

AL-SHAFI‘I’S WRITINGS ON *HADITH*

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Abstract

This article attempts to discuss al-Shafi‘i’s writing on hadith. His writings could be divided into two categories. First, his writings on the importance of hadith, khabar al-wahid and others. Second, his collection of hadiths. This article is also to analyse the significance of these writings to Islamic jurisprudence.

Al-Shafi‘i’s writings on *hadith* could be divided into two categories. The first category is his writings on *hadith* as classified as an *usul al-fiqh* treatment, in which the importance of *hadith* or *sunnah* is seen as a source that constitutes Islamic law. The second is his writings on *hadith* as seen as a collection of *hadith*.

It is crucial to analyse al-Shafi‘i’s works on *hadith* in order to understand his thoughts about them through his various writings. The title of “the defender of *sunnah*” which was given to him reflects his writings.

1. Al-Shafi‘i’s Writings about *Hadith* as *Usul al-fiqh*

Al-Shafi‘i’s writings which fall into this category are *al-Risalah*, *Jima‘ al-‘Ilm*, *Ikhtilaf al-Hadith* and *Ikhtilaf Malik wa al-Shafi‘i*. The four books will be treated as briefly as possible by summarising related issues on *hadith*.

1.1 *Al-Risalah*

There are two versions of *al-Risalah*; the old (*qadimah*) and the new (*jadidah*). The old *Risalah* was composed by al-Shafi‘i in Makkah¹ on the request of ‘Abd al-Rahman b. Mahdi (135-198H), when the latter asked him to compose a

¹ Ahmad Muhammad Shakir, *His Introduction to al-Risalah*, p. 11 citing al-Fakhr al-Razi, *Manaqib al-Shafi‘i*, p. 57, that the contents that *al-Risalah* was firstly composed in Baghdad. Then, al-Shafi‘i, rewrote it when he was in Egypt.

book expounding the meaning of the Qur'an, the acceptance of *akhbar*, the authority of *ijma'* and *nasikh* and *mansukh* of the Qur'an and the *sunnah*.²

The present and existing version of *al-Risalah* is believed to be al-Shafi'i's dictation (*imla'*) to Rabi'.³ This statement is derived from textual evidence found in *al-Risalah* itself. This work is recognised as the first written manual about *usul al-fiqh* as well as *usul al-Hadith*.⁴

In *al-Risalah*, al-Shafi'i gives a great deal of attention to *hadith* or *sunnah* of the Prophet because of its paramount importance in Islamic jurisprudence. He mentions on many occasions that the verified *sunnah* is on the same level as the Qur'an as the primary source of Islam. Moreover, in many places, he explains that the *sunnah* of the Prophet is the explainer (*mubayyin*, *sharih*) of the Qur'an, for the most of the Qur'anic verses are in general terms and need to be explained. This explains why al-Shafi'i argues that the Qur'an needs the *sunnah* of the Prophet in term of expounding what is ambiguous in it.

The major topics of *hadith* al-Shafi'i discussed are as follows.

- i. the role of *sunnah* of the Prophet,⁵
- ii. *'ilal* (weaknesses) of *hadiths*,⁶
- iii. *khobar al-wahid*,⁷
- iv. *al-hujjah fi tathbit khobar al-wahid*,⁸ and
- v. *mursal hadiths*.⁹

i. The Role of the *Sunnah* of the Prophet

Among the roles of the *sunnah* is *bayan* (explicit expounding). Under the term *bayan*, al-Shafi'i highlights certain roles played by the *sunnah*. Prior to expounding the role of the *sunnah*, at the very beginning al-Shafi'i cites verses of the Qur'an which indicate that the Prophet must be followed by Muslims. Obedience to the Prophet means obedience to Allah. Having established this

² Al-Khatib al-Baghdadi, *Tarikh Baghdad*, vol. II, pp. 64-65; Ahmad Muhammad Shakir, *His Introduction to al-Risalah*, p. 11

³ Ahmad Muhammad Shakir, *His Introduction to al-Risalah*, p. 12

⁴ Shakir, *Introduction*, p. 13

⁵ *Al-Risalah*, paras. 83-91, 92-95, 96-103, 214-235, 466-485, 1610-1621

⁶ *Al-Risalah*, pp. 210-297

⁷ *Al-Risalah*, pp. 369-400

⁸ *Al-Risalah*, pp. 401-470

⁹ *Al-Risalah*, pp. 461-471

ground, he continues to elaborate the role of the *sunnah* of the prophet. There are at least five roles/positions of the *sunnah* in relation to the Qur'an.

- i. It clarifies the *mujmal* of the Qur'an. For Instance, the *sunnah* of the Prophet clarified the *mujmal* obligations in the Qur'an such as *salat* and others and explains it in detail, such as the number of *raka'at*, its time etc.
- ii. It clarified the general things which are intended to the general, or the general things which are intended to be particular (*khass*)
- iii. It supports and corroborates the obligations which already exist in the Qur'an.
- iv. It comes with new rulings which are not mentioned in the Qur'an.
- v. It indicates the abrogated and abrogating rulings.

ii The 'Illal (Weaknesses) of Hadiths

In this discussion, al-Shafi'i mentions many types of the apparent differences among *hadiths*. The method of approaching this matter is also mentioned in his *Ikhtilaf al-Hadith*.

Ikhtilaf al-Hadith is a science in which the so-called contradictory *hadiths* are reconciled (*tawfiq*) or gathered together (*jam'*). This reconciliation and harmonization could be done by means of specifying the *general (takhsis al-'amm)* or *taqyid al-mutlaq* or by considering the differences of events.¹⁰ It also explains (*bayan*) and interprets (*ta'wil*) the ambiguities surrounding the Prophetic traditions whilst not contradicting other *hadith*.¹¹

Kitab Ikhtilaf al-Hadith of al-Shafi'i is considered the oldest manual dealing with the subject.¹² However, it does not encompass all apparent contradictory *hadiths*. He only mentions some *hadiths* and tries to elucidate ways to reconcile them as a guideline for those who came after him.

Through his *Ikhtilaf al-Hadith*, al-Shafi'i demonstrates his expertise on the science of *hadith*. He is considered as the pioneer¹³ who explored in detail the

¹⁰ Al-Khuli, Muhammad 'Abd al-'Aziz. *Miftah al-Sunnah*. Beirut, 1990. p. 159, al-Khatib, Muhammad 'Ajjaj. *Usul al-Hadith 'Ulumuh wa Mustalahuh*. p. 283.

¹¹ Al-Khatib, Muhammad 'Ajjaj, p. 283; Ibn Khaldun, *al-Muqaddimah*, pp. 63-65

¹² Al-Khatib, pp. 284-285

¹³ Cf. Abdul Hayei Abdul Sukor, "Imam al-Shafi'i: Kepakaran dan Sumbangan kepada Pemikiran Ilmu *hadith*". paper presented in *Seminar Pemikiran Islam* (Multaqa al-Fikr al-Islami) 9-11th October 1989, Kuala Lumpur, p. 423.

status of apparently contradictory *hadith* and their reconciliation. Through his writings, al-Shafi'i lays down guidelines on how to overcome these apparent contradictions. In *al-Risalah* and especially *Ikhtilaf al-Hadith*, he devotes the whole corpus to solving the phenomena. His guidelines are as follows;¹⁴

- i. If two *hadiths* are applicable at the same time, both should be used. If that is impossible, consideration should be given as to whether one of them has been abrogated.
- ii. *Ikhtilaf* resulted from both *hadiths* carrying indifferent rulings (*mubah*).¹⁵
- iii. *Ikhtilaf* between two *hadith* is where there is no indication as to which one is the abrogating and which is the abrogated *hadith*. If both are of the same stature (sound), consideration should be given to the one which is closer to the meaning of the Qu'an, the *sunnah* or *qiyas*.

Al-Shafi'i emphasizes that the soundness of a *hadith* is the yardstick in harmonizing between contradictory *hadiths*. By the above formula, he successfully solves many problems pertaining to apparent contradictory *hadiths*.

iii & iv *Khabar al-Wahid* And Its Arguments.

The personal characteristics of the transmitters of *hadiths* are very important in the science of *hadith*, for the acceptability of their *hadiths* depends whether or not they are reliable and trustworthy persons. Al-Shafi'i outlines in *al-Risalah* the personal qualities of the transmitters. The '*adalah*' of transmitters is given priority.

As far as *khabar al-wahid* is concerned, al-Shafi'i discusses it in a great detail. Arguments in favour of it are documented. These justifications as to why *khabar al-wahid* must be accepted in Islam derive from the Qur'an, the *sunnah* of the Prophet, *qiyas* and the *sirah* of the Companions and Successors.

v. *Mursal Hadiths*

As far as *mursal hadith* are concerned, al-Shafi'i lays down certain conditions before they are accepted as a source of law.

Al-Shafi'i's view on the *mursal hadith* can be described as moderate one.¹⁶ He neither accepts nor rejects it. There are some reservations before such a *mursal*

¹⁴ Al-Shafi'i, *Ikhtilaf al-Hadith*. Ed. Amir Ahmad Haydar. 1975. Beirut: Mu'assasat al-Kutub al-Thaqafiyah, pp. 64-65; cf. Schacht, *The Origins*, pp. 13-15. See also al-Bayhaqi, *Manaqib al-Shafi'i*, vol. I. pp. 510-511.

¹⁵ Al-Shafi'i, *Ikhtilaf al-Hadith*, pp. 67-68

¹⁶ Al-Zuhayli, *Usul al-fiqh al-Islami*. Vol. I p. 475

hadith is recognised.¹⁷ Principally al-Shafi'i does not accept *mursal* as a proof in jurisprudence. He shows this in his *al-Risalah*. It is understandable that in most of his works, he emphasizes the paramount importance of the continuity of *isnad* and the reliability and trustworthiness of *hadith* transmitters as shown in the case of the *mursal* above wherein the integrity of the transmitters is not known. However, there is room for *mursal* to be accepted by al-Shafi'i if certain conditions are fulfilled

In this respect, al-Shafi'i divides *munqati' hadith* or *mursal* into two categories.¹⁸ First, *mursal* of senior *tabi'in* whose narration is mostly originated from the Companions and second, *mursal* of junior *tabi'in*¹⁹ whose narration is mostly taken from the *tabi'in*.

Mursal of Senior *tabi'in*

In *al-Risalah*, al-Shafi'i lays down a few conditions before *mursal* of senior *tabi'in* is taken into consideration. They are:

- i. the *mursal* is supported by a more reliable *hadith* with continuous *isnad*,²⁰
- ii. another *mursal* is related by another *rawi* on the authorities of other than the former *mursal*'s *shuyukh*;²¹
- iii. it is supported by the opinion of the Companions (*qawl al-Sahabi*);²²
- iv. the *mursal* has been approved by the 'ulama' and a number of them are known to have relied upon it,²³
- v. it is known of the *rawi* who practises *irsal* that he would not relate it from those who have a weakness or other.²⁴

¹⁷ It is surprising that such a scholar as al-Khatib al-Baghdadi in his *al-Kifayah* mentions that al-Shafi'i is one of those who reject *mursal* without substantiating the former's position. Such a statement is confusing. If al-Baghdadi had referred to *al-Risalah*, he would not have made such statement. See al-Khatib al-Baghdadi, *al-Kifayah*, p. 48. The same also happens to Muhammad 'Ajjaj al-Khatib in his *Usul al-Hadith-'Ulum wa Mustalahuh*, p. 338

¹⁸ There is another *mursal*, *Mursal al-Sahabah*. There is no polemic about it, because it is generally accepted that all the Companions are 'adl

¹⁹ Al-Shafi'i does accept *marasil* of junior *tabi'in*. For details of the reasons see *al-Risalah*, p. 367

²⁰ *Al-Risalah*, p. 465; see also al-Khudari Bek, *Usul al-fiqh*, p. 230-231

²¹ *Al-Risalah*, p. 465

²² *Al-Risalah*, p. 462

²³ *Al-Risalah*, p. 463

²⁴ *Al-Risalah*, p. 463

According to al-Shafi'i, if one of the above conditions corroborates the *mursal hadith*, it will be accepted and become an argument. On the other hand, if none of above mentioned conditions exists, the *mursal* would have no value in the eyes of al-Shafi'i. The conditions which he laid down have a significance. A hierarchical order indicates the level of the *mursal* authenticity. For example a *mursal* supported by other *muttasil hadith* is better than other *mursals*.

1.2 *Kitab Jima' al-'Ilm*

The significance of this work is linked to the existence of certain groups in the second century of the Hijrah who rejected the entire body of *hadith* or repudiated a part of them, i.e. *khobar al-wahid*.

It lays out al-Shafi'i's discussions with his opponents in detail. Evidence and arguments in favour of *hadiths* are advanced by al-Shafi'i, both against those who rejected all *hadiths* or those who rejected only *khobar al-wahid*.

For a detailed introduction to this work, refer to Chapter Nine: Introduction to *Kitab Jima' al-'Ilm*.²⁵

1.3 *Ikhtilaf al-Hadith*

As far as kitab *Ikhtilaf al-Hadith* is concerned, Muhammad al-Khudari suggests that this *Ikhtilaf al-Hadith* of al-Shafi'i is the most important work for defending the *sunnah* of the Prophet in general and *khobar al-wahid* in particular.²⁶

Ikhtilaf al-Hadith can be divided into two parts. The first part is an introductory section discussing various issues related to *hadith*. It begins with expounding the position held by the Prophet as derived from the Qur'an. That is, Muslims are obliged to obey whatever the Prophet enjoins or withholds and accept his *hadiths*. The obedience to the Prophet after his death is by accepting *hadiths* from him.

To justify the acceptance of *hadiths* in general and *khobar al-wahid* in particular, he produces various proofs to show that as long as the transmitters of *hadith* are reliable, the acceptance of *hadiths* is compulsory for Muslims.

For instance he mentions that many cases in early Islam where Companions did something or refrained from it are based on *khobar al-wahid*. These cases

²⁵ Abdul Karim Ali, "al-Shafi'i's Contribution to *Hadith* with an Annotated Translation of His Work *Jima' al-'Ilm*". Ph.D thesis University of Edinburgh 1996.

²⁶ Muhammad al-Khudari, *Tarikh al-Tarikh al-Tashri' al-Islami*, p. 318

include the changing of the qiblah, the banning of wine, kissing during Ramadan, the confession of adultery before Unays al-Aslami and 'Umar's changing of his opinions [such as *diyāt al-asabi*, *diyāt al-'aqilah*, *diyāt al-janin*, *jizyāt al-Majus* and *ta'un*].²⁷

He also talks about *bayan*. General and particular in the Qur'an are treated briefly in this *Ikhtilaf al-Hadith*, not as he did in *al-Risalah*. The abrogating and abrogated verse in the Qur'an are given. The principle is that the Qur'an can only be abrogated by the Qur'an. The *sunnah* of the Prophet is subordinate to the Qur'an.²⁸

At the end of the introductory section,²⁹ al-Shafi'i gives general principles with regard to apparent contradictory *hadiths*. *Hadiths* of the Prophet are classified as Arabic speech in with sometimes general terms are intended to be general and other times particular, in addition to other things. If it is possible to use two *hadiths* together, they should be used together. One of them would not suspend another *hadith*. There are abrogating and abrogated *hadith* such as the *hadith* on the changing of the *qiblah* from Bayt al-Maqdis to Masjid al-Haram. The basis to determine which one is *nasikh* (abrogating) and which one is *mansukh* (abrogated) is based on *hadith* (reports) from the Prophet, a saying or time (date) which indicates that one of them comes after another. In this case, the later *hadith* is considered as *nasikh*.

In the second part, al-Shafi'i brings together many *hadiths* which apparently contradict each other. Al-Shafi'i is believed to have solved many ambiguous cases where *hadiths* are seemingly contradictory. Below is a list of cases which al-Shafi'i treats in this part. There are for example apparent contradictions within the category of the *mubah* ("what is permitted"): recitation in the prayer, recitation of *tashahhud*, *salat al-witr*, fasting on 'ashura', times at which prayers are *makruh*, the eating of the *dabb*, *jizyah*, women going out to the Mosque, taking a bath on Friday, the marriage of a virgin woman, a man's gift to his child, the selling of *mukatab*, sacrificed animals (*dahaya*), washing feet or wiping, raising hands in prayers, doing prayer alone, *salat al-khawf*, the prayer of solar or lunar eclipse, the meat of sacrifice, *mut'ah* marriage, *shuf'ah*, weeping for a deceased, talking during prayer, recitation of *qunut* in prayers, a man who propose marriage on the top of another's proposal, fasting and *iftar* based on sighting of the *hilal*, the

²⁷ Al-Shafi'i, *Ikhtilaf al-Hadith*. ed. Amir Ahmad Haydar, 1985, Beirut: Mu'assasat al-Kutub al-Thaqafiyah, pp. 43-45.

²⁸ *Ikhtilaf al-Hadith*, p. 56

²⁹ *Ikhtilaf al-Hadith*, p. 64

divorce of the menstruating woman, exchanging fresh dates for dried ones, *da'wa wa bayyinat* and others

1.4 *Ikhtilaf Malik wa al-Shafi'i*³⁰

There are two main points with regard to al-Shafi'i contention against Malik in *Ikhtilaf Malik wa al-Shafi'i*.³¹ First, al-Shafi'i rejects the validity of Madinan claims to have *ijma'* on several matters. Al-Shafi'i attempts to remove that claims as an authoritative basis of argument.³² Secondly, al-Shafi'i champions the authority of *khbar al-wahid* and argues that *ijma'* based on deduction from other source of law and on other types of *ijtihad* is not sufficiently strong to reject *khbar al-wahid* which oppose it.

Background of the Work

There are some possible reasons for the appearance of *Ikhtilaf Malik wa al-Shafi'i*. The first is Fityan's disagreement with al-Shafi'i in Egypt.³³ Second, there were followers of Malik in Andalus with whom al-Shafi'i disagreed over their method of argument. According to al-Shafi'i, the majority of people in their argument argue on the authority of the Prophet by saying "the Apostle of Allah [may Allah bless him and grant him peace] says so and so". While, the followers of Malik in Andalus argued on the authority of Malik by saying, "Malik said so and so". Furthermore, al-Shafi'i argues that Malik is a human being who sometimes makes mistake and errors. This most probably led him to write a book against Malik. Third, according to al-Shafi'i, when he came to Egypt, he only knew that Malik contradicted sixteen *hadiths*. However, when he studied the matter again, he found that Malik argued by holding the *asl* but put aside the *far'* and the other way round.³⁴ This is supported by al-Rabi' as agenuine reason for

³⁰ Al-Shafi'i, *Ikhtilaf Malik wa al-Shafi'i*. In the margin of *al-Umm*. Vol. VII, Beirut: Dar al-Ma'rifah. pp. 191-269

³¹ Abu Zahrah, *Malik Hayatuh wa 'Asruh Ara'uh wa Fiqhuh*, 1948, Cairo: Dar al-Fikr, p.339

³² Umar Faruq Abd Allah, "Malik's Concept of 'Amal in the Light of Maliki Legal Theory", 2 vols. Unpublished Ph.D thesis, University of Chicago, September 1978, citing Abu Zahrah, *Malik*, p. 339

³³ Al-Bayhaqi, *Manaqib al-Shafi'i*, vol. I. p. 503; Abd. Al-Halim al-Jundi, *al-Imam al-Shafi'i*, p.289

³⁴ Cf. Abu Zahrah, *al-Shafi'i*, pp. 29-31

the composition of the work.³⁵ And this is clear from the beginning of the introduction of this work.³⁶

In the beginning of this work, al-Shafi'i provides a minimum requirement for a *hadith* of the Prophet to carry weight in Islam. The minimum is that a reliable and trustworthy person relates from a reliable and trustworthy person (*thiqah*) until it reaches the Prophet.³⁷

It also lays down the principles of *hadith*. According to him, once a *hadith* is definitely confirmed as coming from the Prophet, it cannot be abandoned except in the case where there is another *hadith* contradicts it. Again, the method of solving the seeming differences of *hadith* is given.³⁸

2. Al-Shafi'i's Collections of *Hadith*

There are only two works in this category. They are *al-Musnad* (*Tartib al-Musnad*) and *al-Sunan al-Ma'thurah*.

2.1 *Musnad al-Shafi'i*³⁹

This *Musnad* is ascribed to al-Shafi'i. However, there is a dispute whether or not he himself compiled it or it is the work of his followers. Those who incline to believe that this *musnad* is of al-Shafi'i compilation argue that content of *hadiths* is taken from *al-Umm*.⁴⁰

On the other hand, others argue that this *musnad* is not al-Shafi'i compilation, but it was compiled by Abu al-'Abbas al-Asamm as he heard it from some of al-Shafi'i disciples.⁴¹

³⁵ Al-Bayhaqi, *Manaqib al-Shafi'i*, p. 509

³⁶ Al-Shafi'i, *Kitab Ikhtilaf Malik wa al-Shafi'i*, p. 191

³⁷ Al-Shafi'i, *Ikhtilaf Malik wa al-Shafi'i*, p. 191

³⁸ *Ibid*

³⁹ Al-Shafi'i, *Kitab al-Musnad*. In the margin of *al-Umm*, Beirut: Dar al-Ma'rifah, pp. 332-342; *Tartib. Musnad al-Imam al-Mu'azzam al-Mujtahid al-Muqaddam Abu 'Abd Allah Muhammad b. Idris al-Shafi'i*. (Intro. Muhammad Zahid al-Hassan al-Khawthari. Ed. Yusuf 'Ali al-Zawawi & others) 2 vols. Cairo: Matba'ah al-Sa'adah, 1951.

⁴⁰ Muhammad al-Khudari, *Tarikh al-Tashri' al-Islami*, p. 319

⁴¹ Ahmad Nahrawi, *Al-Imam al-Shafi'i*, p. 711 citing Ahmad 'Abd al-Rahman al-Banna, *Sharh Bada'i' al-Minan fi Jam' wa Tartib Musnad al-Shafi'i wa al-Sunan*. Pp. 3-7; Mustafa 'Abd al-Raziq, *Tamhid li Tarikh al-Falsafah al-Islamiyyah*. Pp 229; Mustafa al-Siba'i, *al-Sunnah wa Mekanatuha fi al-Tasri' al-Islami*. P. 441

Hadith mentioned in the *Musnad* are not the only ones related by al-Shafi'i nor those he used as argument in making judgement. They are also not *hadiths* which are contained in his earlier works. Rather, it is just a part of many *hadiths* which have been chosen by al-Asamm. The selected ones are in fact some of the most important *hadiths*.

2.2 *Al-Sunan al-Ma'thurah*

This work of *Hadith* bears slightly different titles. According to manuscripts available as shown by 'Abd al-Mu'ti Amin Qal'aji,⁴² there are at least four different titles. They are,

- i. *Kitab Sunan al-Shafi'i*,⁴³
- ii. *Kitab al-Sunan al-Ma'thurah*,⁴⁴
- iii. *Kitab al-Sunan*⁴⁵ and
- iv. *Al-Sunan al-Ma'thurah*.⁴⁶

This *al-Sunan al-Ma'thurah* was related by Abu Ja'far al-Tahawi al-Hanafi⁴⁷ on the authority of Isma'il b. Yahya al-Muzani.

It consists of seven parts in one volume. The *hadiths* are arranged in accordance to the subject of *fiqh*. Chapters on *fiqh* in this work can be classified as follows: *salat, qunut, al-fatihah, siyam, zakah, udhiyyah, 'idayn, jihad, bay'ah, buyu', nikah, safar* and others.

This *al-Sunan* has approximately six hundred *hadiths*

Conclusion

In conclusion, Al-Shafi'i pays more emphasis to *hadiths* of the Prophet for its paramount important roles in Islamic jurisprudence. As he says that the Qur'an is in need of *hadith* or *sunnah* of the Prophet, for the latter explains such as the ambiguous terms in the Qur'an, interprets it, brings new rulings and others. Therefore, we find that almost in his works, for instance *al-Risalah, Ikhtilaf al-Hadith, Jima' al-'Ilm* and others, a great deal is given to *hadith*.

⁴² Qal'aji, *His Introduction to al-Sunan al-Ma'thurah of al-Shafi'i*. 1987, Beirut: Dar al-Marifah

⁴³ This manuscript is preserved in Dar al-Kutub al-Misriyyah (276) *hadith*

⁴⁴ This manuscript is preserved in Maktabah al-Khazanah al-Ammah in al-Ribat

⁴⁵ This manuscript is preserved in Dar al-Kutub al-Misriyyah (724) *hadith*

⁴⁶ This manuscript is preserved in Dar al-Kutub al-Misriyyah (1534)

⁴⁷ Al-Tahawi is the author of *Ikhtilaf al-Fuqaha', al-Shurut, Ma'ani al-Athar, Ahkam al-Qur'an, al-'Aqidah*, etc.