

THE INFLUENCE
OF THE NOBLE ḤADĪTH

upon the Differences of Opinion
amongst the Jurist Imāms



أثر الحديث الشريف في اختلاف الأئمة الفقهاء

by Shaykh Muḥammad 'Awwāmah

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AUTHOR’S INTRODUCTION

to the Second and Fourth Arabic Editions

IN THE NAME OF ALLĀH, the Beneficent, the Merciful. All praise is to Allāh, Lord of the Worlds, who commanded, with his words:

﴿وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ﴾

[Nevertheless,] it is not [appropriate] for the believers to go to battle all at once. From every troop of them, a party only should go to battle, that [those who remain] may devote themselves to acquiring a deeper knowledge of the religion, and that they may warn their people when they return to them, so that they may beware.

And peace and blessings be upon the master of the first and last generations, Sayyidunā Muḥammad ibn ‘Abd Allāh, the unlettered Prophet, who said: “This knowledge is carried by the upright of each generation, who reject from it the distortions of the malicious, the claims of the liars, and the interpretations of the ignorant.”¹

To continue:

This, then, is the second—and fourth²—edition of *The Influence of the Noble Ḥadīth*, which I present to the dear readers, the previous print run having long finished, and there having been considerable demand for its republication.

The majority of those who read these pages know well the profound importance and delicacy of the topic discussed here. Every reader may both praise it and criticise it. Nevertheless:

Do not give ear to the views of every side
For you are bound to be both praised and criticised.³

It suffices me that I have presented what I consider to be a defence of the way of the early generations (*salaf*) and later generations (*khalaf*) of the Ummah. I have tried to establish the correct course in the hearts of our youth, and responded to those among them who believe the dubious arguments of people who lived in the age of turmoil in terms of thought, politics and economics and in the age of revolution against everything conventional. They advocated applying this to religious concepts, such that rejection of what is conventional according to our later scholars (*‘ulamā’*), for them became desirable, coveted. Whoever brought this about, or shall we say, was culpable for it, was considered a religious reformer (*mujaddid*), an Islamic missionary (*dā‘īyyah*), who would have titles bestowed upon him, and who would be afforded much publicity. . .⁴

These brief pages have been met with acceptance and approval by leading people of knowledge and erudition (*ahl al-‘ilm wa’l-faḍl*). Among the most distinguished of these, and whose acceptance and approval I consider an honour, is Our Shaykh, al-‘Allāmah al-Kabīr, the authority for the people of knowledge and erudition, and for the experts and those of exalted rank in the Indian Sub-continent in particular and of all who know him in general; the Shaykh of ḥadīth, Shaykh Muḥammad Zakarīyyā al-Kāndahlawī (who died on the first of Sha‘bān 1402/25 May 1982, and is buried in al-Baqī‘), may Allāh Most High have mercy on him. He was so gracious in listening to its contents read to him by one of his students, while I was sitting in his presence. He was pleased with it, and said to his student that it would be necessary to read it in full. He was then gracious enough to listen to it in full, while on his sickbed, may Allāh reward him with Paradise (*Jannah*). After this, he condescended towards me even further by providing a few words, which the reader will find shortly.

Furthermore, it was by the grace of Allāh Most High and through his further granting of success that it was examined, for academic purposes⁵, by the educator of the scholars and generations of men,

the descendant of fiqh and of the jurists (*fuqahā'*), the proof (al-Ḥujjah) and teacher; al-ʿAllāmah Shaykh Mustafā az-Zarqā', may Allāh Most High preserve him and benefit the institutions of knowledge and fiqh with his sound and healthy life. It received his approval and admiration, praise be to Allāh. He was also so gracious as to provide some generous words, despite his busy academic schedule, may Allāh reward him well. He charged me with 'building a bridge of knowledge', which itself is a matter of great importance, hindered by many obstacles in this age in which narration (*riwāyah*) is considered easy, and in which comprehension (*dirāyah*) is overlooked! I ask Allāh Almighty for support and success in it.

The reader will find his remarks at the end of this Introduction.

In as much as I have suffered as a result of [this work], I anticipate the reward with Allāh for my patience, Lord of the Worlds, Master of the Day of Recompense, Judgement and Reward.

They said: It is an open attack on the people of ḥadīth (*ahl al-ḥadīth*). It opposes them and contradicts them!

I take refuge in Allāh from the possibility that my pen has written or my tongue pronounced even a single letter of any of this. However, if appreciation of fiqh and of the jurists (*fuqahā'*), and demonstration of their superiority in understanding the Sharīʿah correctly—whether they are ḥadīth scholars (*muḥaddithūn*) or scholars of fiqh—is considered opposition to the ḥadīth, then the response is:

How often a person criticises a correct statement,
But his complaint results from flawed understanding.

It suffices me that the time will soon come when we stand before the Lord of the Worlds, when Allāh Most High will deliver justice to those wronged by the unjust.

Allāh knows that I wrote these pages only in defence of the noble ḥadīth, the basis of the radiant Sharīʿah, so that the Sharīʿah is not tinkered with in the name of the noble ḥadīth and the immaculate Sunnah.

Is Islamic Jurisprudence (*al-Fiqh al-Islāmī*) not the product of the Book of Allāh and the Sunnah and a unification of their rulings? Then how can defending the product be an attack on the source? However, the matter is otherwise for the ignorant, who are guided by foolishness and stupidity. They view every defence of a jurist (*faqīh*) Imām, or defence of fiqh, as fanaticism (*ta‘aṣṣub*), and blind following (*taqlīd*), or any other term you choose to denote rejection and derision, so that people turn away from this man (i.e. one of the Imāms) and from benefitting from his knowledge and his books, and so that he who disclaims the corpus of Islamic jurisprudence appears as an emancipator of knowledge and thought. . .! It is even as if they wish to apply to knowledge (*‘ilm*) and religion (*dīn*) false terminology such as: so-and-so is a ‘progressive’ (*taqaddumī*), and so-and-so is a ‘reactionary’ (*raj‘ī*)!

There came to me a young man who works as a mechanic in a textiles factory in the city of Aleppo (Ḥalab). He came after the Night Prayer (*Salāt al-‘Ishā’*) one long winter’s night. He spoke coolly—as is usual for those in his position—and stayed until twelve midnight. However, I was not able to convince him—Allāh be praised—because he was ignorant, and did not understand any of the academic principles which I managed to bring to his attention. The only thing which enabled me to be patient with him for this length of time was fear of Allāh Most High and a feeling of responsibility.

He had with him a document containing the ḥadīth of Imām Muslim in his *Ṣaḥīḥ* about performing ablution (*wuḍū’*) after eating camel meat. It also contained what an-Nawawī  said concerning his choosing to act upon the ḥadīth despite it contradicting the position of his school of law (*madhhab*). It included the statement: ‘If the ḥadīth is rigorously authenticated (*ṣaḥīḥ*), then it is my position (*madhhab*).’ It also mentioned al-Kamāl ibn al-Humām and ‘Abd al-Ḥayy al-Laknawī, may Allāh have mercy on them both.

This ‘worker-scholar’ (!) wanted to enforce upon Abū Ḥanīfah and ash-Shāfi‘ī the opinion that performing ablution after eating camel meat is obligatory, because they both said: ‘If the ḥadīth is

rigorously authenticated, then it is my position,' and the ḥadīth is rigorously authenticated.

Thanks to his 'knowledge', when he read to me the name of Ibn al-Humām, he read it: 'Ibn al-Hammām'! And when he read the name of al-Laknawī, he read it: 'al-Kanawī'!

I ask the readers, by Allāh: What devotee of the Sunnah of the Noble Prophet ﷺ, and of the Fiqh of Islām which proceeds from the Book of Allāh and the Sunnah, will bear with patience these tinkerers, deceivers and distorters, and those who are misled by their influence!

Who is the real fanatic (*mutʿaṣṣib*)? The one who challenges the activities of these deceivers who are themselves deceived, and corrects their understanding of this religion (*dīn*)? Or the ones deceiving and misleading our youth, encouraging them to assume the station of the independent jurists (*mujtahidūn*) and to practise independent legal reasoning (*ijtihād*), leaving them to tinker with the sanctity of Islām?

This is one of the calamities of these irresponsible blunderers: that they read the opposition of Imām an-Nawawī, for example, and as-Subkī and their like, to their Shāfiʿī school of law (*madhhab*) [on a particular issue]; the opposition of al-ʿAynī and Ibn al-Humām and their like, to their Ḥanafī school; and the opposition of Ibn Taymīyah and Ibn al-Qayyim and their like, to their Ḥanbalī school. Then they argue based on this that the independent jurist (*mujtahid*) Imāms make mistakes, and that it is not permissible to follow them. We are therefore obligated to oppose them, just as they were opposed by these scholars (*ʿulamāʾ*). However, while this is correct in principle, it is flawed in the sense that it is an analogy containing dissimilarity; for which of these upstarts is comparable to an-Nawawī, as-Subkī, al-ʿAynī, Ibn al-Humām, Ibn Taymīyah, and Ibn al-Qayyim?

Another one walks among the people, denouncing and condemning, whereas if he wished to write regarding an issue, or speak about it, he would not go beyond consulting one book—that

is, if he knows how to consult it and read it correctly, and to understand correctly what he has read!

A third is in the habit of producing, from time to time, a book which he has written or edited, and dedicated its introduction to insults, abuse and slander. He does not want anyone in the world to take hold of a pen without deferring to him and inheriting his slanderous remarks and obscenities. His arrogance has become so deep rooted that it prevents him from viewing anyone else as capable of knowledge, opinion or understanding.

The following statement, reported from some of the people of knowledge (*ahl al-‘ilm*), is applicable to his method: ‘You open for the people the door of independent legal reasoning (*ijtihād*), and you compel them to follow you!’

He filled with these obscenities eight pages of his Introduction to the work of Nu‘mān al-Ālūsī: *Al-Āyāt al-Bayyināt*, showing that in this he is unrivalled by any of his colleagues or peers—except those who graduated from his school and studied under him in learning his insults.

In what he wrote there is no knowledge to respond to or to be understood, apart from the remarks of Ibn aṣ-Ṣalāḥ and at-Taḳī as-Subkī, may Allāh Most High be pleased with them both. These I have responded to—praise be to Allāh—and I have exposed his ignorance⁶, for he invited upon himself confirmation of what those who know him say about him: ‘He does not understand the science of the principles of jurisprudence (*‘ilm al-uṣūl*) in the least.’

Furthermore, I saw in another introduction to another book, that he interpreted a remark of mine, without knowledge of what preceded or followed it, or its context. I do not know whether it is ignorance or feigning ignorance! [In any case,] the sweeter of these two is bitter.⁷

Fourth to be mentioned, although he counts as third since he is a duplicate and an echo of the one preceding him, since he repeated his obscenities and reiterated his slander, claiming that this book has been warned against by the scholars (*‘ulamā’*)!! This is despite the fact that this book—praise be to Allāh—represents the opinion

of the majority of the Ummah, its scholars and educated persons through the centuries.⁸

Then he claims to be liberated—not a follower or a fanatic! I do not know what caused him to turn away from and change his ideas from what they were previously! The truth of this is with He who knows that which is hidden and that which is visible (*‘Ālim al-ghayb wa’sh-shahādah*).

To continue:

This is what Allāh Most High has enabled me to add, establishing that which I believe to be the truth and demolishing the falsehood which I seek to avoid. I implore the Grace of Allāh the Beneficent, that He instil in it guidance for the hearts of the just, and those who read it intending to benefit from it. As for those who read it with obstinacy or criticism, it suffices that they will be deprived of benefit, and I have no concern for them after today:

﴿فَأَمَّا الزَّبَدُ فَيَذْهَبُ جُفَاءً وَأَمَّا مَا يَنْفَعُ النَّاسَ فَيَمْكُثُ فِي الْأَرْضِ﴾

As far as the scum is concerned, it passes away as dross;
but that which is of benefit to man abides on earth (13:17).

Oh Allāh, forgive us, and our parents, our Shaykhs, our families, our children, our descendants, and all the Muslims. May Allāh bestow peace and blessings on our master, Sayyidunā Muḥammad, on his family, his Companions, and those who follow him in righteousness until the Day of Judgement. Praise be to Allāh, Lord of the Worlds.

Written by
MUḤAMMAD ‘AWWĀMAH
al-Madīnah al-Munawwarah
16 Sha‘bān 1406 | 26 April 1986
22 Sha‘bān 1416 | 13 January 1996

1 This [ḥadīth] was narrated by around ten of the Companions (*Ṣaḥābah*), and is varyingly accepted or rejected. Imām Aḥmad is cited as having regarded it as rigorously authenticated (*ṣaḥīḥ*), by which I think he meant that it should be generally accepted (*qabūl*), rather than the technical classification of rigorously authenticated. Al-‘Alā’ī said, in *Bughyat al-Multamis*, p. 34: “A sound (*hasan*), rare (*gharīb*), rigorously authentic (*ṣaḥīḥ*) ḥadīth.”

2 The third edition was a replication of the second edition, to which I am adding the Appendix, found on pp. 213–217.

3 From the verses of Imām Muḥammad Murtaḍā az-Zabīdī, commentator on *Al-Iḥyā’* and *Al-Qāmūs*.

4 This is one of the great disasters to have afflicted religious knowledge (*‘ilm*). Detailing it and warning about it are incumbent upon people of knowledge (*ahl al-‘ilm*).

5 See the Introduction to his work: *Al-Fiqh al-Islāmī wa Madārisuhu*, published by *Dār al-Qalam* and *Ad-Dār ash-Shāmīyyah*, first edition 1416/1995.

6 Pp. 88–89 and 112–118.

7 P. 89.

8 See the Appendix, pp. 213–217, to see how the focus of this book conforms to the Appendix; that they are in fact from the same source. Then judge: Was it the scholars or the ignorant who warned against this book?!

FOREWORD

by Mawlānā Muḥammad Zakariyā al-Kāndahlawī

(May Allāh Most High have mercy on him)

IN THE NAME OF ALLĀH, the Beneficent, the Merciful. Praise be to Allāh who constantly bestows upon us His grace and continually grants us His blessings. Peace and blessings be upon the master of His creation, Muḥammad, whose goodness and beauty were perfect; and whose endeavour and trials were universally for the guidance of all creation; and upon his family and Companions, who acquired the light of his ḥadīth, the radiance of which was acquired by them; and upon those who follow him with excellence, until the Day of Judgement.

To continue:

Truly, Allāh Most High has endowed this Ummah with preservers of the Clear Book (*Al-Kitāb al-Mubīn*), and of the *sunan* (plural of Sunnah) of the master of the first and last generations, . From among these, he has distinguished with the greatest honour the masters of ḥadīth and fiqh, who differentiated between the strong (*qawī*) and the weak (*ḍaʿīf*), and deduced from the sound (*ḥasan*) and the rigorously authenticated (*ṣaḥīḥ*). They thereby derived rulings for that about which they found no explicit texts and selected that which they regarded as worthy of preference; having studied the narrations, reflected upon them, and taken time to deliberate and discern the abrogating (*nāsikh*) and the abrogated (*mansūkh*) ḥadīths. They penetrated the depths of the words and engrossed themselves in acquiring the meanings. They skilfully produced chapters and sub-chapters, and derived the rules from the sources. May Allāh Most High shower them with torrents of mercy

and favour, and make them dwell with comfort and ease in the gardens of Paradise.

They played a great role in reconciling that which was contradictory, allocating preference between that which was conflicting, clarifying that which was obscure and elucidating that which was vague. However, despite the unity of their objective and the agreement of their hearts, they differed on many issues and rulings due to the differing modes they employed for allocating preference (*tarjih*) and their varying methods of deduction (*istinbāt*).

This difference of opinion was natural and necessary and involved no blame or disgrace. Rather, it is a mercy for the Ummah, as stipulated by the distinguished scholars (*‘ulamā*’).

Since people feel enmity towards what they do not understand, those who had no concern with knowledge (*‘ilm*) and understanding (*fahm*) began to object to the jurist (*fuqahā’*) Imāms, and criticise them harshly. For this reason, both earlier and later scholars compiled books and treatises on the reasons for this difference of opinion, such as: *Raf‘ al-Malām ‘an al-A’immat al-A‘lām*, by the great Ḥāfiẓ, the learned and discerning critic, Aḥmad ibn ‘Abd al-Ḥalīm ibn Taymīyah al-Ḥarrānī, and *Bidāyat al-Mujtahid*, by al-Qāḍī Abū’l-Walīd ibn Rushd al-Qurtūbī, may Allāh Most High have mercy on them both.

I have also written a treatise on this subject in Urdu, which I compiled in the prime of my youth and titled: *The Differences of the Imāms (Ikhtilāf al-A’immah)*. The people derived much benefit from it, for which Allāh Most High be praised.

In this era, credit is due to our learned brother, al-‘Allāmah ash-Shaykh Muḥammad ‘Awwāmah, since he gave a valuable lecture on this subject three years ago in Ar-Rawḍah Mosque in Aleppo. He then produced from this a treatise, following reduction and finalising, which he titled: *The Influence of the Noble Ḥadīth upon the Differences of Opinion amongst the Jurist Imāms (Athar al-Ḥadīth ash-Sharīf fī Ikhtilāf al-A’immat al-Fuqahā’)*.

Since I am hardly able to read for myself, due to weak sight and the illness of old age, I had it read to me by some of those who are

dear to me. I found it very useful and that, despite its brevity, it collates supreme benefits, embedding therein lofty gems.

In benefitting from it my soul delighted and my heart was gladdened. Every teacher and student ought to study it, for it averts deviation and oppression and delivers from the criticism directed at the Imāms by those who harbour enmity towards them and those who are deprived [of good].

I ask Allāh Most High that He grants us, and all Muslims, success in what He loves and what pleases Him; that He makes us live according to the way of the one who came with light and guidance, and makes us die observing his religion (*dīn*) with which he has lit the darkness.

May Allāh Most High bestow blessings upon the best of His creation, Muḥammad, his family and all of his Companions.

The poor slave of Allāh
MUḤAMMAD ZAKARĪYYĀ IBN
MUḤAMMAD YAḤYĀ AL-KĀNDAHĀLAWĪ
Edited in al-Madīnah al-Munawwarah
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