AL-SHAFI‘I’S WRITINGS ON HADITH

by
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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 Makkah 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 contends 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.\(^1\)

The present and existing version of al-Risalah is believed to be al-Shafi'i's dictation (imla') to Rabi'.\(^2\) 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.\(^3\)

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 in 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. khabar al-wahid,\(^7\)
iv. al-hujjah fi tathbit khabar 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

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\(^1\) Al-Khatib al-Baghdadi. *Tarikh Baghdad*, vol. II, pp. 64-65; Ahmad Muhammad Shakir. *His Introduction to al-Risalah*, p. 11

\(^2\) Ahmad Muhammad Shakir, *His Introduction to al-Risalah*, p. 12

\(^3\) Ahmad Muhammad Shakir, *His Introduction to al-Risalah*, p. 13

\(^4\) Al-Risalah, paras 83-91, 92-95, 95-103, 214-235, 466-485, 1610-1621

\(^5\) 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

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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 ruku’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-a‘amm) or taqyid al-mutlaq or by considering the differences of events. It also explains (bayan) and interprets (ta’wil) the ambiguities surrounding the Prophetic traditions whilst not contradicting other hadith.

Kitab Ikhtilaf al-Hadith of al-Shafi’i is considered the oldest manual dealings with the subject. 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 pioneer who explored in detail the
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’ān, 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’ān, 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

15 Al-Shafi’i, Ikhtilaf al-Hadith, pp. 67-68
16 Al-Zuhayli, Usul al-fiqh al-Islami Vol. 1 p. 475
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Hadith is recognised. 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 emphasises 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. First, mursal of senior tabi‘in whose narration is mostly originated from the Companions and second, mursal of junior tabi‘in 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;

ii. another mursal is related by another rawi on the authorities of other than the former mursal’s shuyukh;

iii. it is supported by the opinion of the Companions (qawl al-Sahabi);

iv. the mursal has been approved by the ‘ulama’ and a number of them are known to have relied upon it;

v. it is known of the rawi who practises irsal that he would not relate it from those who have a weakness or other.

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 Ajaj al-Khatib in his Usul al-Hadith-Ulam wa Mustalahuh, p. 338.

There is another mursal, Mursal Al-Sahabah. There is no polemic about it, because it is generally accepted that all the Companions are ‘adl.

Al-Shafi‘i does accept mursal of junior tabi‘in. For details of the reasons see Al-Risalah, p. 367.

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

Musalalah, p. 465.

Al-Risalah, p. 462.

Al-Risalah, p. 463.

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 muttasiil 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. khabar 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 khabar 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 khabar al-wahid in particular.26

Ikhtilaf al-Hadith can be divided into two parts. The first part is an introductionary 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 khabar 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 khabar al-wahid. These cases

26 Muhammad al-Khudari, Tarikh al-Tarikh at-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 diyat al-asabi, diyat al-‘aqilah, diyat al-janin, jizya al-Majus and ta’ur].

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.

At the end of the introductory section, 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 mukatib, sacrificed animals (dahaya), washing feet or wiping, raising hands in prayers, doing prayer alone, salat al-khawf, the prayer of solar or lunar esclipe, 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

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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 bayyina‘* and others.

### 1.4 Ikhtilaf Malik wa al-Shafi‘ī

There are two main points with regard to al-Shafi‘ī contention against Malik in *Ikhtilaf Malik wa al-Shafi‘ī*.[31] First, al-Shafi‘ī rejects the validity of Madinan claims to have *ijma‘* on several matters. Al-Shafi‘ī attempts to remove that claims as an authoritative basis of argument.[32] Secondly, al-Shafi‘ī champions the authority of *khabar 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 *khabar al-wahid* which oppose it.

#### Background of the Work

There are some possible reasons for the appearance of *Ikhtilaf Malik wa al-Shafi‘ī*. The first is Fityan’s disagreement with al-Shafi‘ī in Egypt.[33] Second, there were followers of Malik in Andalus with whom al-Shafi‘ī disagreed over their method of argument. According to al-Shafi‘ī, 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‘ī 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‘ī, 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 a genuine reason for

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[34] Cf. Abu Zahrah, *al-Shafi‘ī*, pp. 29-31
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the composition of the work. And this is clear from the beginning of the introduction of this work.

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.

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.

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

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.

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.

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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
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-Faisafah al-Islamiyyah. Pp 229; Mustafa al-Siba'i, al-Sunnah wa Makanatuha 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, there are at least four different titles. They are,

i. Kitab Sunan al-Shafi,’
ii. Kitab al-Sunan al-Ma’thurah,
iii. Kitab al-Sunan and
iv. Al-Sunan al-Ma’thurah.

This al-Sunan al-Ma’thurah was related by Abu Ja’far al-Tahawi al-Hanafi 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 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.

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

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

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

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

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

Al-Tahawi is the author of Ikhtilaf al-Fuqaha’, al-Shurat, Ma’uni al-Athar, Ahkam al-Qur’an, al-’Aqidah, etc.