسلم]

Translation: "I and an Ansari neighbor of mine from Bani Umaiya bin Zaid who used to live at Awali Al-Madinah and used to visit the Prophet (ﷺ) by turns. He used to go one day and I another day. When I went I used to bring the news of that day regarding the Divine Inspiration and other things, and when he went, he used to do the same for me." [Bukhari & Muslim]

Likewise, Allah's Messenger (ﷺ), too, has urged Muslims to convey the hadith to others.

«نَضَرَ اللَّهُ امْرَأً سَمِعَ مِنَّا حَدِيثًا فَبَلَّغَهُ قُرْبًا مُبْلَغٍ أَوْ عَمًى مِنْ سَامِعٍ» [أبو داود، ترمذي]

Translation: "May Allah cause his face to shine, the man who hears a Hadith from us and conveys it, for perhaps the one to whom it is conveyed may remember it better than the one who (first) hears it." [Abu Dawood, Tirmizi]

Abu Hurairah (*Radhi Allahu Anhu*) narrated the maximum number of hadith than any other sahabi(Prophet's companion).

In the era of the Messenger of Allah (ﷺ) few ahadeeth were in written form. The reason is that the Messenger of Allah (ﷺ) had prohibited from jotting down the hadith in the beginning of the revelation lest his statements, explanations and practices should be mixed with the Qur'an leaving the Hadith and the Qur'an undistinguishable. This led the sahaba to emphasize much upon memorizing and understanding the hadith. Then later, some of the sahaba were allowed to write down the hadith. Yet, the sahaba cared more for memorizing the holy Qur'an.

It went on so until the age of mischiefs arrived and some mischievous people coined hadith and attributed them to the Prophet (ﷺ). About it the Messenger (ﷺ) had already warned:

«مَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ» [بخاري و مسلم]

Translation: “Whoever tells lies about me deliberately, let him take his place in Hell.” [Bukhari & Muslim]

The Caliph Umar bin Abdul Aziz officially ordered the hadith to be compiled and appointed Abu Bakr bin Muhammad bin Hazm and Muhammad bin Shihab az-Zuhri for the task. These two men struggled a lot to collect the hadith. They compiled the hadith without investigation. It should be made clear, that hadith were being collected in the age of the Prophet (ﷺ) itself. Because in the age of prophethood the booklets consisting of hadith were written. We have the examples of Sahifah Hammam bin Munabbih in this context. But the books were started to be compiled in the shape of books since the age of the caliph Umar bin Abdul Aziz (may Allah have mercy upon him). Thereafter, a group of muhadditheen (the great scholars of the hadith) was born who analyzed the works of their predecessors. They compiled authentic hadith and separated the fabricated ones. This is the famous phase of compilation of the hadith. The first book in which authentic hadith were collected and arranged under various chapters is Muwatta by Imam Malik (died 179 AH).

In the third century, the scholars of the hadith remained much active in compiling the hadith. This is called the golden period of compilation of the hadith. It was during this century that the famous six books of the hadith were compiled: Saheeh Bukhari, Saheeh Muslim. These two scholars have compiled the hadith with utmost honesty. Therefore, these two books have got the trust and belief of all Muslims and they found the status of being the most authentic books after the Book of Allah.

Thereafter, there was the series of Sunan books [1] : Sunan Abu Dawood, Sunan Tirmizi, Sunan Nasa'i and Sunan Ibn Majah. Then there were Masaneed [2] like Musnad Ahmad bin Hanbal, Musnad Abi Awana etc. and then Mustakhrajat [3] like “Mustakhraj on Both the Authentic Books” by Abu Awana, then Mustadrakat [4] like “Mustadrak” by al-Hakim On Both The Authentic Books etc.

Similarly, the science of Principles of Hadith [5] came into existence. Some books were written about *Da'eef* Hadith (the hadith weak in chain) and some others on *Maudu'* Hadith (the fabricated hadith).

Also the science of Jarh w at-Ta'deel [6] came into existence and some of the books in the subject are:

1. At-Tareekh al-Kabeer by Imam Bukhari.
2. al-Dhu'afa and al-Kabeer by Imam Aqili
3. Al-Majruheen by Ibn Hibban
4. Al-Kamil Fi Dhu'afa ar-Rijal by Ibn Adi
5. Tahzeeb al-Kamal by Hafiz Mizzi
6. Meezan al-E'tidal by Imam Zahabi
7. Lisan al-Meezan by Ibn Hajar
8. Tahzeeb at-Tahzeeb by Ibn Hajar
9. Taqreeb at-Tahzeeb by Ibn Hajar

Besides, there are numerous books.

Thereafter comes the stage of explaining and shortening of the books. Scholars wrote explanations to these books. So Zurqani explained Muwatta, Imam Ibn Hajar explained Bukhari in his book Fath al-Bari, Imam Nawawi explained Muslim. Likewise, the rest of the six books were explained. Scholars also wrote explanations to various other books of hadith.

Muslims have taken care of the Sunnah from the past to the present because it is the second source of Islamic legislation. From it the principles of Islamic civilization are deduced.

The Science of Fiqh (Jurisprudence) :

Fiqh is the science in which the practical Shari'ah commandments are known through detailed evidences, like recognizing halal (lawful) and haram (unlawful), knowledge of sunnah (Prophetic way), *makrooh* (disliked) and *Mandoob* (recommended).

After the Messenger of Allah (ﷺ), the sahaba nurtured the science of Fiqh. Every one of them was specialist in their fields. Abdullah bin Umar (*Radhi Allahu Anhu*); the expert of Fiqh, Mu'az bin Jabal (*Radhi Allahu Anhu*); the expert of Inheritance.

Many sahaba staying in Madinah would issue fatwas. Among them are Abu Bakr, Umar, Uthman, Ail, Zaid bin Thabit (May Allah be pleased with them all). And among the women were Aayisha (*Radhi Allahu Anha*). From these sahaba, many tabi'een received knowledge and among them seven jurisprudents got fame. They are known as the Seven Jurisprudents:

1. Urwah bin az-Zubair (died 93 AH). He learnt Fiqh from his mother's sister, Aayisha (*Radhi Allahu Anha*).
2. Sa'eed bin al-Musayyib (died 93 AH). He was husband of Abu Hurairah's daughter. He had memorized the fatwas of Umar bin al-Khattab and Uthman bin Affan (may Allah be pleased with them all).
3. Ubaidullah bin Abdullah bin Utbah bin Mas'ood (died 102 AH). He was a trusted jurisprudent and a man of high and much knowledge.
4. Abu Bakr bin Abdur Rahman bin al-Haarith (died 94 AH). He was a faqeeh and a great worshipper of Allah.
5. Sulayman bin Yasaar (died 107 AH). He was servant of the Prophet's wife Maimunah bint al-Haarith (*Radhi Allahu Anha*).
6. Qasim bin Muhammad Abu Bakr (died 108). He was nephew of Aayisha (*Radhi Allahu Anha*).
7. Khaarija bin Zaid bin Thabit (died 100 AH). He was the son of the great companion Zaid bin Thabit (*Radhi Allahu Anhu*), who had compiled the Qur'an in the era of Abu Bakr (*Radhi Allahu Anhu*).

The leader of Fiqh and fatwas in holy Makkah was the great companion Abdullah bin Abbas (*Radhi Allahu Anhu*) about whom the Messenger of Allah (ﷺ) had prayed, "O Allah! Give him understanding of the religion and the knowledge of Tafseer." The pupils of the Makkan school of Fiqh are Ikrima, Ata and Taus (May Allah have mercy upon them all).

In Kufa, Abdullah bin Mas'ood, Ali bin Abu Talib, Abu Moosa Ash'ari, Ammar bin Yaasir and many other companions would issue fatwas. And the pupils of those sahaba are: Alqama bin Qais (died 62 AH), al-Aswad bin Yazid an-Nakh'ee (died 75 AH) and Qadi Shuraih bin al-Harith (died 82 AH) etc.

In Basra, Anas bin Malik (*Radhi Allahu Anhu*) spent a long time and his pupils are Hasan al-Basari and Ibn Seerin etc.

In Syria, there was Abu Idris al-Khaulani the pupils of whom are Umar bin Abdul Aziz and Raja' bin Haywah etc.

In Egypt there were the great companions like Amr bin al-Aas and Uqba bin Aamir (May Allah be pleased with them). Their pupils are Yazid bin Habeeb. He is the first person who talked for the first time in Egypt about halaal (lawful) and haram (unlawful). In Egypt itself there was a great faqeeh called Laith bin Sa'd. It is said about him that he would have been a greater faqeeh than Imam Malik if his pupils would have not lost his Fiqh. His pupils could not keep his Fiqh safe nor did they transfer it to others. While the disciples of other imams did so.

The four Maslak:

Hanafi Maslak: The origin of this maslak is found in the great sahabi in Kufa, Abdullah bin Mas'ood (*Radhi Allahu Anhu*). The founder of this maslak is Imam Abu Hanifa Numan bin Thabit (may Allah have mercy upon him). His famous pupils are Abu Yusuf and Muhammad bin Hasan al-Shaibani (may Allah have mercy upon the both). They compiled the fiqh of their teacher. The books of this maslak are: al-Mabsoot wa az-Ziyadat, al-Jame' as-Sagheer and al-Jame' al-Kabeer etc.

Maliki Maslak:

Its origin is tracked back to the Madinah Madrasah. It is attributed to the Faqeeh of Madinah Anas bin Malik (May Allah have mercy on him). The hadith book of Imam Malik is Muwatta that has been compiled in the fiqhi order. His famous pupils are Abdur Rahman bin Qasim al-Misri and Asad bin al-Furat. Asad was born in Africa. From there he came to Madinah and listened to the Muwatta from Imam Malik and understood the Fiqh of Muwatta in Egypt through Abdur Rahman bin Qasim.

Shafi'ee Maslak: The founder of this maslak is Imam Muhammad bin Idrees Shafi'ee (May Allah have mercy on him), who is a great faqeeh. This maslak has two phases: the old maslak which Imam Shafi'ee had adopted in Iraq and during that period he authored the book 'Al-Hujjat'. He travelled to Egypt twice. When he went to Egypt for the second time, he remained there forever. There he died. During his stay in Egypt he modified his maslak a lot and it is known as the modern maslak. His saying is: When a sound hadith has been found, it is my maslak."

In Egypt, Imam Shafi'ee authored many precious books on Jurisprudence and other subjects. Among them is "Kitab al-Umm" which is a jurisprudential encyclopedia. He formulated the principles of Jurisprudence and authored the book "Al-Risalah". His famous disciples are: Abu Thaur bin Rabi' (died 270 AH), Yusuf bin Yahya al-Buwaiti (231 AH) and Ismail bin Yahya al-Muzani etc.

The Hanbali Maslak:

This maslak is attributed to Imam Ahmad bin Hanbal (May Allah have mercy on him). The base of this maslak is on the hadith of the Prophet (ﷺ) and the sayings of the sahaba. His principle was: if there is a hadith weak in chain, it will be preferred over opinion. Imam Ahmad has not left any book, which may indicate towards his maslak. But his disciples have collected his jurisprudential opinions and so his maslak was saved from being wasted. His famous disciples are Saleh bin Ahmad bin Hanbal, his eldest son, and Abdullah bin Ahmad bin Hanbal, who narrated the Musnad of his father. His disciple is the author of Abu Daud.

Thus Fiqh played an important role in developing Islamic civilization. The jurists told the commandments regarding the contemporary times and they also mentioned the issues that were yet to take place. And in this context, the Hanafi Fiqh occupies a distinguished status.

Footnotes:

1. **Sunan** are the hadith books that have been compiled according to jurisprudential order like The Book of Faith, The Book of Purity and The Book of Prayer. In these ahadith, the aathar of sahaba, the hadith the chains of which do not reach the Prophet (ﷺ) do not get mention. Similarly, mursal hadith, the hadith that a

tabi'ee relates directly from the Prophet (ﷺ) without the link of a sahabi, also do not find a place in them. Because neither of mauqoof or mursal hadith occupy the status of Sunnah in the view of the Muhadditheen (Scholars of hadith). And if such narrations are there in the Sunan, they are just for strengthening the point. The Four Sunan Books (Sunan Arba'ah) are famous.

2. **Masaneed** is plural of Musnad. A Musnad is a book in which the hadith are administered according to the names of the sahaba. The hadith related by a certain sahaba are all put in one chapter. It is not cared if they all relate to the same subject.

3. **Mustakhraj** is the book in which an author has narrated the hadith of any Muhaddith with his chain. In it, the chain is different than the other muhaddith.

4. **Mustadrak** is the book in which an author has collected the hadith left by the author of a certain book. The second author thinks that these ahadith, too, should have been included in the book by the first author as they all meet the criteria set by the first author. For istidrak, it is necessary that the chain of the mustadrak hadith is same as used by the first author to relate the hadith in his book.

5. The principles and rules through which it is known when the chain or text of a hadith is to be accepted or rejected.

6. It is the science that narrates strengths and weaknesses (good traits or bad ones) of the people relating the hadith. As a result either the narrators are proven to be just and hence their ahadith are acceptable, or they are not proven just and so their ahadith are rejected.

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